LA HARPE COMMUNITY SCHOOL DISTRICT 347
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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 serving a resident population of not fewer than 1,000 and not more than 500,000.

The 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; Indemnification)

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School District Organization

District Organization, Operations, and Cooperative Agreements

The District is organized and operates as an Elementary District serving the needs of children in grades Pre-School through 8 and others as required by School Code.

The District enters into and participates in joint programs and intergovernmental agreements with units of local government and other school districts in order to jointly provide services and activities in a manner that will increase flexibility, scope of service opportunities, cost reductions, and/or otherwise benefit the District and the community. The Superintendent shall manage these activities to the extent the program or agreement requires the District's participation, and shall provide periodic implementation or operational data and/or reports to the School Board concerning these programs and agreements. The District participates in the following joint programs and intergovernmental agreements:

LEGAL REF.: Ill. Constitution, Art. VII, Sec. 10.
5 ILCS 220/, Intergovernmental Cooperation Act.

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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 School Board President as to when to put the request on an open meeting agenda as a discussion and/or action item.
- ☐ Inform the request's sender of approximately when the request will be presented to the Board.
- ☐ Investigate the factual context and the impact of granting or not granting the request.
- ☐ Determine if the request is for procurement purposes and evaluate whether an intergovernmental agreement would be exempt under 105 ILCS 5/10-20.21.
- ☐ Prepare an evaluation of the request and a recommendation that takes into account the Board's priorities in the allocation of resources, including funds, time, personnel, facilities, and the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work.
- ☐ Consult the Board attorney for a legal review of the proposed intergovernmental agreement.
- ☐ Include the evaluation and recommendation in the appropriate Board meeting packet.

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School District Organization

School District Philosophy

The members of the School Board, as legal officials of the State of Illinois, duly elected by the people of our District, are obligated to the youth of our District to ensure that their educational needs are met in the best possible manner. We will exhibit leadership in all endeavors to improve the District's educational program and facilities.

We believe the District should provide an environment which helps students, parents and other community members demonstrate a positive attitude toward learning.

We believe that the educational program should provide each student with the opportunity to develop to his fullest capacity in the areas of mental, physical and emotional needs.

We feel that the following statements should be the goals of a well-rounded education. Each student should:

1. Attain, commensurate with his abilities, his optimum proficiency in the language arts, social studies, science and math.
2. Attain, commensurate with his abilities, his optimum proficiency in listening, speaking and writing skills.
3. Develop an ethical sense which will help him manifest tolerance, kindness and justice to all others.
4. Develop an appreciation for his role in the family, i.e. parental authority, and in civic groups.
5. Have the opportunity to learn and practice the basic principles of democracy in order to perpetuate, improve and maintain the American democratic way of life.
6. Develop knowledge and understanding of his natural environment.
7. Develop economic competence as a consumer.
8. Develop saleable skills and vocational competence.
9. Explore and develop an appreciation of the arts.
10. Develop wise use of leisure time.
11. Develop zeal for continuous learning and self-improvement.
12. Have the opportunity to learn the value and dignity of work.

We will strive to provide the citizens of this community with the most complete education program possible. Every effort will be made to:

1. Make the best use of the physical plant that was provided by the taxpayers.

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2. Secure in the judgment of the School Board the best personnel available.
3. Advise and inform the lay public from time to time of all school activities and to seek their advice.
4. Provide the highest moral, ethical and professional leadership.

CROSS REF: 2:10 (School District Governance), 3:10 (Goals and Objectives), 6:10 (Educational Philosophy and Objectives)

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LA HARPE COMMUNITY SCHOOL DISTRICT 347

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School Board

School District Governance

The District is governed by a School Board consisting of seven members. The Board's powers and duties include the authority to adopt, enforce, and monitor all policies for the management and governance of the District's schools.

Official action by the Board may only occur at a duly called and legally conducted meeting. Except as otherwise provided by the Open Meetings Act, a quorum must be physically present at the meeting.

As stated in the Board member oath of office prescribed by the School Code, a Board member has no legal authority as an individual.

LEGAL REF.: 5 ILCS 120/, Open Meetings Act.
105 ILCS 5/10-1, 5/10-10, 5/10-12, 5/10-16.5, 5/10-16.7, and 5/10-20.5.

CROSS REF.: 1:10 (School District Legal Status), 2:20 (Powers and Duties of the School Board; Indemnification), 2:80 (Board Member Oath and Conduct), 2:120 (Board Member Development), 2:200 (Types of School Board Meetings), 2:220 (School Board Meeting Procedure)

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School Board

Powers and Duties of the School Board; Indemnification

The major powers and duties of the 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.
2. Formulating, adopting, and modifying Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
3. Employing a Superintendent and other personnel, making employment decisions, dismissing personnel, including determining whether an employee has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/, and establishing an equal employment opportunity policy that prohibits unlawful discrimination.
4. Directing, through policy, the Superintendent, in his or her charge of the District's administration.
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.
6. Entering contracts using the public bidding procedure when required.
7. 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. Establishing an equal educational opportunities policy that prohibits unlawful discrimination.
9. Approving the curriculum, textbooks, and educational services.
10. Evaluating the educational program and approving School Improvement and District Improvement Plans.
11. Presenting the District report card and School report card(s) to parents/guardians and the community; these documents report District, School, and student performance.
12. Establishing and supporting student behavior policies designed to maintain an environment conducive to learning, including deciding individual student suspension or expulsion cases brought before it.
13. Establishing attendance units within the District and assigning students to the schools.
14. Establishing the school year.
15. Requiring a moment of silence to recognize veterans during any type of school event held at a District school on November 11.
16. Providing student transportation services pursuant to State law.
17. Entering into joint agreements with other boards to establish cooperative educational programs or provide educational facilities.

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18. Complying with requirements in the Abused and Neglected Child Reporting Act (ANCRA). 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 ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.
19. Notifying the State Superintendent of Education promptly and in writing of the name of a licensed teacher who was convicted of a felony, along with the conviction and the name and location of the court where the conviction occurred.
20. Notifying the Teachers' Retirement System (TRS) of the State of Ill. Board of Trustees promptly and in writing when it learns that a teacher as defined in the Ill. Pension Code was convicted of a felony, along with the name and location of the court where the conviction occurred, and the case number assigned by that court to the conviction.
21. Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters.

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.

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LEGAL REF.: 105 ILCS 5/10, 5/17-1, 5/21B-85, and 5/27-1.
115 ILCS 5/, Ill. Educational Labor Relations Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.

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), 2:210 (Organizational School Board Meeting), 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), 4:165 (Awareness and Prevention of Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions), 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 Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

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School Board

Exhibit - Waiver and Modification Request Resource Guide

Waiver or Modification	Explanation, Special Considerations, and Resources
Exemptions from Unfunded Mandates, 105 ILCS 5/22-60.	**Explanation** Applies to unfunded or under-funded: (1) mandates in the School Code enacted after 8-20-10, or (2) regulatory mandates promulgated by the Ill. State Board of Education (ISBE) and adopted by rule after 8-20-10, other than those promulgated with respect to 105 ILCS 5/22-60 or statutes already enacted on or before 8-20-10. Allows the District to petition its Regional Superintendent or a Suburban Cook County Intermediate Service Center, whichever is appropriate, to request exemption from implementing the mandate in school(s) in the next school year. **Special Considerations** 1. Whether the significance of the unfunded or under-funded mandate justifies the effort needed to seek an exemption, and 2. The advisability of simultaneously seeking a waiver or modification using Section 2-3.25g (see *Explanation* section in the row below). **Resources** ISBE Rules and Waivers division at: www.isbe.net/Pages/Waivers.aspx, (217) 782-5270, or waivers@isbe.net.
School Code Mandates and ISBE Rules, 105 ILCS 5/2-3.25g, amended by P.A. 100-465; 23 Ill.Admin.Code §1.100.	**Explanation** There are two options for the District (explanations are listed below each option): **Option 1: Petition ISBE** for a *waiver* of School Code mandates; ISBE forwards the petition for waiver to the Ill. General Assembly for consideration in its next-scheduled report. **Option 2: Petition ISBE** for one or more of the following: 1. A *modification* of the mandates in the School Code (this is different than asking for a *waiver* of mandates in the School Code). 2. A *waiver* of ISBE administrative rules. 3. A *modification* of ISBE administrative rules.

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For **Option 1**, a *waiver of mandates in the School Code*, the District must demonstrate that the waiver is necessary to: (a) stimulate innovation; (b) improve student performance; or (c) it can address the intent of the mandate in a more effective, efficient, or economical manner. 105 ILCS 5/2-3.25g, amended by P.A. 100-465, and 23 Ill.Admin.Code §1.100, list and describe mandates from which school districts may not seek a *waiver* or *modification*.

For **Option 2**, a *modification of the mandates in the School Code* and/or a *waiver* or *modification of administrative rules*, 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) the waiver or modification is necessary to stimulate innovation or improve student performance.

The District must also provide certain notices as follows:

1. Publish a notice in a newspaper of general circulation within the District of the time, date, place, and general subject matter of a public hearing on the proposed waiver or modification request. This notice must be published at least seven days before the hearing.
2. If there is no newspaper published in the county, give notice in a secular newspaper published in an adjoining county having general circulation within the District. 715 ILCS 5/2, amended by P.A. 100-72, and 715 ILCS 5/5.
3. Post the time, date, place, and general subject matter of the public hearing on the District's website at least 14 days before the hearing.
4. Notify, electronically or in writing, the affected exclusive bargaining agent(s) and the District's State legislators of the District's intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from staff. This notice must occur at least seven days before the hearing, and the affected exclusive bargaining agent(s) shall be allowed to attend the public hearing. 105 ILCS 5/2-3.25g(c-5), amended by P.A. 100-782.

Check the ISBE website listed below in the *Special Considerations* section for changes in notice requirements.

Special Considerations

The District must develop a plan supporting a waiver or modification request that meets the criteria in 105 ILCS 5/2-3.25g. See www.isbe.net/Pages/Overview-of-the-Waiver-

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	Jr.'s Birthday); 2. February 12 (President Abraham Lincoln's Birthday); 3. The first Monday in March (Casimir Pulaski Day); 4. The second Monday in October (Columbus Day); and/or 5. November 11 (Veterans Day). **Special Considerations** The Board must provide notice before the public hearing to both educators and parents/guardians with: (1) the time, date, and place of the hearing; (2) a description of the proposal; and (3) information that testimony from educators and parents/guardians will be taken about the proposal during the hearing. The District must prepare a proposal for recognizing the person(s) honored by the holiday through instructional activities conducted on that day or, if the day is not used for student attendance, on the first school day preceding or following that day. The District may also consider aligning the proposal with Board policies 5:200, *Terms and Conditions of Employment and Dismissal*; 5:330, *Sick Days, Vacation, Holidays, and Leaves*; and 6:20, *School Year Calendar and Day*. **Resources** See the tab labeled *Waivers and modifications no longer needed for legal school holiday requests, most parent-teacher conference schedules* on ISBE's website at: www.isbe.net/Pages/Modifications-of-the-School-Codes-and-Rules-of-the-State-Board.aspx.
Parent-Teacher Conferences (Attendance Calculation), 105 ILCS 5/10-19.05(d), added by P.A. 101-12.	The District is allowed to count a parent-teacher conference as a full day of attendance under any of the following configurations: 1. A minimum of five clock-hours of parent-teacher conferences; 2. Both a minimum of two clock-hours of parent-teacher conferences held in the evening following a full day of student attendance, and a minimum of three clock-hours of parent-teacher conferences held on the day immediately following evening parent-teacher conferences; or 3. Multiple parent-teacher conferences held in the evenings following full days of student attendance, in which the time used for the parent-teacher conferences is equivalent to a minimum of five clock-hours. **Special Considerations**

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	Process.aspx. 105 ILCS 5/2-3.25g; 23 Ill.Admin.Code §1.100. **Resources** ISBE rules at: 23 Ill.Admin.Code §1.100 (*Waiver and Modification of State Board Rules and School Code Mandates*) 23 Ill.Admin.Code §1.110 (*Appeal Process Under Section 22-60 of the School Code*) ISBE waivers at: www.isbe.net/Pages/Waivers.aspx Waiver overview at: www.isbe.net/Pages/Overview-of-the-Waiver-Process.aspx Instructions at: www.isbe.net/Pages/Waiver-Application.aspx Application form at: www.isbe.net/documents/33-77_waiver_application.pdf
Physical Education, 105 ILCS 5/27-6, amended by P.A. 100-465. Driver Education, 105 ILCS 5/24.2 and 105 ILCS 5/2-3.25g, amended by P.A. 100-465.	**Explanation** See the *Explanation* section in the row above. **Special Considerations** In addition to the *Explanation* section above: 1. **Physical education** is managed as a *waiver* of School Code mandates discussed in the *Explanation* section above. A waiver of this School Code mandate may be in effect for up to five years. Recent legislative changes removed any cap applicable to renewal of waivers related to physical education. 2. **Driver education fee increases** require the District to include the proposed amount of the fee increase: (a) in the public notice; and (b) on the District's website. 105 ILCS 5/2-3.25g(c-5). **Note:** For a sample school district resolution to increase driver education fees, see 4:140-E3, *Resolution to Increase Driver Education Fees*. **Resources** See the *Resources* section in the row above.
Holidays, 105 ILCS 5/24-2(b).	**Explanation** Allows the District to hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on certain holidays without submitting a modification request to and obtaining approval from ISBE. After a public hearing, the District may hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on: 1. The third Monday in January (Dr. Martin Luther King,

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	Any other options for counting a parent-teacher conference as a full day of attendance not covered by the language above will require a waiver request to the General Assembly for its consideration. The above clock-hour requirements do not apply if the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7 and the State Superintendent of Education may establish minimum clock-hour requirements under 105 ILCS 5/10-30. 105 ILCS 5/10-19.05(j-5), added by P.A. 101-643. **Resources** See the tab labeled *Waivers and modifications no longer needed for legal school holiday requests, most parent-teacher conference schedules* on ISBE's website at: www.isbe.net/Pages/Modifications-of-the-School-Codes-and-Rules-of-the-State-Board.aspx.

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School Board

School District 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.

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.

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, 5/9, 5/10-9, 5/22-17, 5/22-18, and 5/28.
105 ILCS 5/9.

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

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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 the 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. II, §1; Art. IV, §2(e); Art. VI, §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 - Filling Vacancies)

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School Board

Board Member Term of Office

The term of office for a School Board member begins immediately after both of 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 District Elections), 2:80 (Board Member Oath and Conduct), 2:210 (Organizational School Board Meeting)

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School Board

Board Member Removal from Office

If a majority of the School 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 the School Board - Filling Vacancies)

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School Board

Vacancies on the 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 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 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 board election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term or less than 88 days before the next regularly scheduled election, 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 60 days after it occurred by a public vote at a meeting of the Board.

Immediately following a vacancy on the 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 the 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)

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School Board

Exhibit - Checklist for Filling Board Vacancies 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 *Vacancies on the Board of Education*, published by a committee of the Ill. Council of School Attorneys, and available at: www.iasb.com/law/vacancies.cfm.

Confirm that the Board must fill the vacancy by appointment.

Guidelines	Explanation
Review Board policy 2:70, *Vacancies on the School Board - Filling Vacancies*, 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.
In the event a seat on the board goes unfilled at an election, consult the Board Attorney to determine (1) how long the seat can be *held over* by the incumbent member, and (2) the process by which the Board will fill the seat.	The School Code partially addresses the concept of a *holdover seat*; it states "no elective office…becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified." 105 ILCS 5/10-11.

Notify the Regional Superintendent of the vacancy within five days of its occurrence (105 ILCS 5/10-10).

Develop a list of qualifications for appointment of a person to fill the vacancy.

Guidelines	Explanation
At a minimum, a candidate must meet the following qualifications: • 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 child sex offender • Not hold another incompatible public office • Not have a prohibited interest in any	While the School Code 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 *Recruiting School Board Candidates*, available at: www.iasb.com/training/recruiting.cfm For guidance regarding conflict of interest and incompatible offices, see *Conflict of Interest and Incompatible Offices FAQ* (ICSA).

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contract with the District • Not be a school trustee • Not hold certain types of prohibited State or federal employment	
When additional qualifications apply, the following items may be included in the Board's list of qualifications: • 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 5/10-11. **Note:** If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5(c), added by P.A. 100-800.

Decide who will receive completed vacancy applications.

Guidelines	Explanation
The Board President will accept applications. The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.	Who accepts vacancy applications is at the Board's sole discretion. According to 2:110, *Qualifications, Term, and Duties of Board Officers*, 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.

Create the Board member vacancy announcement.

Announcement	Explanation
School District _____ Board Member Vacancy The School District is accepting applications to fill the vacancy resulting from [*reason for vacancy*] of [*former Board member's name*].	The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board's sole discretion. The Board may want to announce the vacancy and its intent to fill it by appointment during an open meeting. The announcement may be posted on the District's website and in the local newspaper(s).
The individual selected will serve on the School Board from the date of appointment to [*date*].	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, *Vacancies on the School Board - Filling Vacancies*, to determine the length of the appointment.
The School District [*School District's philosophy or mission statement*].	See Board policy 1:30, *School District Philosophy*, for the District's mission statement that is specific to the community's goals.
Applicants for the Board vacancy must be: [*Board's list of qualifications*].	See checklist item titled *Develop a list of qualifications for appointment of a person to fill the vacancy* above.

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Applicants should show familiarity with the Board's policies regarding general duties and responsibilities of a Board and a Board member, including fiduciary responsibilities, conflict of interest, ethics and gift ban. The Board's policies are available at [*locations*].	Listing this along with the Board's list of qualifications assists candidates in understanding a Board member's duties and responsibilities and may facilitate a better conversation during the interview process. See Board policies: 2:20, *Powers and Duties of the School Board; Indemnification;* 2:80, *Board Member Oath and Conduct*; 2:100, *Board Member Conflict of Interest*; 2:105 *Ethics and Gift Ban*; and 2:120, *Board Member Development*.
Applications may be obtained at [*location and address and/or website*] beginning on [*date and time*]. Completed applications may be turned in by [*time and date*] to [*name and title of person receiving applications*].	See action item titled *Decide who will receive completed vacancy applications* above.

Publicize the vacancy announcement by placing it on the District's website, announcing it at a meeting, and/or advertising it in the local newspaper(s).

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.

Interview Questions	Explanation
Why do you want to be a Board member? What specific skills would you bring to the Board? Please give specific examples of your ability in interpersonal relationships and teamwork. What do you see as the role of a Board member? What have you done to prepare yourself for the challenges of being a Board member? Please describe your previous community or non-profit experiences. What areas in the district would you like to see the Board strengthen? What is your availability to meet the time, training commitments, and other	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. The Board may also want to consider allowing an equal amount of time for each interview. See IASB's *Recruiting School Board Candidates*, available at: www.iasb.com/training/recruiting.cfm A prospective candidate to fill a vacancy may raise other specific issues that the Board will want to cover during an interview.

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responsibilities required for Board membership? Describe what legacy you would like to leave behind.	

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

Interview Plan	Explanation
In each interview, the Board President will: Introduce Board members to the candidate at the beginning of the interview. 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. Describe the District's philosophy or mission statement. 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. Begin asking the interview questions that the Board developed. Ask the candidate whether he or she has any questions for the Board. 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.	The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The president presides at all meetings. 105 ILCS 5/10-13. The Board may also want to consider allowing an equal amount of time for each interview.

Fill vacancy by a vote during an open meeting of the Board before the 60th day (105 ILCS 5/10-10, amended by P.A. 101-67, eff. 1-1-20).

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.

Announcement	Explanation

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The Board appointed [*appointee's name*] to fill the vacancy on the Board. The appointment will be from [*date*] to [*date*]. 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 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.	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 consider announcing the appointment during its meeting and also by posting it in the same places that it posted the vacancy announcement. See Board policy 8:10, *Connection with the Community*.

Administer the Oath of Office and begin orientation.

Guidelines	Explanation
See Board policy 2:80, *Board Member Oath and Conduct*.	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.
See Board policy 2:120, *Board Member Development*, and 2:120-E1, *Guidelines for Serving as a Mentor to a New School Board Member*.	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.

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

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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 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;

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

As part of the Board of Education, I shall accept the responsibility for my role in the equitable and quality education of every student in the School District;

I shall foster with the Board extensive participation of the community, formulate goals, define outcomes, and set the course for (*name of School District*);

I shall assist in establishing a structure and an environment designed to ensure all students have the opportunity to attain their maximum potential through a sound organizational framework;

I shall strive to ensure a continuous assessment of student achievement and all conditions affecting the education of our children, in compliance with State law;

I shall serve as education's key advocate on behalf of students and our community's school (or schools) to advance the vision for (*name of School District*); and

I shall strive to work together with the District Superintendent to lead the School District toward fulfilling the vision the Board has created, fostering excellence for every student in the areas of academic skills, knowledge, citizenship, and personal development.

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; Indemnification), 2:50 (Board Member Term of Office), 2:100 (Board Member Conflict of Interest), 2:105 (Ethics and Gift Ban), 2:210 (Organizational School Board Meeting)

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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.

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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

Federal and State Grant Awards

No Board member shall participate in the selection, award, or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) if he or she has a real or apparent conflict of interest. A conflict of interest arises when a Board member or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract:

1. A member of the Board member's immediate family;
2. The Board member's partner; or
3. An entity that employs or is about to employ the Board member or one of the individuals listed in one or two above.

LEGAL REF.: 105 ILCS 5/10-9.
5 ILCS 420/, Ill. Governmental Ethics Act.
30 ILCS 708/, Grant Accountability and Transparency Act.
50 ILCS 105/3, Public Officer Prohibited Activities Act.
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; Code of Professional Conduct; and Conflict of Interest)

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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) is 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 fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.

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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 26 U.S.C. §501(c)(3).

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.

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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.

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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;
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.

Complaints of Sexual Harassment Made Against Board Members by Elected Officials

Pursuant to the State Officials and Employees Ethics Act (5 ILCS 430/70-5), members of the Board and other elected officials are encouraged to promptly report claims of sexual harassment by a Board member. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available. If the official feels comfortable doing so, he or she should directly inform the individual that the individual's conduct or communication is offensive and must stop.

Board members and elected officials should report claims of sexual harassment against a member of the Board to the Board President or Superintendent. If the report is made to the Superintendent, the Superintendent shall promptly notify the President, or if the President is the subject of the complaint, the Vice President. Reports of sexual harassment will be confidential to the greatest extent practicable.

When a complaint of sexual harassment is made against a member of the Board by another Board member or other elected official, the Board President shall appoint a qualified outside investigator who is not a District employee or Board member to conduct an independent review of the allegations. If the allegations concern the President, or the President is a witness or otherwise conflicted, the Vice President shall make the appointment. If the allegations concern both the President and Vice President, and/or they are witnesses or otherwise conflicted, the Board Secretary shall make the appointment. The investigator shall prepare a written report and submit it to the Board.

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If a Board member has engaged in sexual harassment, the matter will be addressed in accordance with the authority of the Board.

The Superintendent will post this policy on the District website and/or make this policy available in the District's administrative office.

LEGAL REF.: 105 ILCS 5/22-93.
5 ILCS 430/, State Officials and Employees Ethics Act.
10 ILCS 5/9-25.1, Election Interference Prohibition Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:260 (Uniform Grievance Procedure), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest)

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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 two-year term. The duties of the President are to:

1. Preside at all meetings;
2. Focus the Board meeting agendas on appropriate content;
3. Make all Board committee appointments, unless specifically stated otherwise;
4. Attend and observe any Board committee meeting at his or her discretion;
5. Represent the Board on other boards or agencies;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Serve as the head of the public body for purposes of the Open Meetings Act and Freedom of Information Act;
9. Ensure that a quorum of the Board is physically present at all Board meetings, except as otherwise provided by the Open Meetings Act;
10. Administer the oath of office to new Board members;
11. Serve as or appoint the Board's official spokesperson to the media;
12. Except when the Board President is the subject of a complaint of sexual harassment, a witness, or otherwise conflicted, appoint a qualified outside investigator to conduct an independent review of allegations of sexual harassment made against a Board member by another Board member or elected official; and
13. Ensure that all fingerprint-based criminal history records information checks, screenings, and sexual misconduct related employment history reviews (EHRs) required by State law and policy 5:30, *Hiring Process and Criteria*, are completed for the Superintendent.

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 Board elects a Vice President from its members for a two-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 a special Board election.

Secretary

The Board elects a Secretary for a two-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

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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 to the Treasurer at such times as the Treasurer may require;
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 official 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 a member of the Board who serves a one-year term or a 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 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.

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LEGAL REF.: 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, 5/10-21.9, 5/17-1, 5/21B-85, and 5/22-94.
5 ILCS 120/7, Open Meetings Act.
5 ILCS 420/4A-106, Ill. Governmental Ethics Act.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:105 (Ethics and Gift Ban), 2:150 (Committees), 2:210 (Organizational School Board Meeting), 2:220 (School Board Meeting Procedure), 5:30 (Hiring Process and Criteria)

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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 Board 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 education 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 fill a vacancy of at least one year's duration must complete at least four hours of professional development leadership training in education and labor law, financial oversight and accountability, fiduciary responsibilities, and (beginning in the fall of 2023) trauma-informed practices for students and staff 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, appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

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

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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 Compensation; Expenses), 2:200 (Types of School Board Meetings)

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School Board

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

On District letterhead

Date

Dear School Board Member:

Thank you for agreeing 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 help the new Board member 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 the new Board member's 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 provided the new Board member with a web link or paper 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 the new Board member becomes a familiar face.
5. Be available and maintain a helpful attitude. You will assist the new Board member in becoming an effective member of the Board and ensuring 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

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School Board

Exhibit - Website Listing of Development and Training Completed by Board Members

District webmaster: Post this template (including the explanatory paragraphs) on the District's website and update the table as information is provided.

Each Illinois school board member who is elected or appointed to fill a vacancy of at least one year's duration must complete State-mandated *professional development leadership training* (PDLT) and *Open Meetings Act* (OMA) training. State-mandated training is also required for board members who want to vote upon a dismissal based upon the *Performance Evaluation Reform Act*. For additional information, see Board policy 2:120, *Board Member Development*.

The following table contains State-mandated training requirements and other professional development activities that were completed by each Board member. When the Illinois Association of School Boards (IASB) provided the training, the acronym "IASB" follows the listed activity.

Name	Development and Training Activity and Provider	Date Completed

IASB is a voluntary organization of local boards of education dedicated to strengthening the Illinois public schools through local citizen control. Although not a part of State government, IASB is organized by member school boards as a private not-for-profit corporation under authority granted by Article 23 of the School Code. The vision of IASB is excellence in local school board governance supporting quality public education.

For more information regarding IASB and its programs, visit www.iasb.com.

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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 members 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

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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. Fees for the first checked bag will be reimbursed. Copies of airline tickets and baggage receipts 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.

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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, ride sharing 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.

Additional Requirements for Travel Expenses Charged to Federal and State Grants

All Board member expenses for travel charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act (30 ILCS 708/) must comply with Board policy 5:60, *Expenses*, and its implementing procedures. Travel expenses include costs for transportation, lodging, meals, and related items.

LEGAL REF.: 105 ILCS 5/10-20 and 5/10-22.32.
30 ILCS 708/, Government Accountability and Transparency Act.
50 ILCS 150/, Local Government Travel Expense Control Act.

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)

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School Board

Exhibit - Board Member Expense Reimbursement Form

Submit to the Superintendent, who will include this request in the monthly list of bills presented to the School Board. Please print and attach receipts for all expenditures. ***Use of this form is required by 2:125-E3, Resolution to Regulate Expense Reimbursements.*** *Please print.*

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

Departure Date: _____ Return Date: _____

☐ **Receipts attached** Request Date: _____

☐ **Estimated expenses attached** (*Completed 2:125-E2, Board Member Estimated Expense Approval Form*)(*pre-approval is required for federal and State grants*).

☐ **Approved expense advancement (voucher) attached, if applicable*** (*Completed 2:125-E2, Board Member Estimated Expense Approval Form.)*

Actual Expense Report

*Board members will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, board members will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 2:125, *Board Member Compensation; Expenses*.

Auto Travel Allowance: _____ per mile

Date	Auto Mileage Miles	Auto Mileage Cost	Transp. Expenses	Lodging	Meals or Per Diem Bkfst	Meals or Per Diem Lunch	Meals or Per Diem Dinner	Other Item	Other Cost	Daily Total
Subtotal										
Advances									-	
TOTAL (*a negative amount indicates refund due from Board member*)									$	

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Submitting Board Member's Signature _____ Date _____

Superintendent Signature _____ Date _____

School Board Action: ☐ **Approved** ☐ **Denied**
☐ **Approved in Part** ☐ **Exceeds Maximum Allowable Amount**
☐ **Grant Funding Source** (if applicable): _____

Comments: _____

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School Board

Exhibit - Board Member Estimated Expense Approval Form

Submit to the Superintendent, who will include this request in the monthly list of bills presented to the School Board. ***Use of this form is required (1) by 2:125-E3, Resolution to Regulate Expense Reimbursements and (2) for pre-approval of expenses to be charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act.*** *Please print.*

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

Departure Date: _____ Return Date: _____

☐ **Estimated Expenses Approval Requested** (50 ILCS 150/20 or grant expenditure)

☐ **Travel is grant-related*** (specify grant): _____

☐ **Purchase Order Requested** Purchase Order #: _____

☐ **Expense Advancement Voucher Requested** (105 ILCS 5/10-22.32)

Voucher Amount: _____

Estimated Expense Report

Auto Travel Allowance: _____ per mile

***Grant-related travel only:** Except for mileage and other transportation expenses, expense reimbursement/per diem is only allowed if on official travel status for 12 hours or more. If lodging at or below the applicable rate cannot be identified, please indicate below and attach at least three quotes for review.*

Date	Auto Mileage Miles	Auto Mileage Cost	Transp. Expenses	Lodging	Meals or Per Diem Bkfst	Meals or Per Diem Lunch	Meals or Per Diem Dinner	Other Item	Other Cost	Daily Total
Total										**$**

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Submitting Board Member's Signature _____ Date _____

Superintendent Signature _____ Date _____

School Board Action: ☐ **Approved** ☐ **Denied**
☐ **Approved in Part** ☐ **Exceeds Maximum Allowable Amount**
☐ **Grant Funding Source** (if applicable):_____

Comments: _____

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School Board

Exhibit - Resolution to Regulate Expense Reimbursements

WHEREAS, Section 10-20 of the School Code (105 ILCS 5/10-20) grants school boards other powers that are not inconsistent with their duties;

WHEREAS, Section 10 of the Local Government Travel Expense Control Act (50 ILCS 150/) provides that the School Board shall by resolution regulate the reimbursement of all travel, meal, and lodging expenses of officers and employees, including, but not limited to: (1) the types of official business for which travel, meal, and lodging expenses are allowed; (2) maximum allowable reimbursement for travel, meal, and lodging expenses; and (3) a standardized form for submission of travel, meal, and lodging expenses supported with minimum documentation;

WHEREAS, the Board regulates the types of expenses that are allowed in Board Policies 2:125, *Board Member Compensation; Expenses* and 5:60, *Expenses*;

WHEREAS, based upon the School District's budget and other financial considerations, the Superintendent has recommended to the Board a maximum allowable reimbursement amount of $75 for meals for Board members and District staff; lodging will be booked by the superintendent; mileage will be paid at the Social Security Rate.

WHEREAS, the Board requires submission of appropriate standardized expense forms supported with required written minimum documentation (50 ILCS 150/10 and 20);

WHEREAS, submitted expenses that exceed the Board's maximum allowable reimbursement amount may be approved by a roll call vote at an open meeting of the Board when an emergency or other extraordinary circumstance exists (50 ILCS 150/10 and 15);

WHEREAS, all Board member expenses must be approved by a roll call vote at an open meeting of the Board (50 ILCS 150/15);

THEREFORE, BE IT RESOLVED, that the Board hereby:

1. Defines and sets the types of allowable expenses through Board policies 2:125, *Board Member Compensation; Expenses* and 5:60, *Expenses*.
2. Sets the maximum allowable reimbursement for travel, meal, and lodging expenses to an amount not to exceed see above, effective on *15 November 2022* until the Resolution is rescinded or replaced by the Board.
3. Supersedes its previously adopted *Resolution to Regulate Expense Reimbursements* as of the effective date in paragraph two above.
4. Requires use of Board exhibits 2:125-E1, *Board Member Expense Reimbursement Form*; 2:125-E2, *Board Member Estimated Expense Approval Form*; 5:60-E1, *Employee Expense Reimbursement Form*; and 5:60-E2, *Employee Estimated Expense Approval Form*.
5. May approve expenses that exceed the Board's maximum allowable reimbursement amount by a roll call vote at an open meeting when an emergency or other extraordinary circumstance exists.
6. Must approve its members' expenses by a roll call vote at an open meeting.

Attested by: _____, Board President

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School Board

Board-Superintendent Relationship

The School Board directs, through policy, the Superintendent in his or her charge of the administration of the District by delegating its authority to operate the District and provide leadership to staff. The 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)

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School Board

Communications To and From the Board

The School Board welcomes communications from staff members, parents/guardians, 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 email address(es) posted on the District's website. The Superintendent or designee shall:

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
2. During the Board's regular meetings, report for the Board's consideration all questions or communications submitted through the active electronic link along with the status of the District's response in the Board meeting packet.

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 Communications

For purposes of this section, *electronic communications* includes, without limitation, electronic mail, electronic chat, instant messaging, texting, 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: (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

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 through electronic communications with a majority of a Board-quorum.

LEGAL REF.: 5 ILCS 120/, Open Meetings Act.
50 ILCS 205/20, Local Records Act.

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

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School Board

Exhibit - Guidance for Board Member Communications, Including Email Use

The Open Meetings Act (OMA) requires the School Board to discuss District business only at a properly noticed Board meeting. 5 ILCS 120/. Other than during a Board meeting, a majority or more of a Board-quorum may not engage in contemporaneous interactive communication, whether in person or electronically, to discuss District business. This *Guidance* assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board.*

Communications Between or Among Board Members and/or the Superintendent Outside of a Properly Noticed Board Meeting

1. The Superintendent or designee is permitted to email information to Board members. For example, the Superintendent may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Superintendent should copy all other Board members and include a *do not reply/forward* alert to the group, such as: "**BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender.**"
2. Board members are permitted to discuss any matter except District business with each other, whether in person or by telephone or email, regardless of the number of members participating in the discussion. For example, they may discuss league sports, work, or current events.
3. Board members are permitted to provide information to each other, whether in person or by telephone or email, that is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
4. A Board member is not permitted to discuss District business with more than one other Board member at a time, whether in person or by telephone or email. Stated another way, a Board member may discuss District business in person or by telephone or email with only one other Board member at a time. However, a Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls or emails to, Board members individually.
5. A Board member should include a *do not reply/forward* alert when emailing a message concerning District business to more than one other Board member. The following is an example of such an alert: "**BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual.**"
6. Board members should not forward email received from another Board member.

When Must the Electronic Communications Sent or Received by Individual Board Members Be Disclosed Pursuant to a Freedom of Information Act (FOIA) Request?

An electronic communication must be disclosed if it is a *public record* as defined by FOIA, unless a specific exemption applies. A public record is any recorded information "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 any public body." 5 ILCS 140/2. Email sent or received by an individual Board member may be, depending on the content and circumstances, subject to disclosure as a *public record* (unless a FOIA exemption is applicable).

If a Board member uses a District-provided device or email address to discuss public business, the email is subject to disclosure under FOIA, barring an applicable exemption. If a Board member uses a private device

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and email address, the communication is subject to FOIA if it satisfies this test:

First, the communication pertains to the transaction of public business, and

Second, the communication was: (1) prepared by a public body, (2) prepared for a public body, (3) used by a public body, (4) received by a public body, (5) possessed by a public body, and/or (6) controlled by a public body.

This test is from the appellate court decision in City of Champaign v. Madigan, 992 N.E.2d 629 (Ill.App.4th 2013).

The following *examples* describe FOIA's treatment of electronic communications:

1. If an electronic communication does not pertain to public business, it is not a public record and is not subject to a FOIA request.
2. An electronic communication pertaining to public business that is:

    a. Sent and/or received by an individual Board member using a personal electronic device and personal email address while he or she is at home or work **would not be a public record**. Individual Board members, alone, cannot conduct school District business. As stated earlier, emails among a majority or more of a Board-quorum violate OMA and, thus, are subject to disclosure during proceedings to enforce OMA.

    b. Sent and/or received by an individual Board member on a District-issued device or District-issued email address **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.

    c. Received by an individual Board member on a personal electronic device and then forwarded by the Board member to a District-owned device or server **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.

    d. Received by an individual Board member using a personal electronic device and personal email address, and then forwarded by the Board member to enough members to constitute a majority or more of a Board-quorum **will be a public record** and subject to FOIA. The electronic communication is in the District's possession.

    e. Either sent to or from a Board member's personal electronic device during a Board meeting **will be a public record** and subject to FOIA. The electronic communication is in the District's possession because Board members were functioning collectively as a public body.

The District's Freedom of Information Officer and/or Board Attorney will help determine when a specific communication must be disclosed pursuant to a FOIA request.

When Must Electronic Communications Be Retained?

Email that qualifies under FOIA as a *public record* will need to be stored pursuant to the Local Records Act (LRA), only if it is evidence of the District's organization, function, policies, procedures, or activities or contains informational data appropriate for preservation. 50 ILCS 205/. An example is any email from a Board officer concerning a decision made in his or her capacity as an officer. If a Board member uses his or her personal email, he or she must copy this type of email to the appropriate District office where it will be stored. If made available, Board members should use their email accounts provided by the District, and the District will automatically store the official record messages. The District will delete these official record messages as provided in an applicable, approved **retention schedule.** Of course, email pertaining to public business that is sent or received by a Board Member using a District-issued device or email address will be subject to FOIA, even if the email does not need to be retained under the LRA.

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Important: Do not destroy any email concerning a topic that is being litigated without obtaining the Board attorney's direction. 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 not to destroy any electronic records that might be relevant. This is referred to as a *litigation hold*. For more discussion of a litigation hold, see 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. In addition, any person who knowingly with the intent to defraud any party destroys, removes, or conceals any public record commits a Class 4 felony. 50 ILCS 205/4.

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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 is 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 an indefinite term 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.
2. Parent-Teacher Advisory Committee. This committee assists in the development of student behavior policy and procedure, and provides information and recommendations to the Board. 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.
3. 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*, and provides information and recommendations to the Board. 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/, Open Meetings Act.
105 ILCS 5/10-20.14 and 5/14-8.05.

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 Behavior), 7:230 (Misconduct by Students with Disabilities)

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School Board

Administrative Procedure - Superintendent Committees

The Superintendent or designee creates Superintendent or administrative committees as deemed necessary, makes all appointments, and directs all activities. A Superintendent or administrative committee reports directly to the Superintendent or designated administrator who directs its activities. The Superintendent or designee should consult the Board Attorney (a) concerning whether any of these committees must comply with the Open Meetings Act (OMA), and/or (b) to receive guidance for ensuring that the meetings either comply with OMA requirements or do not trigger OMA. Unless otherwise indicated, the listed Superintendent or administrative committees are optional:

Communicable and Chronic Infectious Disease Program Task Force

This 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, and reports directly to the Superintendent or designee. Appointments are made to the task force only if the Superintendent or designee determines that its input is desirable. See policies 5:40, *Communicable and Chronic Infectious Disease*; and 7:280, *Communicable and Chronic Infectious Disease*.

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

Communicable and Chronic Infectious Disease Review Team

This 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, which may include temporary removal from and return to the regular educational setting.
3. Recommends the most appropriate work setting for an employee; this may include retention in his/her present position, transfer to another position, or temporary excusal from or return to his/her work assignment.

Team members may 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, Ill. Dept. of Public Health (IDPH) rules and regulations, and all other applicable State and federal laws. It reports directly to the Superintendent or designee. See also policies 5:40, *Communicable and Chronic Infectious Disease*; and 7:280, *Communicable and Chronic Infectious Disease*. 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.

Anaphylaxis Prevention, Response, and Management Committee

This committee develops and implements the District's Anaphylaxis Prevention, Response, and Management Program and reports directly to the Superintendent or designee. It monitors the program and establishes a

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schedule to ensure the Superintendent reports on the program's effectiveness to the Board at least once every three years. See policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, and administrative procedure 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*, based upon the *Ill. State Board of Education (ISBE) Anaphylaxis Response Policy for Illinois Schools* at: www.isbe.net/Documents/Anaphylactic-policy.pdf.

Committee members may include District-level administrators, Building Principals, the District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan*, **Part C, District Safety Coordinator and Safety Team; Responsibilities**), District 504 Coordinator (see policy 6:120, *Education of Children with Disabilities*), staff members, parents/guardians, community members, and students.

Employee Substance Abuse Prevention Committee

This committee makes recommendations directly to the Superintendent or designee regarding the issues of employee substance abuse and resulting employee conduct standards, and:

1. Cooperates with community and State agencies on substance abuse programs.
2. Gathers information about substance abuse and suggests methods to disseminate it to employees.
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 any directives from the Board to the Superintendent regarding the District's obligation to provide a safe environment and to ensure high-quality performance, which may include but not be limited to:
    a. Securing training for designated district employees to educate them to identify symptoms of being impaired by or under the influence of substances prohibited by policy. For guidance about what *impaired by* or *under the influence of* means, see:
        i. Footnote discussions in numbers five and six in policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*;
        ii. 625 ILCS 5/11-501.2 and 5/11-501.9, amended by P.A. 101-27 (chemical and other tests, validity, etc., a/k/a *field sobriety tests*);
        iii. 410 ILCS 705/10-50(d), added by P.A. 101-27 ("An employer may consider an employee to be impaired or under the influence of cannabis if the employer has a *good faith belief* that an employee manifests specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others.") (**Note:** Consult the Board Attorney about identifying cannabis use); and
        iv. Professional development opportunities in the area, e.g., local law enforcement agencies may be a place to begin.
    b. Implementing a reasonable suspicion and/or drug testing program(s) to enhance the District's ability to identify and discipline employees suspected of being impaired by and/or under the influence of prohibited substances. **Note:** Consult the Board Attorney before implementing any drug-testing program(s) or disciplining employees based upon the results of these programs. Drug testing will likely assist the District with the challenges of identifying cannabis-related issues, but the science behind impairment identification and behavioral testing for cannabis impairment is new and emerging.
    c. Addressing expectations for employees in positions of leadership who are perpetually *on call* due to the nature of their positions and responsibilities.

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d. Holding licensed educators to a higher standard than non-licensed employees due to their professional code of conduct expectations.
e. Holding employees working directly with students to a higher standard than employees not working directly with students.

5. Recommends a method to explicitly inform employees of the consequences of violating the District's policy.
6. Recommends best practices for discipline of employees who are suspected of violating or are violating the District's policy.

Committee members may include the Superintendent or designee, the District's medical advisor/medical review officer, 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. See policies 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and administrative procedure 5:120-AP2, *Employee Conduct Standards*.

Pandemic Planning Team

This team builds a strong relationship with the local health department and emergency medical agencies and uses their assistance to develop and implement a comprehensive pandemic influenza school action plan and build awareness of the final plan among staff, students, and the community. See policy 4:180, *Pandemic Preparedness; Management; and Recovery*, and its procedures.

Team members may include one or two Board members, administrators, and staff members. It reports directly to the Superintendent or designee.

Sex Equity Committee

This committee supports the District's efforts to eliminate sexual harassment by advising the Superintendent or designee on prevention, intervention, and education. Committee members may include community representatives, District administrators, teachers, and students. See policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 7:10, *Equal Educational Opportunities*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

School Violence Prevention Team

This team builds awareness about and supports the development and implementation of the District's:

1. Targeted School Violence Prevention Program. See policy 4:190, *Targeted School Violence Prevention Program*, and procedure 4:190-AP1, *Targeted School Violence Prevention Program*.
2. Anti-bullying program, as appropriate. See policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and procedure 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*.

All Building Principals or their designees must serve on this team. Other team members may include the District Safety Coordinator (see procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, Part C, *District Safety Coordinator and Safety Team; Responsibilities*), law enforcement representatives, Board Attorney, District psychologist(s), mental health workers and/or social service agencies, faith leaders, community members, and students. It reports directly to the Superintendent or designee.

Transitional Bilingual Education (TBE) Programs Parent Advisory Committee

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This committee is required. The committee maximizes the practical involvement of parents/guardians of students in the District's TBE program(s). Its purpose is to:

1. Afford parents/guardians the opportunity to effectively express their views; and
2. Ensure that the District's program(s) are planned, operated, and evaluated with the involvement of, and in consultation with, parents/guardians of students served by the program(s).

All Building Principals or their designees serve on this team. Other committee members must include parents/guardians of students enrolled in the District's TBE program(s), transitional bilingual education teachers, counselors, and representatives from community groups. A majority of the committee members (or if the District has multiple committees, each committee) must be parents/guardians of students enrolled in the District's TBE program(s).

This committee must elect officers, establish internal rules, guidelines, and procedures. It reports directly to the Superintendent or designee.

Title I Parent Advisory Committee

This committee is required if the District receives or desires to receive Title I funds. See policy 6:170, *Title I Programs*; procedure 6:170-AP1, E1, *District-Level Parent and Family Engagement Compact*; 20 U.S.C. §§6312(a)(1)(A), 6318(a)(2)(F). The committee supports the development and implementation of the District's Title I plan. Its activities may include, at the Superintendent or designee'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. Consulting regarding the District's Title I Plan.
4. Supporting the implementation of policy 6:170, *Title I Programs*.

Committee members include parents/guardians and family members of Title I children. It reports directly to the Superintendent or designee.

PERA (Performance Educational Reform Act) Joint Committee and the RIF (Reduction in Force) Joint Committee

Each committee listed below is required until its function has been fulfilled.

1. **PERA joint committee**. This mandatory committee develops a plan for incorporating data and indicators of student growth into the evaluation plan. The joint committee is "composed of equal representation selected by the district and its teachers, or where applicable, the exclusive bargaining representative of its teachers." 105 ILCS 5/24A-4(b). If, within 180 calendar days of the committee's first meeting, the committee does not reach an agreement on the plan, the District must implement ISBE's model evaluation plan with respect to the use of data and indicators on student growth. The amendment of an evaluation plan continues to be a mandatory subject of bargaining. This committee also agrees to the panel of qualified evaluators that reviews appeals of unsatisfactory performance ratings and determines the criteria for successful appeals. 105 ILCS 5/24A-5.5, added by P.A. 101-591. By 9-1-22, this committee must also establish: (a) a teacher evaluation plan that ensures that each tenured teacher whose performance is rated as either *excellent* or *proficient* is evaluated at least once in the course of the three school years after receipt of the rating, and (b) implement an informal teacher observation plan established by ISBE rule and by agreement of this committee to ensure that each tenured teacher in this category is at least informally observed at least once in the course of the two school years after receipt of the *excellent* or *proficient* rating. 105 ILCS 5/24A-5, amended by

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P.A. 102-252.

2. **RIF joint committee**. This mandatory committee convenes annually to consider issues identified in the statute concerning the selection of teachers for layoff. 105 ILCS 5/24-12(c). On or before December 1 each year, the RIF joint committee must be established and must hold its first meeting. It is composed of individuals appointed by the Board and the teachers (or the exclusive bargaining representative of its teachers).

Concussion Oversight Team

The Concussion Oversight Team is required until its function has been fulfilled. State law requires the team to establish protocols for return-to-play and return-to-learn for students who have suffered a concussion or head injury during interscholastic athletic activities. See policy 7:305, *Student Athlete Concussions and Head Injuries*. 105 ILCS 5/22-80(d). The Board must appoint or approve a Concussion Oversight Team. Section 22-80(d) identifies who must be on each Concussion Oversight Team. A physician, to the extent possible, must be on the Team. If the school employs an athletic trainer and/or nurse, they must be on the Team to the extent practicable. The Team must include, at a minimum, one person who is responsible for implementing and complying with the return-to-play and return-to-learn protocols adopted by the Team. Other licensed health care professionals may be appointed to serve on the Team. If it is not practicable for a physician, athletic trainer, and/or nurse to be on the Team and other licensed health care professionals are not appointed to serve on the Team, the Team may be composed of only one person who need not be a licensed healthcare professional; however, that individual may not be a coach.

Wellness Committee

The Wellness Committee includes at least one representative from each of the following groups: parents, students, representatives of the school food authority, teachers of physical education, school health professionals, a member of the Board, school administrators, and members of the community. Individuals of this committee will participate in the development, implementation, periodic reviews, and updates of policy 6:50, *School Wellness*. 7 C.F.R. §210.31(d)(1).

Children's Advocacy Center Communication Committee

This committee supports the implementation of the Alleged Incidents of Sexual Abuse; Investigations subhead of policy 5:90, *Abused and Neglected Child Reporting*. It includes the District Nondiscrimination Coordinator, District Safety Coordinator, and at least one representative from each of the following groups: District-level administrators, Building Principals, school personnel, and employees from the accredited Children's Advocacy Center (CAC) that serves the District. The CAC Communication Committee reports directly to the Superintendent or designee. See policy 5:90, *Abused and Neglected Child Reporting*, and administrative procedure 5:90-AP, *Coordination with Children's Advocacy Center*.

Educational Technology Committee

This committee supports the implementation of policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*. Committee members may include the Head of Information Technology, District-level administrators, Building Principals, and teachers. See administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*.

This committee also supports the District's submission of an annual report to ISBE regarding educational technology capacities and policies.

Remote Learning Committee

This committee develops a plan for instruction in grades pre-kindergarten through 12 and presents it to the Superintendent for approval who then presents it to the Board for adoption when the:

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3. Governor declares a disaster due to a public health emergency (20 ILCS 3305/7); and
4. State Superintendent of Education declares a requirement for the District to implement and use Remote Learning Days (RLDs) or Blended Remote Learning Days (BRLDs).

After adoption of the plan by the Board, this committee supervises the implementation of 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)* and exists until its function has been fulfilled.

Time Out and Physical Restraint Oversight Team

The Time Out and Physical Restraint Oversight Team is required. The Team includes, but is not limited to, Building Principals, teachers, paraprofessionals, school service personnel, and administrators to develop:

1. A school district plan, including school-specific considerations, for reducing and eventually eliminating the use of isolated time out, time out, and physical restraint in accordance with the goals and benchmarks established by ISBE; and
2. Procedures to implement the plan and make the plan available for review by parents/guardians.

The Team also supports the District's submission to ISBE of the plan by July 1, 2022 and of progress reports annually thereafter through July 1, 2024, as well as notification to parents/guardians when plans and progress reports are available for review.

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School Board

Board Attorney

The School Board may retain legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the School Board in its capacity as the governing body for the School District. 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 or as memorialized by an engagement letter. The District will only pay for legal services that are provided in accordance with the agreement for legal services, as memorialized by an engagement letter, or that 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. The Board may also authorize a specific Board member to confer with the Board Attorney 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 be informed of and/or consider the matter.

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

LEGAL REF.: Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court.

CROSS REF.: 4:60 (Purchases and Contracts)

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School Board

Exhibit - Checklist for Selecting a Board Attorney

The School Board selects and retains the Board Attorney(s). The Board may use this checklist for guidance when it selects and retains attorney(s) and/or law firms for legal services. This checklist is designed for the Board to use a request for proposal (RFP) process to seek outside attorneys/law firms. The Board may also select an attorney without using an RFP process and adapt this checklist. The Board may also adapt this checklist and use it for an application process, if the Board seeks an in-house attorney. For more information, call the IASB Office of General Counsel; see its current phone numbers at www.iasb.com/about-us/staff/#office-general-counsel.

☐ **Determine what type of legal services the District needs.**

1. Review Board policy 2:160, *Board Attorney*. **Note**: Critically analyze whether the District's legal needs are best served by in-house attorney(s) or outside attorney(s)/law firms. Many districts use a combination of these services. Many districts also use multiple attorney(s)/law firms for their specialties, e.g., different law firms for bond counsel, special education, or labor law. Some boards also approve a panel of attorneys and allow the administration to choose which attorney to use.
2. Consider the following factors to analyze the type(s) of legal services needed for the District including, but are not limited to:
   - District's size;
   - Any past and current experiences with legal matters;
   - Complexity of the District's legal needs;
   - Availability of expertise; and
   - Cost of outside fees compared to internal staff expenses for an in-house arrangement.

☐ **Develop a list of qualifications necessary for providing quality legal services to the District.**

1. Review policy 4:60, *Purchases and Contracts*. **Note:** While State law exempts hiring an attorney from bidding requirements (105 ILCS 10-20.21(a)), the Board may want to review its procurement processes and align procurement for legal services to its non-bidding-related standards for purchases, e.g., avoiding favoritism, staying within the District's budget, etc.
2. Develop the list of qualifications. The major qualifications include, but are not limited to:
   - Licensed to practice law in Illinois and in good standing with the Ill. Attorney Registration and Disciplinary Commission (ARDC) (see checklist item *Conduct a reference check and other background investigations*, below)
   - Member of the District's assigned United States district court and the Seventh Circuit Court of Appeals
   - Substantive knowledge and experience in the legal areas matching District's needs, e.g., bidding, civil rights, collective bargaining, education reform, employment law, Freedom of Information Act, Open Meetings Act, other records laws, special education, student rights, etc. **Note:** This list of knowledge and experience must be created by the District's identified needs and may change from time to time.
   - Experience in all aspects of contract, employment, and school law

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- Experience that meets the District's needs, including litigation experience in State and federal courts
- Membership in professional associations, such as, the Ill. Council of School Attorneys (ICSA) and education law sections of bar associations, etc.
- Demonstrated knowledge of and ability to apply professional responsibility rules
- Accessibility for the District's identified needs, e.g., evening Board meetings, phone calls, etc.
- Ability to declare that representation of the District will be to the exclusion of all other clients having potential conflicts with the District's interests
- When additional qualifications apply, list those qualifications for providing legal services. This may include specialties such as bond counsel, etc.

☐ **Develop the RFP.**

1. Insert the list of qualifications that the Board developed.
2. Include the following information:
   - The deadline for responses to be submitted
   - The location (address or email) where responses should be sent
   - A statement that the Board is soliciting proposals from qualified lawyers and law firms to provide legal services to the School District
   - Significant information about the District (see policy 1:30, *School District Philosophy*, for the District's mission statement that is specific to the community's goals)
   - The scope of work, e.g., "The Board Attorney will provide legal advice concerning *[typical duties, specific duties, excluded duties]*."
   - Qualifications
   - Details about interviews and presentations
3. Specify what responders must include in their responses, such as the following:
   - Cover letter, complete name, address, and legal structure (if the responder is a law firm)
   - The individuals who prepared the response, including their titles
   - If different from above, the identity of and directory information for the individuals who have authority to answer questions regarding the submitted proposal
   - A proposed fee schedule, e.g., "Respondents may combine set fees and hourly fees. If hourly fees are proposed, please provide the minimum time increment for billing purposes. If a retainer agreement is proposed, please specifically describe options."
   - A summary of the responder's relevant experience representing public schools
   - A writing sample
   - An assurance that the responder meets the RFP's qualifications
   - References including current or past clients

☐ **Announce the RFP.**

1. Title the announcement. **Note:** How and where the RFP is announced are at the Board's sole discretion. The Board may want to announce the RFP during an open meeting, post it on the District's website, mail or email it to local law firms, and/or place it in the local newspaper(s) or other legal publications. A directory of those lawyers belonging to the ICSA is on the IASB website, www.iasb.com. A printed copy is available upon request. Inclusion in the directory does not represent an IASB endorsement. Some attorneys who practice school law do not belong to ICSA. Other online sources, such as the Ill. State Bar Association, also maintain directories of information about attorneys. The Board may want to title the

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announcement "The [*Insert District's name*] School Board Requests Proposals to Provide Legal Services."

2. Announce that the Board seeks an attorney or law firm to serve as its Board Attorney.
3. Inform the reader that the attorney or law firm selected will serve either *at will* or from the date of appointment to [*date*]. The length of the appointment is at the Board's discretion.
4. State the School District's philosophy or mission statement.
5. Insert the RFP location and contact information with the beginning date and time.
6. Tell prospective responders that completed RFPs must be returned by [*certain time and date*] to [*name and title of person receiving applications*].

☐ **Receive and manage responses to the RFP.**

1. Review policy 2:110, *Qualifications, Term, and Duties of Board Officers*. 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 applications is at the Board's sole discretion and should be decided by the Board prior to posting the RFP announcement.
2. The Board will discuss, at an open meeting, its process to review the applications and who will contact RFP responders for an interview.
3. The designated person will contact RFP responders for interviews.

☐ **Develop interview questions if the Board interviews attorneys or law firms.**

1. Interview questions are at the Board's discretion.
2. A prospective attorney or law firm to fill the Board Attorney position may raise other specific issues that the Board will want to cover during an interview.
3. The following non-exhaustive list of interview questions may help the Board tailor its questions toward finding an attorney or law firm with an approach to the role of the Board Attorney that the Board desires:
   - What do you see as your role as Board Attorney?
   - How many other school districts do you currently represent?
   - What kind of legal services do you provide to your school clients? Please explain how your other experience is relevant to this position.
   - How many years of experience does your firm (or, the attorney) have? How long have you been practicing law? How long have you been representing school districts?
   - What methods will you use to ensure all members of the Board, which is your client, remain informed? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
   - How would you manage a situation in which the Board feels strongly about its position but you believe that position is not legally supportable? The *Ill. Rules of Professional Conduct*, at www.illinoiscourts.gov/supremecourt/rules/art_viii/default_new.asp, require attorneys to represent the Board in its capacity as the governing body for the District. The responders should be discussing these rules, specifically Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client), among others, in their answers to this question. See also, **PRESS** policy 2:160, *Board Attorney*.

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- How would you manage a situation in which the Board's interest may be or become adverse to one or more of its members? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- How would you manage a situation in which the Board and Superintendent are in conflict? How about a divided Board? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- If the Board did something that you had advised against, could you still defend the Board's action? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Will you try to shape Board decisions or do you have a *whatever the Board decides philosophy*? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Do you give clients specific recommendations or do you advise them of the available options and let the client decide? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Do you provide your school Board clients with any updating services gratis?
- How do you keep your Board clients apprised of litigation and other legal matters you are handling for them?
- Will you be handling this business personally, i.e., will you delegate to your associates or partners?
- Can anyone else in your firm handle our inquiries when you are unavailable?
- How do you keep current on school law?
- When do you tell your school clients to contact you regarding a matter with possible legal repercussions?
- Have you represented a school district in a matter involving the rights of disabled students? ...involving disabled employees? ... involving a student expulsion? ... involving a teacher dismissal? ... involving an employee's contract or dismissal? ... involving a building contract or bidding matter? ... Can you tell us about that case?
- How do you bill? How are you to be paid? Please explain your rates and/or fees. The subject of billing should cover whether the attorney or law firm prepares a budget for representation and its method for billing in detail, including the date and time, what work was performed, and who worked on the project, along with expenses.
- Did you bring a written agreement for legal services, engagement letter, or a retainer agreement? If yes, please review it for us now. If not, please explain the options for a written agreement for legal services, engagement letter, or a retainer agreement.

☐ **Develop an interview protocol.** Interviews may occur in closed session pursuant to 5 ILCS 120/2(c)(1).

1. The Board President will lead the Board as it interviews responders to its RFP. See 105 ILCS 5/10-13 stating that the Board President presides at all meetings and policy 2:110, *Qualifications, Term, and Duties of Board Officers*.
2. The Board may also want to consider allowing an equal amount of time for each interview.
3. Discuss the following items with each responder during the interview:
   - Introduce Board members to the responder
   - Describe the Board's interview process, selection process, and ask the responder if he or she has questions about the Board's process for selecting its attorney
   - Describe the District's philosophy or mission statement

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- Describe the Board Attorney position by reviewing the RFP
- Begin asking the interview questions (see *Develop interview questions*, above)
- Ask the responder whether he or she has any questions for the Board
- Thank the responder and inform him or her when the Board expects to make its decision and how the responder will be contacted regarding the Board's decision

☐ **Conduct a reference check and other background investigation(s).**

1. The Board President may perform this check or direct the Superintendent to:
   - Check the ARDC's master roll of attorneys as "Authorized to Practice Law" (To do this, enter the attorney's name into the ARDC's registration and public disciplinary records database at: www.iardc.org/lawyersearch.asp.)
   - Click on the attorney's name to review whether any disciplinary actions are pending or resolved; current and prior actions will appear at the bottom of the screen
   - If disciplinary actions are listed, ask the attorney or law firm for more information
2. There are other online attorney review services available. These services may be overly subjective and/or the attorney may have control over the content in these services. Always check with the ARDC.
3. Call references provided by the responder.

☐ **Enter into a written agreement or engagement letter with the selected attorney or law firm.**

1. All *agreements for legal services* should be in writing. At minimum, the agreement should provide the fee arrangement and the scope of services. *Agreements for legal services* and individual billing statements form the Board Attorney are subject to disclosure pursuant to a Freedom of Information Act request (PAO 14-02).
2. Discuss the fee arrangements with the responder and decide:
   - Whether to enter into a fee arrangement and/or a retainer agreement (**Note:** Attorneys typically bill by a pre-determined percentage of the hour, e.g., in one-tenth of an hour increments. Many districts enter into a retainer agreement for legal services or an engagement letter that requires them to pay the attorney a pre-determined fee every month. In return, the attorney provides a pre-determined amount of legal services whenever the district needs him or her. Districts find this useful because (1) they can budget for legal expenses, (2) legal advice is available up to the pre-determined amount for lower fees, and (3) this arrangement often provides for an enhanced, long-term relationship with the attorney.)
   - The appropriate scope of services
3. Review the written contract or memorialized relationship (*agreement for legal services* or *engagement letter*) for these provisions:
   - Fee arrangement
   - Scope of services
   - Which attorneys will be providing legal services
   - A statement that the Board controls all legal decisions
   - A statement that the attorney and his or her law firm have no conflicts of interest or, if a conflict exists, that the Board understands the conflict and waives it
   - Board's right to terminate the services of the attorney and law firm at any time for any reason

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4. Approve the *agreement for legal services* or *engagement letter* during an open Board meeting.

☐ **Announce the appointment to District staff and community.**

1. The contents of the announcement and length of time it is displayed are at the Board's sole discretion.
2. The Board may want to consider announcing during an open meeting. See policy 8:10, *Connection with the Community*.
3. The Board may want to include the following information in its announcement:
   - The Board appointed [attorney's name or law firm name] as the Board Attorney
   - The appointment will begin on [*date*] for [*length of time*]
   - The Board previously established qualifications for the Board Attorney in a careful and thoughtful manner, e.g., "[*Attorney or law firm's name*] meets these qualifications and has demonstrated the willingness to accept its duties and responsibilities. [*Attorney or law firm's name*] brings a clear understanding of the demands and expectations of the Board Attorney position along with a constructive attitude toward the challenge."

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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.: 40 U.S.C. §1101 et seq.
50 ILCS 510/, Local Government Professional Services Selection Act.
105 ILCS 5/10-20.21.
Shively v. Belleville Twp. High Sch. Dist. 201, 329 Ill.App.3d 1156 (5th Dist. 2002), *appeal denied.*

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School Board

Administrative Procedure - Qualification Based Selection

These procedures describe how the District will procure architectural, engineering, and land surveying services; the Local Government Professional Services Selection Act will control in the event of a conflict. 50 ILCS 510/. The Superintendent will modify these procedures whenever the School Board determines by resolution that an emergency exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than $40,000. 50 ILCS 510/8, amended by P.A. 100-968. Effective January 1, 2019, this amount will increase annually by a percentage equal to the annual unadjusted percentage increase, if any, as determined by the consumer price index published by the U.S. Department of Labor Bureau of Labor Statistics for all urban consumers (CPI-U), available at: www.bls.gov/regions/new-england/data/consumerpriceindex_us_table.htm.

Actor	Action
Architectural, engineering, or land surveying firms	May annually file a statement of qualifications and performance data with the District. 50 ILCS 510/4.
Superintendent and/or designee	Store statements of qualifications and performance data received from firms engaged in architectural, engineering, or land surveying services. Unless the District has a satisfactory relationship for services with one or more firms, request a statement of interest in the specific project utilizing *one or more* of the following methods: 1. Mail or email notices of the proposed project to firms that have current statements of qualifications and performance data on file. 2. Advertise in a daily newspaper of general circulation in the District. The advertisement must request a statement of qualifications and performance data from those firms which do not have a statement on file with the District, and must state the day, hour, and location that the statements of interest and qualifications and performance data are due. 3. Advertise on the District's website. The advertisement must include a description of the project and state the time and place for interested firms to submit their letters of interest and statements of qualifications and performance data, as required. 50 ILCS 510/4. Unless the District has a satisfactory relationship for services with one or more firms, evaluate the firms that submitted interest letters, according to criteria for ranking described in the last section of this procedure. The Superintendent and/or designee may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services. 50 ILCS 510/5. Do not, prior to selecting a firm for contract negotiation, seek formal or informal submission of verbal or written estimates of costs or proposals in

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	terms of dollars, hours required, percentage of construction cost, or any other measure of compensation. 50 ILCS 510/5. Select no less than three firms, who would be most qualified to provide services, and rank them in order of their qualifications. If fewer than three firms submit interest letters and the Board determines that one or both of those firms are so qualified, negotiate a contract as provided herein. 50 ILCS 510/6. Attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. 50 ILCS 510/5. If unable to agree on a satisfactory contract, terminate negotiations and proceed to negotiate with the firm ranked next in qualifications. 50 ILCS 510/5. If unable to negotiate a satisfactory contract with any of the three originally-selected firms, inform the Board. The District will re-evaluate the services requested, compile a second list of not less than three qualified firms, and continue the process. 50 ILCS 510/5.

Criteria for Ranking Firms

Unless the District has a satisfactory relationship for services with one or more firms, the criteria for evaluating the firms submitting letters of interest may include, but are not limited to:

Required Criteria for Consideration (50 ILCS 510/5)

Qualifications and ability of professional personnel
Past record and experience
Performance data
Acceptance of District's time and budget requirements
Location of firm's administrative offices
Workload

Permissive Criteria for Consideration

Firm's credit rating
Firm's financial stability
Reputation
Technological resources

LEGAL REF.: 40 U.S.C. §541.
50 ILCS 510/, Local Government Professional Services Selection Act.
105 ILCS 5/10-20.21.

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School Board

Types of School Board Meetings

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 in 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 Board. Unless otherwise specified, all meetings are held in the District's main office. 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 Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training. 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.

Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year. The Superintendent shall prepare and make available the calendar of regular Board meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law.

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

Closed Meetings

The Board and 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, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act]. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.
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 the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative

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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, the public, or public property. 5 ILCS 120/2(c)(8).
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 Governmental 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).
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 frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

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 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.

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

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

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

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the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

Special Meetings

Special meetings may be called by the President or by any three members of the 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.

Public notice of a special meeting is given by posting a notice at the District's main 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.

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

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.

Posting on the District Website

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 Meetings 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)

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School Board

Administrative Procedure - Types of School Board Meetings

Meeting Type	Notice	Agenda	Notice to News Media	District's Website
Regular	Given once a year when the Board adopts its regular meeting schedule. 105 ILCS 5/10-6, 5/10-16. The notice and agenda must be continuously available for public review during the entire 48-hour period before the meeting. Posting on the District's website satisfies the requirement for continuous posting. However, to comply with the legislative intent, posting on the District's website does not replace the posting described in the **Agenda** column. 5 ILCS 120/2.02.	Post at the District's main office and at the meeting site, at least 48 hours before the meeting. 5 ILCS 120/2.02.	Give to any news media that filed an annual request for such notices. 5 ILCS 120/2.02.	Post the annual schedule of regular meetings and post a public notice of each meeting along with the meeting agenda. 5 ILCS 120/2.02. Post regular Board meeting minutes within 10 days after approval; the minutes remain there for at least 60 days. 5 ILCS 120/2.06.
Special	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. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the **Regular** meeting row. Notice to Board members must be served by mail 48 hours before the meeting or by personal service 24 hours before the meeting. 105 ILCS 5/10-16.	Include with the public notice. 5 ILCS 120/2.02.	Give to any news media that files an annual request. Must also give the same notice as that given Board members if the news media provides an address or telephone number within the District's jurisdiction. 5 ILCS 120/2.02.	Post a public notice of each meeting along with the meeting agenda, at least 48 hours before the meeting. The notice and agenda must remain posted on the website until the meeting is concluded. 5 ILCS 120/2.02.
Emergency	Post the notice at the District's main office or, if no main office exists, at the meeting site, as soon as practicable before the meeting. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the **Regular** meeting row. No specific notice to Board members is specified, but it is advisable to provide the notice as soon as possible.	No State law requirements.	Same as for special meetings.	Post a public notice. 5 ILCS 120/2.02.

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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, 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. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the **Regular** meeting row. 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.	Included with any public notice.	Same as for a special meeting.	Post a public notice. 5 ILCS 120/2.02.

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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 40 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.: 105 ILCS 5/10-5, 5/10-16, and 5/10-16.5.
10 ILCS 5/2A-1 et seq., Election Code.

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)

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School Board

School Board Meeting Procedure

Agenda

The School Board President is responsible for focusing the Board meeting 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 extensive discussion before Board action. Upon the request of any Board member, an item will be withdrawn from the consent agenda and placed on the regular 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. Items submitted by Board members to the Superintendent or the President shall be placed on the agenda for an upcoming meeting. District residents may suggest inclusions for 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 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 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 a 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 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;

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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 (OMA) 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.

Every six months, or as soon after as is practicable, in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) determines which, if any, no longer require confidential treatment and are available for public inspection. This is also referred to as a *semi-annual review*. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release, but it reports its determination in open session.

The Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require.

The official minutes are in the custody of the Board Secretary. Open meeting minutes are available for inspection during regular office hours within 10 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 ten 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 closed 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 access 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

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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 Board constitutes 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.

No Physical Presence of Quorum and Participation by Audio or Video; Disaster Declaration

The ability of the Board to meet in person with a quorum physically present at its meeting location may be affected by the Governor or the Director of the Ill. Dept. of Public Health issuing a disaster declaration related to a public health emergency. The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President determines that an in-person meeting or a meeting conducted under the **Quorum and Participation by Audio or Video Means** subhead above, is not practical or prudent because of the disaster declaration; if neither the President nor Vice President are present or able to perform this determination, the Superintendent shall serve as the duly authorized designee for purposes of making this determination.

The individual who makes this determination for the Board shall put it in writing, include it on the Board's published notice and agenda for the audio or video meeting and in the meeting minutes, and ensure that the Board meets every OMA requirement for the Board to meet by video or audio conference without the physical presence of a quorum.

Rules of Order

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

Broadcasting and Recording Board Meetings

Any person may record or broadcast an open 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, 120/2.06, and 120/7.
105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

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

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School Board

Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes

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

Actor	Action
Before any Board meeting: Superintendent or designee	Arranges to have an audio recording device with adequate storage capacity and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled. 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.
Before a closed meeting: Board President or presiding officer (#3 and #4 may be delegated to the Board Secretary or Recording Secretary)	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) ensures 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 (OMA) authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.
Before a closed meeting: Superintendent or Board Secretary	Immediately before a closed meeting, tests and activates the audio recording device.
During a closed meeting: Board President or presiding officer	Convenes the closed meeting stating: 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. (**Note:** This script is an example.) Limits discussion to the topics that were included in the motion to go into a closed meeting. 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 call a person out-of-order falls on each Board member in the event of the President's failure. Once the closed meeting is finished, announces a return to an open

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	meeting or adjournment, and states the time.
After a closed meeting: Superintendent, Recording Secretary, or Board Secretary	**For Verbatim Recordings:** Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed. Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings. As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings. Upon request of a Board member: 1. Provides access to the verbatim recordings minutes at a reasonable time and place without disrupting District operations; 2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District: a. The Recording Secretary, b. The Superintendent or designated administrator, or c. Any elected Board member; and 3. Logs the access to the recordings in 2:220-E7, *Access to Closed Meeting Minutes and Verbatim Recordings*. **For Closed Meeting Minutes:** Prepares written closed meeting minutes that include: * 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 Upon request of a Board member: 1. Provides access to the closed session minutes at a reasonable time and place without disrupting District operations; 2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District: a. The Recording Secretary, b. The Superintendent or designated administrator, or c. Any elected Board member; and 3. Logs the access in 2:220-E7, *Access to Closed Meeting Minutes and Verbatim Recordings*.
After a closed meeting:	

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School Board	Approves the previous closed meeting minutes at the next open meeting.
In preparation for the semi-annual review: Superintendent or designee	Every six months, prepares a recommendation concerning the continued need for confidential treatment of all of the Board's closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review. 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. If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda. Places "result of Board's review of unreleased closed meeting minutes" as an item on a subsequent open meeting agenda.
In preparation for the semi-annual review: Individual Board members	Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent. 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.
During the semi-annual review: 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.
After the semi-annual review: Superintendent or designee	Re-labels and re-files closed meeting minutes as appropriate.
Monthly: Board President	Adds "destruction of closed meeting audio recording" as an agenda item to an upcoming open meeting.
Monthly: 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/, Open Meetings Act.

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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, specific individuals who serve as independent contractors, or specific volunteers of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor, or a volunteer of the District or against legal counsel for the District to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.
- ☐ 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, 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, 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).
- ☐ 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 frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

Closed Meeting Roll Call:

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"Yeas"	"Nays"

Motion: Carried Failed

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School Board

Exhibit - Closed Meeting Minutes

Closed Meeting Minutes

Items in bold are required by 5 ILCS 120/2.06(a)(1)-(3). Non-bolded items align with best practices.

Date: **Time:**

Location:

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

Name of person presiding:

Members in attendance:

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

Members absent:

1.
2.
3.

Summary of the discussion on all matters (as specified in the vote to close the meeting):

Basis for the finding that litigation is probable or imminent, if applicable (5 ILCS 120/2(c)(11)):

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. Semi-annual means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. 5 ILCS 120/2.06(d), amended by P.A. 102-653.

These minutes are available for public inspection as of:

(Date)

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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:
1.
2.

Members absent:
1.
2.

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3.	3.
4.	Members in attendance remotely:
5.	1.
6.	2.
7.	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 *(Needed 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 *(Delete if the Board does not use a consent agenda. This may include expense advancements, reimbursements, and/or purchase orders regulated by the Local Government Travel Expense Control Act (see Board policies 2:125, Board Member Compensation; Expenses, and 5:60, Expenses))*

Summary of discussion:

Motion to approve the consent agenda made by:

Motion seconded by:_____

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

"Yeas" "Nays"

Action: Passed Failed

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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, Motion to Adjourn to Closed Meeting.)*

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:

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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* (every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board), 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. 5 ILCS 120/2.06(d), amended by P.A. 102-653.

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; (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*), and (4) maintains logs for access to closed session minutes pursuant to 5 ILCS 120/2.06(e).

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:

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Action: Passed Failed

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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. *Semi-annual* means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. 5 ILCS 120/2.06(d), amended by P.A. 102-653. 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), specific independent contractors, specific volunteers, or District legal counsel; however, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act]. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.			
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).			

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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. 5 ILCS 120/2(c)(8).			
Student disciplinary cases. 5 ILCS 120/2(c)(9). *Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.*			
Any matter involving an individual student. 5 ILCS 120/2(c)(10). *Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.*			
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).			
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 frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).			

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School Board

Exhibit - Access to Closed Meeting Minutes and Verbatim Recordings

The Board must allow its duly elected officials or appointed officials filling a vacancy of an elected office access to closed session minutes and verbatim recordings. 5 ILCS 120/2.06(e). The following subheads implement the logistics of granting this access.

Note: *If the board wishes to mirror the statutory language, replace checkboxes below with:* "Records Secretary*;* Administrative official of the public body*; and* Any elected official of the public body."

Access to Closed Meeting Minutes

Duplicate this section for each grant of access to closed meeting minutes.

Date: _____ Time: _____ Storage Location: _____

Name of person(s) responsible for storing the closed meeting minutes: _____

Access granted

Date access occurred: _____ Start time: _____ End time: _____

Requesting Board member's name *(Please print)*

In the presence of: *(Check appropriate box and insert name on line.)*

Recording Secretary

Superintendent or designated administrator

Elected Board member

For requesting Board member: *(Read the following and sign below.)*

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Bd. of Police Commissioners, 197 Ill.App.3d 592 (2nd Dist. 1990)), I acknowledge and understand that any disclosures by me of information in the closed session minutes not yet released to the public could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

Requesting Board Member Signature Date

Verbatim Recording Access

Duplicate this section for each grant of access to verbatim recordings.

Date: _____ Time: _____ Storage Location: _____

Name of person(s) responsible for storing the verbatim recording: _____

Access granted

Date access occurred: _____ Start time: _____ End time: _____

Requesting Board member's name *(Please print)*

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In the presence of: *(Check appropriate box and insert name on line.)*

Recording Secretary

Superintendent or designated administrator

Elected Board member

Access denied **Access unavailable.** Verbatim recording requested is older than 18 months and was destroyed pursuant to 5 ILCS 120/2.06(c).

For requesting Board member: *(Read the following and sign below.)*

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Bd. of Police Commissioners, 197 Ill.App.3d 592 (2nd Dist. 1990)), I acknowledge and understand that any disclosures by me of information in the closed session verbatim recordings could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

Requesting Board Member Signature Date

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School Board

Exhibit - School Board Records Maintenance Requirements and FAQs

Open Meetings Act

The Open Meetings Act (OMA) requires public bodies to "keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording." 5 ILCS 120/2.06(a). Minutes must include, but are not limited to: (1) the date, time, and place of the meeting; (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (3) a summary of discussion on all matters proposed, deliberated, or decided, and record of any votes taken. Id.

The remainder of Section 2.06 addresses the approval of open meeting minutes, the treatment of verbatim recordings of closed meetings, the semi-annual review of closed meeting minutes, the confidential nature of closed meeting minutes, and the right of persons to address public officials under rules established and recorded by the public body. The requirements of Section 2.06, as well as OMA requirements pertaining to Board agendas, are included in policy 2:220, *School Board Meeting Procedure*.

Exhibit 2:220-E3, *Closed Meeting Minutes,* provides a sample template for keeping closed meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also includes an area to designate if the Board has determined, pursuant to Section 2.06(d), that the closed meeting minutes no longer need confidential treatment.

Exhibit 2:220-E4, *Open Meeting Minutes,* contains a protocol for open meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also provides a sample template for keeping open meeting minutes.

Exhibit 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes,* contains a process for implementing the semi-annual review of closed meeting minutes, and exhibit 2:220-E6, *Log of Closed Meeting Minutes*, is designed to facilitate this semi-annual review
(every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board). 5 ILCS 120/2.06(d), amended by P.A. 102-653.

Exhibit 2:220-E9, *Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration*, contains a process for compliance with 105 ILCS 120/7(e), added by P.A. 101-640, when a board is meeting without a physical quorum present at the meeting location during a disaster declaration related to public health concerns.

Local Records Act

The Local Records Act (LRA) provides that public records, including "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 connections with the transaction of public business and preserved or appropriate for preservation by such agency or officer" must be preserved unless the State Local Records Commission has given permission to destroy those records. 50 ILCS 205/3 and 7. Board records, including agendas, meeting packets and meeting minutes, fall into this definition.

Public bodies located in Cook County must work with the Local Records Commission of Cook County to determine how long they must retain public records. Public bodies located outside of Cook County must work with the Downstate Local Records Commission to determine how long they must retain public records.

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Policy 2:250, *Access to District Public Records,* contains a subhead entitled **Preserving Public Records** which provides as follows:

> 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.

See the sample policy, 2:220, *School Board Meeting Procedure,* for all relevant footnotes. Also see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules,* for recommendations regarding school district records retention protocols and links to web-based record management resources.

Open Meeting Minutes

Are we required to approve them?	**Must they be semi-annually reviewed?**	**May we release them to the public?**	**May we destroy them?**
Yes, within 30 days or at the next subsequent meeting, whichever is later. *A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later.* 5 ILCS 120/2.06(b).	No. Unlike the closed meeting requirement, OMA does not contain semi-annual review requirements for open meeting minutes.	Yes, must within 10 days after minutes are approved. *The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days after the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.* 5 ILCS 120/2.06(b).	No. There is no OMA provision permitting the destruction of open meeting minutes, and **they must be preserved unless the State Local Records Commission has given permission to destroy them**. If a public body would like to destroy open meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.

Open Meeting Verbatim Recordings

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Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
No. OMA does not require public bodies to approve verbatim recordings of open meetings.	No. Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, *unless* the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/7(e). OMA does not contain semi-annual review requirements for open meeting verbatim recordings.	Yes. Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, *unless* the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/7(e). If a public body makes verbatim recordings of open meetings, then such recordings are subject to public disclosure pursuant to the Freedom of Information Act. 5 ILCS 140/.	Open meeting verbatim recordings made of meetings held without the physical presence of a quorum of a public body during a disaster declaration related to public health concerns may be destroyed after 18 months if prerequisites are met. (See Closed Meeting Verbatim Recordings subhead, below). *[P]ublic bodies holding open meetings under this subsection (e) must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this paragraph (9) shall be made available to the public under, and are otherwise subject to, the provisions of Section 2.06.* 5 ILCS 120/7(e)(9). In all other cases, if a public body would like to destroy open meeting verbatim recordings, then it must comply with the LRA and work with its Local Records Commission.

Closed Meeting Minutes

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
Yes. OMA does not directly state public bodies are required to approve closed meeting minutes, nor does it set a time frame for such approval. However, OMA Section 2.06(d) requires public bodies to meet at least	Yes. *Each public body shall periodically meet to review all existing minutes of all prior closed meetings (this includes records from all time that the board has been in existence).*	Yes, if prerequisites are met. *Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them*	No. There is no OMA provision permitting the destruction of closed meeting minutes, and **they must be preserved unless the State Local Records Commission has given permission to destroy**

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semi-annually to "review minutes of all closed meetings." 5 ILCS 120/2.06(d). Moreover, OMA Section 2.06(c) specifically allows the destruction of closed meeting verbatim recordings only if certain conditions are met, one of which is that "the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section." 5 ILCS 120/2.06(c)(2). Both of these tasks would be difficult to achieve if closed meeting minutes were not first approved. One practice is to approve closed meeting minutes within the same time frame that open meeting minutes are approved – within 30 days of the meeting or at the next subsequent meeting, whichever is later.	*Meetings to review minutes shall occur every 6 months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the public body. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.* 5 ILCS 120/2.06(d), amended by P.A. 102-653.	*confidential.* 5 ILCS 120/2.06(f).	**them.** In addition: *No minutes of meetings closed to the public shall be removed from the public body's main office or official storage location, except by vote of the public body or by court order.* 5 ILCS 120/2.06(f). If a public body would like to destroy closed meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.

Closed Meeting Verbatim Recordings

Are we required to approve them?	**Must they be semi-annually reviewed?**	**May we release them to the public?**	**May we destroy them?**
No. OMA does not require approval of closed meeting verbatim recordings.	No. OMA does not require semi-annual review of closed meeting verbatim recordings.	Possibly but unlikely. *Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act.* 5 ILCS 120/2.06(e).	Yes, after 18 months if prerequisites are met. *The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after: 1.) the public body approves the destruction of a particular recording; and 2.) the*

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		But see Kodish v. Oakbrook Terrace Fire Protection Dist. (235 F.R.D. 447 (N.D.Ill. 2006), where a federal district court ordered that closed meeting verbatim recordings be disclosed to the Plaintiff in discovery because his primary claim was brought under federal law.	*public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section. 5 ILCS 120/2.06(c).* In addition: *No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order.* 5 ILCS 120/2.06(e).

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School Board

Exhibit - Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration

Use this exhibit to document the Board's and/or its committee(s)'s (5 ILCS 120/1.02) processes to comply with the requirements of the Open Meetings Act (OMA) when a board and/or its committee(s) must meet during a disaster declaration related to a public health emergency/concern and the meeting will have no physical presence of a quorum and participation by audio or video.

Note: *If a Board committee uses this exhibit, replace Board President, Vice President, and Supt. with the appropriate committee leaders.*

Consult the Board Attorney for guidance.

Documentation of OMA Requirements for Board Members to Participate in a Meeting with No Physical Presence of Quorum

The Governor or the Director of the Ill. Dept. of Public Health has issued a disaster declaration related to a public health emergency because of a disaster as defined in 20 ILCS 3305/4, and all or part of the jurisdiction of the Board is covered by the disaster area. 5 ILCS 120/7(e)(1), amended by P.A. 101-640. **Note:** OMA uses "public health concerns," but the Ill. Emergency Management Act (IEMA) uses "public health emergency;" this exhibit matches the IEMA term because it governs disaster declarations.

Insert Disaster Declaration or Executive Order number [_____] or attach to this document.

The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President, or if neither the President nor Vice President are present or able to perform this determination, the Superintendent (5 ILCS 120/7(e)(2), amended by P.A. 101-640, and 140/2(e)) signs below that the following three **Steps** were executed by:

Step 1. Determining whether the meeting is a bona fide emergency (5 ILCS 120/7(e)(7), amended by P.A. 101-640) (*check Yes or No, below*):

Yes; it is an emergency meeting, and I:

A. Notified the Board members and the public, including any news medium which has filed an annual request for notice of meetings as soon as practicable, but in any event prior to the holding of such meeting pursuant to 5 ILCS 120/2.02(a) and 120/7(e)(7)(A), amended by P.A. 101-640;

B. Stated the nature of the emergency at the beginning of the meeting; and

C. Provided the Superintendent or Board Secretary the resources necessary during the meeting to keep a verbatim record of the meeting, **for both open and closed**, and managed it the same way that the Board complies with the verbatim recording requirements for closed meetings (see exhibit 2:220-E1, *Board Treatment of Closed Meeting Verbatim Recordings and Minutes*). **Note:** In this situation, a verbatim recording is not limited to closed meetings only.

D. Move to Step 2, below.

No; it is a regular or special meeting, and I:

A. Ensured that the Board provided 48 hours' notice of the meeting to all Board members, to any news medium on file in the District that have requested notice of meetings pursuant to 5 ILCS 120/2.02(a), and to members of the public by posting it on the District's website. 5 ILCS 120/7(e)(7), amended by

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P.A. 101-640. **Note:** 5 ILCS 120/7(e), amended by P.A. 101-640 does not have the "if any" exception for school boards that do not have websites. Consult the board attorney regarding alternate ways to communicate notice of a meeting when the District does not have a website and a Disaster Declaration or Executive Order has been issued.

Insert meeting date and time, and a link to the meeting notice or attach a copy of the notice to this document.

B. Moves to Step 2, below.

Step 2. Determining whether it is practical, prudent, or feasible for any in-person attendance at the regular meeting location (5 ILCS 120/7(e)(2), amended by P.A. 101-640). (*check Yes or No, below*):

Yes; in-person attendance is practical, prudent, or feasible, and I:

A. Ensured that at least one Board member, the Board Attorney, or the Superintendent was physically present at the regular meeting location (5 ILCS 120/7(e)(5), amended by P.A. 101-640), and

B. Verified that members of the public who were present could hear all discussion and testimony and all votes of the members of the Board. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

C. Move to Step 3, below.

No; in-person attendance is not practical, prudent, or feasible, and I:

A. Made a written determination referring to the specific Executive Order or Disaster Declaration citing the public health concern/emergency that applies to the Board and the meeting. 5 ILCS 120/7(e)(1) and (2), amended by P.A. 101-640.

B. Included the written determination made in letter A., above, on the Board's published notice and agenda for the alternative arrangements for the meeting. 5 ILCS 120/7(e)(7)(A)-(B), amended by P.A. 101-640.

C. Offered the alternative arrangements to the public by offering a telephone number or a web-based link. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

Insert a link to the meeting notice or attach a copy of the notice or refer to above if already attached to this document (see above). *Include this written determination on the Board/committee's published notice and agenda for the audio or video meeting, and in the meeting minutes.*

D. Move to Step 3, below.

Step 3. During the meeting, I:

Directed the Recording Secretary to, in addition to the requirements for open meetings under OMA, also keep verbatim record of the open meeting by recording it and making it open and available to the public under all provisions of OMA. 5 ILCS 120/7(e)(9), amended by P.A. 101-640. *Sample text follows below in the subhead below* ***Report to the Public Following the Board's Meeting with No Physical Presence of Quorum***.

Read my written determination referring to the specific Executive Order or Disaster Declaration citing the public health concern/emergency that applies to the Board and the meeting and directed the Recording Secretary to include it in the meeting minutes.

Ensured that any interested member of the public has access to contemporaneously hear all discussion, testimony, and roll call votes. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

Requested the Recording Secretary to enter into the appropriate minutes of the Board that each Board member participating in the meeting, wherever their physical locations, announced:

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1. Themselves present (5 ILCS 120/7(e)(3), amended by P.A. 101-640), and
2. A verification that they could hear one another and all discussion and testimony. Id.

See 2:220-E3, *Closed Meeting Minutes* and/or 2:220-E4, *Open Meeting Minutes*.

Attach to this document copies or information about where these minutes may be found.

Announced and considered each Board member participating in the meeting present at the meeting for purposes of determining a quorum and participating in all proceedings (5 ILCS 120/7(e)(8), amended by P.A. 101-640) and directed the Recording Secretary to reflect it in the minutes (best practice for transparency).

Conducted all votes by roll call, so each Board member's vote on each issue could be identified and recorded (5 ILCS 120/7(e)(6), amended by P.A. 101-640), and ensured that the Recording Secretary entered all votes as **Roll Call Votes** (*Use exhibit 2:220-E4, Open Meeting Minutes but ensure all votes are recorded as roll call votes pursuant to the example below.*):

"Yeas"	"Nays"

Motion: Carried Failed

Executed or directed execution of the subhead below **Report to the Public Following the Board's Meeting with No Physical Presence of Quorum**.

Report to the Public Following the Board's Meeting with No Physical Presence of Quorum

The text below may be used for the actual report.

The School Board met on [*insert date*] with no physical presence of quorum to conduct its business.

The verbatim [*circle one*] audio | video recording of this meeting is available to the public under all provisions of OMA and will be destroyed pursuant to 5 ILCS 120/2.06(c)(no less than 18 months after the completion of the meeting recorded but only after: (1) the Board approves the destruction of the particular recording; and (2) the Board approves minutes of the meeting that meet the written minutes requirements of OMA). 5 ILCS 120/7(e)(9), amended by P.A. 101-640.

Insert links to the verbatim recording of meeting here or attach to this document.

Note: Consult the board attorney for guidance on the destruction of a verbatim recording of an open meeting without the physical presence of a quorum. While 5 ILCS 120/2.06(c) refers to the process for destroying closed session verbatim recordings, 5 ILCS 120/7(e)(9), amended by P.A. 101-640, applies that process for destroying closed session verbatim recordings to the destruction of the verbatim open session recordings that are required when a board determines it is necessary for it to meet without the physical presence of a quorum due to a public health emergency.

Completed By:

Title:

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School Board

Public Participation at School Board Meetings and Petitions to the Board

During each regular and special open meeting of the Board, any person may comment to or ask questions of the School Board (*public participation*), subject to the reasonable constraints established and recorded in this policy's guidelines below. The Board listens to comments or questions during public participation; responses to comments to or questions of the Board are most often managed through policy 3:30, *Chain of Command*.

To preserve sufficient time for the Board to conduct its business, any person appearing before the Board is 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. This includes following the directives of the Board President to maintain order and decorum for all.
2. Use a sign-in sheet, if requested.
3. Identify oneself and be brief. Ordinarily, the time for any one person to address the Board during public participation shall be limited to five minutes. In unusual circumstances, and when an individual has made a request to speak for a longer period of time, the Board President may allow a person to speak for more than five minutes. If multiple individuals wish to address the Board on the same subject, the group is encouraged to appoint a spokesperson.
4. Observe, when necessary and appropriate, the Board President's authority to:
    a. Shorten the time for each person to address the Board during public participation to conserve time and give the maximum number of people an opportunity to speak; and/or
    b. Determine procedural matters regarding public participation not otherwise covered 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 in the next regular Board packet.

LEGAL REF.: 105 ILCS 5/10-6 and 5/10-16.
5 ILCS 120/2.06, Open Meetings Act.

CROSS REF.: 2:220 (School Board Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

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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 basis 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 should 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 may be given at a subsequent meeting(s) and after opportunity for community input. The adoption of a policy will serve 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 Monitoring

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 and monitoring calendar.

Words Importing Gender

Throughout this policy manual, words importing the masculine and/or feminine gender include all gender neutral/inclusive pronouns.

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

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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)

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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 **PRESS Plus** Online User Guide, available at www.iasb.com/policy, provides further guidance.

Actor	Action
Superintendent	Manages the process for the Board to receive **PRESS** updates to policies. 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. Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks. Communicates all policy and administrative procedure revisions or adoptions, as appropriate, to staff members, parents, students, and community members.
Superintendent or Superintendent's Secretary	Updates the District's *Roster* as follows: 1. Go to www.iasb.com and click on the **Member Login** button. 2. Log in using your email address and password. If you do not know your password, use the "forgot your password?" link. 3. At the bottom of your Profile page, 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.
Designated support staff	Logs in to **PRESS** Online as follows: 1. Go to www.iasb.com and click on the **Member Login** button. 2. Log in using your email address and password. If you do not know your password, use the "forgot your password?" link. 3. Under "**My Account Links**," click "**PRESS Login**." To each member of the Policy Committee, full Board, or other interested school official, emails or otherwise distributes the following: 1. **PRESS Update Memo**; 2. **PRESS** video tutorial link at: www.iasb.com/policy; 3. Committee worksheets; and 4. Current District policy in relevant areas. As appropriate, includes new and revised policies in the Board meeting

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	packets. After a policy is adopted or revised, updates the District's policy manual master electronic file and adds or updates adoption dates. Archives previous version of revised policy. Follows district process for updating paper and online manuals. Considers distributing **PRESS Update Memo** to Building Principals.
Policy Committee (or Full Board)	Considers each **PRESS** update. Reviews all footnote changes. Decides which changes require School Board discussion and which are appropriate as consent agenda items. 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. Requests review of recommended revisions by the Board Attorney, as appropriate. Presents recommendations regarding **PRESS** updates to the Board at a regularly scheduled meeting.
Full Board	Conducts a first reading of the policies that are recommended for adoption or revision. During the next regular meeting, conducts a second reading. 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. After the second reading, consider and take action to approve the policies at a duly convened open meeting.
Assistant Superintendents, Directors, Building Principals, and supervisory employees	Reads **PRESS Update Memo** (if applicable) and adopted policies, follows the Superintendent's process for updating administrative procedures, and makes necessary changes to employee and student handbooks within their assigned building(s).
Anyone	For further clarification, view the online tutorial for **PRESS**, available at www.iasb.com/policy.

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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	Confers with the Board Attorney as appropriate. 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. Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks. Communicates all policy and administrative procedure revisions or adoptions as appropriate to staff members, parents, students, and community members.
Policy Committee (or Full Board)	**First**, answers these questions to decide whether new policy language is needed: 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. **Second**, uses a 3-step process to draft new policy language: 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. 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. **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. The **PRESS** coding system reserves policy numbers ending in a '0'

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	and '5' for **PRESS** material. Locally developed District policies should use policy numbers ending in 2, 4, 6, or 8.
Full Board	Conducts a first reading of the policy that is recommended for adoption or revision. During the next regular meeting, conducts a second reading. 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. After the second reading, consider and take action to approve the policies at a duly convened open meeting.
Designated support staff	After a policy is adopted or revised, updates the District's policy manual master electronic file and adds or updates adoption dates. Archives previous version of revised policy. Follows district process for updating paper and online manuals.
Assistant Superintendents, Directors, Building Principals, and supervisory employees	Reads **PRESS Update Memo** (if applicable) and adopted policies, follows the Superintendent's process for updating administrative procedures, and makes necessary changes to employee and student handbooks within their assigned building(s).

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School Board

Access to District 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.

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 material 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 five 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 five 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

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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 requester*, or *voluminous requests*, as those terms are defined in Section 2 of FOIA. The time periods for responding to those requests are governed by Sections 3.1, 3.2, and 3.6 of 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.

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 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 fees 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 copying 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 FOIA.

A fee reduction is available if the request qualifies under Section 6 of 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

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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 and 5/24A-7.1.
820 ILCS 40/11.
820 ILCS 130/5.

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

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School Board

Administrative Procedure - Access to and Copying of District Public Records

A. Legal Citations and Definitions
B. FOIA Compliance
C. Availability and Posting Requirements
D. Fee Schedule
E. Response to FOIA Requests
F. Extensions of Time to Respond
G. Unduly Burdensome Requests
H. Requests for Commercial Purposes
I. Managing Requests from a Recurrent Requester
J. Managing Voluminous Requests
K. Denials
L. Consultation with the Board Attorney

A. Legal Citations and Definitions

The legal requirements contained in this procedure are followed by a citation to the controlling statute. Citations in parenthesis indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Definitions are found in the Ill. Freedom of Information Act (FOIA) (5 ILCS 140/2). For easy reference, some definitions are re-printed in this procedure. The IASB reports on Ill. Public Access Counselor (PAC) opinions concerning FOIA on its **Recent Court and Agency Decisions** website, located at: www.iasb.com/law/courtdecisions.cfm.

B. FOIA Compliance

The District's Freedom of Information Officer (FOIA Officer) implements the Board policy (2:250, *Access to District Public Records*) and has the duties, without limitation, listed below:

1. Manages the District's compliance with FOIA including without limitation, performing the following duties specified in FOIA, 5 ILCS 140/3.5:

    a. Receives FOIA requests, ensures that the District responds to requests in a timely fashion, and issues responses to FOIA requests.

    b. Develops a list of documents or categories of records that will be immediately disclosed upon request. See 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

    c. Upon receiving a request for a public record, (a) notes the date the District received the written request; (b) computes the day on which the period for response will expire and makes a 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.

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2. 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.

3. 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 FOIA Officer, including those that are received via email.

4. Successfully completes the annual training program developed by the Ill. Public Access Counselor (PAC) in the Ill. Attorney General's office. Each newly appointed FOIA Officer must successfully complete the training program within 30 days after assuming the position.

C. Availability and Posting Requirements

Full access to the District's *public records* is available to any person as provided in FOIA. The FOIA Officer approves all requests for *public records* unless: (1) the requested material does not exist, (2) the requested material is exempt from inspection and copying by FOIA, or (3) complying with the request will be unduly burdensome after extending an opportunity to the requester to reduce the request to manageable proportions.

The FOIA Officer shall:

1. Prominently display at each administrative office and school, and post on the District website, if any, the following:

   a. A brief description of the District, and

   b. The methods for requesting information and District public records, directory information listing the FOIA 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.

2. Maintain and make 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 list below contains the categories of records kept by the District; some of the records within these categories are exempt and, therefore, will not be disclosed in response to a FOIA request.

   a. Board governance, including without limitation, Board meeting calendar and notices, Board meeting agendas and minutes, Board policy

   b. Fiscal and business management, including without limitation, 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

   c. Personnel, including without limitation, employee contact information, salary schedules, staff handbook, collective bargaining agreements, personnel file material

   d. Students and instruction, including without limitation, accountability documents, calendars, student handbooks, learning outcomes, student school records

D. Fee Schedule

The FOIA Officer establishes a fee schedule (from time-to-time as appropriate) that complies with 5 ILCS 140/6, including each of the following:

1. The fees, except when otherwise fixed by statute, must: (a) be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the

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use, by any person, of its equipment to copy records, and (b) not exceed that maximum fee amount set by FOIA.

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.

6. A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. In setting the reduction's amount, the FOIA Officer considers the amount of materials requested and the cost of copying them.

7. In accordance with 5 ILCS 140/6(a-5), if a voluminous request is for electronic records and the responsive records are:

   a. Not in a portable document format (PDF), the District charges up to $20 for not more than two megabytes of data, up to $40 for more than two but not more than four megabytes of data, and up to $100 for more than four megabytes of data.

   b. In a PDF, the District charges up to $20 for not more than 80 megabytes of data, up to $40 for more than 80 megabytes but not more than 160 megabytes of data, and up to $100 for more than 160 megabytes of data.

   c. In both a PDF and not in a PDF, the District separates the fees and charges the requester under both fee scales.

8. Unless the request is for a commercial purpose or a voluminous request, 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. 5 ILCS 140/6(a).

   *Section 6(a) states: "If a request is *not* a request for a *commercial purpose* or a *voluminous request*, a public body *may not* charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records." (Emphasis added) This implies that a search and review fee may be charged when responding to a request for a *commercial purpose* or *a voluminous request*. However, Sec. 6(b) states that the search and review fee described in Sec. 6(f) may be charged *only to* someone making a *commercial request*. Sec. 6(f) contains the maximum amounts that may be charged for search and review but does not explain when they may be charged. The FOIA Officer will need to consult the Board Attorney.

   When responding to a request for commercial purposes, as defined in 5 ILCS 140/2(c-10), the District charges:

   a. Up to $10.00 for each hour spent by personnel in searching for or retrieving a requested record or examining the record for necessary reductions. No fee is charged for the first eight hours spent by personnel in searching for or retrieving a requested record. 5 ILCS 140/6(f).

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b. The actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the District. 5 ILCS 140/6(f).

Someone making a voluminous request may be charged the fees as described above upon the FOIA Officer's consult with the Board Attorney.

The FOIA Officer provides the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records under 7 and 8 above. 5 ILCS 140/6(a-5) and (f).

E. Response to FOIA Requests

The FOIA Officer must:

1. Comply with or deny a request for inspection or copying within five business days of receiving a records request, unless the time for response is extended. 5 ILCS 140/3. He or she may use forms prepared by the PAC available at: www.foiapac.ilag.gov/. Click on the menu *PAC Resources*, then on the submenu *Forms and Sample Letters*.

2. Redact any and all exempt portion(s) of requested records containing both exempt and non-exempt material and release the remaining material. 5 ILCS 140/7.

3. Comply with the Personnel Record Review Act (PRRA), 820 ILCS 40/, amended by P.A. 101-531.

   a. The response to a request for a disciplinary report, letter of reprimand, or other disciplinary action depends on the age and nature of the responsive record.

      1) If the responsive record is more than four years old and is not related to an incident or an attempted incident of sexual abuse, severe physical abuse, or *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c), the request must be denied unless the release is ordered in a legal action or arbitration. 5 ILCS 140/7.5(q), amended by P.A. 101-620; 820 ILCS 40/8, amended by P.A.s 101-531 and 102-702.

      2) If the responsive record is more than four years old and is related to an incident or an attempted incident of sexual abuse, severe physical abuse, or *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c), the request cannot be denied. 820 ILCS 40/8, amended by P.A.s 101-531 and 102-702.

      3) If the responsive record is four years old or less, it must be disclosed (regardless of its nature) and the employee must be notified in writing (first class mail) or by email, if available, on or before the day any such record is released, unless notice is not required under the PRRA. 5 ILCS 140/7.5(q), amended by P.A. 101-620; 820 ILCS 40/7, amended by P.A. 102-562. A notice to the employee is not required if:

         - The employee 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.

   b. A request for a performance evaluation(s) must be denied. 820 ILCS 40/11.

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F. Extensions of Time to Respond

The District FOIA Officer may extend the time for a response for any of the reasons stated in 5 ILCS 140/3(e)(i-vii), **quoted below**:

(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 5 ILCS 140/7 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 5 ILCS 140/3(d) 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.

If an extension of time for a response is needed, the FOIA Officer must perform one of the following actions within five business days after receipt of the request:

1. Notify the requester that the District is extending its time for response for no longer than 5 business days from the original due date, and identify the reason for the delay and the date on which a response will be made. 5 ILCS 140/3(e) and (f); or
2. Confer with the requester in an attempt to reach an agreement on an extended compliance date. The agreement must be in writing. 5 ILCS 140/3(e).

G. Unduly Burdensome Requests

Before invoking the *unduly burdensome* exemption, the FOIA Officer must confer with the requester in an attempt to reduce the request to manageable proportions. 5 ILCS 140/3(e) and (g). A request may be unduly burdensome due, for example, to the request's breadth. The FOIA Officer must explain to the requester in writing when a request continues to be unduly burdensome, specifying the reason why the request is unduly burdensome.

H. Requests for Commercial Purposes

A request is for *commercial purposes*, according to 5 ILCS 140/2(c-10), if:

> [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 *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.

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The FOIA Officer responds to a request that appears to be for commercial purposes pursuant to 5 ILCS 140/3.1 by:

1. Asking the requester to identify if the record is for a commercial purpose. See 2:250-E1, *Written Request for District Public Records*. It is unlawful 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 District. 5 ILCS 140/3.1(c).
2. Responding 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.
3. Complying 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.
4. Collecting a fee as described in subsection **D.** above.

I. Managing Requests from a Recurrent Requester

A request is from a *recurrent requester*, according to 5 ILCS 140/2(g), if:

> [A] person that, in the 12 months immediately preceding the request, has submitted to the same public body (i) a minimum of 50 requests for records, (ii) a minimum of 15 requests for records within a 30-day period, or (iii) a minimum of seven requests for records within a seven-day period. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time period in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning new 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.

For purposes of this definition, one *request* may identify multiple records to be inspected or copied.

The District complies with a request from a recurrent requester within a reasonable period considering the size and complexity of the record, unless the records are exempt from disclosure. 5 ILCS 140/3.2(c).

The FOIA Officer responds to a request from a recurrent requester by:

1. Notifying the requester within five business days after receiving a request from a recurrent requester (5 ILCS 140/3.2(b)) that:
   a. The request is being treated as coming from a recurrent requester under 5 ILCS 140/2(g);
   b. The reasons the request is being treated as coming from a recurrent requester;
   c. The District will send an initial response within 21 business days after receipt of the request; and
   d. The proposed FOIA responses that may be asserted pursuant to 5 ILCS 140/3.2(a). These are the same responses that the District can provide within 21 business days after receipt of a request.

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2. Responding within 21 business days after receipt of a recurrent request with one of the following (5 ILCS 140/3.2(a)):

   a. An estimate of the time required by the District to provide the records and an estimate of the fees, which the requester is required to pay in full before the District copies the requested documents;

   b. A denial pursuant to one or more of the exemptions;

   c. Notification that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions; or

   d. The records as requested.

J. Managing Voluminous Requests

A *voluminous request*, according to 5 ILCS 140/2(h), means:

> [A] request that:
>
> i. Includes more than five individual requests for more than five different categories of records or a combination of individual requests that total requests for more than five different categories of records in a period of 20 business days; or
>
> ii. Requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages. *Single requested record* may include, but is not limited to, one report, form, email, letter, memorandum, book, map, microfilm, tape, or recording.

According to 5 ILCS 140/2(h), a *voluminous request* "does not include a request made by news media and non-profit, scientific, or academic organizations if the principal purpose of the request is: (1) to access and disseminate information concerning news and current or passing events; (2) for articles of opinion or features of interest to the public; or (3) for the purpose of academic, scientific, or public research or education."

The FOIA Officer responds to a voluminous request by:

1. Notifying the requester within five business days after receiving a voluminous request that:

   a. The District is treating the request as a voluminous request under 5 ILCS 140/3.6.

   b. The District is treating the request as voluminous for one of the following reasons:

      1) Includes more than five individual requests for more than five different categories of records or a combination of individual requests that total requests for more than five different categories of records in a period of 20 business days; or

      2) Requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages.

   c. The requester must respond to the District within ten business days after this response is sent. The requester must specify whether the requester would like to amend the request in such a way that the District will no longer treat the request as a voluminous request.

   d. If the requester does not respond within ten business days or if the request continues to be a voluminous request following the requester response, the District will respond to the request and assess any fees the District charges pursuant to 5 ILCS 140/6.

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e. The District has five business days after receipt of the requester's response or five business days from the last day for the requester to amend the request, whichever is sooner, to respond to the request.

f. The District may request an additional ten business days to comply with the request.

g. The requester has the right to review the District's determination by the public access counselor whose address and phone number follows:

Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
Phone: 1-877-299-3642

h. If the requester fails to accept or collect the responsive records, the District will still charge the requester for its response pursuant to 5 ILCS 140/6 and the requester's failure to pay will be considered a debt due and owing to the District and may be collected in accordance with applicable law.

2. Providing the requester ten business days from the date the District responded to amend the request in such a way that the District will no longer treat it as a voluminous request.

3. If a request continues to be a voluminous request following the requester's reply or the requester fails to reply, responding within the earlier of five business days after the District receives the requester's reply or five business days after the final day for the requester to reply to the District's notification. The District's response must:

a. Provide an estimate of the fees to be charged, indicating whether the District requires the person to pay in full before the District copies the requested documents;

b. Deny the request pursuant to one or more of the exemptions sent out in FOIA;

c. Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or

d. Provide the records as requested.

The District may extend the time for responding by not more than five business days from the final date for the requester to reply to the District's notification for any of the reasons provided in 5 ILCS 140/3(e).

The requester and District may agree in writing to extend the time for compliance for a period to be determined by the parties.

K. Denials

The FOIA Officer will deny a FOIA request for any of the exemptions in 5 ILCS 140/7 or 7.5, amended by P.A.s 101-221, 101-620, and 101-649. He or she will comply with 5 ILCS 140/9 by:

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.

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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. Retaining copies of all denial notices 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(b).

L. Consultation with the Board Attorney

The FOIA Officer may consult with the Board Attorney, as needed, for legal advice concerning compliance with FOIA, including without limitation:

1. Responding to specific requests,
2. Communicating with the Office of the Ill. Attorney General or PAC, or
3. During any judicial proceeding.

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

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School Board

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

Legal Citations

Each legal requirement in this procedure is followed by a citation to the controlling rule and/or statute. Citations in parenthesis indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Actor	Action
All Staff Members and School Board Members	Maintain all records, as defined and required in the Ill. Local Records Act (LRA). No public record shall be destroyed except as allowed by the LRA. "*Public record* means any book, paper, map, photograph, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital 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." 50 ILCS 205/3. Do not destroy any District record, no matter its form, if it is subject to a litigation hold. F.R.C.P. 37(e). 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 *litigation hold* or preservation letter from the Board's attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all email, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere. Whenever disposing of materials containing *personal information*, render the *personal information* unreadable, unusable, and undecipherable. 815 ILCS 530/40; 44 Ill.Admin.Code §4000.40(b). The Personal Information Protection Act (815 ILCS 530/) contains mandates for disposing of materials containing personal information (*personal information* is defined in 815 ILCS 530/5 as either of the following: (1) an individual's first name or first initial and last name combined with any of the following data elements, when either the

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	name or data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the name or data elements have been acquired without authorization through a security breach: social security number, driver's license number or State identification card number, financial account information, medical information, health insurance information, or unique biometric data; or (2) user name or email address, combined with a password or security question and answer that would permit access to an online account, when any of these data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the data elements have been acquired without authorization through a security breach). The Ill. Attorney General is authorized to impose a fine and bring court action for noncompliance. 815 ILCS 530/40.
Superintendent	Assign the following activities to the Records Custodian and Head of Information Technology (IT): **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	**1. Develop and maintain a protocol for preserving and categorizing District records.** Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to business, students, personnel, board meetings, etc. Align this list with the list of District records required by the Freedom of Information Act. 5 ILCS 140/5. Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available clouds, servers, tapes, hard drives, computers, and similar types of electronic devices (e.g., laptops, tablets, smart phones, voicemail, etc.). Prepare a description of how District records stored by means of electronic data processing may be obtained in a form understandable to persons lacking computer knowledge. 5 ILCS 140/5; 44 Ill.Admin.Code §4000.70, *Digital Reproduction;* 44 Ill.Admin.Code §4000.80, *Management of Electronic Records*. Such a description may include contact information for a person who can aid in obtaining records stored electronically. 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

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	office); blank forms; and personal communications. The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9. 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. 50 ILCS 205/3. Email that is conversational, personal, or contains brainstorming may generally be deleted. 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. Determine whether each sub-category of documents should be reproduced by photography (44 Ill.Admin.Code §4000.60), microphotographic and electronic microimaging processes (44 Ill.Admin.Code §4000.50), or digitized electronic format (44 Ill.Admin.Code §4000.70). Any public record may be reproduced in a microfilm or digitized electronic format and the analog/paper version destroyed, provided: (a) the records are reproduced on "a durable medium that accurately and legibly reproduces the original record in all details," and "that does not permit additions, deletions, or changes to the original document images," and "if electronic, that are retained in a trustworthy manner so that the records…are accessible and usable for subsequent reference at all times when the information must be retained," (b) the reproduction is retained for the prescribed retention period, and (c) the Local Records Commission is notified when the original record is disposed of and also when the reproduced record is disposed of. 50 ILCS 205/7. Use the Ill. Secretary of State publication Guidelines for Using Electronic Records (www.cyberdriveillinois.com/departments/archives/records_management/electrecs.html) and 44 Ill.Admin.Code §§4000.APPENDIX A *Sustainable File Formats for Electronic Records - A Guide for Government Agencies* (www.ilga.gov/commission/jcar/admincode/044/04404000ZZ9996aR.html), 4000.APPENDIX B *Reliable Storage Media for Electronic Records - A Guide for Government Agencies* (www.ilga.gov/commission/jcar/admincode/044/04404000ZZ9996BR.html). Identify and index the location of each category and sub-category of District records. Organize electronic record and data storage. 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.

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2. Develop and maintain a record retention and destruction schedule for submission to the Superintendent and eventually to the Local Records Commission.

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, as this is the criteria the Commission uses to determine whether or not to authorize the records' destruction.

Records that have no administrative, legal, or fiscal value may be destroyed according to provisions in the LRA. 50 ILCS 205/10.

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.

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: www.cyberdriveillinois.com/departments/archives/databases/home.html

44 Ill.Admin.Code Part 4000.30 details the procedures for compiling and submitting lists and schedules of records for disposal.

The School Code and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board attorney should be consulted.

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. F.R.C.P. 37(e).

3. Develop protocols to implement a litigation hold.

Understand what a *litigation hold* is.

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

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	potential claim. F.R.C.P. 37(e). Specify how to implement a litigation hold, i.e.: • 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? 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. Prepare a map of potentially relevant data and otherwise assist the Board attorney in locating all potentially relevant information.
Superintendent	Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval. Disseminate the record retention schedule, along with instructions, to all affected staff members and Board members. 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 (*litigation hold*). Authorize and/or order the destruction of District records after ensuring that the following steps have been performed: 1. The Local Records Commission approved a schedule for continuing authority to destroy District records after the expiration of the applicable period. 2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a *litigation hold*. 3. Thirty days prior to disposal or destruction of any records, regardless of physical format or characteristics, submit a Local Records Disposal Certificate to the Commission and dispose only after a copy of that certificate has been reviewed and approved by the Chairman and returned to the District. The original copy of that Local Records Disposal Certificate is kept in the files of the Commission, and the duplicate copy approved and returned by the Chairman must be retained by the District. 44 Ill.Admin.Code §§4000.40(c), 4500.40(c). 4. In the case of records with scheduled retention of less than one year, a single Local Records Disposal Certificate for more than one disposal event within a given year may be used. Local Records Disposal

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	Certificates submitted with this intent must include a schedule of proposed records disposal in addition to the normally required information. The District must wait to dispose of records until receipt of approval from the Commission, as required in number 3, above. 44 Ill.Admin.Code §§4000.40(d), 4500.40(d). 5. For records that have been damaged by water, fire, smoke, insects or vermin, mold or some other natural disaster that poses a health or safety risk to employees, the District may apply to the Commission for permission to dispose of those records ahead of their scheduled disposal date. The request must include a Local Records Disposal Certificate accompanied by the District's explanation of why the records need early disposal. The Commission may grant the request only after physically reviewing the damaged records. 44 Ill.Admin.Code §§4000.40(e), 4500.40(e).
Links to Web-based Record Management Resources: Cook County Local Records Commission Meetings Cook County Local Records Commission Rules (44 Ill.Admin.Code Part 4500) Downstate Local Records Commission Meetings Rules of the Downstate Local Records Commission (44 Ill.Admin.Code Part 4000) Ill. School Student Records Act (105 ILCS 10/, amended by P.A. 101-161, eff. 1-1-20) Local Records Act (50 ILCS 205/) Local Records Disposal Certificate	

LEGAL REF.: Federal Rules of Civil Procedure, Rules 16, 26 and 37.
5 ILCS 140/, Freedom of Information Act.
50 ILCS 205/, Local Records Act.
105 ILCS 10/, Ill. School Student Records Act.
815 ILCS 530/, Personal Information Protection Act.
820 ILCS 40/, Ill. Personnel Record Review Act.
44 Ill.Admin.Code Part 4000, Local Records Commission.
44 Ill.Admin.Code Part 4500, Cook County Local Records Commission.

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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 Act (FOIA) Officer. Copying fees, if any, must be paid before copies will be provided. The FOIA 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. 5 ILCS 140/2(c-10) 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." 5 ILCS 140/3.1(c) states: "It is a violation of FOIA 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. 5 ILCS 140/6(c) 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 (*Please be specific*)	Electronic Copy (*Specify format*)	Inspection	Copy

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School Board

Exhibit - Immediately Available District Public Records and Web-Posted Reports and Records

[*For use by only those Districts that have websites.*]

The District's Freedom of Information Officer designates the public records that are listed in this table as being immediately available to the public. The records that are asterisked (*) are posted on the District's website and may be immediately inspected, downloaded, printed, and/or copied. Any asterisked public record is also 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 not asterisked (*) will be provided within five business days as allowed by the Freedom of Information Act, provided any applicable fees are paid.

Web-posted records and information (use of an * is explained in the paragraph above this table)	**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 **Note:** For school districts that do not post board meeting notices and/or agendas on a website (because they do not have a website maintained by a full-time staff member), the notice and agenda must be continuously available for public review during the entire 48-hour period preceding the meeting	5 ILCS 120/2.02.
*Official open meeting minutes that are posted within 10 days of the Board's approval and remain posted for at least 60 days (required if the District has a website maintained by a full-time staff member)	5 ILCS 120/2.06(b).
*Description of the District and its records including: 1. Summary of the District's purpose 2. Functional subdivisions 3. Total amount of operating budget 4. Number and location of all of its separate offices 5. Approximate number of full- and part-time employees (see also, salary and benefits information report for the Superintendent,	5 ILCS 140/4. The District must prominently post the list at each administrative office and make it available for inspection and copying.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
administrators, and teachers, District's Statement of Affairs) 6. Identification and membership of the Board 7. Brief description of the methods whereby the public may request information and public records 8. Directory information for the Freedom of Information Officer 9. Address where requests for public records should be directed 10. Fees	
*A hyperlink to an email address(es) for members of the public to communicate with members of the Board	50 ILCS 205/20. The hyperlink must be easily accessible from the District's home page.
Annual budget for current fiscal year, itemized by receipts and expenditures	105 ILCS 5/17-1.2. This may be accomplished using the Ill. State Board of Education (ISBE) *School District Budget Form* (50-36) or the summary pages from it. The District must notify its students' parents/guardians when the budget is web-posted along with its website address.
*District Report Card and a Report Card for each School (the Report Cards will be provided by ISBE by Oct. 31 of each year, unless otherwise provided by law)	105 ILCS 5/10-17a, amended by P.A.s 102-16, 102-294, 102-539, and 102-594. Annually, no more than 30 calendar days after receiving the Report Cards from the State Superintendent, the District must: (1) present them at a regular Board meeting, (2) post them on the District's website, (3) make them available to a newspaper of general circulation serving the District, and (4) upon request, send them home to parents/guardians. 105 ILCS 5/10-17a(5). The District also must send a written notice home to parents/guardians stating: (1) that the Report Cards are available on the website, (2) the website's address, (3) that a printed copy will be sent upon request, and (4) the telephone number to request a printed copy. Id.
*The District's discipline plan and progress on the plan, in the event the District is identified by ISBE to be in the	105 ILCS 5/2-3.162.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
top 20% (for three consecutive years) of districts for out-of-school suspensions, out-of-school expulsions, or racial disproportionality in the use of out-of-school suspensions and expulsions	If the District is required to submit a plan to ISBE, it must be approved at a public board meeting and posted on the District's website. Within one year after being identified by ISBE, the District must submit to ISBE and post on its website a progress report describing implementation of the plan and the results achieved.
*A list of all contracts in excess of $25,000 and any contracts with an exclusive bargaining representative	105 ILCS 5/10-20.44. There is no statutory timeline for web-posting. Each year, in conjunction with the submission of the Statement of Affairs to ISBE, before Dec. 1, the District must submit to ISBE an annual report on all contracts over $25,000 awarded during the previous fiscal year.
*Contract(s) with any commercial driver training school(s) for driver education	105 ILCS 5/27-24.2. The District is required to web-post this document if it has a website. If the District has no website, it must make the contract available upon request.
Annual Statement of Affairs	105 ILCS 5/10-17. The District is not required to web-post this document. It must, annually by Dec. 1, submit the Statement to ISBE for posting on ISBE's website, have copies of the Statement available in the main administrative office, and publish a summary of the Statement in a newspaper of general circulation published in the District.
*Fiscal Efficiency Report, summarizing the District's attempts to improve fiscal efficiency through shared services or outsourcing in the prior fiscal year	105 ILCS 5/17-1.1, amended by P.A. 102-1088. The report must be: (1) approved by the Board at an open meeting, and (2) primarily in checklist form and approximately one page in length.
Beginning in levy year 2022, if the District has an aggregate property tax levy greater than $5,000,000, it will make good faith efforts to electronically publish the	35 ILCS 200/18-50.2, added by P.A. 102-265.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
following data from all vendors and subcontractors doing business with the District: 1. Whether the vendor or subcontractor is minority-owned, women-owned, or veteran-owned 2. Whether the vendor or subcontractor holds a certification as a minority-owned, women-owned, or veteran-owned business as defined in 30 ILCS 575/, or if they are self-certifying; and 3. If the vendor self-certifies, whether it qualifies as a small business under federal Small Business Administration standards (See www.sba.gov/federal-contracting/contracting-guide/size-standards).	The law does not define *electronically publish*; website posting is a means of compliance. This item is not asterisked should the District choose to electronically publish the information offline.
*Explanation of the data elements of *covered information* that the District collects, maintains, or discloses to any person, entity, third party, or governmental agency. *A description of the procedures that parents/guardians may use to carry out their rights under 105 ILCS 85/33(c)(1), (2), & (3), including the right to: 1. Inspect and review their child's covered information 2. Request a paper or electronic copy of their child's covered information 3. Request corrections for factual inaccuracies contained in their child's covered information	105 ILCS 85/27(a)(1). The explanation of data elements of covered information must be clear and understandable by a layperson and cover the following: (1) how the District uses the covered information; (2) to whom or what entities the District discloses the covered information; and (3) for what purpose the District discloses the covered information. The explanation of data elements and description of parent rights procedures must be updated by Jan. 31 and July 31 each year, as needed.
*A list of operators with whom the District has written agreements and the following for each operator: 1. Copy of the agreement 2. Business address 3. List of any subcontractors to whom covered information may be disclosed or a link to a page on the operator's website that clearly lists the subcontractors	105 ILCS 85/27(a)(2) & (3). The District must post new operator contracts and an explanation of the data elements of covered information disclosed to the operator (see immediate row above) within 10 business days after entering into the contract. 105 ILCS 85/27(c). This list must also be updated by Jan. 31 and July 31 each year, as needed.
*A list of *breaches* of covered information maintained by the school or an operator involving 10% or more of the District's student enrollment. The list must include: 1. Number of students whose covered information was involved in the breach, unless the breach involved *personal information* as defined in the Personal Information Protection Act, 815 ILCS	105 ILCS 85/27(a)(5). The District must update breach information by Jan. 31 and July 31 each year, and it must remain on the District's website for at least five years after the District adds it to the list. Breaches that occurred (or were estimated to have

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
530/5, in which case the number of students involved may not be disclosed 2. Date, estimated date, or estimated date range of the breach 3. Name of the operator, if applicable	occurred) prior to 7-1-21 or breaches that were posted more than five years prior to updating the current list do not need to be posted.
*Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* *Information developed as a result of the evaluation and assessment of the bullying policy's outcomes and effectiveness	105 ILCS 5/27-23.7(b)(10) and (11).
*Contact information for the District's Title IX Coordinator(s) and Board policies 2:260, *Uniform Grievance Procedure*; and 2:265, *Title IX Sexual Harassment Grievance Procedure*	34 C.F.R. §106.8.
*Training materials for any individuals designated as Title IX Coordinator(s), investigators, decision-makers, and informal resolution facilitators	34 C.F.R. §106.45(b)(10)(i)(D). Naming only the training provider and course does not meet this requirement. The U.S. Dept. of Education (DOE) requires training materials be publicly available "so that a district's approach to training Title IX personnel may be transparently viewed by the [district's] educational community and the public, including for the purpose of holding a [district] accountable for using training materials that comply with [Title IX] regulations." 85 Fed. Reg. 30254. Consult the board attorney regarding this requirement; making training materials of third-party consultants publicly available may violate their intellectual property rights. The DOE acknowledged the potential for intellectual property violations, suggesting that districts either "secure permission from the consultant to publish the training materials" or create their own training materials. 85 Fed. Reg. 30412.
*Board policy 7:20, *Harassment of Students Prohibited*, and age-appropriate explanations of its contents in student handbook(s)	105 ILCS 5/10-20.69. The District must have an age-appropriate policy on sexual harassment (1) in the student handbook(s), (2) posted on the District's website, and (3) posted in any

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	other area where policies, rules and standards of conduct are posted in each school.
*Board policy 7:290, *Suicide and Depression Awareness and Prevention*	105 ILCS 5/2-3.166, amended by P.A. 102-267.
*Contact information for the National Suicide Prevention Lifeline (1-800-273-8255) and Crisis Text Line (Text 741741), if the District does not issue student identification cards to all students	105 ILCS 5/10-20.76, added by P.A. 102-134 and renumbered by P.A. 102-813.
*Administrator and Teacher Salary and Benefits Report (itemized salary report for the Superintendent and all administrators and teachers); *benefits* includes, without limitation, vacation days, sick days, bonuses, annuities, and retirement enhancements	105 ILCS 5/10-20.47. Annually on or before Oct. 1: (1) the information must be presented at a regular Board meeting and posted on the District's website, and (2) after the Board meeting at which the information was presented, the Report must be provided to ISBE.
*All records pertaining to the creation, alteration or revision of school attendance areas shall be open to the public	105 ILCS 5/10-21.3. This law also requires school attendance areas to be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality. See policy 7:30, *Student Assignment and Intra-District Transfer*.
*Vacancies for teaching positions in a subject shortage area, before hiring a retired teacher to any such position	40 ILCS 5/16-150.1, amended by P.A. 102-440. The District must, on an ongoing basis, post the vacancy for a period of at least 90 days during the six months preceding either the fall or spring term for which it seeks to employ a retired teacher in a subject shortage area. This posting requirement is in effect for employment ending no later than June 30, 2024.
*Information regarding a Severance Agreement entered into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination	50 ILCS 205/3c. Within 72 hours of Board approval, the District must post: (1) the name/title of person receiving payment under the severance agreement, (2) the amount of payment, (3) that the employee or contractor was found to have engaged in

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	sexual harassment or sexual discrimination, as applicable, and (4) the date, time, and location of the meeting at which the agreement was approved. **Note:** The Government Severance Pay Act (GSPA), 5 ILCS 415/10(a)(2), prohibits an employee of a school district with contract provisions for severance pay from receiving any severance if the employee is fired by the board for *misconduct*, which includes sexual harassment and/or discrimination. Id. at 415/5. For more discussion about the reconciling these laws, see f/n 6 in sample policy 2:260, *Uniform Grievance Procedure*.
*As an employer that participates in the Ill. Municipal Retirement Fund (IMRF), a compensation report for employees who have a total compensation package that exceeds $75,000 per year; *total compensation package* means salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted	5 ILCS 120/7.3. The report must be posted within six business days after the District approves a budget. The District may choose to post a physical copy of this information at its principal office in lieu of posting the information directly on the website in which case it must post directions on the website for accessing that information. The Ill. Attorney General's office has not provided guidance concerning whether this requirement applies to employees who do not participate in IMRF, e.g., Teachers' Retirement System (TRS) participants.
*As an employer that participates in the IMRF, a compensation report for employees who have a total compensation package that is equal to or in excess of $150,000 per year; total compensation package means payment by the employer to the employee for salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted	5 ILCS 120/7.3. The report must be posted at least six days before the District approves an employee's total compensation package that is equal to or in excess of $150,000. The District may choose to post a physical copy of this information at its principal office in lieu of posting the information directly on the website in which case it must post directions on the website for accessing that information. The Ill. Attorney General's office has not provided guidance concerning whether this requirement applies to employees who do

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	not participate in IMRF, e.g., TRS participants.
*As an employer that participates in IMRF, a link to information posted on the IMRF website at: www.imrf.org/en/about-imrf/transparency/employer-cost-and-participation-information	40 ILCS 5/7-135.5.
*Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	105 ILCS 5/22-85.5(e), added by P.A. 102-676.
A description of activities to address intergroup conflict (an optional program authorized by Sec. 27-23.6)	105 ILCS 5/27-23.6(c).
The total number of personnel with a school support personnel endorsement, and for each endorsement area: 1. Those actively employed by the District on a full-time basis; 2. Those actively employed by the District on a part-time basis; and 3. Those actively employed by a special education cooperative providing services to students in the District	105 ILCS 5/10-20.80, added by P.A. 102-302 and renumbered by P.A. 102-813. Annually by Dec. 1st, the District must report its school support personnel information as of Oct. 1 to ISBE and web-post it.
The total number of students enrolled in the District and of that total, the number of students with an individualized education program (IEP) or Section 504 plan	105 ILCS 5/2-3.182, added by P.A. 102-302 and renumbered by P.A. 102-813. Annually by Dec. 1st, the District must report its enrollment information as of Oct. 1 to ISBE and web-post it.
*Notice that students with disabilities who do not qualify for an IEP may qualify for services under Section 504	105 ILCS 5/14-6.01, amended by P.A. 102-1072. The notice shall: (1) identify the location and phone number of the District office or employee to whom inquiries about the identification, assessment, and placement of children with disabilities should be directed, and (2) inform parents who are deaf or do not typically communicate using spoken English that they are entitled to the services of an interpreter when participating in a Section 504 meeting.
*Names of Board members who have completed professional development leadership training	105 ILCS 5/10-16a, amended by P.A. 102-638, requires the District to post on its website the names of all Board members who have completed professional

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	development leadership training. The web-posting may be expanded to log all Board members' training and development activities. 5 ILCS 120/1.05(b) and (c) require each Board member to complete training on the Open Meetings Act. After completing the training, each Board member must file a copy of their certificate of completion with the Board. 105 ILCS 5/24-16.5 requires each Board member to complete a training program on performance evaluations before voting on a dismissal based on a performance evaluation pursuant to the Performance Evaluation Reform Act.
Immunization data reported to ISBE by each Nov. 15	105 ILCS 5/27-8.1(6). By Dec. 1, the District must annually make the immunization *data* that it must report to ISBE each year publicly available. The data, not its format, must be identical to the data reported to ISBE. Boards have control over the method(s) used to make this data publicly available. One method is to instruct the reader to ask for the data directly from ISBE.
Information on mental health issues and local treatment resources	The Ill. House of Representatives encouraged this in HR 478 (99th General Assembly, 5-31-15).
*All reliable assessments, scored by entities other than the District that are administered in each of the District's schools	105 ILCS 5/22-82(b). These must be made available to parents and/or guardians through the District's website or paper handouts.
*The District's Remote and/or Blended Remote Learning Day Plan, when the Governor has declared a public health emergency pursuant to 20 ILCS 3305/7.	105 ILCS 5/10-30(6).
*When the Board allows for student participation in registered apprenticeship programs: 1. Notification to students and parents of the opportunities for registered apprenticeships, which includes the following statements:	23 Ill.Admin.Code §255.200(b)(4) and (c).

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
a. Students may participate in any registered apprenticeship program listed by the District, and b. Students may find a registered, but not listed, apprenticeship program with a business or organization if a registered apprenticeship program is not offered in the District. 2. Board policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students* (specifically, the section titled **Registered Apprenticeship Program)** 3. A form for a parent/guardian to request that when their child successfully completes a registered apprenticeship program, it be substituted for a course	
*If offered by the District, identification of the curriculum the District uses to provide comprehensive personal health and safety and comprehensive sexual health education (National Sex Education Standards (NSES)), the scope and sequence of these instructional materials, and the name and contact information, including an email address, of a school staff member who can respond to inquiries about instruction and materials	105 ILCS 5/27-9.1a, added by P.A. 102-522.
*Board policy 6:135, *Accelerated Placement Program*	23 Ill.Admin.Code §227.60(a).
*Board policy 7:70, *Attendance and Truancy*	23 Ill.Admin.Code §207.20(b).

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School Board

Exhibit - Recurrent Requester Notification

The District Freedom of Information Officer completes this form on District letterhead.

Name of record(s) requester

Date of receipt of request

Contact information

You are notified that your request for a District record(s) is being treated as a request from a recurrent requester, as defined in Section 2(g) of the Freedom of Information Act.

Your request is being treated as a request from a recurrent requester because, in the 12 months immediately preceding this request, you have submitted to the District one or more of the following:

1. A minimum of 50 requests for records
2. A minimum of 15 requests for records within a 30-day period
3. A minimum of seven requests for records within a 7-day period

You will be provided an initial response to your request for documents within 21 business days following the date the District received your request.

In that response, you will receive one of the following responses, whichever is appropriate:

1. An estimate of the time required by the District to provide the records requested and an estimate of the fees to be charged, which you must pay in full before the District copies the requested documents; or
2. A denial of the request pursuant to one or more of the exemptions set out in the Freedom of Information Act; or
3. A notification that the request is unduly burdensome and an extension of an opportunity for you to reduce the request to manageable proportions; or
4. Provision of the records requested.

Name of Freedom of Information Officer (Printed)

Telephone or email contact information

Freedom of Information Officer (Signature)

Date of Recurrent Requestor Notification

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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 its 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, 42 U.S.C. §12101 et seq.
2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints governed by policy 2:265, *Title IX Sexual Harassment Grievance Procedure*
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
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 prohibited by the State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (Title IX sexual harassment complaints are addressed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*)
7. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60
8. Bullying, 105 ILCS 5/27-23.7
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, 820 ILCS 180/
12. Illinois Equal Pay Act of 2003, 820 ILCS 112/
13. Provision of services to homeless students
14. Illinois Whistleblower Act, 740 ILCS 174/
15. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
16. 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 policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. 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.

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Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy 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 a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyberbullying of students, 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. For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

Investigation Process

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 under 18 years of age, the Complaint Manager will notify his or her parents/guardians 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, this policy, or any collective bargaining agreement, (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, this policy, 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 after 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.

The Superintendent will keep the Board informed of all complaints.

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If a complaint contains allegations involving the Superintendent or Board member(s), the written report shall be filed directly with the Board, which will make a decision in accordance with paragraph four of the following section of this policy.

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 registered mail, return receipt requested, and/or personal delivery as well as to 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 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 Board.

Within 30 school business days after an appeal of the Superintendent's decision, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days after the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action.

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail its written decision to the Complainant and the accused by registered mail, return receipt requested, and/or personal delivery as well as to the Complaint Manager.

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

Appointing a 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 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, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

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Nondiscrimination Coordinator:

Ashlee Goettsche
Name
404 West Main Street, La Harpe, IL 61450
Address
agoettsche@laharpeeagles.com
Email
217-659-3173
Telephone

Complaint Managers:

Janet Gladu
Name
404 West Main Street, La Harpe, IL 61450
Address
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Email
217-659-7739
Telephone

Ryan Hopper
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LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
20 U.S.C. §1232g, Family Education Rights Privacy Act.
20 U.S.C. §1400, The Individuals with Disabilities Education Act.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments; 34 C.F.R. Part 106.
29 U.S.C. §206(d), Equal Pay Act.
29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
29 U.S.C. §2612, Family and Medical Leave Act.
42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act.
42 U.S.C. §2000e et seq., Equal Employment Opportunities Act (Title VII of the Civil Rights Act).
42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
42 U.S.C. §12101 et seq., Americans With Disabilities Act.
105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69 5/10-20.75 (final citation pending), 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.
5 ILCS 415/10(a)(2), Government Severance Pay Act.
5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
410 ILCS 513/, Ill. Genetic Information Privacy Act.
740 ILCS 174/, Whistleblower Act.
740 ILCS 175/, Ill. False Claims Act.
775 ILCS 5/, Ill. Human Rights Act.
820 ILCS 180/, Victims' Economic Security and Safety Act; 56 Ill.Admin.Code Part 280.
820 ILCS 112/, Equal Pay Act of 2003.
820 ILCS 70/, Employee Credit Privacy Act, 70/10(b), and 70/2523 Ill.Admin.Code §§1.240, 200.40, 226.50, and 226.570.

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 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), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

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School Board

Administrative Procedure - Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform Grievance Procedure, and Allegations of Misconduct

All complaints are to be investigated, even when the complainant requests that nothing be done or is anonymous.

Step 1: Before the Investigation

A. School employees must immediately report a suspicion of child abuse or neglect to the Illinois Department of Child and Family Services in compliance with State law and policy 5:90, *Abused and Neglected Child Reporting*. Reporting is required before proceeding further with the investigation.

B. Consistent with policy 2:260, *Uniform Grievance Procedure*, the Superintendent appoints at least one District Complaint Manager to administer the complaint process. If possible, the Superintendent will appoint two Complaint Managers, one of each gender. A Complaint Manager investigates: (1) complaints filed under policy 2:260, *Uniform Grievance Procedure*, and (2) allegations of employee misconduct (for student misconduct allegations, see **Step 1: C.**, below).

C. The appropriate Building Principal or designee investigates all allegations of student misconduct.

D. Anyone with a complaint or making an allegation of misconduct should be referred to a Complaint Manager of their choosing or a Building Principal without delay.

E. A Complaint Manager or Building Principal (hereafter referred to as *investigator*) investigates all complaints or allegations of misconduct, except that, depending on the circumstances, the Superintendent or School Board may appoint a special investigator. Whenever the Superintendent deems necessary, an attorney may serve as a special investigator. See *considerations* under **Step 1: F.**, below. The investigator should not have any involvement with the complainant or the alleged wrongdoer outside of the investigation. The Superintendent ensures that investigators have sufficient authority and resources, including access to the Board Attorney.

F. The Board Attorney provides information and advice regarding the investigation process, including without limitation:

1. Whether the investigator's notes and investigation records (including, without limitation, any audio or video recordings, photographs, or electronic images) are education records for purposes of the federal Family Education Rights and Privacy Act (FERPA) and/or school student records as defined in the Ill. School Student Records Act (105 ILCS 10/, implemented by 23 Ill.Admin.Code §375.10)?

2. Whether the investigator's notes and investigation records (including, without limitation, any audio or video recordings, photographs, or electronic images) are subject to disclosure pursuant to a Freedom of Information Act (FOIA) request? A PAC opinion, binding on the parties, found that a city's investigatory records of an employee were not private or adjudicatory records and must be disclosed pursuant to a FOIA request (PAC Opinion 13-110).

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3. Whether to record conversations, and if so, how to obtain and document consent under the criminal eavesdropping statute? 720 ILCS 5/14-1 et seq. prohibits recording a conversation in which someone has a reasonable expectation of privacy without the consent of all parties.

4. Whether the Board Attorney should participate in or conduct the investigation? Whether an outside attorney should serve as a special investigator? Considerations include:

   a. The U.S. Supreme Court has held that a private attorney temporarily retained by government to perform an investigation of an employee is entitled to seek qualified immunity from suit under Section 1983. Filarsky v. Delia, 566 U.S. 377 (2012).

   b. The FOIA exemption for communications between a public body and its attorney is available in only limited situations. See PAC Opinion 14-02 interpreting 5 ILCS 140/7(m).

   c. Documents prepared by attorneys conducting an investigation under the prospect of litigation will not be subject to discovery during a subsequent lawsuit. Sandra TE v. South Berwyn School Dist., 600 F. 3d 612 (7th Circuit 2010) (when attorneys, as attorneys, perform a factual investigation, their documents are protected by the attorney-client privilege and the work-product doctrine).

G. The investigator provides a fair opportunity for both sides to be heard.

H. The investigator begins by carefully reading the complaint, and reviewing applicable Board policies, administrative procedures and manuals, laws, regulations, and collective bargaining agreements.

I. The investigator develops a plan, including:

   1. Witness list
   2. Order of interviews
   3. Questions for witnesses
   4. Physical evidence needed, e.g., records, documents, reports, photos, and letters

J. The investigator makes logistical arrangements, e.g., determine interview location and the need for photographs and/or a video or audio recording.

K. If the investigator encounters an issue with legal ramifications outside of his/her understanding, either before or during the investigation, he/she consults the Board Attorney before proceeding further on that legal issue, as well as any other areas of the investigation it impacts.

Step 2: Investigator Responsibilities During the Investigation

A. Typically, the complainant is interviewed first, then the subject of the investigation, and, finally, all witnesses. The following applies to all interviews:

   1. When possible, ensures that statements are written, dated, and signed by the person being interviewed. Does not audio or video record statements without first obtaining the Board Attorney's advice concerning legal prerequisites and treatment of the recordings.
   2. Asks open-ended questions and does not suggest answers to questions.
   3. Records important details, essentially who, did what, to whom, when, and how done and, if appropriate, why?
   4. Is objective and nonjudgmental; does not prejudge an alleged wrongdoer's guilt. Never

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show outrage or dismay.

5. Asks for the names of any other witnesses.
6. Deals with emotional outbursts and anger by patiently explaining that details are needed for an accurate investigation.
7. If a witness cannot be interviewed, records the reason.

B. While confidentiality should be maintained, does not make promises of confidentiality or anonymity. Only the Superintendent may promise confidentiality or anonymity.

C. Keeps the Superintendent informed, but does not discuss the investigation with Board members in order to avoid the appearance of prejudice or unfairness.

D. Obtains copies of all relevant written or electronic communications. Originals are not needed, but records how to get them.

E. Collects physical evidence and photographs. Keeps a record of when, and where, or from whom physical evidence was gathered.

F. Documents any information about the interview that is relevant, or may become relevant, including the person's demeanor, gestures, accuracy of memory, and overall credibility.

G. During the investigation, keeps 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. Records relating to a public body's adjudication (hearing) of employee grievances or disciplinary cases are exempt from FOIA public records requests under 5 ILCS 140/7(1)(n). However, the exemption does not extend to the final outcome of cases in which discipline is imposed.

Step 3: Investigator's Actions Following the Investigation

A. Reports to the Superintendent or designee the investigation results, that is, the matters investigated, facts, conclusions, and recommendations. Prepares a written report if appropriate or requested.

1. Answers who, what, when, where, why, and how.
2. Bases factual findings on whether an incident's occurrence is more likely than not. Identifies 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. Includes in the report any findings that are inconclusive.
3. Makes a determination regarding credibility of specific evidence, that is, how believable is it and why by explaining the basis for the determination. Credible evidence is capable of belief by a reasonable person.

B. Is prepared to testify as to the fairness of the investigation, the authenticity of the evidence, and the contents of the investigation report.

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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 two 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 Complain 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*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 7:10, *Equal Educational Opportunities*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

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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 timelines specified in Board policy 2:260, *Uniform Grievance Procedure.*

Applicable Policies and Procedures

Section 2

2:260 Uniform Grievance Procedure
2:260-AP2 Nondiscrimination Coordinator and Complaint Manager
2:265 Title IX Sexual Harassment Grievance Procedure .

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2:265-AP1 Title IX Sexual Harassment Response
2:265-AP2 Formal Title IX Sexual Harassment Complaint Grievance Process

Section 5

5:10 Equal Employment Opportunity and Minority Recruitment
5:20 Workplace Harassment Prohibited
5:20-AP Sample Questions and Considerations for Conducting the Internal Harassment in the Workplace Investigation

Section 6

6:120 Education of Children with Disabilities
6:140 Education of Homeless Children
6:140-AP 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
7:10-AP1 Accommodating Transgender Students or Gender Non-Conforming Students; Inclusion
7:20 Harassment of Students Prohibited
7:20-AP Harassment of Students Prohibited
7:180 Prevention of and Response to Bullying, Intimidation, and Harassment
7:190 Student Behavior

Section 8 - Community Relations

8:70 Accommodating Individuals with Disabilities
8:110 Public Suggestions and Concerns

Resources

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

"Enforcement Guidance and Related Documents," U.S. Equal Employment Opportunity Commission, https://www.eeoc.gov/laws-guidance-0.

"Sex Discrimination Frequently Asked Questions," U.S. Dept. of Education, Office for Civil Rights, www2.ed.gov/about/offices/list/ocr/frontpage/faq/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.

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School Board

Title IX Sexual Harassment Grievance Procedure

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important District goal. The District does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the District's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.

Title IX Sexual Harassment Prohibited

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a District employee or agent, or student, engages in Title IX Sexual Harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity; or
3. *Sexual assault* as defined in 20 U.S.C. §1092(f)(6)(A)(v), *dating violence* as defined in 34 U.S.C. §12291(a)(11), *domestic violence* as defined in 34 U.S.C. §12291(a)(12), or *stalking* as defined in 34 U.S.C. §12291(a)(36).

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

Definitions from 34 C.F.R. §106.30

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Education program or activity includes locations, events, or circumstances where the District has substantial control over both the *Respondent* and the context in which alleged sexual harassment occurs.

Formal Title IX Sexual Harassment Complaint means a document filed by a *Complainant* or signed by the Title IX Coordinator alleging sexual harassment against a *Respondent* and requesting that the District investigate the allegation.

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment.

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the *Complainant* or the *Respondent*

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before or after the filing of a *Formal Title IX Sexual Harassment Complaint* or where no *Formal Title IX Sexual Harassment Complaint* has been filed.

Title IX Sexual Harassment Prevention and Response

The Superintendent or designee will ensure that the District prevents and responds to allegations of Title IX Sexual Harassment as follows:

1. Ensures that the District's comprehensive health education program in Board policy 6:60, *Curriculum Content,* incorporates (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. 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*.
2. Incorporates education and training for school staff as recommended by the Superintendent, Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager.
3. Notifies applicants for employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the District's website, if any, and in each handbook made available to such persons.

Making a Report

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender.

School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

The Superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator.

Title IX Coordinator:

Ashlee Goettsche
Name
404 West Main Street, La Harpe, IL 61450
Address
agoettsche@laharpeeagles.com
Email
217-569-3173
Telephone

Processing and Reviewing a Report or Complaint

Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the *Complainant* to: (1) discuss the availability of supportive measures, (2) consider the *Complainant's* wishes with respect to *supportive measures*, (3) inform the *Complainant* of the availability of

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LA HARPE COMMUNITY SCHOOL DISTRICT 347
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General School Administration

Goals and Objectives

The Superintendent directs the administration in the management of 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. Provide educational expertise.
2. Plan, organize, implement, and evaluate educational programs that will provide for students' mastery of the Illinois Learning Standards.
3. Meet or exceed student performance and academic improvement goals established by the Board.
4. Develop and maintain channels for communication between the school and community.
5. Develop an administrative procedures manual and handbooks for personnel and students that are in alignment with Board policy.
6. Manage the District's fiscal and business activities to ensure financial health, cost-effectiveness, and protection of the District's assets.
7. Provide for the proper use, reasonable care, and appropriate maintenance of the District's real and personal property, including buildings, equipment, and supplies.

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

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board; Indemnification), 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)

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General School Administration

Chain of Command

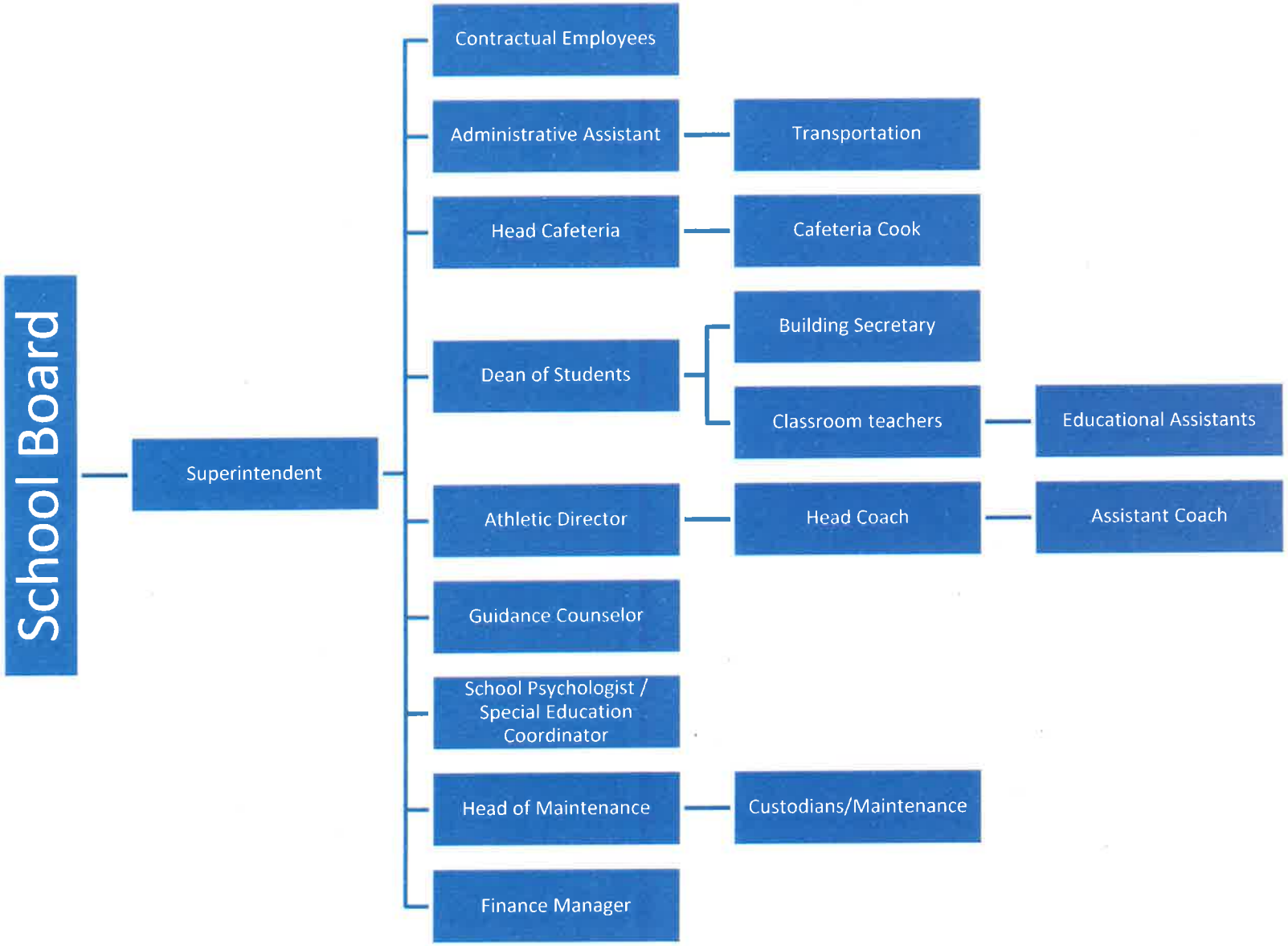
The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed except in unusual situations.

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. When 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 Concerns)

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La Harpe Community School District 347
Organizational Chart 2022-2023



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. District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law, including the special reporting responsibilities in policy 5:90, *Abused and Neglected Child Reporting*. The Superintendent is authorized to develop administrative procedures and take other action as needed to implement 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.

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 Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent endorsement issued by the Illinois State Educator Preparation and Licensure Board.

Evaluation

The 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 State law, the Board's policies, and the Superintendent's contract. A specific time should be designated for a formal evaluation session with all 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 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 Board and the Superintendent. The terms of the Superintendent's employment agreement, when in conflict with this policy, will control.

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LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-21.9, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.
5 ILCS 120/7.3, Open Meetings Act.
23 Ill.Admin.Code §§1.310, 1.705, and 25.355.

CROSS REF: 2:20 (Powers and Duties of the School Board; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions)

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General School Administration

Exhibit - Checklist for the Superintendent Employment Contract Negotiation Process

The School Board hires and employs the Superintendent. The Superintendent shall be in charge of the administration of the schools under the direction of the Board, through its policies. See 105 ILCS 5/10-21.4 and 105 ILCS 5/10-16.7. As an effective employer, the Board must develop and maintain a productive relationship with the Superintendent. See IASB's *Foundational Principles of Effective Governance*, **Principle 3. The board employs a superintendent**, at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

The foundation for a productive employment relationship begins when the Board identifies the most qualified superintendent candidate (*successful superintendent candidate*) after an established interview process. The Board then extends an offer of employment to the successful superintendent candidate. The employment search process and resulting relationship should consist of mutual respect and a clear understanding of respective roles, responsibilities, and expectations. This relationship should begin with the Board's policy, a thoughtfully crafted employment contract and job description, and procedures for communications and ongoing assessment. See *Principles* at the link above.

Below, the *Checklist for the Superintendent Employment Contract Negotiation Process (Checklist)* provides a column entitled **Superintendent Contract Term Considerations for the Board**. It lists common superintendent employment contract terms and points of consideration for boards to prepare for during the contract formation process. Another column entitled **Explanation, Special Considerations, and Resources** provides extra information about these common superintendent employment contract terms.

The *Checklist* is intended to serve as a resource to educate and guide the Board through the employment contract negotiation process with its successful superintendent candidate. Board members who are educated about the content within the *Checklist* are crucial to successful negotiation processes. An educated contract formation and negotiation process, along with a well-written contract and job description for the Superintendent, all set the foundation for mutual respect and a clear understanding of the Board and Superintendent's respective roles, responsibilities, and expectations. **Important:** This *Checklist* is a resource for contract formation; it is not a list of must have items for a superintendent's employment contract or a basis for a board to re-open contracts currently in effect.

Prior to providing the successful superintendent candidate an offer for employment and contract for review, consideration, and negotiation, consult the Board Attorney about the *Checklist* and the scope of the terms the Board wishes to offer the successful superintendent candidate. The Board and the successful superintendent candidate should expect and encourage the other to seek the advice of their respective attorneys during the employment contract formation process.

Many attorneys agree and best practices suggest that boards and successful superintendent candidates work with their own separate attorneys in an amicable and cooperative manner to complete the employment contract negotiation process.

☐ **Board Attorney.** Prior to providing any successful superintendent candidate with an offer for employment and a contract for review, consideration, and negotiation, best practices suggest consulting the Board Attorney about the *Checklist*. **Note:** Boards should view a successful superintendent candidate retaining his or her own attorney as a best practice (as opposed to a warning sign). Each party is beginning the employment relationship in a cooperative manner to set an appropriate foundation to the future working relationship.

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☐ **Power and Duties of the Superintendent**

Superintendent Contract Term Considerations for the Board	**Explanation, Special Considerations, and Resources**
Duties	Does the Board enumerate the duties of the Superintendent in the employment contract? 1. Are the statutory duties of the Superintendent listed? 2. Has the Board incorporated policy references to the other duties related to the Superintendent's employment? See 105 ILCS 5/10-21.4 and 105 ILCS 5/10-16.7.
Full-time, Attention and Energy Clause	How will the Board address outside activities of the Superintendent? 1. How will the Board define *outside activities*? 2. Will the Board restrict the Superintendent from engaging in outside activities during the term of the employment contract? 3. Will the Board require approval/notification before the Superintendent engages in outside activities?

☐ **Employment and Compensation**

Superintendent Contract Term Considerations for the Board	**Explanation, Special Considerations, and Resources**
Duration of Contract	A superintendent's employment contract may not exceed five years. If its duration is two to five years, the contract must reference goals and suspension of tenure. No performance-based contract shall be extended or rolled over prior to its scheduled expiration unless all the performance and improvement goals contained in the contract have been met. See 105 ILCS 5/10-23.8. If the duration is one year or less, then the contract need not reference goals or suspension of tenure.
Salary	Special Considerations for the Board may include: 1. What is the estimated Board contribution to the Teachers' Retirement System (TRS) for any raises above six percent (40 ILCS 5/15-155(g)) prior to retirement? 2. What is the *cost shift* implication for the District if the Board offers or later agrees to a salary that is equal to or greater than the governor's statutory salary? School districts are responsible for paying the actuarial cost of the pension benefits earned

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	on the portion of a TRS member's salary that exceeds the governor's statutory salary. The governor's annual salary is published by TRS at: www.trsil.org/employers/payments/contribution-rates_earnings-limitations. 3. Do any administrative cost cap triggers exist (105 ILCS 5/17-1.5)? Items the Board may see the successful superintendent candidate request of it: 1. A fixed salary for each year of the contract. 2. A guaranteed minimum salary. 3. Compensation increases.
Severance Agreements	Any contract that contains a condition of severance pay must include the following provisions required by the Government Severance Pay Act (GSPA), 5 ILCS 415/10: 1. A restriction to an amount not exceeding 20 weeks of compensation; and 2. A prohibition for any severance if the Superintendent is fired for *misconduct* by the Board. See the *Severance Pay* row under the **Changes to the Superintendent's Employment Contract** subhead below for a definition of what misconduct means in the context of this law.
Teachers Retirement System (TRS) & Teacher Health Insurance (THIS)	How does the Board want to address: 1. Pension contributions (TRS-THIS)? 2. Inclusion of salary and other compensation in the payment of TRS and THIS? Or, will TRS and THIS be in addition to salary and other compensation? 3. Unforeseen pension reform issues?

☐ **Conditions of Employment**

Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Administrative License	Does the Board want to require the successful superintendent candidate to guarantee that as the future Superintendent of the District, he or she has and will maintain the appropriate licensure throughout the employment contract?

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Criminal Background Check Law	105 ILCS 5/10-21.9. See also **PRESS** sample policy 5:30, *Hiring Process and Criteria*, and the subhead entitled **Fingerprint-based Criminal History Records Information Check** in administrative procedure 5:30-AP2, *Investigations*.
Sexual Misconduct Related Employment History Review Law	105 ILCS 5/22-94, added by P.A. 102-702, eff. 7-1-23. See also **PRESS** sample policy 5:30, *Hiring Process and Criteria* and **PRESS** sample administrative procedure 5:30-AP3, *Sexual Misconduct Related Employment History Review (EHR)*.
Other Background Check Laws	Does the Board want to require additional background inquiries beyond the fingerprint-based criminal history records information check required by 105 ILCS 5/10-21.9 and sexual misconduct related employment history review required by 105 ILCS 5/22-94, added by P.A. 102-702, eff. 7-1-23 and discussed above? If yes, consult the Board Attorney and consider the following laws: 15 U.S.C. § 1681 et seq., Federal Fair Credit Reporting Act (FCRA), is a federal law that regulates the gathering and use of information about consumers by third party *consumer reporting agencies*, including credit information, criminal background, driving record, personal characteristics/reputation, etc. The law requires consumer reporting agencies to comply with certain procedural notice requirements when gathering information from a consumer. 820 ILCS 75/, Ill. Job Opportunities for Qualified Applicants Act, prohibits employers from inquiring about an applicant's criminal history until the application has been determined qualified and notified that he/she has been selected for an interview (a/k/a *ban the box* law). 820 ILCS 55/, Ill. Right to Privacy in the Workplace Act (RPWA), prohibits employers from: 1. Requesting, coercing, or requiring any employee or prospective employee to provide a user name and password for any personal online account; 2. Requesting, coercing, or requiring an employee or applicant to invite the employer to have access to that individual's personal online account; and 3. Taking an adverse employment action against an individual (including refusal to hire) based on that individual's use of a lawful product off District property during nonworking hours, i.e., tobacco, cannabis, or alcohol. (**Note:** RPWA allows

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	employers to regulate employees' use of those lawful products that impair an employee's ability to perform the employee's assigned duties. See policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*, and its f/ns). 820 ILCS 70/, Ill. Employee Credit Privacy Act, prohibits employers from inquiring into an individual's credit history or taking action against an employee based such history unless a satisfactory credit history is a *bona fide occupational requirement*, which is further defined in the statute. The job descriptions of superintendents generally meet this standard because they: (1) describe a managerial position that involves direction of school districts; (2) include signatory power over more than $100; and (3) involve having access to confidential and financial information. **Note:** Any one of these grounds alone is sufficient.
Medical Examination	105 ILCS 5/24-5 requires new employees to submit evidence of physical fitness to perform assigned duties and freedom from communicable diseases. The Americans with Disabilities Act allows medical inquiries of current employees only when they are job-related and consistent with business necessity or part of a voluntary employee wellness program. 42 U.S.C. §12112(d)(4). Districts may deny jobs to individuals with disabilities who pose a direct threat to the health or safety of others in the workplace, provided that a reasonable accommodation would not either eliminate the risk or reduce it to an acceptable level. 42 U.S.C. §12113; 29 C.F.R. §1630.2(r). See also **PRESS** sample policy 5:30, *Hiring Process and Criteria*, specifically f/ns 25 and 26.
Tenure	Suspension of Tenure With multi-year contracts and multi-year extensions, superintendents waive their rights to tenure in a school district, but no previously acquired tenure may be lost. Continued Tenure Superintendents serving multiple one year contracts may still accrue service toward and acquire tenure. See 105 ILCS 5/10-23.8 and the *Duration of Contract* row in the **Employment and Compensation** checkbox, above.

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☐ **Evaluations and Goals**

Superintendent Contract Term Considerations for the Board	**Explanation, Special Considerations, and Resources**
Board Goals and Indicators of Student Performance and Academic Achievement for the Superintendent	105 ILCS 5/10-23.8 requires each performance-based contract to include the goals and indicators of student performance and academic improvement determined and used by the Board to measure the performance and effectiveness of the Superintendent and other information as the Board may determine. Regarding its goals and indicators, has the Board: 1. At minimum, addressed student performance and academic achievement (105 ILCS 5/10-23.8 states "and other information as the Board may determine")? 2. Included them in the body of the employment contract? Or as an exhibit to it? 3. Set them to be: a. Measurable and achievable, i.e., are they within the Superintendent's control? b. Objective, subjective or a combination of both? 4. Set a timeline for achievement, and if so is it on an: a. Annual basis? b. Prior to completion of the employment contract? 5. Set them as procedural, substantive, or a combination of both? For more information about setting goals and indicators for superintendents regarding student performance and academic achievement, see: www.iasb.com/conference-training-and-events/training/workshops/ Contact a Field Services Director regarding the following IASB workshops and/or offerings that may set the stage for school boards to hold their superintendents accountable for district performance, including academic achievement: *Setting District Goals and Direction* (leads a board and superintendent to develop their own district language for specific measurable, and attainable goals and indicators) *The Superintendent Evaluation Process* (describes an effective method of holding the superintendent accountable)

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Superintendent Evaluation	Once the Board has developed its goals and indicators (as discussed immediately above), 105 ILCS 5/10-20, 5/10-23, and 5/10-23.8 require the Board to: 1. "Direct, through policy, its superintendent in his or her charge of the administration of the school district;" and 2. Evaluate the superintendent in his or her "administration of school board policies and his or her stewardship of the assets of the district." How will the Board evaluate the successful superintendent candidate upon its outlined goals and indicators? Does the Board state when it will evaluate the successful superintendent candidate upon the goals and indicators that it set? **Note:** Some districts do not consider the superintendent evaluation to be a *one-time event* and put an on-going process into place. Contrast other districts, which depending upon their preferences, generally find the best time of year to evaluate is in the winter or early springtime. Is the Board or the successful superintendent candidate responsible to trigger the components of the Superintendent's evaluation process? What evaluation instrument will be used? How will the evaluation be documented? Will an evaluation instrument be outlined by the Board in its employment contract with the successful superintendent candidate? Is the evaluation instrument the Board will use tied to its goals and indicators of student performance and academic improvement and other information as the Board may determine? For more information about best practices when planning for and evaluating the Superintendent, see: *The Superintendent Evaluation Process* at: www.iasb.com/iasb/media/documents/superintendent-evaluation-process.pdf; IASB's *Foundational Principles of Effective Governance*, **Principle 3. The board employs a superintendent**, at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/; stating "the board employs and evaluates one person — the superintendent — and holds that person accountable for district performance and compliance with written board policy."

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☐ **Expenses and Benefits**

Superintendent Contract Term Considerations for the Board	**Explanation, Special Considerations, and Resources**
Expenses and Allowances	How will the Board address expenses and allowances in its employment contract negotiations with the successful superintendent candidate? <u>Business</u> 1. What standard will the Board use, e.g., reasonable, itemized, etc.? 2. Will the Board designate the Board President or another individual to review and/or approve the Superintendent's expenses? <u>Transportation</u> Will the Board reimburse travel? If yes, what types of travel will the board reimburse? Some transportation topics that successful superintendent candidates request discussion about include: 1. Vehicle insurance reimbursement(s) 2. Vehicle repair reimbursement(s) 3. A travel allowance only at either a set amount or the District's per mile rate 4. A vehicle 5. Out-of-district travel
Insurance	Will the Board address insurance in its employment contract negotiations with the successful superintendent candidate? Some items successful superintendent candidates request include: 1. Insurance contributions as part of a Cafeteria Plan, or in the alternative, the Board paying the premiums. 2. Specific insurance coverages from the Board, such as health, dental, vision, life, disability, etc.
Vacation	Will the Board address vacation days in its employment contract negotiations with the successful superintendent candidate? If yes, then: 1. How many days? 2. Will vacation days accumulate? And, if so, how? 3. Will the Board designate itself, the Board President, or a Board officer to approve or receive notification from the Superintendent prior to taking a vacation? If yes, describe the process.

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	4. Will the Board address reimbursement for unused days? 5. Will vacation days need to be used for days off during winter or spring breaks?
Sick Leave/Days	Will the Board address sick days in its employment contract negotiations with the successful superintendent candidate? If yes, then: 1. Will sick leave be limited to annual sick leave days in the District's teachers' contract or will a different amount be provided? 2. How will sick day accumulation be addressed? 3. Will the Board designate itself, the Board President, or a Board officer to approve or receive notification from the Superintendent prior to taking or upon returning from a sick day? If yes, describe the process.
Professional Activities and Organizations | Memberships in Community Organizations	Will the Board address memberships in professional activities/organizations and/or community organizations its employment contract negotiations with the successful superintendent candidate? If yes, then: 1. How many organizations will the Board allow the Superintendent to join? 2. Which organizations will be allowed? 3. What is the Board's limit for the cost of dues to professional organizations?
Retirement	Will the Board address any type of payment(s) upon the Superintendent's retirement? If yes, then: 1. Has the Board thoroughly examined and addressed: a. Any consequences or other penalties to it? b. The impact of any prior salary increases? c. Potential pension reform issues? 2. Often, a successful superintendent candidate's attorney has interest in the following issues: a. Available post-retirement options available, e.g., payments for sick/vacation days, post-retirement insurance, longevity annuity payment, etc. b. Whether a potential retirement payment will be properly creditable for TRS purposes. **Note:** Ultimately, only TRS

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	has the authority to determine creditability.
Annuities and Other Deferred Compensation	Will the Board address any type of annuities and other deferred compensation issues? If yes, then: 1. Will it offer such compensation in addition to the Superintendent's agreed-upon salary? 2. Will it contribute creditable earnings for TRS purposes?

☐ **Changes to the Superintendent's Employment Contract**

Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Non-Renewal at End of Contract	How will the Board and successful superintendent candidate agree to address orderly end to the employment contract when the Board chooses not to renew it? 1. Will there be a non-renewal notification date? Do both parties' attorneys find it reasonable? 2. Will the Board require the Superintendent to remind it of the non-renewal date? 3. Will there be any agreement to a clause for an automatic one-year renewal if the Board fails to provide end-of-contract non-renewal notification? 4. Will the Board agree to language in the employment contract that would provide the Superintendent with a hearing upon non-renewal?
Renewal at End of Contract	Will the Board agree to a procedure for renewing the employment contract at its end? If yes, then: 1. What date would be the earliest that the Board could renew its employment contract with the Superintendent? 2. What criteria will the Board base its renewal upon? For example, some boards base renewal upon superintendents achieving their stated goals and indicators of student performance and academic improvement and other information they required.
Contract Extensions	Will the Board agree to allow for an extension of its employment contract during its term? If yes, then: 1. Will the Board agree to extend it during its term if the Board determines that the Superintendent successfully met all of the Board's stated goals

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	and indicators of student performance and academic improvement and other information it required? 2. Will the Board agree to extend a one-year contract when the Superintendent is not required to meet any goals? See 105 ILCS 5/10-23.8.
Terminations	If the successful superintendent candidate accepts employment with the Board and becomes the Superintendent, how will the Board outline the grounds and procedures for terminating the Superintendent's employment during the contract's term? 1. Will the Board and the successful superintendent candidate agree to terminate it upon mutual agreement? 2. Will the Board allow retirement to be an appropriate reason for terminating its employment contract with the Superintendent? And if so, will the Board require reasonable notice from its Superintendent? 3. Could either the Board or Superintendent terminate the employment contract without cause by providing notice to the other? 4. Will the Board terminate the employment contract for permanent disability of the Superintendent? a. How will the Board define permanent disability in the contract? b. Will the Board require the Superintendent to obtain a permanent disability determination through physician certification, and/or c. Will the Board consider duration of absence; e.g., 90-days after exhaustion of available leave, whichever is greater? See **PRESS** sample policy 5:180, *Temporary Illness or Temporary Incapacity*. 5. What standard will the Board use to terminate the employment contract for cause? Items to consider include: a. Any conduct detrimental/prejudicial to the District;* b. Just cause; c. Sufficient to dismiss a tenured teacher; d. Material breach of contract; or

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	e. Not arbitrary and capricious. *50 ILCS 205/3c, requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964. See **Severance Pay** row directly below. 6. Will the Board agree to provisions for hearing and due process for the Superintendent? 7. How will the Board address death of its Superintendent during the duration of the employment contract?
Severance Pay	Any renewal or renegotiation that adds a condition of severance pay must include the following provisions of GSPA, 5 ILCS 415/10(a)(1): A restriction to an amount not exceeding 20 weeks of compensation; and A prohibition for any severance if the Superintendent is fired for *misconduct* by the Board. This law defines misconduct to include sexual harassment and/or discrimination. But 50 ILCS 205/3c limits sexual harassment or discrimination to instances when an employee is "found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964." For more discussion about these laws, see f/n 6 in policy 2:260, *Uniform Grievance Procedure*.
Liquidated Damages	Will the Board agree to liquidate damages with its Superintendent if one or the other terminates the employment contract? 1. Have both the Board and the successful superintendent candidate discussed the practical consequences of a liquidated damages clause with their respective attorneys? 2. If the Board terminates the contract, has it discussed with the Board Attorney how it can avoid litigation with its former Superintendent?
Amendments	How will the Board and Superintendent agree to allow for amendments to the employment contract?

☐ **What technical clauses need to be in the Superintendent's employment contract?**

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Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Technical clauses (common in contracts)	If the employment contract contains any of the following technical provisions, have the Board Attorney and Superintendent's attorney reviewed them? 1. Notice 2. Applicable law 3. Headings and numbers 4. Complete understanding, i.e., do the Board members and Superintendent share the same understanding of the various provisions written in the employment contract? 5. Counterparts 6. Effect of Policy Amendments 7. Severability 8. Advice of Counsel

☐ **Miscellaneous Issues**

Superintendent Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Board Obligations Under the Employment Contract	Do all members of the Board understand the District's obligations under the employment contract and what not complying with them will mean to the District? Specifically, are Board members aware of the Board's specific obligations regarding: 1. The Superintendent Evaluation 2. Goal setting 3. Required notifications/actions by each party prior to termination of the employment contract
Ongoing Monitoring of Each Party's Compliance with the Contract	Are the Board and Superintendent actually complying with the terms of the employment contract? Has the Board Attorney explained how the Board should monitor compliance with the employment contract?
Legislative Issues	How might pending pension reform legislation or other trending legislation affect the employment contract?

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General School Administration

Administrative Personnel Other Than the Superintendent

Duties and Authority

The School Board establishes District administrative and supervisory positions in accordance with the District's needs and 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 Board, upon the Superintendent's recommendation, and contained in the respective position's job description. In the event of a conflict, State law and/or the administrator's employment agreement shall control.

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 Superintendent or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board.

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training, and Illinois Administrators' Academy courses, or through other means as approved by the Superintendent.

Administrative Work Year

The work year for administrators 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, 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 Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board no later than the March 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.

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LEGAL REF: 105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A.
23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

CROSS REF: 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:250 (Leaves of Absence), 5:290 (Employment Termination and Suspensions)

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General School Administration

Administrative Responsibility of the Building Principal

Duties and Authority

The School Board, upon the recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The primary responsibility of a Building Principal is the improvement of instruction. Each Building Principal shall perform all duties as described in State law as well as such other duties as specified in his or her employment agreement or as the Superintendent may assign, that are consistent with the Building Principal's education and training. 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.: 105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.
10 ILCS 5/4-6.2, Election Code.
105 ILCS 127/, School Reporting of Drug Violations Act.
23 Ill.Admin.Code Parts 35 and 50, Subpart D.

CROSS REF.: 3:50 (Administrative Personnel Other Than the Superintendent), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:250 (Leaves of Absence), 5:290 (Employment Termination and Suspensions)

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General School Administration

Exhibit - Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security

The Building Principal shall comply with all State law reporting and notice requirements for Principals. Compliance with the State law reporting and notice requirements is required by Board policy 3:60, *Administrative Responsibility of the Building Principal*, in its mandate to "perform all duties as described in State law." The specific statute identified in the following tables should be checked for current requirements. The lists of required reports and notices may not be exhaustive.

Events Requiring Reports Concerning School Safety and Security	Resources
A student or other person poses a clear and present danger to himself, herself, or others. This report is made to the Ill. State Police (ISP) within 24 hours after the Principal makes this determination. This report is required by the Firearm Concealed Carry Act (430 ILCS 66/105), and the Mental Health and Developmental Disabilities Code (405 ILCS 5/6-103.3). The Principal may delegate making reports concerning students, but not otherwise. *Clear and present danger* is defined in 430 ILCS 65/1.1, as a person who: (1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or (2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official. ISP rules implementing this duty to report are found in 20 Ill.Admin.Code §1230.120(b), and state: b) Law enforcement officials and school administrators shall report determinations of a clear and present danger directly to the Department [ISP]. The Department shall make a form and instruction for the reporting available to law enforcement	The ISP has posted information and instructions at: www.dhs.state.il.us/page.aspx?item=38026#a_toc2. The reporting form is at: isp.illinois.gov/StaticFiles/docs/FSB/FOID%20Appeal%20Forms/ClearAndPresentDanger.pdf . 3:60, *Administrative Responsibility of the Building Principal* 7:340, *Student Records* 7:340-AP1, *School Student Records*

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Events Requiring Reports Concerning School Safety and Security	Resources
officials and school administrators on its website. 1) Clear and present danger reporting shall be used by the Department to identify persons who pose an actual, impending, or imminent threat of substantial bodily harm to themselves or another person that is articulable and significant or who will be likely to act in a manner dangerous to public safety or contrary to the public interest if they were granted access to a weapon. 2) Clear and present danger reporting shall be made consistent with the Family Educational Rights and Privacy Act (20 USC 1232g) to assist the Department with protecting the health and safety of the public by denying persons who present a clear and present danger from having lawful access to weapons.	
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. This report is made to the Ill. Dept. of Children and Family Services (DCFS) immediately upon suspicion or receipt of knowledge. The DCFS Child Abuse Hotline is 800/25-ABUSE or 217/524-2606. In addition to the Principal, all school personnel are required to make this report. A staff member should inform the Principal if he or she made a report; the Principal should inform the Superintendent of any report made. This report is required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), and the Dept. of Human Services Act (20 ILCS 1305/). A knowing and willful failure to make the report to DCFS is a Class A misdemeanor for the first violation and a second or subsequent violation is a Class 4 felony. 325 ILCS 5/4.	Information and directions are available from DCFS at: www.state.il.us/dcfs/child/index.shtml. 5:90, *Abused and Neglected Child Reporting* 7:190-AP6, *Administrative Procedure - Guidelines for Investigating Sexting Allegations*
Child pornography is discovered on electronic and information technology equipment. This report is made immediately to local law enforcement, or the National Center for Missing and Exploited Children's CyberTipline 800/843-5678 or online at: www.CyberTipline.com. According to 325 ILCS 5/4.5, *Electronic and information technology equipment*	5:90, *Abused and Neglected Child Reporting*

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Events Requiring Reports Concerning School Safety and Security	Resources
means, equipment used in the creation, manipulation, storage, display, or transmission of data, including internet and intranet systems, software applications, operating systems, video and multimedia, telecommunications products, kiosks, information transaction machines, copiers, printers, and desktop and portable computers. (Italics added.) An electronic and information technology equipment worker or the worker's employer is required to make this report by 325 ILCS 5/4.5. Failure to make this report is a business offense subject to a fine of $1,001. Id. at 5/4.5(e).	
Hazing resulted in bodily harm to any person. This report is required when a Principal or other school personnel or volunteer observes hazing. This report is made to the Superintendent or other supervising authority or, in the event of death or great bodily harm, to law enforcement. 720 ILCS 5/12C-50.1. The statute does not provide a deadline for making the report, but making the report immediately is prudent. Failure to report hazing is a Class B misdemeanor and if the hazing resulted in death or great bodily harm the failure to report is a Class A misdemeanor. Id. at 5/12C-50.1(c).	5:90, *Abused and Neglected Child Reporting* 7:190, *Student Behavior*
The person enrolling a student fails to provide a certified copy of the student's birth certificate within 30 days of enrolling the student. The Superintendent or designee is required to make this report. The report is made to local law enforcement. 325 ILCS 50/5(b)(2) and 325 ILCS 55/5(b). This report is required by the Missing Children Records Act (325 ILCS 50/), and the Missing Children Registration Law (325 ILCS 55/).	7:50, *School Admissions and Student Transfers To and From Non-District Schools* 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*
The District receives notification from the ISP of the disappearance of a student currently or previously enrolled. The Superintendent or designee is required to make this report. The report must include flagged records pertaining to the student or knowledge about where the student may be located. 105 ILCS 50/5(a) and 325	7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*

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Events Requiring Reports Concerning School Safety and Security	Resources
ILCS 55/5(a). This report is required by the Missing Children Records Act (325 ILCS 50/), and the Missing Children Registration Law (325 ILCS 55/).	
A drug-related incident occurred on school property, including any conveyance used to transport students, or within 1000 feet of the school. The Principal or designee is required to immediately notify the Superintendent. The Superintendent or designee is required to immediately report to local law enforcement. 105 ILCS 5/10-27.1B(b). 105 ILCS 127/2 also requires reporting to the municipal police dept. or office of the county sheriff of the municipality or county where the school is located within 48 hours of becoming aware of the drug violation. 105 ILCS 127/2 sets forth specific drug violations that will trigger this duty to report; however, best practice suggests reporting any drug violation. This report is required by the School Reporting of Drug Violations Act (105 ILCS 127/).	3:60, *Administrative Responsibility of the Building Principal* 4:170-AP1, *Comprehensive Safety and Security Plan*, Letter J. Required Notices
The safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity. If this occurs, the Principal is required to utilize the resources of proper law enforcement agencies. 105 ILCS 5/10-21.4a.	3:60, *Administrative Responsibility of the Building Principal* 7:190, *Student Behavior*
A student committed a criminal offense. The Superintendent or designee is required to make this report. This report is made to local law enforcement agencies as part of a reciprocal reporting system between the School District and local law enforcement agencies. No specified time period is stated in the statute. A reciprocal reporting system is required by 105 ILCS 5/10-20.14.	2:150, *Committees* 7:190-AP3, *Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students*
A person on school grounds possesses a firearm. This report is made by the Principal or designee to local law enforcement immediately after receiving a report of a person on school grounds possessing a firearm. The Principal or designee must also notify the	7:190, *Student Behavior* 4:170-AP1, *Comprehensive Safety and Security Plan*, Letter J. Required Notices

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Events Requiring Reports Concerning School Safety and Security	Resources
Superintendent, and the Superintendent or designee must also immediately report to local law enforcement. These reports are required by 105 ILCS 5/10-27.1A, amended by P.A. 102-197. A knowing and willful failure to make the report is a petty criminal offense for the first violation and a second or subsequent violation is a Class C misdemeanor. Id.	
A staff member is attacked. This report is made by the Principal or designee to the Superintendent or designee. The Superintendent or designee will immediately report to local law enforcement and will report to ISBE through its web-based School Incident Reporting System as incidents occur during the school year and no later than August 1 for the preceding school year. 105 ILCS 5/10-21.7, amended by P.A. 102-894.	4:170-AP1, *Comprehensive Safety and Security Plan*, Letter J. Required Notices
A student engaged in aggressive behavior. The Superintendent or designee is required to make this report. This report is made to the parent/guardian of a student who engaged in aggressive behavior including, without limitation, bullying. 105 ILCS 5/10-20.14(d). No specific time period is stated in the statute.	7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:190, *Student Behavior* 7:190-E1, *Aggressive Behavior Reporting Letter and Form*

Required Notices Concerning School Safety and Security	Resources
Human Trafficking Hotline. The Superintendent or designee ensures the Ill. Dept. of Human Services' notice is posted in conspicuous and accessible locations such as administrative offices or other locations in view of school employees. This notice is required by the Human Trafficking Resource Center Notice Act (775 ILCS 50/).	Notice available for download at: www.dhs.state.il.us/page.aspx?item=82023.
Lead in Drinking Water. If samples from any drinking water lead test performed in any District school(s) exceed five parts per billion, the Superintendent or designee provides notification of the sampling results to the parents or guardians of all enrolled students. This notification is required by 225 ILCS 320/35.5(c)(3).	4:170, *Safety*

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Required Notices Concerning School Safety and Security	Resources
Sex Offender Information is Available. This notice is provided to the parents/guardians of students at either registration or parent-teacher conferences. Either a Principal or teacher shall notify the parents/guardians that information about sex offenders is available on the ISP website. 730 ILCS 152/120(g). This notice is required by the Sex Offender Community Notification Law (730 ILCS 152/120).	4:170, *Safety* 4:175-AP1, *Criminal Offender Notification Laws; Screening* 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws*

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General School Administration

Succession of Authority

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

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 3:30 (Chain of Command)

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General School Administration

Administrative Procedure - Succession Plan

If the Superintendent, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall be as stated 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 importance and/or emergency.

Superintendent

Ryan Hopper

Susan Bray

Julie Garrison

Kristin Palmer

Susan Pratt

Building Principal

Janet Gladu

Susan Bray

Julie Garrison

Kristin Palmer

Susan Pratt

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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 Access to the District's Electronic Network.*

Budget Planning

The District's fiscal year is from July 1 until June 30. The Superintendent shall present to the 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 Ill. State Board of Education's (ISBE) *School District Budget Form.* To the extent possible, the tentative budget shall be balanced as defined by ISBE guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by ISBE guidelines.

Preliminary Adoption Procedures

After receiving the Superintendent's proposed budget, the 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 Board 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, including the cash reserve balance of all funds held by the District related to its operational levy and, if applicable, any obligations secured by those funds, and the public shall be invited to comment, question, or advise the Board.

Final Adoption Procedures

The 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 ISBE; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within three years according to ISBE requirements.

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

The Superintendent or designee shall perform each of the following:

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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. Ensure disclosure to the public of the cash reserve balance of all funds held by the district related to its operational levy and, if applicable, any obligations secured by those funds, at the public hearing at which the Board certifies its operational levy.
4. 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.
5. Submit the annual budget, a deficit reduction plan if one is required by ISBE guidelines, and other financial information to ISBE 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 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 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 Board.

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

LEGAL REF.: 105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-1.3, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.
35 ILCS 200/18-55 et seq., Truth in Taxation Law.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:20 (Fund Balances), 4:40 (Incurring Debt), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks)

ADMIN. PROC.: 6:235-AP1, E1 (Student Authorization for Access to the District's Electronic Networks), 6:235-AP1, E2 (Staff Authorization for Access to the District's Electronic Networks)

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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. The stated reason for collection of the social security number must be relevant to the documented purpose.
5. 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.
6. If this policy is amended, employees will be advised of the existence of the amended policy and a copy of the amended policy will be made available to each employee.

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.

Treatment of Personally Identifiable Information Under Grant Awards

The Superintendent ensures that the District takes reasonable measures to safeguard: (1) *protected personally identifiable information*, (2) other information that a federal awarding agency, pass-through agency or State awarding agency designates as sensitive, such as *personally identifiable information* (PII) and (3) information that the District considers to be sensitive consistent with applicable laws regarding privacy and confidentiality

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(collectively, *sensitive information)*, when administering federal grant awards and State grant awards governed by the Grant Accountability and Transparency Act (30 ILCS 708/).

The Superintendent shall establish procedures for the identification, handling, storage, access, disposal and overall confidentiality of sensitive information. The Superintendent shall ensure that employees and contractors responsible for the administration of a federal or State award for the District receive regular training in the safeguarding of sensitive information. Employees mishandling sensitive information are subject to discipline, up to and including dismissal.

LEGAL REF.: 2 C.F.R. §200.303(e).
5 ILCS 179/, Identity Protection Act.
30 ILCS 708/, Grant Accountability and Transparency Act
50 ILCS 205/3, Local Records Act.
105 ILCS 10/, Illinois School Student Records Act.

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

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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 student social security numbers are involved, consult the Board attorney about the intersection of the Identity Protection Act (5 ILCS 179/), the Family Educational Rights and Privacy Act (20 U.S.C. §1232g), and the Ill. School Student Records Act (105 ILCS 10/).

Actor	Action
Superintendent and business manager, and their designees	Identify the approved purposes for collecting SSNs, including: 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 (5 ILCS 179/10(c)): a. Disclosing SSNs to another governmental entity if the disclosure is necessary for the entity to perform its duties and responsibilities; b. Disclosing SSNs 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. Identify a method for documenting the need and purpose for the SSN before its collection. 5 ILCS 179/10(b)(1). Inform all employees of the District's efforts to protect the privacy of SSNs. See Exhibit 4:15-E1, *Letter to Employees Regarding Protecting the Privacy of Social Security Numbers*. 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. Maintain a written list of each staff position that allows or requires access to SSNs. The existence of a written list, even though not required, is important for recordkeeping and accountability purposes. 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). 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).

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Actor	Action
	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). Require that, when collecting SSNs or upon request, a *statement of the purpose(s)* for which the District is collecting and using the SSNs be provided. 5 ILCS 179/35(a)(5). See Exhibit 4:15-E2, *Statement of Purpose for Collecting Social Security Numbers*. Require that, when employees who are required to use or handle information or documents that contain SSNs learn of a breach, they: 1. Notify District administrators immediately, and 2. Ensure that notifications to the proper individuals occur. Enforce the requirements in Board policy 4:15, *Identity Protection*, and this procedure.
Records Custodian and Head of Information Technology (IT)	Develop guidelines for handling social security numbers in electronic systems. These guidelines should address: 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	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. 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).
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 positions allow or require access to SSNs to: 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 positions do <u>not</u> require access to SSNs to notify a supervisor and/or the IT Department whenever SSNs are found in a document or other material, whether in paper or electronic form.
Freedom of Information	Redact every SSN before allowing public inspection or copying of records responsive to a FOIA request. 5 ILCS 179/15.

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Actor	Action
Officer	
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 contain SSNs.

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Operations

Administrative Procedure – Treatment of Personally Identifiable Information Under Grant Awards

This procedure implements identification, handling, storage, access, disposal, and the overall confidentiality of personally identifiable information under grant awards in the subhead **Treatment of Personally Identifiable Information Under Grant Awards** in Board policy 4:15, *Identity Protection*. Use it when the District is a recipient of a federal grant award or State grant award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) and, as a result, must handle personally identifiable information (defined below) in its administration of the award.

Definitions

Personally identifiable information (PII) means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books and public Web sites. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, email address, home telephone number, and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII (or *protected personally identifiable information*) whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual. 2 C.F.R. §200.79.

Protected personally identifiable information (Protected PII) is a subset of PII; it means an individual's first name or first initial and last name in combination with any one or more types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother's maiden name, criminal records, medical records, financial records, or educational transcripts. Protected PII does not include personally identifiable information that is required by law to be disclosed. 2 C.F.R. §200.82.

Safeguarding Requirement

GATA and 2 C.F.R. §200.303(e) require grant recipients to take reasonable measures to safeguard (1) *protected personally identifiable information*, (2) other information that the awarding or pass-through agency designates as sensitive, such as *personally identifiable information*, and (3) information that the District considers to be sensitive consistent with applicable laws regarding privacy and confidentiality (collectively referred to in this Procedure as *sensitive information*).

The Superintendent or designee will ensure that the District:

1. Implements reasonable security measures, such as physical and technological safeguards, for the protection of sensitive information that meets or exceeds industry standards designed to protect such information from unauthorized access, destruction, use, modification, or disclosure.

2. Complies with all applicable laws, such as the Identity Protection Act (5 ILCS 179/) (IPA), Personal Information Protection Act (815 ILCS 530/10) (PIPA) and Student Online Personal Protection Act (105 ILCS 85/27, added by P.A. 101-516, eff. 7-1-21) (SOPPA) in the event of a breach of sensitive information.

3. Notifies, if appropriate, members of the school community impacted by a breach when notification is not specifically required by law.

4. Educates staff members involved in the administration of grants that in addition to federal regulation 2 C.F.R. §200.303(e) and the terms of a specific award, multiple laws may apply to personally identifiable information, depending upon the type of information/record including: IPA (5 ILCS 179/), PIPA (815 ILCS 530/), Family Educational Rights and Privacy Act, (20 U.S.C. 1232g), Ill. School Student Records Act (105 ILCS 10/), SOPPA (105 ILCS 85/, amended by P.A. 101-516, eff. 7-1-21), Personnel Record Review Act (820

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ILCS 40/), and Local Records Act (50 ILCS 205/3).

5. Consults with the Board Attorney as needed to ensure compliance.

Relevant Board Policies and Administrative Procedures for Handling of *Sensitive Information*

The following Board policies and procedures also address and govern the District's identification, handling, storage, access, disposal, and overall confidentiality of certain types of sensitive information:

1. 2:220, *School Board Meeting Procedure*, and Exhibit, 2:220-E8, *School Board Records Maintenance Requirements and FAQs*, address storage, access, and destruction of meeting minutes, including closed meeting minutes and verbatim recordings.
2. 2:250, *Access to District Public Records*, addresses providing access to public records in response to Freedom of Information Act requests and the preservation and destruction of public records under the Local Records Act. 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules,* also addresses the preservation and destruction of public records under the Local Records Act.
3. 4:15, *Identity Protection,* specifically requires the District to safeguard sensitive information under grant awards.
4. 4:80-AP1, *Internal Controls Checklist*, requires the District to protect assets, including technology and electronic systems from loss or misuse.
5. 5:120-AP2, *Employee Conduct Standards*, requires all District staff members to respect the confidentiality of student and personal records and other information covered by confidentiality agreements.
6. 5:130, *Responsibilities Concerning Internal Information*, requires all District employees to maintain the integrity and security of all internal information and the privacy of confidential records.
7. 5:150, *Personnel Records*, and 5:150-AP, *Personnel Records*, address the identification, storage, and access to personnel records.
8. 6:235, *Access to Electronic Networks,* requires all users of the District's electronic networks to maintain the confidentiality of student information
9. 6:235-AP1, *Acceptable Use of the District's Electronic Networks*, requires all users of the District's electronic networks to take steps to safeguard their integrity and security.
10. 7:340, *Student Records*, along with 7:340-AP1, *School Student Records*, and 7:340-AP2, *Storage and Destruction of School Student Records,* address the District's legal obligations regarding the identification, confidentiality, safeguarding, access, and disposal of school student records.

Disposal of Sensitive Information

When disposal of sensitive information is authorized by law and/or Board policy, the Superintendent or other administrator overseeing the administration of the grant award will ensure the District follows the disposal standard under the Personal Information Protection Act (815 ILCS 530/40) and renders the information unreadable, unusable, and undecipherable.

Training for Employees and Contractors

District employees and contractors responsible for the administration of a federal or State award for the District will receive training on the safeguarding of sensitive information.

The Superintendent or designee will ensure:

1. Employees receive training upon their assignment to perform work under the award and then on a bi-annual basis thereafter, until the award is concluded or an employee's involvement in the award is complete, whichever is earlier. The training shall include education on this procedure and the District's policies and procedures listed above that govern the District's handling of sensitive information for various types of information/records.

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2. Documentation of employee training on the handing of personally identifiable information is maintained, including the dates(s) of the training and attendance/completion of the training.
3. District contractors performing work under the grant award regularly receive training from the District or other comparable training on the management of sensitive information.

Resources

Ill. State Board of Education –

Checklist for Protection of Personally Identifiable Information, available at www.isbe.net/Pages/Audit-and-Monitoring-Review-Requirements-and-Tools.aspx.

U.S. Dept. of Education –

Privacy Technical Assistance Center's Protecting Student Privacy Service, at www.studentprivacy.ed.gov.

Ill. Attorney General –

www.illinoisattorneygeneral.gov/consumers/hotline.html#dbreport.

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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

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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

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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.

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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 benefits, health insurance claims, or 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 SSNs 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:

Dr. Janet Gladu Superintendent

La Harpe Community School District 347

404 West Main Street

La Harpe, Illinois 61450

217-659-7739

jgladu@laharpeeagles.com

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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 benefits, health insurance claims, or 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 SSNs 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:

Dr. Janet Gladu, Superintendent

La Harpe Community School District 347

404 West Main Street

La Harpe, Illinois 61450

217-659-7739

jgladu@laharpeeagles.com

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 it should discuss drawing upon its reserves or borrowing money.

The School District seeks to maintain a year-end fund balance to revenue ratio of no less than 15-20 percent, as calculated under the Ill. State Board of Education's *School District Financial Profile*.

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

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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 over-riding 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 District funds in one or more of the following:

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

   The term "agencies of the United States of America" includes: (a) 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, (b) the federal home loan banks and the federal home loan mortgage corporation, and (c) any other agency created by Act of Congress.
3. Interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time

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deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.

4. Obligations of corporations organized in the United States with assets exceeding $500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and that mature not later than three years from the date of purchase, (b) such purchases do not exceed 10% of the corporation's outstanding obligations, and (c) no more than one-third of the District's funds may be invested in short term obligations of corporations.
5. 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) 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 four highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.
7. 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 that 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 the District or its governing authority.
8. 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 principle 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. A Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. The District may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.
10. The Illinois School District Liquid Asset Fund Plus.
11. Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued there under. The government securities, unless registered or inscribed in the name of the District, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

    Except for repurchase agreements of government securities that are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, the District may not purchase or invest in instruments that constitute repurchase agreements, and no financial institution may enter into such an agreement with or on behalf of the District unless the instrument and the transaction meet all

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of the following requirements:

a. The securities, unless registered or inscribed in the name of the District, are purchased through banks or trust companies authorized to do business in the State of Illinois.
b. The Chief Investment Officer, after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, that acts for the District in connection with repurchase agreements involving the investment of funds by the District. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements.
c. A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be credited to the District on the records of the custodial bank and the transaction must be confirmed in writing to the District by the custodial bank.
d. Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.
e. The security interest must be perfected.
f. The District enters into a written master repurchase agreement that outlines the basic responsibilities and liabilities of both buyer and seller.
g. Agreements shall be for periods of 330 days or less.
h. The Chief Investment Officer informs the custodial bank in writing of the maturity details of the repurchase agreement.
i. The custodial bank must take delivery of and maintain the securities in its custody for the account of the District and confirm the transaction in writing to the District. The custodial undertaking shall provide that the custodian takes possession of the securities exclusively for the District; that the securities are free of any claims against the trading partner; and that any claims by the custodian are subordinate to the District's claims to rights to those securities.
j. The obligations purchased by the District may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the Chief Investment Officer.
k. The custodial bank shall be liable to the District for any monetary loss suffered by the District due to the failure of the custodial bank to take and maintain possession of such securities.

12. Any investment as authorized by the Public Funds Investment Act, and Acts amendatory thereto. Paragraph 11 supersedes paragraphs 1-10 and controls in the event of conflict.

Except as provided herein, 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 or other approved share insurer.

The Chief Investment Officer and Superintendent shall regularly consider material, relevant, and decision-useful sustainability factors in evaluating investment decisions, within the bounds of financial and fiduciary prudence. Such factors include, but are not limited to: (1) corporate governance and leadership factors, (2) environmental factors, (3) social capital factors, (4) human capital factors, and (5) business model and innovation factors, as provided under the Ill. Sustainable Investing Act, 30 ILCS 238/.

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

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list at least annually.

In order to be an authorized depository, each institution must submit copies of the last two sworn statements of resources and liabilities or reports of examination that 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 that it is required to furnish to the appropriate State or federal agency.

The above eligibility requirements of a bank to receive or hold public deposits do not apply to investments in an interest-bearing savings account, interest-bearing certificate of deposit, or interest-bearing time deposit if: (1) the District initiates the investment at or through a bank located in Illinois, and (2) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government.

The District may consider a financial institution's record and current level of financial commitment to its local community when deciding whether to deposit funds in that financial institution. The District may consider factors including:

1. For financial institutions subject to the federal Community Reinvestment Act of 1977, the current and historical ratings that the financial institution has received, to the extent that those ratings are publicly available, under the federal Community Reinvestment Act of 1977;
2. Any changes in ownership, management, policies, or practices of the financial institution that may affect the level of the financial institution's commitment to its community;
3. The financial impact that the withdrawal or denial of District deposits might have on the financial institution;
4. The financial impact to the District as a result of withdrawing public funds or refusing to deposit additional public funds in the financial institution; and
5. Any additional burden on the District's resources that might result from ceasing to maintain deposits of public funds at the financial institution under consideration.

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.

Safekeeping and Custody Arrangements

The preferred method for safekeeping is to have securities registered in the District's name and held by a third-party custodian. Safekeeping practices should qualify for the Governmental Accounting Standards Board Statement No. 3, Deposits with Financial Institutions, Investments (including Repurchase Agreements), and Reverse Repurchase Agreements, Category I, the highest recognized safekeeping procedures.

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 quarterly 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

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portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type.

The 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. This provision does not apply when the use of interest earned on a particular fund is restricted.

Ethics and Conflicts of Interest

The 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, or
3. Receive, in any manner, compensation of any kind from any investments in that the agency is authorized to invest.

LEGAL REF.: 30 ILCS 235/, Public Funds Investment Act.
30 ILCS 238/, Ill. Sustainable Investing Act.
105 ILCS 5/8-7, 5/10-22.44, 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)

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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 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.

Bond Issue Obligations

In connection with the Board's issuance of bonds, the Superintendent shall be responsible for ensuring the District's compliance with federal securities laws, including the anti-fraud provisions of the Securities Act of 1933, as amended and, if applicable, the continuing disclosure obligations under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended.

Additionally, in connection with the Board's issuance of bonds, the interest on which is excludable from *gross income* for federal income tax purposes, or which enable the District or bond holder to receive other federal tax benefits, the Board authorizes the Superintendent to establish written procedures for post-issuance compliance monitoring for such bonds to protect their tax-exempt (or tax-advantaged) status.

The Board may contract with outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection.

LEGAL REF.: Securities Act of 1933, 15 U.S.C. §77a et seq.
Securities Exchange Act of 1934, 15 U.S.C. §78a et seq.
17 C.F.R. §240.15c2-12.
Bond Authorization Act, 30 ILCS 305/2.
Bond Issue Notification Act, 30 ILCS 352/.
Local Government Debt Reform Act, 30 ILCS 350/.
Tax Anticipation Note Act, 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)

ADMIN. PROC.: 4:40-AP (Preparing and Updating Disclosures)

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Operational Services

Administrative Procedure - Preparing and Updating Disclosures

This sample administrative procedure has been adapted and printed with the express permission of Chapman and Cutler LLP. Chapman and Cutler LLP is pleased to provide this sample procedure as an example of factors issuers should consider under current law in preparing policies and procedures for post-issuance compliance with federal securities laws and regulations. It is intended to provide general guidance with the understanding that the provision of the sample procedure does not constitute the rendering of legal advice by Chapman and Cutler LLP or the establishment of an attorney-client relationship with any user of the sample procedure. Reference to this sample procedure should not be considered a substitute for consultation with your legal advisors. Readers should understand that the application of relevant statutory and regulatory provisions can vary based on specific facts and that changes in law or facts may impact the applicability of the sample procedure. Chapman and Cutler LLP assumes no obligation to update the sample procedure to reflect changes in law or practice.

Pursuant to the District's responsibilities under the securities laws, including its continuing disclosure undertakings (*Undertakings*) under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended, and the Securities and Exchange Commission's statements in enforcement actions, it is necessary and in the District's best interest that the District comply in all material respects with federal securities laws regarding its (i) preliminary and final official statements or offering circulars and any supplements or amendments thereto (collectively, the *Official Statements*), disseminated by the District in connection with any bonds, notes, certificates or other obligations, (ii) Financial Information or Annual Financial Information, as required by and defined in the Undertakings (the *Annual Financial Information*) to be filed with the Municipal Securities Rulemaking Board's (*MSRB*) Electronic Municipal Market Access (*EMMA*) system, and (iii) notices of Material Events or Reportable Events, each as defined in the Undertakings, and any other required or voluntary disclosures to EMMA (each, an *EMMA Notice*). These procedures are designed to enable the District to create accurate disclosures with respect to its (i) Official Statements, (ii) Annual Financial Information, and (iii) EMMA Notices, which are collectively referred to herein as *Disclosures.*

In response to these interests, the District hereby adopts the following procedures:

A. *Disclosure Officer*. Consistent with Board Policy 4:40, *Incurring Debt,* the Superintendent (*Disclosure Officer*) is hereby designated as the officer responsible for the procedures related to Disclosures as hereinafter set forth (collectively, *Disclosure Procedures*).

B. *Disclosure Procedures: Official Statements*. Whenever an Official Statement will be disseminated in connection with the issuance of obligations by the District, the Disclosure Officer will oversee the process of preparing the Official Statement pursuant to the following procedures:

   1. The District shall select (a) the working group for the transaction, which group may include outside professionals such as disclosure counsel, a municipal advisor, and an underwriter (the *Working Group*), and (b) the member of the Working Group responsible for preparing the first draft of the Official Statement.

   2. The Disclosure Officer shall review and make comments on the first draft of the Official Statement. Such review shall be done to determine that the Official Statement does not include any untrue statement of a material fact or omit to state a material fact necessary to make the statements made in the Official Statement not misleading. Particular attention shall be paid to the accuracy of all descriptions, significant information, and financial data regarding the District. Examples include confirming that information relating to the District, including but not limited to demographic changes, the addition or loss of major employers, the addition or loss of major taxpayers or any other material information within the knowledge of the Disclosure Officer, is included and properly disclosed. The

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Disclosure Officer shall also be responsible for ensuring that the financial data presented with regard to the District is accurate and corresponds with the financial information in the District's possession, including but not limited to information regarding bonded indebtedness, notes, certificates, outstanding leases, tax rates or any other financial information of the District presented in the Official Statement.

3. After completion of the review set forth in 2, above, the Disclosure Officer shall (a) discuss the first draft of the Official Statement with the members of the Working Group and such staff and officials of the District as the Disclosure Officer deems necessary and appropriate, and (b) provide comments, as appropriate, to the members of the Working Group. The Disclosure Officer shall also consider comments from members of the Working Group and whether any additional changes to the Official Statement are necessary or desirable to make the document compliant with the requirements set forth in 2, above.
4. The Disclosure Officer shall continue to review subsequent drafts of the Official Statement in the manner set forth in 2 and 3, above.
5. If, in the Disclosure Officer's reasonable judgment, the Official Statement does not include any untrue statement of a material fact or omit to state a material fact necessary to make the statements made in the Official Statement not misleading, the Official Statement may, in the reasonable discretion of the Disclosure Officer, be released for dissemination to the public; *provided, however,* that the use of the Official Statement must be ratified, approved, and authorized by the Board.

C. *Disclosure Procedures*: *Annual Financial Information*. The Disclosure Officer will oversee the process of preparing the Annual Financial Information pursuant to these procedures:

1. By December 20th of each year (the same being at least 30 days prior to the last date on which the Annual Financial Information is required to be disseminated pursuant to the related Undertaking) the Disclosure Officer shall begin to prepare (or hire an agent to prepare) the Annual Financial Information. The Disclosure Officer shall also review the audited or unaudited financial statements, as applicable, to be filed as part of the Annual Financial Information (*Financial Statements*). In addition to the required updating of the Annual Financial Information, the Disclosure Officer should consider whether additional information needs to be added to the Annual Financial Information to make the Annual Financial Information, including the Financial Statements, taken as a whole, correct and complete in all material respects. For example, if disclosure of events that occurred subsequent to the date of the Financial Statements would be necessary to clarify, enhance or correct information presented in the Financial Statements, in order to make the Annual Financial Information, taken as a whole, correct and complete in all material respects, disclosure of such subsequent events should be made.
2. If, in the Disclosure Officer's reasonable judgment, the Annual Financial Information, including the Financial Statements, is correct and complete in all material respects, the Disclosure Officer shall file the Annual Financial Information with EMMA (or confirm that such filing is completed by any agent hired by the District for such purpose) within the timeframe allowed for such filing.

D. *Disclosure Procedures: Reportable Events.* The Disclosure Officer will prepare (or hire an agent to prepare) Reportable Event Disclosure and file the same with EMMA (or confirm that such filing is completed by an agent hired by the District for such purpose) in a timely manner (not in excess of 10 business days after the occurrence of the Reportable Event). Incurrence of a Financial Obligation, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation, any of which affect security holders, if material, is a Reportable Event. Upon the incurrence of any Financial Obligation, as such term is defined in the Undertaking, the Disclosure Officer shall review such Financial Obligation and assess whether such Financial Obligation is material. If, in

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connection with such Financial Obligation, the District has agreed to any covenant, event of default, remedy, priority right or other similar term which affects security holders, the Disclosure Officer shall further review such term and assess whether the same is material. The Disclosure Officer shall prepare a summary of such review. If, in the Disclosure Officer's reasonable judgment, following consultation with financial or legal professionals as necessary, such Financial Obligation and/or term of such Financial Obligation is deemed material, the Disclosure Officer shall file a summary of such Financial Obligation (or the entire financing document, provided that confidential or sensitive information may be redacted to the extent such redaction does not prevent all material terms from being disclosed) with EMMA not in excess of ten business days after the incurrence of such Financial Obligation. (This paragraph (d) shall only apply if the District has entered into an Undertaking on or after February 27, 2019.)

E. *Disclosure Procedures*: *EMMA Notices*. Whenever the District determines to file an EMMA Notice, or whenever the District decides to make a voluntary filing to EMMA, the Disclosure Officer will oversee the process of preparing the EMMA Notice pursuant to these procedures:

1. The Disclosure Officer shall prepare (or hire an agent to prepare) the EMMA Notice. The EMMA Notice shall be prepared in the form required by the MSRB.
2. In the case of a disclosure required by an Undertaking, the Disclosure Officer shall determine whether any changes to the EMMA Notice are necessary to make the document compliant with the Undertaking.
3. If, in the Disclosure Officer's reasonable judgment, the EMMA Notice is correct and complete and, in the case of a disclosure required by an Undertaking, complies with the Undertaking, the Disclosure Officer shall file the EMMA Notice with EMMA (or confirm that such filing is completed by any agent hired by the District for such purpose) within the timeframe allowed for such filing.

F. *Additional Responsibilities of the Disclosure Officer*. The Disclosure Officer, in addition to the specific responsibilities outlined above, shall have general oversight of the entire disclosure process, which shall include:

1. Maintaining appropriate records of compliance with these Disclosure Procedures (including proofs of EMMA filings) and decisions made with respect to issues that have been raised;
2. Evaluating the effectiveness of the procedures contained in these Disclosure Procedures; and
3. Informing the Board when substantive revisions or modifications are made to these Disclosure Procedures.

G. *General Principles*.

1. All participants in the disclosure process should be encouraged to raise potential disclosure items at all times in the process.
2. The process of revising and updating the Disclosures should not be viewed as a mechanical insertion of current numbers. While it is not anticipated that there will be major changes in the form and content of the Disclosures at the time of each update, the Disclosure Officer should consider whether such changes are necessary or desirable to make sure the Disclosure does not make any untrue statement of a material fact or omit to state a material fact necessary or desirable, in order to make the statements made, in light of the circumstances in which they were made, not misleading at the time of each update.
3. Whenever the District releases information, whether in written or spoken form, that may reasonably be expected to reach investors, it is said to be "speaking to the market." When speaking to the market, District officials must be sure that the released information does not make any untrue statement of a

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material fact or omit to state a material fact necessary or desirable, in order to make the statements made, in light of the circumstances in which they were made, not misleading.

4. While care should be taken not to shortcut or eliminate any steps outlined in these Disclosure Procedures on an ad hoc basis, the review and maintenance of the Disclosures is a fluid process and recommendations for improvement of these Disclosure Procedures should be solicited and regularly considered.

5. The Disclosure Officer is authorized to request and pay for attendance at relevant conferences or presentations or annual training sessions conducted by outside counsel, consultants or experts in order to ensure a sufficient level of knowledge for the effective administration of these Disclosure Procedures.

LEGAL REF.: 15 U.S.C. §77a et seq., Securities Act of 1933.
15 U.S.C. §78a et seq., Securities Exchange Act of 1934
17 C.F.R. §240.15c2-12.

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Operational Services

Insufficient Fund Checks and Debt Recovery

Insufficient Fund Checks

The Superintendent or designee is responsible for collecting up to the maximum fee authorized by State law for returned checks written to the District that are not honored upon presentation to the respective bank or other depository institution for any reason. The Superintendent is authorized to contact the Board 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). To participate in it, an intergovernmental agreement (IGA) between the District and the IOC must be in existence. 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. If reimbursable meals or snacks provided under the Hunger-Free Students' Bill of Rights Act are the basis of the District's delinquent debt claim of no less than $500, the notice must be sent to a student's parent(s)/guardian(s) only after: (a) the student owes the District more than five meals and/or snacks; (b) the Superintendent or designee made: (i) repeated contacts to collect the amounts owed, and (ii) reasonable efforts to collect the amount due for at least one year; and (c) the District requested the student's parent(s)/guardian(s) to apply for meal benefits pursuant to policy 4:130, *Free and Reduced-Price Food Services*, and they either: (i) did not qualify, or (ii) refused to apply.

2. 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.
    a. 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.

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b. If application for meal benefits pursuant to policy 4:130, *Free and Reduced-Price Food Services*, is requested as a challenge to paying the claim, and the request is denied, an appeal of the denial of the request shall be handled according to 4:130, *Free and Reduced-Price Food Services*. If no request for meal benefits is received, review of the claim's payment shall be handled according to this policy before certification to the IOC for offset.

3. 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.

4. 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, State Comptroller Act.
105 ILCS 123/, Hunger-Free Students' Bill of Rights Act.
810 ILCS 5/3-806, Uniform Commercial Code.

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Operational Services

Administrative Procedure - Insufficient Fund Checks

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

1. The Superintendent or designee will contact the individual by telephone as soon as the check is returned to the District. The individual will be asked to pay the returned check and the $25.00 returned check fee. **Note:** Some banks have increased return check fees to $27-35, but 810 ILCS 5/3-806 continues to state $25. Consult with the Board Attorney about increasing the returned check fee amount.
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, and shall include notice of liability for the costs and expenses. A written demand is necessary to become eligible for any costs and expenses in excess of the amount of the $25.00 collection fee. 810 ILCS 5/3-806.
3. If the amount due is not paid within 30 days of mailing the demand letter, the Superintendent or designee will contact the Board Attorney to discuss further collection action.

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Operational Services

Administrative Procedure - Local Debt Recovery Program Implementation Procedures

The following procedure implements the **Delinquent Debt Recovery** section in policy 4:45, *Insufficient Fund Checks and Debt Recovery*. The Superintendent must ensure that individuals or entities owing money to the District receive notice and due process before the debt is certified to the Illinois Office of the Comptroller (IOC) for an offset. The District cannot use the services of the IOC without first entering into an Intergovernmental Agreement (IGA) with it.

Implementing a uniform District-wide delinquent debt recovery process requires consultation with the Board Attorney. Making determinations about which delinquent debts to recover through the IOC's Local Debt Recovery Program has not been litigated and raises many complex legal and practical issues.

Modify this procedure based upon the District's specific implementation needs. It relies heavily upon Building Principals to (1) be uniformly trained and (2) train their building-level staff members who are responsible for collecting money owed to the school and/or the District.

Actor	Action
Superintendent	Establishes a District-wide Delinquent Debt Recovery Committee to operate as a Superintendent committee and should consider including the following individuals on the Committee: 1. District's School Business Official(s) and District Bookkeeper, 2. Building Principals (Building Principals are mandatory for the successful implementation of notice and due process), and 3. Building-level staff members responsible for managing bills, collection and recording of payments, and fee waiver processing. Consults the Board Attorney about implementing a District-wide process for delinquent debt recovery with the goal of entering into an IGA with, and once entered into, certifying unsatisfied debts to the IOC for offset. Issues to address include, but are not limited to: 1. Aligning the delinquent debt recovery process to the District's policy 4:140, *Waiver of Student Fees*. **Note**: The relevant staff must check the adopted board policy to ensure that this procedure and the student fee waiver policy, procedures and applications for fees are aligned. See f/ns of 4:140-AP, *Fines, Fees, and Charges - Waiver of Student Fees*. 2. Uniform training for Building Principals about the District's procedures for the recovery of delinquent debt. Ensures uniform District-wide training with the Board Attorney for the Delinquent Debt Recovery Committee about the requirements of the IOC's debt recovery program. Informs Building Principals when delinquent debt should be referred to the District's Business Office for recovery through the IOC. This includes

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	training about types of debt: student, parent, vendor, school lunch account (105 ILCS 123/, added by P.A. 100-1092), etc., along with training about how to determine whether a particular delinquent debt should be pursued and ultimately recovered through the IOC. **Note**: These determinations may trigger the Constitution's Equal Protection Clause. As a general rule, school officials can avoid constitutional problems and still recover delinquent debt by using uniform rules that do not discriminate against a specific group. Documents training for Building Principals about implementing District-wide delinquent debt recovery procedures.
School Business Official or designee	Manages the process to seek offset from the IOC pursuant to the IGA and District-wide delinquent debt recovery processes.
Building Principal	Requests permission from the Superintendent to consult the Board Attorney about implementing building-specific procedures that align with both (a) the District's IGA with the IOC, (b) policies 4:45, *Insufficient Fund Checks and Debt Recovery*, and 4:140, *Waiver of Student Fees*. Informs individuals or entities owing money to the District that their payments are overdue and need to be paid. Follows the District's procedures and training for the recovery of delinquent debt. Ensures uniform training about the District's procedures for the collection of debt for building-level staff members who manage bills, collection and recording of payments, and fee waiver processes. Documents training(s) about implementing District-wide delinquent debt recovery procedures for building-level staff who manage collection of debt owed to the District. Upon determining further recovery action is necessary, refers delinquent debt to the District's Business Office.

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Operational Services

Exhibit - Cover Page Documenting the Process to Seek Offset from the Illinois Office of the Comptroller (IOC)

This cover page documents the steps the District must take before recovering a delinquent debt through an offset (deduction) of a future payment the State makes to an individual responsible for the delinquent debt. An Intergovernmental Agreement (IGA) between the IOC and the District must be in place before the District may seek an offset to satisfy a delinquent debt. Consult the Board Attorney for assistance in implementing a District-wide delinquent debt recovery program that will satisfy the requirements necessary to enter into an IGA with the IOC, e.g., the Superintendent should ensure that the District uses a uniform process to seek offset from the IOC. After completing a step, the responsible staff person must record the date, initial the step, and put all material into the claim folder.

Confidential Inter-Office Information

Definitions

Business Office means the District department that provides the District's fiscal and business management.

Change in status means, without limitation, payments received other than through a successful offset, the filing of a bankruptcy petition, the death of the debtor, or the expiration of the ability for the debt to remain subject to an offset, as provided for in the Intergovernmental Agreement (IGA).

Claim means the demand for payment of a delinquent debt.

Claim folder means the folder containing material for an individual claim; it includes this cover page, the documentation of the Building Principal or designee's notifications of debt and request(s) for payment, the Notice of Claim, relevant supporting information, and any material or explanation received from the Debtor.

Debtor means the person or entity responsible for satisfying a delinquent debt.

IOC means Illinois Office of the Comptroller.

Notice of Claim means Exhibit 4:45-E2, *Notice of Claim and Intent to Seek Debt Recovery; Challenge; and Response to Challenge*.

Offset means a deduction of the amount of a debt owed to the District from a future payment that the State makes to an individual or entity that is responsible to satisfy the debt.

_____ _____

Debtor Contact information

When the District enters the IOC Program through an IGA, and the District decides a Claim will be referred to the IOC, the following steps will be documented:

Step	Date	Initials
Building Principal sent written documentation referring a claim for further recovery proceedings. This documentation is placed in the claim folder.		
Superintendent or designee has inspected the Building Principal's written documentation above (including 105 ILCS 123/, added by P.A. 100-1092, requirements if the debt involves school lunch accounts) and agrees that the claim should be referred for recovery through the IOC. **Note**: Consult the Board Attorney. Treating claims differently, i.e., referring some and not others, may trigger the Constitution's Equal Protection Clause.		

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District sent the Notice of Claim; certified mail, return receipt requested. For unpaid meal charges, District staff have followed procedures to prevent meal charges from accumulating and made reasonable efforts to collect all funds due to the District on a regular basis before the end of the school year (105 ILCS 123/, added by P.A. 100-1092). **Note**: While certified mail is not required, it is a best practice to send regular and certified, first-class mail.		
Receipt showing certified delivery of the Notice of Claim on .		
Receipt of the Debtor's challenge to the claim. *If no challenge is received by the deadline in the Notice of Claim, send the claim folder to the Superintendent's office for review and continued processing.*		
Receipt of Debtor's written explanation and/or any documentation.		
Arrangements made for informal proceeding with Debtor; scheduled for . Telephone or In-person		
Informal proceeding held with Debtor. Telephone or In-person Attendees:		
Decision of the Business Office Business office *[name]* , found that the claim should be considered: Satisfied or Enforceable for the following reason(s) (*check boxes below that apply*): Debtor asserted waiver of student fees as a challenge to paying the claim. 4:140-E1, *Application for Fee Waiver* was provided to Debtor and documented in the claim folder. 4:140-E2, *Response to Application for Fee Waiver, Appeal, and Response to Appeal* is placed in folder. Debtor asserted application for meal benefits as a challenge to paying the claim. 4:130-E, *Free and Reduced-Price Food Services; Meal Charge Notifications* was provided to Debtor and is documented and placed in the claim folder. Documentation of the student's eligibility for free and reduced-price food services is documented and placed in the claim folder. Debtor fee waiver request or application for meal benefits request was: Granted or Denied. If denied, did Debtor appeal the denial? Yes or No. **Note**: Fee waivers and/or eligibility for free and reduced-price food services satisfy a claim.		
Business office *[name]* , forwarded the claim folder to the Superintendent's office.		
If the Business office found that the claim is satisfied, the Superintendent or designee notified the Debtor that the claim is considered satisfied. He or she closed		

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this claim folder and checked the "**claim is satisfied**" box above.		
Review by Superintendent or designee If the Business office found the debt to be enforceable, the Superintendent or designee independently reviewed the claim and made the following finding: **Satisfied.** Debtor sent a notification on . **Enforceable.** Debtor notified on that the claim must be paid by to void further collection efforts.		
Certification of Past Due Debt to the IOC The Superintendent or designee certifies the debt as required in the terms of the IGA between District and the IOC.		
Offset Processing with the IOC The Superintendent or designee updates a Debtor's records as required by the terms of the IGA between the District and the IOC and/or 105 ILCS 123/, added by P.A. 100-1092.		

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Operational Services

Exhibit - Notice of Claim and Intent to Seek Debt Recovery; Challenge; and Response to Challenge

Print on district letterhead or on form with district name and address.

The information in this Notice of Claim is confidential; disclosure is limited to staff members who have a business need to be informed.

Section 1 - Notice of Claim and Intent to Seek Payment of a Delinquent Debt. *The District completes this section and sends the entire Notice of Claim to the person or entity that is the subject of the claim.*

To: _____ _____
Name Address

Our records show that you owe the School District $ for: [*Describe the reason for the debt and date(s) incurred]*

After attempts at the school-building level to notify you of this debt and obtain payment and/or after reasonable efforts to notify you of your unpaid school lunch fees, your debt has been referred to the District's Business Office. This debt is past due and legally enforceable. Unless this debt is paid on or before , the District will seek collection to the fullest extent of the law. That means that you may see a decrease in a future payment(s) that the State makes to you by the amount of the debt that you owe the District, plus a recovery fee until your debt is paid.

You may challenge this claim any time before by completing Section 2 below and returning this *Notice of Claim* to the Superintendent's office. If you challenge the debt, you will be invited to an informal proceeding in which the District Business Office will describe the claim and you can explain why you believe the claim is invalid and/or the amount is wrong. A decision finding the debt enforceable will be automatically reviewed by me or my designee (who is not a subordinate of the individual making the enforceability finding).

_____ _____
Superintendent Date

Section 2 - Challenge. *The individual or entity who wants to challenge the claim must complete this section and return the entire Notice of Claim to the Superintendent's office.*

I am challenging the claim. *Please check all that apply.*

I am submitting with this Notice of Claim a written explanation of why I believe the claim is invalid or the amount is wrong.

I would like to explain why I believe the claim is invalid or the amount is wrong during an informal proceeding by telephone or at a meeting in the District office.

I am requesting a copy of this Challenge to my Notice of Claim.

_____ _____
Individual or entity challenging the claim Date

_____
Contact Number

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Section 3 - Findings. *The Business Office completes this section and forwards the entire Notice of Claim to the Superintendent's office along with relevant supporting information and any material or explanation received from the individual or entity challenging the claim.*

The Business Office finds that this debt should be considered: **Satisfied.**

Enforceable.

Business Office _____ Date _____

Section 4 - Review of Findings and Response to Challenge. *The Superintendent or designee who reviewed the findings completes this section and sends a copy of the Notice of Claim to the person or entity who challenged the claim.*

This debt is satisfied.

Your challenge is denied. You must pay the debt by _____ to avoid further collection efforts.

Superintendent _____ Date _____

Section 5 - Certification of Past Due Debt to the Ill. Office of the Comptroller (IOC). *The Superintendent or designee who reviewed the findings completes the process of certifying to the IOC Local Debt Recovery Program that the District has provided the Debtor with the due process necessary to begin the IOC Offset process pursuant to an existing Intergovernmental Agreement with the IOC and/or the requirements of 105 ILCS 123/, added by P.A. 100-1092.*

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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 first regular monthly meeting or, if necessary, a special meeting. These bills are reviewed by the Board, after which they may be approved for payment by 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, and other recurring bills. These disbursements shall be included in the listing of bills presented to the 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.
23 Ill.Admin.Code §100.70.

CROSS REF.: 4:55 (Use of Credit and Procurement Cards), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits)

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Operational Services

Exhibit - School District Payment Order

This statutory order authorizes the Treasurer to pay a School Board-approved bill or obligation before the meeting minutes are officially approved. Several items may be attached to this form.

Order Date:_____

The Treasurer, _____, of _____
School District in _____County, shall pay to the order of _____
_____ the sum of $_____, for _____
_____
_____.

By order of the _____School Board.

_____ _____
Board President Date

_____ _____
Secretary Date

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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.

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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 (Student Activity and Fiduciary Funds), 5:60 (Expenses)

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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. Review and ensure compliance with policy 2:125, *Board Member Compensation; Expenses*, before issuing Board members a card.
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 or departments, e.g., athletics, transportation, high school, elementary conferences and/or training, etc., to help maintain accountability.

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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. 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, Maintenance, and/or Building and Grounds Directors	Expenses for maintaining and fueling District vehicles.

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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.
Athletic Directors	Actual and necessary expenses incurred in the performance of the job duties.

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Operational Services

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

_____

Cardholder's name

_____

Cardholder's address

_____

Cardholder's 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 the 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 Board policy 4:55, *Use of Credit and Procurement Cards*, to the cardholder who signed this statement.

_____ _____

Office personnel signature Date

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Operational Services

Purchases and Contracts

The Superintendent shall manage the District's purchases and contracts in accordance with State 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 applicable federal and 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 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 federal and 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(b-5). 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 bidder 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 5/10-21.9(c) and 5/21B-80(c) to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibit 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

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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 5/22-94: (1) prohibit any of its employees from having *direct contact with children or students* if the contractor has not performed a sexual misconduct related employment history review (EHR) of the employee or if the District objects to the employee's assignment based on the employee's involvement in an instance of sexual misconduct as provided in 105 ILCS 5/22-94(j)(3), which the contractor is required to disclose; (2) discipline, up to and including termination or denial of employment, any employee who provides false information or willfully fails to disclose information required by the EHR; (3) maintain all records of EHRs and provide the District access to such records upon request; and (4) refrain from entering into any agreements prohibited by 105 ILCS 5/22-94(g).

c. In accordance with 105 ILCS 5/24-5: (1) concerning each new employee of a contractor that provides services to students or in schools, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease; and (2) require any new or existing employee who provides services to students or in schools to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Dept. of Public Health rules or order of a local health official.

9. Any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act.
10. Purchases made with federal or State awards must comply with 2 C.F.R. Part 200 and 30 ILCS 708/, as applicable, and any terms of the award.

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.: 2 C.F.R. Part 200.
105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., 5/22-94, and 5/24-5.
30 ILCS 708/, Grant Accountability and Transparency Act.
410 ILCS 170/, Coal Tar Sealant Disclosure Act.
820 ILCS 130/, Prevailing Wage Act.

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; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting)

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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. Ill. Use Tax Act 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 Ill. Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provision of the Ill. 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 Ill. Drug Free Workplace Act, 30 ILCS 580/. All contractors must comply with the notification mandates and other requirements in the Ill. Drug Free Workplace Act. "Contractor" is defined in the Ill. 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, 105 ILCS 5/28A), 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, *Qualification Based Selection*.
   7. A list must be posted on the District's website, if any, of all contracts in excess of $25,000 and any contract with an exclusive bargaining representative. 105 ILCS 5/10-20.44(b).
   8. Each contractor with the District must comply with 105 ILCS 5/10-21.9(f) and: (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) prohibit any of 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)

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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. For each position involving *direct contact with children or students*, each contractor must perform sexual misconduct related employment history reviews (EHRs) of its employees as required by 105 ILCS 5/22-94, added by P.A. 102-702, eff. 7-1-23, and: (a) prohibit any of its employees from having direct contact with children or students if the contractor has not performed an EHR; (b) discipline, up to and including termination or denial of employment, any employee who provides false information or willfully fails to disclose information required by an EHR, and prohibit any such employee from having direct contact with children or students; (c) immediately inform the District of any instances of sexual misconduct involving an employee as provided in 105 ILCS 5/22-94(j)(3); (d) prohibit any of its employees from having direct contact with children or students if the District objects to the employee's assignment after being informed of an instance of sexual misconduct; (e) maintain all records of EHRs and provide copies of such records upon the District's request; and (f) not enter into any agreements prohibited by 105 ILCS 5/22-94(g). See 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*.
10. Each contractor with the District must comply with 105 ILCS 5/24-5 and: (a) concerning each new employee who will provide services to students or in schools, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease; and (b) require any new or existing employee who provides services to students or in schools to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Dept. of Public Health rules or order of a local health official.
11. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10) (food donations).
12. Any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act by (a) requesting a bid with an alternative for asphalt-based or latex-based sealant product, and (b) considering whether an asphalt-based or latex-based sealant product should be used for the project based upon costs and life cycle costs that regard preserving pavements, product warranties, and the benefits to public health and safety.

B. To the extent feasible, the following govern all purchases and/or the 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, an expenditure in excess of $25,000, provided such expenditure is approved by three-quarters of the Board. See 105 ILCS 5/10-20.21(a)(xiv) (3/4s of the members 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 the award of contracts involving an expenditure in excess of $25,000 for supplies and materials or work. 105 ILCS 5/10-20.21(a).

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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. 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. Fuel, including diesel, gasoline, oil, aviation, natural gas, or propane, lubricants, or other petroleum products;
    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, 105 ILCS 5/28A; 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.
    q. Goods, services, or management in the operation of a school's food service, including a school that participates in any of the U.S. Dept. of Agriculture's (USDA) child nutrition programs if a good faith effort is made on behalf of the District to give preference to contracts that: (a) procure food that promotes the health and well-being of students, in compliance with USDA nutrition standards for school meals, and contracts should also promote the production of scratch-made, minimally processed foods; (b) give a preference to State or regional suppliers that source local food products; (c) utilize producers that adopt hormone and pest management practices recommended by the USDA; (d) give a preference to food suppliers that value animal welfare; and (e) increase opportunities for businesses owned and operated by minorities, women, or persons with disabilities.

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When this exemption applies, the bidder shall submit to the District at the time of the bid, to the best of the bidder's ability, and annually thereafter during the term of the contract, the food supplier data required in this Section q. The food supplier data shall also include the name and address of each supplier, distributor, processor, and producer involved in the provision of the products that the bidder is to supply.

2. Competitive bidding process:
    a. An invitation for bids is advertised, where possible, by public notice at least 10 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:
        i. A description of the materials, supplies, or work involved;
        ii. Completion or delivery date requirements;
        iii. Requirements for bids, bonds, and/or deposits;
        iv. Requirements for performance, labor, and material payment bonds;
        v. Date, time, and place of the bid opening;
        vi. The approximate time period between the opening of bids and the award of the contract; and
        vii. 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 time the contents are announced. 105 ILCS 5/10-20.21(a). Bids may be communicated, accepted, and opened electronically. The following safeguards apply to an electronic bid opening (105 ILCS 5/10-20.21(a)):
        i. 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.
        ii. 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 three 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 verifies 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

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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 (such as, but not limited to, custodial services, student transportation, and school meal services). However, these conditions are not mandatory for the Board to enter into a contract, of no longer than three 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 Ill. Educational Labor Relations Act.

Name of 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 three-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, Ill. Dept. 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

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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/.

LEGAL REF.: 105 ILCS 5/10-20.21, 5/10-20.44, 5/10-21.9, 5/21B-80, 5/22-94, and 5/24-5.
30 ILCS 580/, Ill. Drug Free Workplace Act.
35 ILCS 105/, Ill. Use Tax Act.
50 ILCS 510/, Local Government Professional Services Selection Act.
410 ILCS 170/10, Coal Tar Sealant Disclosure Act.

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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 three 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.

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Operational Services

Administrative Procedure - Criminal History Records Check of Contractor Employees

Use this procedure to implement the *complete criminal history records check* referenced in 5:30-AP2, *Investigations*, that is required when an employee of a contractor will have direct, daily contact with one or more students.

Actor	Action
Firm contracting with the District, referred to herein as "contractor"	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. 102-552. 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. 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). 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). Follows 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, if the contractor's employees will have *direct contact with children or students*, as defined by 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.
Superintendent, Business Manager, or designee	To ensure that a contractor complies with the fingerprint-based criminal history records check under 105 ILCS 5/10-21.9, may require that the following sample language or similar language be included in each contract with any firm whenever any employee of the firm will have direct, daily contact with one or more students. 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 Ill. Sex Offender Registry or the Ill. 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

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Actor	Action
Superintendent, Business Manager, or designee, cont'd	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 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 Ill. Sex Offender Registry or the Ill. Murderer and Violent Offender Against Youth Registry. 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, *Investigations*. Screens the individual's name and address against the: (1) Ill. Sex Offender Registry, www.isp.illinois.gov/Sor/Disclaimer, and (2) the Violent Offender Against Youth Registry maintained by the Ill. State Police (ISP), www.isp.illinois.gov/MVOAY/Disclaimer. The fingerprint-based criminal history record check and two registry screens constitute the complete criminal history background check that must be conducted under 105 ILCS 5/10-21.9(f), as described in 5:30-AP2, *Investigations*. 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: 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). 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(f-5).

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Actor	Action
	Note: State law does not define "within the last year." 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(f-5).Note: An immunity provision, contained in 20 ILCS 2635/7(A)(3), makes the District not liable to an individual for 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. Follows 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, if the contractor's employees will have *direct contact with children or students*, as defined by 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

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Operational Services

Administrative Procedure - Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees

Use this procedure to implement the sexual misconduct related employment history review (EHR) required by 105 ILCS 5/22-94 when an employee of a contractor will have direct contact with children or students. A copy of this procedure may be provided to a contractor to inform or remind the contractor of its legal obligations.

Glossary of Terms

Contractor - A firm holding a contract with any school including, but not limited to, food service workers, school bus drivers, and other transportation employees who have direct contact with children or students. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

Direct contact with children or students - The possibility of care, supervision, guidance, or control of children or students or routine interaction with children or students. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

School - A public or nonpublic elementary or secondary school. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

Sexual misconduct - Any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include but are not limited to: 1) a sexual or romantic invitation, 2) dating or soliciting a date, 3) engaging in sexualized or romantic dialog, 4) making sexually suggestive comments that are directed toward or with a student, 5) self-disclosure or physical exposure of a sexual, romantic, or erotic nature, 6) a sexual, indecent, romantic, or erotic contact with the student. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23; 105 ILCS 5/22-85.5(c), added by P.A. 102-676.

EHR of Contractor Employees

Actor	Action
Contractor	At the time of initial hiring of an employee or prior to the assignment of an employee to perform work involving *direct contact with children or students*, conducts an EHR of the employee, in accordance with 105 ILCS 5/22-94, added by P.A. 102-702, eff. 7-1-23, specifically: Provides the employee with: (a) a *Sexual Misconduct Disclosure* form, using the Ill. State Board of Education's (ISBE) *Sexual Misconduct Disclosure Template for Applicant* at www.isbe.net/Documents/Templ-ISBE-Sexual-Misconduct-Disclosure-Form-Applicant.pdf and (b) copies of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form, using ISBE's *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response Template* at www.isbe.net/Documents/Temp2-Auth-Release-Sexual-Misconduct-Related-Info.pdf for the applicant to complete for

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Actor	Action
	each current employer and for each former employer where the applicant worked in direct contact with children or students. The Contractor cannot hire an applicant for a position involving direct contact with children or students who does not provide the information required by the forms (105 ILCS 5/22-94(f), added by P.A. 102-702, eff. 7-1-23). Reviews the applicant's completed *Sexual Misconduct Disclosure* form and *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form(s). Provides to all employers identified by the applicant in Section 3 of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form a copy of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form (105 ILCS 5/22-94(c)(4), added by P.A. 102-702, eff. 7-1-23). The employer(s) must return the completed form(s) to the Contractor within 20 calendar days (105 ILCS 5/22-94(e), added by P.A. 102-702, eff. 7-1-23) after receipt. Informs the District of any instance known to the Contractor in which the employee: (a) has been the subject of a sexual misconduct allegation unless a subsequent investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated; (b) has ever been discharged, been asked to resign from, resigned from, or otherwise been separated from any employment, been removed from a substitute list, been disciplined by an employer, or had an employment contract not renewed due to an adjudication or finding of sexual misconduct or while an allegation of sexual misconduct was pending or under investigation, unless the investigation was false, unfounded, or unsubstantiated; or (c) has ever had a license or certificate suspended, surrendered, or revoked due to an adjudication or finding of sexual misconduct or while an allegation of sexual misconduct was pending or under investigation, unless the investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated. 105 ILCS 5/22-94(j)(3)(A-C), added by P.A. 102-702, eff. 7-1-23.
Superintendent, Business Manager, or designee	Confirms that the Contractor has performed or will perform an EHR for each of its employees who will perform work involving direct contact with children or students. The EHR remains valid as long as the employee remains employed by Contractor, even if the employee is assigned to perform work for another school. 105 ILCS 5/22-94(j)(1), added by P.A. 102-702, eff. 7-1-23. To ensure the EHR is performed, may require the following sample language or similar language be included in each contract with the Contractor:

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Actor	Action
	Either at the time of initial hiring or prior to assigning any employee to perform work in the District involving direct contact with children or students, the Contractor will perform an Employment History Review (EHR) for the employee, in accordance with the requirements of 105 ILCS 5/22-94, as it may be amended from time to time. Notwithstanding the foregoing, if Contractor is furnishing substitute staffing services, Contractor shall perform the EHR upon initial hiring of the substitute employee. In performing the EHR, the Contractor agrees it will provide the employee with: (1) a *Sexual Misconduct Disclosure* form, using the Ill. State Board of Education's (ISBE) *Sexual Misconduct Disclosure Template for Applicant* at www.isbe.net/Documents/Temp1-ISBE-Sexual-Misconduct-Disclosure-Form-Applicant.pdf and (2) copies of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form, using ISBE's *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response Template* at www.isbe.net/Documents/Temp2-Auth-Release-Sexual-Misconduct-Related-Info.pdf for the employee to complete for each current employer and for each former employer where the employee worked in direct contact with children or students. The Contractor shall provide to all employers identified by the employee in Section 3 of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form a copy of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form (105 ILCS 5/22-94(c)(4), added by P.A. 102-702, eff. 7-1-23). The Contractor will instruct the identified employer(s) to return the completed form(s) to the Contractor within 20 calendar days after receipt. The Contractor shall immediately inform the District of any instances of sexual misconduct involving the employee as set forth in 105 ILCS 5/22-94(j)(3). The Contractor shall maintain all records of EHRs and upon the District's request shall provide the District with access to and copies of records pertaining to the EHRs of Contractor employees. The Contractor shall not send to any school building or other District property: (1) any employee for whom an EHR has not been performed, (2) any employee who provides false information or willingly fails to disclose information required by the EHR, or (3) any employee to whom the District objects after the Contractor informs it of an instance of sexual misconduct involving the employee as set forth in 105 ILCS 5/22-

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Actor	Action
	94(j)(3). 105 ILCS 5/22-94(e) provides that a "contractor who provides information or records about a current or former employee or applicant under this Section [105 ILCS 5/22-94] is immune from criminal and civil liability for the disclosure of the information or records, unless the information or records provided were knowingly false." For the duration of this Agreement, and in accordance with 105 ILCS 5/22-94(g), the Contractor agrees it will not enter into any collective bargaining agreement, employment contract, agreement for resignation or termination, severance agreement, or any other contract or agreement that: (1) has the effect of suppressing information concerning a pending investigation or a completed investigation in which an allegation was substantiated related to a report of suspected sexual misconduct by a current or former employee, (2) affects the ability of the Contractor to report suspected sexual misconduct to the appropriate authorities, or (3) requires the Contractor to expunge information about allegations or findings of suspected sexual misconduct from any documents maintained by the Contractor, unless, after an investigation, an allegation is found to be false, unfounded, or unsubstantiated. Whenever a Contractor sends an employee who will have direct contact with children or students to the District for the first time, requests that the Contractor provide the District with copies of the records pertaining to the EHR of any employee involved in an instance of sexual misconduct as set forth in 105 ILCS 5/22-94(j)(3).

Following the EHR of Contractor Employees

Actor	Action
Contractor	Maintains records documenting EHRs as required by law and upon the District's request, provides the District access to records pertaining to the employment history reviews of employees. 105 ILCS 5/22-94(j)(2), added by P.A. 102-702, eff. 7-1-23. Prohibits the assignment of an employee to a position at the District involving direct contact with children or students if: (1) the employee does not provide the information required by 105 ILCS 5/22-94(c) or provides false information or willfully fails to disclose information required by the EHR (2) the Contractor determines the employee is unfit for the position, or (3) the District objects to the assignment after the Contractor informs it of an instance of sexual misconduct as listed in the section above. 105 ILCS 5/22-94(f) and j(4), added by P.A. 102-702, eff. 7-1-23.

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Actor	Action
	Disciplines, up to and including termination or denial of employment, any employee who provides false information or willfully fails to disclose information required by the EHR. 105 ILCS 5/22-94(d), added by P.A. 102-702, eff. 7-1-23. As appropriate, reports responses received from an applicant's employer(s) to ISBE, a state licensing agency, a law enforcement agency, a child protective services agency, another school or contractor, or a prospective employer. **Note:** A contractor or district that reports information or records about a current or former employee or applicant under 105 ILCS 5/22-94 is immune from criminal and civil liability for the disclosure of the information or records unless the information or records provided were knowingly false. 105 ILCS 5/22-94(e), added by P.A. 102-702, eff. 7-1-23.
Superintendent, Business Manager, or designee	Reviews all EHR records provided by the Contractor to evaluate the employee's fitness to be assigned to work in the District. As appropriate, reports responses received from an applicant's employers to ISBE, a state licensing agency, a law enforcement agency, a child protective services agency, another school or contractor, or a prospective employer. If a Contractor employee is alleged to have engaged in sexual misconduct with an enrolled student, ensures notice to the student and parent(s)/guardian(s) of the student is provided and the allegations are investigated in accordance with administrative procedure 5:90-AP2, *Parent/Guardian Notification of Sexual Misconduct*, see the **Notification of Alleged Sexual Misconduct** subhead. If any of the Contractor's employees will have direct, daily contact with one or more students, conducts a *complete criminal history records check* of the Contractor employees under 105 ILCS 5/10-21.9(f) by following 4:60-AP3, *Criminal History Records Check of Contractor Employees*.

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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: • 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, *Purchases and Contracts*, 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, consulting with the Board Attorney as needed. See policies 4:60, *Purchases and Contracts* and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*.
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.

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Operational Services

Administrative Procedure - Federal and State 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 and State awards governed by the Grant Accountability and Transparency Act (GATA). The District maintains oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

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; Code of Professional 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 Ill. 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) 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 Ill. 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

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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 Ill. Criminal Code of 2012 (720 ILCS 5/33E-9) requires approval of the Board or designee when a contract cost increases or decreases by $25,000, 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 for the acquisition of property or services required under an award shall be conducted in a manner providing full and open competition consistent with the standards of State law (105 ILCS 5/10-20.21), policy 4:60, *Purchases and Contracts*, 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 geographic 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 & Heating Co. v. Bd. of Educ., Quincy Pub. Sch. Dist. No. 172, 291 Ill.App.3d 221 (4th Dist. 1997); Cardinal Glass Co. 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 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

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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.

F. Noncompetitive procurements can only be awarded in accordance with the requirements detailed in paragraph E of the **Methods of Procurement** subhead below.

Methods of Procurement

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

A. 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 of $10,000, as may be amended from time to time. 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 based on research, experience, purchase history, or other information and documents it maintains. **Note:** See 105 ILCS 5/10-20.21 and policy 4:60, *Purchases and Contracts*.

B. Small purchase procedures. Small purchase procedures may be used for the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the Simplified Acquisition Threshold of $250,000, as may be amended from time to time. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources, as determined appropriate by the District.

C. Sealed bids. 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(b)(1)(i) apply. If sealed bids are used, the requirements in 2 C.F.R. §200.320(b)(1)(ii) apply. **Note:** 105 ILCS 5/10-20.21 requires sealed bids.

D. Proposals. The use of proposals is a procurement method in which 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. Proposals must be solicited from an adequate number of qualified offerors. If this method is used, the requirements in 2 C.F.R. §200.320(b)(2) apply. **Note:** 105 ILCS 5/10-20.21 requires sealed bids.

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E. Noncompetitive procurement. Noncompetitive procurement may be used only when one or more of the circumstances in §200.320(c) apply: (1) the cost does not exceed the micro-purchase threshold; (2) the item is available only from a single source; (3) public exigency or emergency will not permit a delay resulting from publicizing a competitive solicitation; (4) the awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the District; or (5) after solicitation of a number of sources, the District determines competition is inadequate. **Note:** 50 ILCS 510/ may conflict with this regulation.

Procurement of Recovered Materials

When the District procures items designated by the Environmental Protection Agency (EPA) as capable of being produced with recovered materials, and the purchase of the items exceeds $10,000 or the quantity of the items (or functionally equivalent items) purchased in the preceding fiscal year exceeded $10,000, the District shall:

A. Ensure the items contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition. The decision not to procure such items must be based on a determination that the items: (1) are not reasonably available within a reasonable period of time, (2) fail to meet the performance standards in the applicable specifications, or (3) are only available at an unreasonable price.

B. Procure solid waste management services in a manner that maximizes energy and resource recovery.

C. Establish an affirmative procurement program for procurement of recovered materials identified in EPA guidelines. The program must contain the following elements:
   1. Preference program for purchasing the designated items;
   2. Promotion program;
   3. Procedures for obtaining estimates and certifications of recovered materials content and for verifying the estimates and certifications; and
   4. Annual review and monitoring of the effectiveness of the program.

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 Dept. 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.

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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 geographic 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 (Ill. State Board of Education):

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 §200.325(b) apply.

Bonding Requirements

A. For construction or facility improvement contracts or subcontracts 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 requirements 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.

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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*.

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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 the staff member's request by conducting a needs analysis, determining a funding source, and determining if the 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 the staff member's request in order to verify information and determine if funds are available. Provides the Building Principal with results of further analysis.
Building Principal, appropriate department head or designee	Provides the Superintendent and/or designee with the 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 the staff member's request and analyses of same; evaluates the educational value of procurement requested. The Superintendent and/or designee may then: • Approve the procurement request if it is below the amount set by the School Board and/or State law (105 ILCS 5/10-20.21); • Deny the procurement request; or • If the procurement request amount exceeds the Superintendent's authority, seek Board permission for procurement. See policy 4:60, *Purchases and Contracts*, 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, consulting with the Board Attorney as needed. See policies 4:60, *Purchases and Contracts* and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*.

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Actor	Action
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.

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Operational Services

Exhibit - Notice to Contractors

On District letterhead.

Date

Notice to contractor:

You are receiving this notice because you may or will be performing *public works* for the School District as that term is defined in the Illinois Prevailing Wage Act (IPWA). 820 ILCS 130/2.

This notice applies to the public works described as:_____.

The IPWA requires contractors and subcontractors to pay laborers, workers, and mechanics performing services on public works projects no less than the *prevailing rate of wages* (hourly cash wages plus fringe benefits) in the county where the work is performed. Any prevailing rate of wages as they are revised by the Ill. Dept. of Labor (IDOL) shall apply to this contract. You are notified that any rate changes to the prevailing wage rate are available on IDOL's official website. For information regarding current prevailing wage rates, please see the IDOL's website at: https://labor.illinois.gov/laws-rules/conmed/prevailing-wage-rates.html.

All contractors and subcontractors rendering services for the public works must comply with all requirements of the IPWA, including but not limited to, all wage, notice, and recordkeeping duties.

The above paragraph was or will be included in the project specifications and the contract. 820 ILCS 130/4(e). If the work is awarded without a public bid, contract, or project specification, the notice was or will be included in the purchase order related to the work or in a separate document, such as this notification. 820 ILCS 130/4(f).

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Operational Services

Resource Conservation

The Superintendent or designee shall manage a program of energy and resource 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 and 5/19b.

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

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Operational Services

Administrative Procedure - Resource Conservation

Definitions

De-inked stock - Paper that has been processed to remove inks, clays, coatings, binders, and other contaminants.

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.

Paper and paper products - High-grade printing and writing papers, tissue products, newsprint, unbleached packaging, and recycled paperboard.

Postconsumer material - Only those products generated by a business or consumer, that have served their intended end uses, and that have been separated or diverted from solid waste; wastes generated during the production of an end product are excluded. Postconsumer material includes:

- 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
- All paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.

Recovered paper material - 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:

- Postconsumer material;
- 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
- Finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.

Recycled paperboard - Includes paperboard products, folding cartons and pad backings.

Tissue products - Includes 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.

Unbleached packaging - Includes corrugated and fiber storage boxes.

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Procurement Procedures and Specifications for Products and Supplies

Procurement procedures and specifications for products and supplies shall be periodically reviewed to ensure that the District is: (a) purchasing products and supplies that are reusable, durable, or made from or contain recycled materials, if economically and practically feasible, and (b) giving preference to products and supplies containing the highest amount of recycled material and that are consistent with the effective use of the product or supply, if economically and practically feasible.

Recycled Paper and Paper Products Purchases

I. Whenever economically and practically feasible, recycled paper and paper products shall be purchased according to the following minimum percentages of the District's total dollar value of paper and paper products:

Beginning July 1, 2014	50%
Beginning July 1, 2020	75%

All paper purchased for publishing student newspapers must be recycled newsprint. Paper and paper products purchased from private sector vendors pursuant to printing contracts are exempted from this requirement.

II. Wherever economically and practically feasible, recycled paper and paper products shall contain postconsumer or recovered paper materials as follows:

- Recycled high grade printing and writing paper shall contain at least 50% recovered paper material and shall consist of at least 50% de-inked stock or postconsumer material.
- Recycled tissue products shall contain at least 45% postconsumer material.
- Recycled newsprint shall contain at least 80% postconsumer material.
- Recycled unbleached packaging shall contain at least 55% postconsumer material.
- 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 District 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.

Solid Waste Reduction

The Superintendent will appoint a team of interested individuals representing various District departments to direct the District's efforts to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that the District generates. The team shall:

1. Periodically review methods and procedures to reduce solid waste generated by academic, administrative, and other institutional functions. These procedures must be designed to, when economically and practically feasible, recycle the District's waste stream, including without limitation landscape waste, computer paper, and white office paper.
2. Identify indicators to monitor the District's progress toward achieving the solid waste reduction goal. As necessary, the procedures and methods shall be adjusted and refined.
3. Make periodic progress reports to the Superintendent or designee.

The team shall devise and oversee methods for making the following activities part of the District culture:

1. Staff members actively pursue waste reduction and prevention activities. Examples include:
   a. Printing and copying individual documents on both sides of the page.

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b. Setting computer software for default two-sided printing including word processing, spreadsheets, electronic mail, and others.
c. Printing or copying only the pages needed.
d. Routing memos and newsletters.
e. Providing trays to collect and reuse one-sided paper.
f. Reducing unwanted mail and eliminate excess mailings.

2. Staff members and students seek to reuse or recycle materials to divert them from the waste stream whenever possible.
3. A training plan instructs staff members and students in waste reduction and recycling practices.
4. The District's solid waste reduction program is publicized and its benefits are emphasized, including cost savings by lowering supply acquisition and disposal costs.
5. An incentive program to reduce solid waste exists, e.g., through school recognition programs.
6. Staff and students are encouraged to be innovative and suggest improvements to procedures and practices.

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

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Operational Services

Accounting and Audits

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing,* as adopted by the Ill. State Board of Education (ISBE), State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. 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 and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each 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 ISBE. 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. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost, unless the supplies and equipment are acquired by the District pursuant to a federal or State grant award, in which case the inventory record shall also include the information required by 2 C.F.R. §200.313, if applicable. The Superintendent shall establish procedures for the management of property acquired by the District under grant awards that comply with federal and State law.

Capitalization Threshold

To be considered a capital asset for financial reporting purposes, a capital item must be at or above a capitalization threshold of $5,000 and have an estimated useful life greater than one year.

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 site, building, 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. The Superintendent shall establish procedures for the disposition of property acquired by the District under grant awards that comply with federal and State law.

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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 ISBE 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 accounts containing student activity funds or fiduciary funds and checks from revolving accounts may be signed by their respective account custodians.

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, waste, and abuse, as well as employee error, misrepresentation by third parties, or other 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.: 2 C.F.R. §200 et seq.
30 ILCS 708/, Grant Accountability and Transparency Act, implemented by 44 Ill.Adm.Code 7000 et seq.
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 (Student Activity and Fiduciary Funds)

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Operational Services

Administrative Procedure - Checklist for Internal Controls

The District's system of internal controls shall include the following:

1. All financial transactions must be properly authorized and documented. This includes:
   - ☐ No check is issued without pre-approved documentation for the expenditure pursuant to the Local Government Travel Expense Control Act, 50 ILCS 150/10, e.g., 2:125-E1, *Board Member Expense Reimbursement Form*; 2:125-E2, *Board Member Estimated Expense Approval Form*; 5:60-E1, *Employee Expense Reimbursement Form*; and 5:60-E2, *Employee Estimated Expense Approval Form*.
   - ☐ No bank account is opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number without pre-approved documentation.
   - ☐ No credit or procurement card is assigned to an individual without pre-approved documentation. All use of a credit or procurement card must be in compliance with Board policy 4:55, *Use of Credit and Procurement Cards*, and administrative procedure 4:55-AP, *Controls for the Use of District Credit and Procurement Cards*.
   - ☐ Every receipt to and expenditure from a revolving fund and a petty cash fund are supported with clear documentation and otherwise comply with Board policies 4:50, *Payment Procedures*, and 4:80, *Accounting and Audits*.
   - ☐ A record is made of all checks issued and all payments made by credit or procurement cards that includes descriptive information sufficient to allow assignment of the appropriate code.
2. Financial records and data must be accurate and complete. This includes:
   - ☐ Data entries are timely made.
   - ☐ Cash handling is properly recorded.
   - ☐ Checks are sequentially numbered and missing checks are accounted for.
   - ☐ Financial reporting deadlines are followed.
3. Accounts payable must be accurate and punctual. This includes:
   - ☐ Payments are made on a timely basis.
   - ☐ A thorough explanation is provided for any over/underpayments.
   - ☐ Payroll and benefits are reviewed and continually updated.
4. District assets must be protected from loss or misuse.
   - ☐ The District implements a Fraud, Waste, and Abuse Awareness Program. See 4:80-AP2, *Fraud, Waste and Abuse Awareness Program*.
   - ☐ Valuable technology assets are safeguarded from theft or loss.
   - ☐ A backup and recovery system is developed for electronic systems.
   - ☐ Only authorized individuals have access to various systems.
   - ☐ Passwords are kept secure and frequently changed.
   - ☐ Keys are kept secure and accounted for.
   - ☐ District property is not *borrowed* or otherwise used for private purposes.
   - ☐ District personal property having a monetary value (excluding, for example, trash, out-dated equipment, consumed consumables, and spoilage) is discarded only with the Board's prior approval.

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5. Incompatible duties should be segregated, if possible. This includes:
   - ☐ Transaction approval is separated from disbursement approval duties, as well as record-keeping duties so that no single individual or two individuals control all phases of the claim payment process.
   - ☐ Reconciliation of checking accounts and credit cards is performed by an individual who does not have check-writing authority, and if possible, by someone who does not record checks and credit card payments in the District's books.
   - ☐ Other controls are used if segregation of duties is impossible.
6. Accounting records are periodically reconciled. This includes:
   - ☐ All accounts are balanced monthly.
   - ☐ All statements from checking accounts and credit cards are reconciled monthly.
   - ☐ Expenses are verified against receipts.
   - ☐ Out-of-balance conditions are investigated.
7. Equipment and supplies must be safeguarded. This includes:
   - ☐ Inventories are periodically taken and inspections are frequently made.
   - ☐ A reliable record is kept identifying what technology assets have been provided to specific employees.
   - ☐ Access to supplies is limited and controlled.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
   - ☐ Responsibilities match job descriptions.
   - ☐ If required by State law, staff members are appropriately bonded.
   - ☐ Staff members are held accountable for complying with Board policies and administrative processes or procedures that have been established to safeguard the District's financial condition.
   - ☐ Staff members are appropriately trained and evaluated.
   - ☐ Staff members are encouraged to notify their supervisors or the Superintendent of risks, losses, and/or concerns.
9. Any unnecessary weaknesses or financial risks must be promptly corrected. This includes:
   - ☐ Internal control concerns raised by the District's independent auditor in connection with the annual financial audit or by the Ill. State Board of Education in connection with its administration of the Grant Accountability and Transparency Act or a monitoring visit are properly addressed.
   - ☐ Internal or external auditors are annually engaged to assess risk and/or test existing internal controls for those areas not included within the scope of the annual financial audit; concerns are promptly addressed.

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Operational Services

Administrative Procedure - Fraud, Waste, and Abuse Awareness Program

The Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) and federal regulations (2 CFR 200.113) require grant fund recipients to timely disclose, in writing, all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal awarding agency or pass-through entity, e.g., Ill. State Board of Education (ISBE).

In alignment with best practices contained in ISBE's *Fiscal Procedures Handbook*, the District has a Fraud, Waste, and Abuse Awareness Program, which includes employee reporting procedures for suspected fraud, waste, or abuse. The District will take all appropriate measures to deter fraud, waste, and abuse.

Reporting

The District encourages all District employees to be vigilant and report suspicions of fraud, waste, or abuse. Employees who make good faith reports of suspected violations of law, public corruption or wrongdoing are protected from retaliation by the provisions of the Ill. Whistleblower Act (740 ILCS 174/). See the chart below for details on how to make a report.

Enforcement

Staff members found to have engaged in fraud, waste, or abuse will be disciplined, up to and including discharge. The District will also seek to recover any wrongfully obtained assets from the employee.

Definitions

Fraud is defined as: (1) fraudulent financial reporting, (2) misappropriation of assets, and/or (3) corruption (bribery and other illegal acts). Examples of *fraud* include:

- Embezzlement, e.g., theft of cash, use of entity credit card or accounts payable systems to purchase personal items
- Collusion with others to circumvent internal controls
- Forgery or alteration of documents, e.g., checks, time cards, receipts, contracts, purchase orders, expense reimbursement paperwork, student bills, electronic files, bids, or other financial documents
- Fraudulent reporting of expenditures or other District financial information
- Misappropriation or misuse of resources, e.g., cash, securities, inventory, facilities, equipment, services, supplies, or other assets
- Impropriety in the handling or reporting of cash or financial transactions
- Unless properly authorized, accepting or seeking anything of material value from contractors, vendors, or persons providing services or materials.
- Authorization or receipt of payment for goods not received or services not performed, e.g., payments to fictitious employees or vendors
- Submitting multiple vouchers for the same expense reimbursement
- Using the District's tax exempt status for purchase of personal items
- Authorization or receipt of unearned wages or benefits
- Personal use of District property in commercial business activities

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- Identity theft
- Conflict of interest or other ethics violations
- Destruction, removal, or inappropriate use of records, buildings, furniture, fixtures, or equipment
- Any similar or related irregularity to those listed

Waste is the act of using or expending resources carelessly, extravagantly, or to no purpose.

Abuse is behavior that is deficient or improper compared to the behavior that a prudent person would consider reasonable and necessary operational practice given the facts and circumstances.

The terms *fraud, waste*, and *abuse* are not mutually exclusive; certain conduct may constitute fraud, waste, and/or abuse.

Roles, Responsibilities, and Reporting Procedures

Actor	Action
Any Staff Member	Staff members who suspect fraud, waste, and/or abuse should do the following: 1. Make an oral or written report to the Superintendent that describes the factual basis of the suspicion, including any employees involved, a description of the alleged misconduct, and any supporting evidence. Oral reports shall be followed up in writing by the staff member or Superintendent. 2. If the staff member does not feel comfortable identifying himself/herself in making a report, the employee may deliver the report anonymously to the attention of the Superintendent or make an anonymous call to the Superintendent. 3. If the report concerns alleged misconduct by the Superintendent, the report may be either be made to a Complaint Manager identified in Board Policy 2:260, *Uniform Grievance Procedure*, who will notify the Board President of the report, or directly to the Board President. 4. If the reporting staff member has evidence of fraud, waste, and/or abuse, he/she must preserve the evidence and provide it to the Superintendent or designee (or designated Complaint Manager or Board President, if the report concerns the Superintendent) charged with investigating the suspected fraud, waste, or abuse.
Superintendent and/or Designee (or Complaint Manager/Board President, for cases concerning the Superintendent)	Manages actual or suspected fraud, waste, or abuse in the District. With respect to any investigation, the Superintendent and/or designee (or Complaint Manager/Board President, for cases concerning the Superintendent) shall: 1. Ensure all reported instances of fraud, waste, or abuse are investigated by the District, and, if appropriate, reported to the proper authorities for further investigation and potential prosecution. 2. Consult with the board attorney as needed regarding any

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Actor	Action
	investigation. 3. Keep the Board informed of any ongoing investigations. 4. Ensure the District cooperates with law enforcement in any criminal fraud investigations. 5. Make all reasonable efforts to ensure the preservation of evidence relevant to an investigation. 6. Effectuate (or recommend to the Board) discipline of employees who engage in fraud, waste, or abuse in accordance with Board policies and any applicable collective bargaining agreement(s). 7. Manage communications with the media regarding investigations, as needed. 8. Manage District efforts to seek recovery of wrongfully obtained assets, as appropriate.
Superintendent and/or Designee	1. Manage annual communication of the District's Fraud, Waste, and Abuse Awareness Program to staff and grant sub-recipients/subcontractors, including how employees should report suspected fraud, waste, or abuse. 2. Manage ethics and standards of conduct training for all District employees. 3. Periodically review the District's Fraud, Waste, and Abuse Awareness Program and related reporting procedures.

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Operational Services

Administrative Procedure - Inventory Management for Federal and State Awards

This procedure applies to property acquired by the District under federal grant awards or State grant awards governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/).

Definitions

Property - real or personal property. 2 C.F.R. §200.81.

Equipment - Tangible personal property (including information technology systems) having a useful life of more than one year and per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or $5,000. 2 C.F.R. §200.33

Supplies - All tangible personal property other than *equipment.* 2 C.F.R. §200.94

Acquisition Cost - The cost of the asset including the cost to ready the asset for its intended use. Acquisition cost for equipment, for example, means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Acquisition costs for software includes those development costs capitalized in accordance with generally accepted accounting principles (GAAP). Ancillary charges, such as taxes, duty, protective in transit insurance, freight, and installation may be included in or excluded from the acquisition cost in accordance with the District's regular accounting practices. 2 C.F.R. §200.2

Roles and Responsibilities

Actor	Responsibility
Business Manager and/or Designee	Recordkeeping – 2 C.F.R. §200.313(d)(1) and (2) 1. Ensures all equipment purchased with grant funds is identified and marked as such. 2. Maintains an inventory list that includes the following: a. a description of the property b. a serial number or other identification number c. the source of funding for the property (including the Federal Award Identification Number (FAIN), if applicable) d. who holds title e. the acquisition date f. cost of the property g. percentage of federal or State participation in the cost of the property h. the location, use and condition of the property i. any ultimate disposition data including the date of disposal and sale price of the property. 3. Takes a physical inventory of the property and reconciles the results with the records at least once every two years.

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Actor	Responsibility
	Maintenance and Safeguarding – 2 C.F.R. §200.313(d)(4) 1. Budgets for and schedules regular maintenance of the equipment when it is recommended by the manufacturer and arranges for repair of equipment when economically feasible. 2. Oversees implementation of the internal controls for the safeguarding of equipment and supplies required by 4:80-AP1, *Internal Control Checklist*. 3. Reports (or receives reports, if so designated) any fraud, waste, or abuse of property in accordance with 4:80-AP2, *Fraud, Waste, and Abuse Awareness Program*. 4. Investigates reports of property loss, damage, or theft. If appropriate, and in consultation with the Superintendent, makes a report to law enforcement for further investigation. Title and Use – 2 C.F.R. §200.313(a) and (c) 1. Ensures the equipment is used for the authorized purposes of the grant during the period of the grant, or until the property is no longer needed for the purposes of the project. 2. During the time that equipment is used on the project or program for which it was acquired, designates equipment available for use on other projects or programs currently or previously supported by the federal or State government, provided such use will not interfere with the work for which it was originally acquired, in the following order of priority: a. First preference is given to other programs or projects supported by the awarding agency that financed the equipment. b. Second preference is given to programs or projects under awards from other awarding agencies (in the case of federal awards, to activities under federal awards from other federal awarding agencies; this includes consolidated equipment for information technology systems). 3. If the equipment is to be used for non-federally or non-State-funded programs or projects, considers charging user fees. Any fees charged for equipment services acquired under an award must be equal to or greater than what private companies charge for equivalent services, unless specifically authorized by statute, for as long as the government retains an interest in the equipment. 4. Ensures that title to the property is not encumbered without the approval of the awarding agency. Disposition – 2 C.F.R. §200.313(e) 1. Unless the awarding agency requires an equipment transfer,

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Actor	Responsibility
	when equipment acquired under an award is no longer needed for the original project or program or for any other activities supported by a federal or State awarding agency, requests disposition instructions from the awarding agency, if required by the terms and conditions of the award. 2. If an item of equipment has a current per unit fair market value of $5,000 or less, arranges for the retention, sale, or disposal of the equipment with no further obligation to the awarding agency. Notes the disposition of such items in the District's property records. 3. Except for awards exempted under 2 C.F.R. §200.312(b), or if the awarding agency fails to provide requested disposition instructions within 120 days, arranges for the retention or sale of items of equipment with a current per-unit fair-market value in excess of $5,000. The awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the awarding agency may permit the District to deduct and retain from the agency share $500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses. 4. If applicable, arranges for the transfer of title to the property to the federal or State government or to an eligible third party, provided that in such cases, the District is entitled to compensation for its attributable percentage of the current fair market value of the property. 5. If the District is authorized or required to sell the property, ensures compliance with Board policy 4:80, *Accounting and Audits*, regarding the disposition of property, and follows proper sales procedures to ensure the highest possible return. 6. For items of equipment with an acquisition cost of $5,000 or more: a. Obtains two signed bids from potential purchasers or two appraisals from authorized appraisers to determine the per unit current fair market value. b. If the per unit current fair market value is $5,000 or more, follows the procedures outlined in the Ill. State Board of Education's *State and Federal Grant Administration Policy, Fiscal Requirements, and Procedures* to obtain ISBE's approval, available at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf. 7. When appropriate, arranges for the trade-in of equipment to be replaced or sale of the property when acquiring replacement

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Actor	Responsibility
	equipment. Proceeds from the trade-in or sale may be used to offset the cost of the replacement equipment. **Note:** If the District fails to take appropriate disposition actions, the awarding agency may direct the District to take disposition actions.
Staff Members Who Receive Equipment/Supplies as Part of Their Job Duties	Use the equipment/supplies for the purposes authorized by the grant during the grant period, or until the property is no longer needed for the purposes of the project. Properly use the equipment in accordance with the manufacturer's instructions. Produce the equipment/supplies when requested by the Business Manager or designee, whether for inventory, scheduled maintenance, repair, or other purposes. Take reasonable steps to prevent damage to equipment and supplies in accordance with 4:80-AP1, *Internal Control Checklist*. Report any fraud, waste, or abuse of property in accordance with 4:80-AP2, *Fraud, Waste, and Abuse Awareness Program*. Immediately report lost or stolen equipment/supplies to the Business Manager or designee. Return the equipment/supplies when requested by the Business Manager or designee or if it is no longer needed.

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Operational Services

Student Activity and Fiduciary 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 Board, upon the Superintendent or designee's recommendation, also establishes fiduciary funds to be supervised by the Superintendent or designee. The District has custodial responsibilities for fiduciary funds but no direct involvement in the management of such funds.

Student Activity Funds

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 Ill. State Board of Education (ISBE) 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 ISBE 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 or authorized fund with a similar purpose.

Fiduciary Funds

The Superintendent or designee shall be responsible for supervising fiduciary funds in accordance with Board policy 4:80, *Accounting and Audits*; State law; and ISBE rules for fiduciary 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 ISBE rules for fiduciary funds.

LEGAL REF.: 105 ILCS 5/8-2 and 5/10-20.19.
23 Ill.Admin.Code §§100.20, 100.80, and 100.85.

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

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Operational Services

Insurance Management

The Superintendent shall recommend and maintain all insurance programs that provide the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include each of the following:

1. Liability coverage to insure 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 licensed staff members; School Board members; employees; volunteer personnel authorized by 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b; mentors of licensed 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. Catastrophic accident insurance at the mandated benefit level for student athletes in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the Ill. High School Association that results in medical expenses in excess of $50,000.
3. 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.
4. Workers' Compensation to protect 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, Pub. L. 99-272, §10001, 26 U.S.C. §4980B(f), 42 U.S.C. §300bb-1 et seq.
105 ILCS 5/2-3.53a, 5/2-3.53b, 5/10-20.20, 5/10-22.3, 5/10-22.3a, 5/10-22.3b, 5/10-22.3f, 5/10-22.34, 5/10-22.34a, 5/10-22.34b, 5/21A-5 et seq., and 5/22-15.
215 ILCS 5/, Ill. Insurance Code.
750 ILCS 75/, Ill. Religious Freedom Protection and Civil Union Act.
820 ILCS 305/, Workers' Compensation Act.

CROSS REF.: 7:300 (Extracurricular Athletics)

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Operational Services

Transportation

The District shall provide free transportation for any student in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, unless the School Board has certified to the Ill. State Board of Education that adequate public transportation is available, or (2) if adequate public transportation is not available, within one and one-half miles from his or her assigned school where walking to or from school or to or from a pick-up point or bus stop would constitute a *serious safety hazard* due to either (a) vehicular traffic or rail crossing or (b) *a course or pattern of criminal activity*, as defined in the Ill. Streetgang Terrorism Omnibus Prevention Act, 740 ILCS 147/. A student's parent(s)/guardian(s) may file a petition with the Board requesting transportation due to the existence of a serious safety hazard. Free transportation service and vehicle adaptation is provided for a special education student if included in the student's individualized educational program. Non-public school students shall be transported in accordance with State law. Homeless students shall be transported in accordance with Section 45/1-15 of the Education for Homeless Children 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 one and one-half 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 setting the routes, the pick-up and discharge points should be as safe 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 Ill. Dept. of Transportation regulations. The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) 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 telecommunication device and ensures that 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 the bus for children or other passengers in the bus.

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LEGAL REF.: 20 U.S.C. §6312(c)(5)(B), Elementary and Secondary Education Act.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-22.22 and 5/29-1 et seq.
105 ILCS 45/1-15 and /1-17.
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813.1, 5/12-815, 5/12-816, 5/12-821, and 5/13-109.
23 Ill.Admin.Code §§1.510 and 226.750; Part 120.
92 Ill.Admin.Code Part 440.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:280 (Duties and Qualifications), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 7:220 (Bus Conduct)

ADMIN. PROC.: 4:110-AP2 (Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments), 4:110-AP3 (School Bus Safety Rules), 4:110-E (Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses), 6:140-AP (Education of Homeless Children)

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Operational Services

Administrative Procedure - School Bus Post-Accident Checklist

Driver Post-Accident Procedures

1. Immediately after an accident:
   - Activate the hazard lights
   - Place the transmission in neutral and set the parking brake (manual) or place in park (automatic)
   - Turn off the ignition and remove the key
   - Locate and place the warning devices
2. The first consideration is whether it is safer to evacuate the students or to have them remain on the bus. 23 Ill.Admin.Code §1.510(l)(1).
3. Check for injuries, using the passenger list (if available) to indicate injuries. Immediately notify the pre-designated emergency and police services, and administer first aid. As soon as possible, notify the District or transportation office.
4. Don't leave students unattended and/or unsupervised. However, if you must leave to attend to the vehicle or warning devices, leave a responsible student in charge.
5. Check for conditions that could cause fires, including a ruptured fuel tank, leaking or broken fuel lines; and/or hot tire, etc. *Do not touch a suspected hot tire*. Place your hand near it to see if heat is radiating off of it.
6. When notifying the District or transportation office, give the following information:
   - Seriousness of the accident
   - Location and time of accident
   - Bus number and route number
   - School
   - Number of students on board
   - Extent of any injuries
   - Condition of vehicle
   - Weather/road conditions
   - Any other pertinent information
7. Stay with the children until help arrives. Do not release any student, even to parents, unless instructed to do so by police or the District or transportation office. Parents/guardians are not allowed on the bus.
8. 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. Do not discuss details of the accident with the media.

   Never move an injured person unless the person's life is in jeopardy.

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9. Cooperate with law enforcement. Provide concise and clear answers and details. Give your name, address, driver's license and bus driver permit numbers.
10. If your vehicle strikes an animal, continue until it is safe to stop, keeping in mind that the sight of an injured animal could upset the children on the bus. Park the vehicle and radio or call the District or transportation office with the information. The office will notify the proper authorities.
11. 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, address, date of birth, and seating position of every passenger on the bus.
2. If possible, obtain the names, addresses, driver's license numbers and phone numbers of any 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/guardians 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. Complete the Ill. State Board of Education's *School Bus Accident Report*, www.isbe.net/Documents/50-26_school_bus_accident.pdf and forward to the Regional Superintendent immediately after any accident.
7. Obtain any accident reports completed by third parties, including police reports.

Post-Accident Alcohol and Drug Testing

1. This section's provisions are required by 49 C.F.R. §382.303. For drug and alcohol testing requirements, see Board 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. School bus drivers shall be provided the necessary post-accident alcohol and drug testing information, procedures, and instructions before operating a bus.

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3. 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. 625 ILCS 5/6-516.
4. If a required alcohol test is **not** administered:
   a. Within two hours, the District must prepare and maintain a file or record stating why the test was not properly administered.
   b. Within eight hours, the District shall cease attempts to administer an alcohol test and shall prepare the same record.
5. 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.
6. No driver required to take a post-accident alcohol test shall use alcohol for eight 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. 625 ILCS 5/13-109.

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Operational Services

Administrative Procedure - Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; and Bus Driving Comments

Bus Driver Communication Devices

State law prohibits a school bus driver from operating a school bus while using a cellular radio telecommunication device. It requires each school bus to contain either an operating cellular radio telecommunication device or two-way radio while the school bus driver is in possession of the school bus. The cellular radio telecommunication device or two-way radio must be turned on and adjusted in a manner that would alert the driver of an incoming communication request. 625 ILCS 5/12-813.1(b), (e).

Bus drivers may still have cell phones although they are prohibited from using cell phones for anything, including personal use, while operating a bus except: (1) in an emergency situation to communicate with an emergency response operator; a hospital; a physician's office or health clinic; an ambulance service; a fire department, fire district, or fire company; or a police department; (2) to call for assistance in the event of a "mechanical breakdown or other mechanical problem;" (3) to communicate with school authorities or their designees about bus operation or the welfare and safety of any passengers on the bus; or (4) when the bus is parked. 625 ILCS 5/12-813.1(c).

Bus/Vehicle Pre-Trip and Post-Trip Inspection

All school bus drivers, whether employed by the School District or private sector school bus company, shall perform each of the following:

1. Comply with the applicable pre-trip inspection of the mechanical and safety equipment on the school bus listed on the *School Bus Driver Pre-Trip Inspection Form* (92 Ill.Admin.Code §§458.1030 and 458.ILLUSTRATION A, *School Bus Driver's Pretrip Inspection Form*). **Note**: 92 Ill. Admin. Code §458.1030(u) requires any variations from the form to be approved by the Dept. of Transportation by calling 217/785-3031 or writing to:

   Vehicle-Inspection Unit Manager
   Ill. Dept. of Transportation, Div. of Traffic Safety
   1340 North 9th St.
   P.O. Box 19212
   Springfield, IL 62794-9212

2. Test the cellular radio communication device or two-way radio and ensure that it is functioning properly before the bus is operated. 625 ILCS 5/12-816.
3. Perform a visual sweep for children or other passengers at the end of a route, work shift or workday by:

   a. Activating interior lights of the school bus to assist the driver in searching in and under each seat (625 ILCS 5/12-816(c)), and

   b. Walking to the rear of the school bus/vehicle checking in and under each seat (625 ILCS 5/12-816(a), (b)).

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If a mechanical post-trip inspection reminder system is installed, the driver shall comply with the requirements of that system. 625 ILCS 5/12-816(d).

Bus Driving Comments

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]*

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. Required for districts that own school buses by 625 ILCS 5/12-821(c)(1).
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. Required for districts that own school buses by 625 ILCS 5/12-821(c)(2).

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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. Be aware of moving traffic and pay attention to your surroundings.
2. 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.
3. Arrive on time at the bus stop, and stay away from the street while waiting for the bus.
4. 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.
5. Take a seat right away and remain seated facing forward. Keep your hands, arms, and head inside the bus.
6. Talk quietly on the bus. No shouting or creating loud noises that may distract the driver. Tablets, iPods®, smart phones, and other electronic devices must be silenced on the bus unless a student uses headphones.
7. 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.
8. 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.
9. Wait until the bus pulls to a complete stop before standing up. Use the handrail when exiting the bus.
10. Stay out of the danger zone next to the bus where the driver may have difficulty seeing you. Take at least five giant steps (10 feet) 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.
11. 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, even after the driver's signal.

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12. Never run back to the bus, even if you dropped or forgot something.

Additional resources follow:

National Highway Traffic Safety Administration - **School Bus Safety**
https://one.nhtsa.gov/people/injury/buses/getting_to_school/schoolbus2.html

U.S. Department of Transportation - **School Bus Safety Campaign Material**
www.trafficsafetymarketing.gov/get-materials/school-bus-safety/evergreen-campaign-material

National Safety Council - **Tips for a Safe Ride**
www.nsc.org/home-safety/tools-resources/seasonal-safety/back-to-school/bus

Ill. State Police - **School Bus Safety**
www.isp.state.il.us/docs/schoolbussafety5542.pdf

Ill. State Board of Education - **School Bus Safety What Parents Should Know**
www.isbe.net/Documents/bus_safety_parents.pdf

Ill. State Board of Education - **Instructions To School Bus Riders**
www.isbe.net/Documents/bus_ride_instruct.pdf

Ill. Sec. of State - **Parent information flyer, games etc.**
www.cyberdriveillinois.com/departments/drivers/traffic_safety/school_bus_safety/home.html

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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 students 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 *(Please print)* _____ Birth Date _____

Parent/Guardian's Name _____ Home Phone _____ Cell Phone _____

School _____ 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 _____

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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 federal law must follow the nutrition standards specified in the U.S. Dept. of Agriculture rules that implement the National School Lunch and Child Nutrition Acts. Schools being reimbursed for meals under these laws are *participating schools*.

The food service program in participating schools shall comply with the nutrition standards specified in the U.S. Dept. of Agriculture's *Smart Snacks rules* when it offers competitive foods to students on the school campus during the school day *Competitive foods* are all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. The food service programs in participating schools shall also comply with any applicable mandates in the Illinois State Board of Education's School Food Service rules implementing these federal laws and the Ill. School Breakfast and Lunch Program Act.

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.: 42 U.S.C. §1751 et seq., Russell B. National School Lunch Act.
42 U.S.C. §1771 et seq., Child Nutrition Act of 1966.
7 C.F.R. Parts 210 (National School Lunch Program) and 220 (School Breakfast Program).
105 ILCS 125/, School Breakfast and Lunch Program Act.
23 Ill.Admin.Code Part 305, School Food Service.

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

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Operational Services

Administrative Procedure - Food Services; Competitive Foods; Exemptions

This procedure applies only to schools that participate in federal meal reimbursement programs. 7 C.F.R. Part 210; 23 Ill.Admin.Code Part 305. They are *participating schools*.

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 7 C.F.R. §210.11, unless they are exempted by 23 Ill. Admin.Code §305.15(a).

Definitions

Competitive foods are all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. 7 C.F.R. §210.11(a)(2); 23 Ill. Admin.Code §305.5. Competitive foods do not include foods offered during after-school athletics or extracurricular events, or weekend events. *School campus* means all areas of the property under the jurisdiction of the participating school that are accessible to students during the school day. 23 Ill.Admin.Code §305.5. *School day* means the period of time from midnight before the start of the official school day until 30 minutes after the end of the official school day. 23 Ill.Admin.Code §305.5.

Exempted fundraising day (EFD) means a school day on which foods and/or beverage items not meeting the "general nutrition standards for competitive foods" may be sold to students on the school campus. 7 C.F.R. §210.11 (b)(4); 23 Ill.Admin.Code §305.5.

Competitive Foods

Competitive foods and beverage items sold during the school day must meet the requirements listed at 7 C.F.R. §210.11 (c)-(m).

All revenue from the sale of competitive foods sold to students in the food service areas during meal periods shall accrue to the nonprofit school lunch program account. 23 Ill.Admin.Code §305.15(d).

Exempted Fundraising Days

EFD foods and/or beverages may not be sold in competition with school meals in the food service area during meal periods. 7 C.F.R. §210.11 (b)(4). In schools with grades 9-12, only 9 or fewer EFDs are allowed. In schools with grades 8 and below, EFDs are prohibited. 23 Ill.Admin.Code §305.15(b)(1)-(3).

To request an EFD, the Superintendent or designee for the participating school must be contacted. He or she will (1) explain the District's process and criteria for reviewing and approving or denying an EFD request, and (2) provide any written documents to assist with the EFD request. The Superintendent or designee must maintain a list of all EFDs held and retain them for at least three years. 7 C.F.R. §210.9(b)(17) and 23 Ill.Admin.Code §305.15(c)(3).

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

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Operational Services

Free and Reduced-Price Food Services

Notice

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

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. Dept. of Agriculture and distributed by the Ill. State Board of Education.

Notification

At the beginning of each school year, by letter, the District shall notify students and their parents/guardians of: (1) eligibility requirements for free and reduced-price food service; (2) the application process; (3) the name and telephone number of a contact person for the program; and (4) other information required by federal law. The Superintendent shall provide the same information to: (1) informational media, the local unemployment office, and any major area employers contemplating layoffs; and (2) the District's website (if applicable), all school newsletters, or students' registration materials. Parents/guardians enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

Nondiscrimination Assurance

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

Appeal

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. Dept. 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 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 three 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 three 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.

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105 ILCS 125/ and 126/.
23 Ill.Admin.Code §305.10 et seq.

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Operational Services

Exhibit - Free and Reduced-Price Food Services; Meal Charge Notifications

On District letterhead, website, in student handbook, newsletters, bulletins, and/or calendars

Date:

To: Parents/Guardians, Students, and Staff

Re: Eligibility and Meal Charge Notifications

The following notification is provided at the beginning of each school year as federally required notification regarding eligibility requirements and the application process for the free and reduced-price food services that are listed in Board policy 4:130, *Free and Reduced-Price Food Services* and 4:140, *Waiver of Student Fees*. For more information, see www.fns.usda.gov/school-meals/unpaid-meal-charges, and/or contact the Building Principal or designee.

Free and Reduced-Price Food Services Eligibility

When the parents/guardians of students are unable to pay for their child(ren)'s meal services, meal charges will apply per a student's eligibility category and will be processed by the District accordingly.

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. Dept. of Agriculture, and distributed by the Ill. State Board of Education.

Meal Charges for Meals Provided by the District

The Building Principal and District staff will work jointly to prevent meal charges from accumulating. Every effort to collect all funds due to the District will be made on a regular basis and before the end of the school year. Contact your Building Principal or designee about whether your child(ren)'s charges may be carried over at the end of the school year, i.e., beyond June 30th.

Unpaid meal charges are considered delinquent debt when payment is overdue as defined by Board policy 4:45, *Insufficient Fund Checks and Debt Recovery* and the Hunger-Free Students' Bill of Rights Act (105 ILCS 123/, added by P.A. 100-1092). The District will make reasonable efforts to collect charges classified as delinquent debt.

When a student's funds are low or there is a negative balance, reminders will be provided to the staff, students, and their parent(s)/guardian(s) at regular intervals during the school year. State law allows the Building Principal to contact parents(s)/guardian(s) to attempt collection of the owed money when the amount owed is more than the amount of five lunches [*or insert lower amount*]. If a parent/guardian regularly fails to provide meal money for the child(ren) that he/she is responsible for in the District and does not qualify for free meal benefits, the Building Principal or designee will direct the next course of action. Continual failure to provide meal money may require the District to notify the Ill. Dept. of Children and Family Services (DCFS) and/or take legal steps to recover the unpaid meal charges, up to and including seeking an offset under the State Comptroller Act, if applicable.

LEGAL REF.: Healthy Hunger-Free Kids Act of 2010 (P.L. 111-296).
7 C.F.R. §245.5.
105 ILCS 123/, Hunger-Free Students' Bill of Rights Act.

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23 Ill.Admin.Code Part 305, School Food Service.

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Operational Services

Waiver of Student Fees

The Superintendent will recommend to the School Board a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay fines for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education, as well as fines for the loss or damage of school property are waived for students who meet the eligibility criteria for a waiver as described in this policy. In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees and fines, the Superintendent will recommend to the Board which additional fees and fines, if any, the District will waive for students who meet the eligibility criteria for a waiver.

Notification

The Superintendent shall ensure that a notice of waiver applicability is provided to parents/guardians with every bill for fees and/or fines, and that applications for waivers are widely available and distributed according to State law and Ill. State Board of Education (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 and fine waiver when:

1. The student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program;
2. The student's parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line; or
3. The student is homeless, as defined in the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a).

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

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

Verification

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees and fines in accordance with State law requirements.

If a student receiving a waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student a prorated amount based upon the number of school days remaining in the school year.

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Determination and Appeal

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the ISBE rule on waiver of fees.

LEGAL REF.: 42 U.S.C. §11434a, McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.
23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:140 (Education of Homeless Children), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct)

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Operational Services

Administrative Procedure - Fines, Fees, and Charges - Waiver of Student Fees

Actor	Action
Superintendent or designee	Prepares and recommends to the School Board a list of school fees and fines to be charged to students for the use, damage, or loss of textbooks, consumable materials, field trips, extracurricular activities, graduation fees, and similar items. See 105 ILCS 5/1-3, amended by P.A. 102-805, eff. 1-1-23, and 23 Ill.Admin.Code §1.245(a) for a definition of *school fees*. **Initial notice:** For all students enrolling in the District for the first time, notifies their parents/guardians that the District will waive school fees and fines for persons unable to afford them in accordance with policy 4:140, *Waiver of Student Fees*. The initial notice must at least describe: (1) the Board's policy, including the criteria and other circumstances under which the District will waive school fees; (2) the school fees subject to a waiver; (3) the procedure to apply for a fee waiver, including the availability of a fee waiver request form and the documents required by the District in verifying income; and (4) the dispute resolution procedure. 23 Ill.Admin.Code §1.245(c)(2)(A). **Notice with every bill:** Includes a notice with every bill for fees and/or fines sent to parents/guardians that the District will waive school fees and fines for persons unable to afford them in accordance with policy 4:140, *Waiver of Student Fees*. The notice must include a description of the waiver application process or the name, address, and telephone number of the person to contact for information concerning a waiver. 23 Ill.Admin.Code §1.245(c)(2)(B). Determines whether the required inclusions in these notices will be satisfied by providing parents/guardians with a written copy of Board policy 4:140, *Waiver of Student Fees*, and 4:140-E1, *Application for Fee Waiver*.
Parents/Guardians seeking a school fee and fine waiver	**For waiver sought based on income guidelines for the federal free meals program or because parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line:** Complete 4:140-E1, *Application for Fee Waiver*, and return it to the Building Principal along with documents that will verify the family's income, such as, payroll stubs, tax returns, or evidence of receipt of food stamps or Temporary Assistance for Needy Families. 23 Ill.Admin.Code §1.245(d).

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	May apply for a waiver of school fees and fines by completing 4:140-E1, *Application for Fee Waiver*, at any time. **For waiver sought based on homeless status:** Contact the District Liaison for Homeless Children, [*insert name*], at [*insert contact information*].
Building Principal or designee	Determines the student's eligibility for fee waiver in accordance with policy 4:140, *Waiver of Student Fees*. Notifies parents/guardians within 30 calendar days if their *Application for Fee Waiver* is denied. 23 Ill.Admin.Code §1.245(c)(3). 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-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal*); and (3) a statement that they may reapply at any time if circumstances change. 23 Ill.Admin.Code §1.245(c)(3)(A). Ensures that any completed 4:140-E1, *Application for Fee Waiver,* and 4:140-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal,* are confidentially treated and maintained. 23 Ill.Admin.Code §1.245(f).
Parents/Guardians seeking a school fee and fine waiver	May appeal the denial of a waiver request. If requested, meets with the person who will decide the appeal in order to explain why the waiver should be granted. 23 Ill.Admin.Code §1.245(c)(3)(B).
Superintendent or designee	If the parents/guardians request to meet with the person who will decide the appeal to explain why the waiver should be granted, contacts the parents/guardians and schedules the meeting. 23 Ill.Admin.Code §1.245(c)(3)(B). Ensures that the person who decides the appeal is not the person who initially denied the waiver or a subordinate of this person. 23 Ill.Admin.Code §1.245(c)(3)(B). Responds in writing to parents/guardians' appeal within 30 calendar days of receipt of the appeal. 23 Ill.Admin.Code §1.245(c)(3)(B). Ensures that no discrimination or punishment of any kind, including the lowering of grades, exclusion from classes, or withholding of student records, transcripts, or diplomas, is exercised against a student whose parents/guardians are unable to purchase required textbooks or instructional materials or to pay required fees and fines. 105 ILCS 5/28-19.2(a), amended by P.A. 102-805, eff. 1-1-23; 23 Ill.Admin.Code §1.245(g).

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Operational Services

Exhibit - Application for Fee Waiver

This application for a school fee and fine 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. No fee or fine may be collected from a parent/guardian requesting a waiver until the District has acted on the initial request or appeal and the parent/guardian has been notified of its decision.

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
   See www.isbe.net/Pages/Household-Eligibility-Resources.aspx.

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5. My child's parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line, and proof of veteran/active-duty military status is enclosed.

   ☐Yes ☐No

If you answered "No" to all of the previous questions, please indicate the reason(s) you are applying for a waiver of school fees and fines.

_____

_____

_____

Income Verification for Fee and Fine 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
- Unemployment statement showing benefits
- Medicaid Card showing case number
- Direct Certification letter from the State of Illinois
- Temporary Food assistance for needy families
- Disability benefit statement
- Current tax returns
- Foster placement papers
- Food Stamp Evidence

You may be requested to provide updated income verification at any time, but no more often than once per academic year.

Supplying false information to obtain a fee and fine waiver is a Class 4 felony, except when more than $300 is obtained, in which case State benefits fraud is a Class 3 felony (720 ILCS 5/17-6).

I attest that the statements made herein are true and correct.

_____ _____

Parent/Guardian *(signature)* Date

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Operational Services

Exhibit - Application for Fee Waiver Based on Federal Free Meals Program

This application for a school fee and fine waiver is tied to a student's application for, eligibility for, or participation in the federal free meals program. Submit a completed application to the Building Principal. No fee or fine may be collected from a parent/guardian requesting a waiver until the District has acted on the initial request or appeal and the parent/guardian has been notified of its decision.

Student's Name *(please print)* School

Parent/Guardian Name *(please print)*

Address *(please print)*

I am requesting a waiver of school fees and fines because the above-named student:

☐ Currently lives in a household that meets the free lunch or breakfast income guidelines established by the federal government pursuant to the National School Lunch Act, 42 U.S.C. §1758(b); 7 C.F.R. §§ 245 and 245.6a (105 ILCS 5/10-20.3).

☐ Has parents/guardians who are veterans or active-duty military personnel with income at or below 200% of the federal poverty line, and proof of income and veteran/active-duty military status is enclosed.

If no box was checked, please indicate the reason(s) you are applying for a waiver of school fees and fines.

Supplying false information to obtain a fee and fine waiver is a Class 4 felony, except when more than $300 is obtained, in which case State benefits fraud is a Class 3 felony (720 ILCS 5/17-6).

I attest that the statements made herein are true and correct.

Parent/Guardian *(signature)* Date

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Operational Services

Exhibit - Response to Application for Fee Waiver, Appeal, and Response to Appeal

Response to Application for Fee Waiver (*To parents/guardians)*

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. 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 or Office Staff Member Date

Appeal of the Denial of a 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 school student fee described above.

☐ I would like to explain why the fee waiver should be granted during a phone/video conference or an in-person 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 in writing of the results of your appeal within 30 calendar days of receipt of your appeal.

Response to Appeal of the Denial of a Fee Waiver (*To parent(s)/guardian(s)*)

☐ Appeal received on: _____(*insert date*)_____.

☐ I have reviewed your appeal.

☐ **Request granted** ☐ **Request denied for the following reason(s):**

Superintendent Date

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Operational Services

Exhibit - Resolution to Increase Driver Education Fees

WHEREAS, Section 27-24.2 of the School Code provides that the School District may charge a reasonable fee, not to exceed $50, to students who participate in a driver education course;

WHEREAS, the Illinois General Assembly amended that same section of the School Code in P.A. 97-145 to allow a school board to increase the fee to an amount not to exceed $250 by school board resolution following a public hearing on the increase, provided that the fee is waived for students who are unable to pay for the course;

WHEREAS, the School Board held a public hearing to increase the driver education course fee to an amount not to exceed $250 on _____*[date]*_____;

WHEREAS, the Board already waives the driver education course fees for students who are unable to pay (Board policy 4:140, *Waiver of Student Fees*);

WHEREAS, the Administration provided evidence at the hearing that a fee of $250 for each student taking the driver education course when added to the reimbursement from the State for driver education will not exceed the total cost of the driver education program in any year;

THEREFORE, BE IT RESOLVED, that the School Board hereby increases the driver education fee to an amount not to exceed $250, effective on _____*[date]*_____, and waives this fee for any student who is unable to pay for the course according to the provisions in Board policy 4:140, *Waiver of Student Fees*.

Attested by: _____
Board President

Attested by: _____
Board Secretary

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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, (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, and (3) compliance with the 10-year safety survey process required by the School Code.

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 Ill. 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

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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., Americans with Disabilities Act of 1990, implemented by 28 C.F.R. Parts 35 and 36.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/10-20.63, and 5/17-2.11.
105 ILCS 140/, Green Cleaning Schools Act.
105 ILCS 230/, School Construction Law.
410 ILCS 25/, Environmental Barriers Act.
410 ILCS 35/25, Equitable Restrooms Act.
820 ILCS 130/, Prevailing Wage Act.
23 Ill.Admin.Code Part 151, School Construction Program; 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, Ill. 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)

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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.

Pesticides

Restricted use pesticides will not be applied on or within 500 feet of school property during normal school hours. 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/.

Coal Tar Sealant

Beginning on 1-1-23, before coal tar-based sealant products or high polycyclic aromatic hydrocarbon sealant products are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students in writing or by telephone as required by the Coal Tar Sealant Disclosure Act.

LEGAL REF.: 105 ILCS 5/10-20.17a; 5/10-20.48.
29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.700(b).
29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 135/, Toxic Art Supplies in Schools Act.
105 ILCS 140/, Green Cleaning School Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 60/14, Illinois Pesticide Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
410 ILCS 170/, Coal Tar Sealant Disclosure Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act. (*inoperative*)
23 Ill.Admin.Code §1.330.

CROSS REF.: 4:150 (Facility Management and Building Programs), 4:170 (Safety)

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Operational Services

Administrative Procedure - Environmental Quality of Buildings and Grounds

Hazardous and/or Infectious Materials

The Buildings and Grounds Supervisor is responsible for the District's compliance with State and federal law concerning toxic, hazardous, and/or infectious materials. This includes requirements in the federal Occupational Safety and Health Administration (OSHA) *Hazard Communication Standards* (29 C.F.R. §1910.1200), adopted by the State Toxic Substances Disclosure to Employees Act (820 ILCS 255/, otherwise inoperative). See information on OSHA's website at www.osha.gov/hazcom.

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) 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 four 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.

Prior notice is not required if an imminent threat to health or property exists. 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/) 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 of students before pesticides are applied in or on each building. The notification must:
        i. Be provided at least two business days before a pesticide application in or on school buildings.

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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.

Prior notice is not required if an imminent threat to health or property exists. 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/.

☐ *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 five 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 five 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 five 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.

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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 minimizing 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 generally exempt from the Plan and the Standards.
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 Security Plan*.

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LEGAL REF: 29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, adopted by the Ill. Department of Labor at 56 Ill.Admin.Code §350.300.
29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.
105 ILCS 5/10-20.17a and 5/10-20.49.
105 ILCS 135/, Toxic Art Supplies in School Act.
105 ILCS 140/, Green Cleaning School Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
23Ill.Admin.Code §1.330.

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Operational Services

Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors

Child sexual abuse and grooming behaviors harm students, their parents/guardians, the District's environment, its school communities, and the community at large, while diminishing a student's ability to learn. The Board has a responsibility and obligation to increase awareness and knowledge of: (1) issues regarding child sexual abuse, (2) likely warning signs that a child may be a victim of sexual abuse, (3) grooming behaviors related to child sexual abuse and grooming, (4) how to report child sexual abuse, (5) appropriate relationships between District employees and students based upon State law, and (6) how to prevent child sexual abuse.

To address the Board's obligation to increase awareness and knowledge of these issues, prevent sexual abuse of children, and define prohibited grooming behaviors, the Superintendent or designee shall implement an Awareness and Prevention of Sexual Abuse and Grooming Behaviors Program. The Program will:

1. Educate students with:

   a. An age-appropriate and evidence-informed health and safety education curriculum that includes methods for how to report child sexual abuse and grooming behaviors to authorities, through policy 6:60, *Curriculum Content*;

   b. Information in policy 7:250, *Student Support Services*, about: (i) District counseling options, assistance, and intervention for students who are victims of or affected by sexual abuse, and (ii) community-based Children's Advocacy Centers and sexual assault crisis centers and how to access those serving the District.

2. Train District employees about child sexual abuse and grooming behaviors by January 31 of each school year with materials that include:

   a. A definition of prohibited grooming behaviors and employee-student boundary violations pursuant to policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*;

   b. Evidence-informed content on preventing, recognizing, reporting, and responding to child sexual abuse, grooming behaviors, and employee-student boundary violations pursuant to policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 5:90, *Abused and Neglected Child Reporting*; 5:100, *Staff Development Program*; and 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and

   c. How to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations pursuant to policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.

3. Provide information to parents/guardians in student handbooks about the warning signs of child sexual abuse, grooming behaviors, and employee-student boundary violations with evidence-informed educational information that also includes:

   a. Assistance, referral, or resource information, including how to recognize grooming behaviors, appropriate relationships between District employees and students based upon policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, and how to prevent

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child sexual abuse from happening;

b. Methods for how to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations to authorities; and

c. Available counseling and resources for children who are affected by sexual abuse, including both emotional and educational support for students affected by sexual abuse, so that the student can continue to succeed in school pursuant to policy 7:250, *Student Support Services*.

4. Provide parents/guardians of students in any of grades K through 8 with not less than five days' written notice before commencing any class or course providing instruction in recognizing and avoiding sexual abuse, as well as the opportunity to object in writing.

LEGAL REF.: 105 ILCS 5/10-23.13, 5/22-85.5, 5/27-9.1a, and 5/27-13.2.
105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/11-25, Criminal Code of 2012.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 7:20 (Harassment of Students Prohibited), 7:250 (Student Support Services)

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Operational Services

Safety

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security 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 and crisis response 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 practices discussed for their building regarding the use of any available cellular telephones.

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 to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement lockdown drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators, school support personnel, or a parent/guardian.

Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school safety drill plan. This annual review shall be in accordance with the School Safety Drill Act (105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Ill. State Board of Education (ISBE). 29 Ill.Admin.Code Part 1500.

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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 and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one automated external defibrillator (AED) to be available at every physical fitness facility on the premises according to State law requirements.

The District shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by the District. The Superintendent or designee shall ensure that every AED on the District's premises is properly tested and maintained in accordance with rules developed by the IDPH. This policy does not create an obligation 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 IDPH. Implementation of the Act shall be directed toward improving the safety of movable 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 ISBE.
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.

Lead Testing in Water

The Superintendent or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Ill. Plumbing License Law and guidance published by the IDPH. The Superintendent or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective school buildings.

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that

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threatens the safety of students, staff members, or school property.

LEGAL REF.: 105 ILCS 5/10-20.2, 5/10-20.57, 5/18-12, and 5/18-12.5.
105 ILCS 128/, School Safety Drill Act; 29 Ill.Admin.Code Part 1500.
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.
225 ILCS 320/35.5, Ill. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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Operational Services

Administrative Procedure - Fines, Fees, and Charges - Waiver of Student Fees

Actor	Action
Superintendent or designee	Prepares and recommends to the School Board a list of school fees and fines to be charged to students for the use, damage, or loss of textbooks, consumable materials, field trips, extracurricular activities, graduation fees, and similar items. See 105 ILCS 5/1-3, amended by P.A. 102-805, eff. 1-1-23, and 23 Ill.Admin.Code §1.245(a) for a definition of *school fees*. **Initial notice:** For all students enrolling in the District for the first time, notifies their parents/guardians that the District will waive school fees and fines for persons unable to afford them in accordance with policy 4:140, *Waiver of Student Fees*. The initial notice must at least describe: (1) the Board's policy, including the criteria and other circumstances under which the District will waive school fees; (2) the school fees subject to a waiver; (3) the procedure to apply for a fee waiver, including the availability of a fee waiver request form and the documents required by the District in verifying income; and (4) the dispute resolution procedure. 23 Ill.Admin.Code §1.245(c)(2)(A). **Notice with every bill:** Includes a notice with every bill for fees and/or fines sent to parents/guardians that the District will waive school fees and fines for persons unable to afford them in accordance with policy 4:140, *Waiver of Student Fees*. The notice must include a description of the waiver application process or the name, address, and telephone number of the person to contact for information concerning a waiver. 23 Ill.Admin.Code §1.245(c)(2)(B). Determines whether the required inclusions in these notices will be satisfied by providing parents/guardians with a written copy of Board policy 4:140, *Waiver of Student Fees*, and 4:140-E1, *Application for Fee Waiver*.
Parents/Guardians seeking a school fee and fine waiver	**For waiver sought based on income guidelines for the federal free meals program or because parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line:** Complete 4:140-E1, *Application for Fee Waiver*, and return it to the Building Principal along with documents that will verify the family's income, such as, payroll stubs, tax returns, or evidence of receipt of food stamps or Temporary Assistance for Needy Families. 23 Ill.Admin.Code §1.245(d).

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	May apply for a waiver of school fees and fines by completing 4:140-E1, *Application for Fee Waiver*, at any time. **For waiver sought based on homeless status:** Contact the District Liaison for Homeless Children, [*insert name*], at [*insert contact information*].
Building Principal or designee	Determines the student's eligibility for fee waiver in accordance with policy 4:140, *Waiver of Student Fees*. Notifies parents/guardians within 30 calendar days if their *Application for Fee Waiver* is denied. 23 Ill.Admin.Code §1.245(c)(3). 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-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal*); and (3) a statement that they may reapply at any time if circumstances change. 23 Ill.Admin.Code §1.245(c)(3)(A). Ensures that any completed 4:140-E1, *Application for Fee Waiver,* and 4:140-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal,* are confidentially treated and maintained. 23 Ill.Admin.Code §1.245(f).
Parents/Guardians seeking a school fee and fine waiver	May appeal the denial of a waiver request. If requested, meets with the person who will decide the appeal in order to explain why the waiver should be granted. 23 Ill.Admin.Code §1.245(c)(3)(B).
Superintendent or designee	If the parents/guardians request to meet with the person who will decide the appeal to explain why the waiver should be granted, contacts the parents/guardians and schedules the meeting. 23 Ill.Admin.Code §1.245(c)(3)(B). Ensures that the person who decides the appeal is not the person who initially denied the waiver or a subordinate of this person. 23 Ill.Admin.Code §1.245(c)(3)(B). Responds in writing to parents/guardians' appeal within 30 calendar days of receipt of the appeal. 23 Ill.Admin.Code §1.245(c)(3)(B). Ensures that no discrimination or punishment of any kind, including the lowering of grades, exclusion from classes, or withholding of student records, transcripts, or diplomas, is exercised against a student whose parents/guardians are unable to purchase required textbooks or instructional materials or to pay required fees and fines. 105 ILCS 5/28-19.2(a), amended by P.A. 102-805, eff. 1-1-23; 23 Ill.Admin.Code §1.245(g).

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Operational Services

Administrative Procedure - Comprehensive Safety and Security Plan

A. Contents:

A. Safety- and Security-Related Administrative Procedures and Forms

B. Definitions

C. District Safety Coordinator and Safety Team; Responsibilities

D. Safety Team Meetings

E. Annual Safety Review

F. School Safety Drill Plan

G. School Emergency Operations and Crisis Response Plan (SEOCRP)

H. Material to be Included in Each SEOCRP

I. Managing Communications During and About an Emergency or Crisis

J. Required Notices

K. Resources

Attachment A – School Emergency Operations and Crisis Response Plan Format

Attachment B – Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program

A. Safety and Security Related Administrative Procedures and Forms

Administrative material on school safety and security may be implemented under this plan, including, without limitation, any in the following list.

4:60-AP3	*Criminal History Records Check of Contractor Employees*
4:110-AP1	*School Bus Post-Accident Checklist*
4:110-AP3	*School Bus Safety Rules*
4:110-E	*Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses*
4:160-AP	*Environmental Quality of Buildings and Grounds*
4:170-AP1, E1	*Accident or Injury Form*
4:170-AP1, E2	*Memo to Staff Members Regarding Contacts by Media About a Crisis*
4:170-AP2	*Routine Communications Concerning Safety and Security*
4:170-AP2, E1	*Letter to Parents/Guardians Regarding Student Safety*
4:170-AP2, E2	*Letter to Parents/Guardians Regarding the Dangers of Underage Drinking*
4:170-AP2, E3	*Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers*
4:170-AP4	*National Terrorism Advisory System*
4:170-AP5	*Unsafe School Choice Option*
4:170-AP6	*Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*

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4:170-AP6, E1	*School Staff AED Notification Letter*
4:170-AP6, E2	*Notification to Staff and Parents/Guardians of CPR and AED Video*
4:170-AP8	*Movable Soccer Goal Safety*
4:175-AP1	*Criminal Offender Notification Laws; Screening*
4:175-AP1, E1	*Informing Parents/Guardians About Offender Community Notification Laws*
4:180-AP1	*School Action Steps for Pandemic Influenza or Other Virus/Disease*
4:180-AP2	*Pandemic Influenza Surveillance and Reporting*
4:190	*Targeted School Violence Prevention Program*
4:190-AP1	*Targeted School Violence Prevention Program*
4:190-AP1, E1	*Targeted School Violence Prevention Program Resources*
4:190-AP2	*Threat Assessment Team (TAT)*
4:190-AP2, E1	*Principles of Threat Assessment*
4:190-AP2, E2	*Threat Assessment Documentation*
4:190-AP2, E3	*Threat Assessment Key Areas and Questions; Examples*
4:190-AP2, E4	*Responding to Types of Threats*
4:190-AP2, E5	*Threat Assessment Case Management Strategies*
4:190-AP2, E6	*Targeted School Violence Prevention and Threat Assessment Education*
6:235-E4	*Keeping Yourself and Your Kids Safe On Social Networks*
6:235-E5	*Children's Online Privacy Protection Act*
7:280-AP	*Managing Students with Communicable or Infectious Diseases*
7:290-AP	*Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*

B. Definitions

SEOCRP is a School Emergency Operations and Crisis Response Plan (formerly *Emergency Operations Plan*). Each school or facility has an SEOCRP.

First responders are local law enforcement, fire department officials, emergency medical services personnel, and any other entity in the community that provides emergency assistance.

Incident means any event or occurrence that threatens the safety and security of individuals on school property or at school events.

District Safety Coordinator is the individual who manages the District's safety and security efforts.

Safety Team is the Superintendent's administrative committee that is responsible for its respective SEOCRP. Each school or facility has a Safety Team.

SRO means school resource officer, defined as a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency.

C. District Safety Coordinator and Safety Team; Responsibilities

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The Superintendent appoints an administrator to be the **District Safety Coordinator** to manage the District's safety and security efforts and serve as the District's spokesperson during a crisis or emergency.

The Superintendent appoints members of a **Safety Team** for each school or facility, with input from the District Safety Coordinator and each school's Building Principal. The Building Principal and SRO, if any, shall be members of the Safety Team.

The District Safety Coordinator and each school's Safety Team are responsible for developing, implementing, and maintaining a **SEOCRP** with the following objectives as explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013),* at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

- **Prevention**, meaning the capabilities needed to avoid, deter, or stop an incident. Prevention requires the use of: (a) research-based principles of safety and security, (b) an ongoing analysis of data (e.g., incident and inspection reports, complaints, suggestions), and (c) an ongoing program for identifying and evaluating unreasonable risks.
- **Protection**, meaning the capabilities needed to secure schools against violence and manmade or natural disasters. Protection focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.
- **Mitigation**, meaning the capabilities needed to reduce the likelihood or impact of an incident or emergency. Mitigation requires, among other things, high-quality training, and instruction programs to execute and improve the SEOCRP.
- **Response**, meaning the capabilities needed to stabilize an incident, save lives, establish a safe and secure environment, and facilitate the transition to recovery. Effective response requires, among other things, a clear, rapid, factual, and coordinated system of internal and external communication.
- **Recovery**, meaning the capabilities needed to restore the learning environment.

D. **Safety Team Meetings**

The District Safety Coordinator chairs the Safety Team meetings. The meetings are held as determined by the District Safety Coordinator. **At least once annually, the Safety Team shall request the participation of first responders and the Board Attorney in a meeting to review and provide input.** The following matters are suggested agenda items:

- Review the agenda and determine who will take meeting notes.
- Review the notes from the previous meeting.
- Discuss the status of previously submitted recommendations.
- Receive, review, and discuss individual and Safety Team committee reports and recommendations concerning one or more items below.
    1. Safety and security data from incidents, investigations, audits, etc.
    2. Recommendations received from stakeholders and first responders
    3. Emerging issues
    4. Status of the SEOCRP
    5. Status of the safety and security communication system
    6. Status of training programs
    7. Status of programs to build awareness of, and support for, the SEOCRP (contests, posters, drives, etc.)

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- Clarify information and recommendations for a report to the Superintendent.
- Confirm the Safety Team meeting schedule and review upcoming meeting dates.

E. **Annual Safety Review**

The District Safety Coordinator facilitates the annual safety review meeting conducted by the School Board or its designee, as required by 105 ILCS 128/25, amended by P.A.s 101-455 and 102-395, and 128/30. During the annual safety review, the law requires the School Board or its designee to "review each school building's emergency and crisis response plans, protocols, and procedures, including procedures regarding the District's threat assessment team, the efficacy and effects of law enforcement drills, and each building's compliance with the school safety drill programs." If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The District Safety Coordinator assists the Board or its designee to comply with annual review requirements, including without limitation, the completion of a report certifying that the review took place. See the Ill. State Board of Education (ISBE) website for an annual review checklist and report at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. The Open Meetings Act (OMA) allows the Board to enter closed session to discuss 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, the public, or public property (5 ILCS 120/2(c)(8)). Consult the Board Attorney for assistance with this OMA exception.

F. School Safety Drill Plan

The School Safety Drill Act (105 ILCS 128/, amended by P.A.s 101-455, 102-395, and 102-791) and any implementing State administrative rules shall supersede this procedure in the event of a conflict.

The Building Principal shall keep the Superintendent or designee informed of when drills are scheduled and/or accomplished. ISBE's fillable *School Drill Documentation* form for documenting the completion of minimum drill requirements may be used (see www.isbe.net/Documents/91-02_school_drill_documentation.pdf).

Each academic year, each school building that houses students must conduct a minimum of:

1. **Three 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. They may include a fire, suspicious item or person, or incident involving a hazardous material, including but not limited to a chemical, incendiary, explosive, and bomb threat.

   One of the three school evacuation drills requires the participation of the appropriate local fire department, unless waived as provided below. A date is selected according to the following timeline:

   - No later than **September 1** of each year, the 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 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 four dates within the month of October, during at least two different weeks of October, on

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which to hold the drill. The fire official may choose any of the four 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 four 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. In addition, schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation, suspicious items or bomb threats.

2. **One school 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, suspicious items, and incidents involving hazardous materials. Schools may conduct additional bus evacuation drills.

   In addition, instruction on safe bus riding practices should be provided for all students. See 4:110-AP3, *School Bus Safety Rules*.

3. **One 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, wind shears, lightning, and earthquakes), incidents involving hazardous materials, and incidents involving weapons of mass destruction.

4. **One law enforcement lockdown drill.** This drill addresses a school shooting incident and evaluates the preparedness of school personnel and students for situations calling for the involvement of law enforcement when there is an active threat or an active shooter within a school building. A law enforcement lockdown drill must occur no later than 90 days after the first day of each school year. This drill must be conducted: (a) according to the District's emergency operations and crisis response plan(s), (b) on days and times when students are normally present in the school building, and (c) with the participation of all school personnel and students present at school at the time of the drill, except for those exempted at the discretion of administrators or school support personnel. The appropriate local law enforcement agency must observe administration of the drill.

   Schools must notify parents/guardians in advance of any lockdown drill that involves student participation, and must allow parents/guardians to exempt their child from participating for any reason. For students who do not participate in the lockdown drill, districts must provide alternative safety education and instruction related to an active threat or active shooter event. For students who do participate in the lockdown drill, districts must allow them to ask questions related to it. See 4:170-AP2, E5, *Notice to Parent/Guardian of Lockdown Drill; Opt-out*. In addition, a law enforcement lockdown drill must meet each of the following criteria:

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- During each calendar year, the appropriate local law enforcement agency contacts the Building Principal to request participation in the law enforcement lockdown drill. The Building Principal and the local law enforcement agency shall set, by mutual agreement, a date for the drill.
- The lockdown drill involves the onsite participation of the local law enforcement agency, provided that an agreeable date can be reached between the Building Principal and the local law enforcement agency. If the parties cannot reach an agreeable date, the school shall hold the drill without participation from the local law enforcement agency.
- After a drill in which local law enforcement participated, the Building Principal should request a certification from local law enforcement that the law enforcement lockdown drill was conducted. The local law enforcement agency shall also notify the school of any deficiencies noted during the drill.
- The lockdown drill cannot include any simulations that mimic an actual school shooting incident or active shooter event. Law enforcement may only run an active shooter simulation, including simulated gun fire drills, on school days when students are not present.
- All lockdown drills must be announced in advance to all school personnel and students prior to the commencement of the drill.
- Lockdown drill content must be age and developmentally appropriate, and must include trauma-informed approaches to address the concerns and well-being of school personnel.
- Lockdown drills must include and involve school personnel, including school-based mental health professionals.

The District Safety Coordinator, in cooperation with the Building Principal, shall encourage local law enforcement agencies to establish a school walk-through program. This program encourages local law enforcement officials to walk through school properties during their patrols with the goal of increasing security (school districts are encouraged, but not mandated, to do this by House Resolution 153 (98th General Assembly, 2013)).

G. **School Emergency Operations and Crisis Response Plan (SEOCRP)**

Each Safety Team shall develop, implement, and maintain a SEOCRP using the process below, as explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013),* at: www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

1. Develop a schedule and invite the participation of first responders.
2. Identify threats and hazards, assess risks, and prioritize threats and hazards.
3. Determine goals and objectives.
4. Develop, review, evaluate, and maintain the SEOCRP.
5. Share the SEOCRP with stakeholders and train them. This includes, without limitation, having the SEOCRP accessible in a digital format.

Each SEOCRP shall be in the format suggested by and explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013)*, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. See also *The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide (2019)*, at: https://rems.ed.gov/docs/District_Guide_508C.pdf; and the **Attachment** to this procedure.

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H. Material to be Included in Each SEOCRP

Each school Safety Team annually gathers and/or renews the following material for inclusion in the SEOCRP:

1. District-level Targeted School Violence Prevention Plan. See Board policy 4:190, *Targeted School Violence Prevention Program*, and 4:190-AP1, *Targeted School Violence Prevention Program*.
2. Building-level Threat Assessment Team procedures. See 4:190-AP2, *Threat Assessment Team (TAT)*.
3. Building evacuation protocol. The Building Principal or designee shall: (a) keep a comprehensive evacuation map - describing main and alternate routes - in the main office, (b) post signs containing main and alternate evacuation routes for each occupied area in a conspicuous place, preferably near the exit, (c) prepare evacuation plans for outdoor areas (playgrounds and stadiums), and (d) keep all staff informed of the evacuation plans.
4. Documents concerning safety drills. The Principal shall schedule, execute, and document safety drills as per the School Safety Drill Act (105 ILCS 128/, amended by P.A.s 101-455, 102-395, and 102-791) and this procedure.
5. Maps and layouts, including: (a) campus map, (b) building floor plan, (c) location of first aid kits, AEDs, and fire extinguishers, and (d) map or plan describing the areas to be used in the event of an emergency or crisis for triage, emergency helicopter landing, media center, non-victim students, and parents/guardians. The Safety Team or Principal shall annually give a copy of these to first responders.
6. A protocol to secure a list of people present in the building at any time.
7. Tornado response plan, including a map showing tornado wall locations (105 ILCS 128/25).
8. Carbon monoxide alarm or detector activation plans, protocols, and procedures (105 ILCS 5/10-20.57 and 430 ILCS 135/).
9. The safety equipment's maintenance schedule and the person(s) responsible.
10. An emergency early dismissal protocol.
11. A plan for inviting warnings or tips, e.g., a hotline or website for individuals to make anonymous tips.
12. A protocol for student supervision in the event of an emergency or crisis.
13. A safety patrol plan (105 ILCS 5/10-22.28).
14. Bicycle use rules.
15. Roadway and parking rules.
16. Procedures on student illness and injuries at school and school events (23 Ill.Admin.Code §1.530(c)).
17. A plan for giving students instructions on safe school bus riding practices, including the operation and use of emergency doors and windows (as a means of escape), seat belts, and fire extinguisher (105 ILCS 128/20(b)). The District's parent-teacher advisory committee, in cooperation with school bus personnel, establishes and maintains bus safety rules (105 ILCS 5/10-20.14). See 4:110-AP3, *School Bus Safety Rules*.

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18. Safety and security related administrative material. See section A, above.
19. The location of any door security locking means and the use of the locking and unlocking means from within and outside the room(s) (105 ILCS 5/10-20.72, added by P.A. 101-548 and renumbered by P.A. 102-558).
20. Other documents identified by the Safety Team.

I. Managing Communications During and About an Emergency or Crisis

The District Safety Coordinator, with assistance from the Safety Team, is responsible for compiling information and preparing communications concerning an emergency or crisis. The District Safety Coordinator serves as the spokesperson during a crisis or emergency. All District communications should come from this source to ensure accuracy, creditability, and compliance with laws granting confidentiality to student records.

The spokesperson shall follow best practices for spokespersons during an emergency or crisis and receive training on public relations. The Board Attorney serves as a resource to the spokesperson. The objective is:

- To provide the maximum amount of verified information to staff members, students' family members, and the media as quickly as possible,
- While simultaneously respecting student privacy and complying with laws granting confidentiality to student records (Ill. School Student Records Act, 105 ILCS 10/; Family Educational Rights and Privacy Act, 20 U.S.C. §1232g). See 7:340-AP1, *School Student Records*.

All staff members are requested to refrain from spreading information about an emergency or crisis unless the information is from the District Safety Coordinator. All inquiries should be directed to the spokesperson.

Everyone in the school community can positively affect an emergency or crisis situation by:

1. Avoiding speculation as to the cause.
2. Avoiding allocation of blame.
3. Helping school and law enforcement officials gather the facts.
4. Sticking to the facts during discussions.
5. Deferring all media requests to the spokesperson.
6. Comforting and supporting each other.

J. Required Notices

A school staff member shall immediately notify the Building Principal when 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. 105 ILCS 5/10-27.1A(a).
2. Has reason to suspect that any person on school grounds is or was involved in a drug-related incident. 105 ILCS 5/10-27.1B.
3. Observes an attack on any staff member or is subject to an attack. 105 ILCS 5/10-21.7, amended by P.A. 102-894.

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Upon receiving a report of No. 1, above, the Building Principal or designee shall immediately notify local law enforcement. In addition, upon receiving a report on any of the above Nos. 1-3, the Building Principal or designee must notify the Superintendent or designee. See 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*.

Upon receiving a report of Nos. 1-3, above, the Superintendent or designee shall immediately notify local law enforcement. The Superintendent will also report incidents involving attacks on staff members to ISBE through its web-based School Incident Reporting System (SIRS) as they occur during the year and no later than August 1 for the preceding school year. 105 ILCS 5/10-21.7, amended by P.A. 102-894. SIRS is available at www.isbe.net/Pages/School-Incident-Reporting-System.aspx or by going to ISBE's home page and accessing the District's Web Application Security (IWAS) account.

K. Resources

Guide for Developing High-Quality School Emergency Operations Plans: At a Glance www.rems.ed.gov/K12GuideForDevelHQSchool.aspx

Guide for Developing High-Quality School Emergency Operations Plans www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf

The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide https://rems.ed.gov/docs/District_Guide_508C.pdf

Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center Tool Box www.rems.ed.gov/toolbox.aspx

ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Training Institute www.alicetraining.com

ISBE/OSFM All Hazard Preparedness Guide for Illinois Schools www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx

Illinois Emergency Management Agency (IEMA) www2.illinois.gov/ready/Pages/default.aspx

Schools/Campus – Resources, including School Safety Information Sharing www2.illinois.gov/ready/plan/Pages/Schools.aspx

Safe2Help Illinois, designed to offer students a safe, confidential way in which to share information that might help prevent suicides, bullying, school violence, or other threats to school safety, www.safe2helpil.com/

Illinois Terrorism Task Force (ITTF) www2.illinois.gov/iema/ITTF/Pages/default.aspx

National Association of School Psychologists (NASP) - Recommendations for Comprehensive School Safety and Crisis Policies www.nasponline.org/resources-and-publications/resources/school-safety-and-crisis

U.S. Secret Service (USSS) National Threat Assessment Center www.secretservice.gov/protection/ntac

Bomb Threat Response Planning Tool, developed by the U.S. Dept. of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives and the U.S. Dept. of Education's Office of Safe and Drug Free Schools www.threatplan.org/default.htm

School Crisis Guide - Help and Healing in a Time of Crisis, published by NEA Health Information Network www.nea.org/resource-library/neas-school-crisis-guide

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Attachment A

School Emergency Operations and Crisis Response Plan Format

Basic Plan

1. Introductory Material
1.1 Promulgation Document and Signatures
1.2 Approval and Implementation
1.3 Record of Changes
1.4 Record of Distribution
1.5 Table of Contents
2. Purpose, Scope, Situation Overview, and Assumptions
2.1 Purpose
2.2 Scope
2.3 Situation Overview
2.4 Planning Assumptions
3. Concept of Operations
4. Organization and Assignment of Responsibilities
5. Direction, Control, and Coordination
6. Information Collection, Analysis, and Dissemination
7. Training and Exercises
8. Administration, Finance, and Logistics
9. Plan Development and Maintenance
10. Authorities and References

Functional Annexes

Note: This is not a complete list, but it is recommended that all SEOCRPs include at least the following functional annexes:

1. Communications
2. Evacuation
3. Shelter-in-Place
4. Lockdown
5. Accounting for All Persons
6. Reunification
7. Continuity of Operations (COOP)
8. Security
9. Recovery
10. Health and Medical

Threat- or Hazard-Specific Annexes

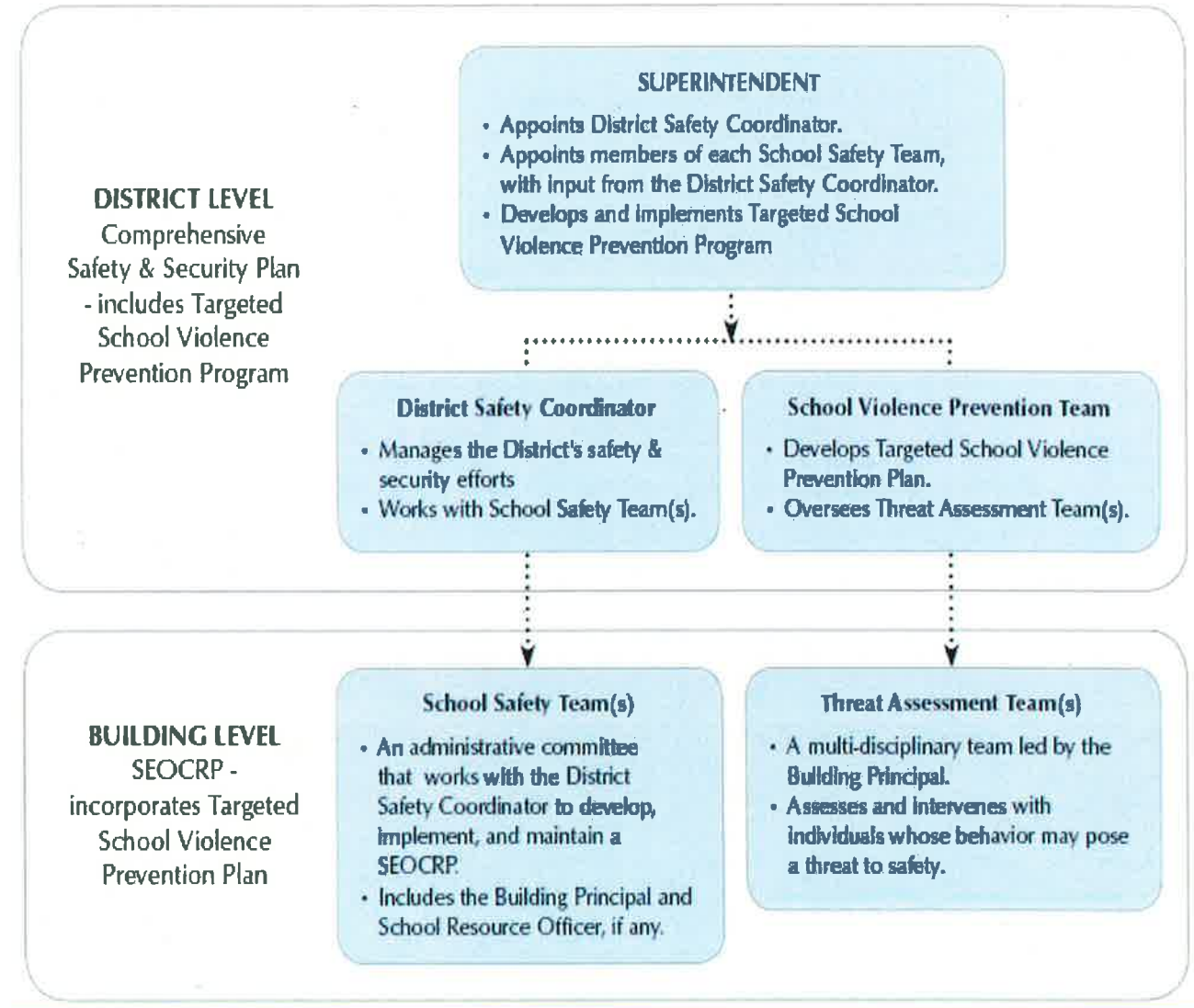
Note: This is not a complete list. Each school's annexes will vary based on its hazard analysis.

1. Hurricane or Severe Storm
2. Earthquake
3. Tornado
4. Hazardous Materials Incident
5. Mass Casualty Incident
6. Active Shooter
7. Pandemic or Disease Outbreak

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Attachment B

Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program



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Operational Services

Exhibit - Accident or Injury Form

The supervisory staff member must complete this form for submission to the Superintendent whenever any person is injured on District property or at a District-sponsored event.

Name of injured person _____

Date of Birth _____ Telephone _____

Address _____

Class, activity, or event _____

Accident location _____

Accident date _____ Time of accident _____

How did the accident occur? (Describe sequence of events) _____

_____

_____

Emergency contact notified? ☐ Yes ☐ No If no, explain why: _____

_____

If yes, provide the following:

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 administered and by whom: _____

_____

_____

Supervisor (*please print*)

_____ _____

Signature Date

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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 could imply that 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, person designated for the District's public relations, or other designated spokesperson.
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 period of attendance at the school. If the parent/guardian of a student under age 18, or a student aged 18 or older, gives permission, then certain *directory* information (address, participation in sports or activities, awards received, etc.) may also be released. In the event of such approval, that information will be given to the media by the Superintendent or the designated spokesperson.
3. Best practices are to avoid specific comments about students, such as the following: "_____ was a B student," "_____ was having trouble in class, and had been referred to the social worker last week," and "_____ was constantly in trouble for dealing drugs and smoking on school grounds." Do not speculate, assume, or hypothesize. If a reporter persists with these questions, say something like, "Board policy prohibits me from specifically commenting on any student. Furthermore, I wish to respect the family's 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 Safety Program Coordinator, person designated for the District's public relations, or the designated spokesperson.
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's death, the coach might say, "_____'s death is very tragic, and the team and I will miss him/her/them."
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 Safety Program Coordinator, person designated for the District's public relations, or the designated spokesperson.
9. Media ordinarily should not be in a school building following a crisis (see *Appendix F: Planning for the Psychological Aftermath of School Tragedy* of the Ill. State Board of Education *School Emergency and Crisis Response Plan Guide*, available at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx). If you are approached by a member of the media in a school building, immediately notify the Building Principal or other administrator.

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10. 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.
11. Remember, you do not have to answer any questions at all and may choose to simply refer all reporters to the Safety Program Coordinator, person designated for the District's public relations, or the designated spokesperson.

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Operational Services

Administrative Procedure - Routine Communications Concerning Safety and Security

This procedure's purpose is to identify and organize the District's routine communications to stakeholders regarding safety and security. These routine communications are an integral part of the District's coordinated communication system. Communications to stakeholders that do not concern safety or security are organized with their respective topics.

Form, Memo, or Letter	Explanation
4:15-E1 - *Letter to Employees Regarding Protecting the Privacy of Social Security Numbers* 4:15-E2 - *Statement of Purpose for Collecting Social Security Numbers* 4:15-E3 - *Statement for Employee Manual or District Website Describing the District's Purpose for Collecting Social Security Numbers*	Board policy makes the Superintendent responsible for ensuring that the District complies with the Identity Protection Act, 5 ILCS 179/. The letter informs staff members about their obligation to protect the privacy of social security numbers. 4:15-E2 and 4:15-E3 fulfill the requirement in the Identity and Protection Act to provide a statement of the purposes for which the District is collecting and using social security numbers.
4:110-E - *Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses*	The parent/guardian of a student with special needs or medical conditions completes this form to provide information to bus drivers and emergency medical technicians. One copy is kept at the school and another copy on the student's school bus in a secure location. 105 ILCS 5/10-20.35 encourages, but does not require, this communication.
4:170-AP1, E1 - *Accident or Injury Form*	This form documents an accident or injury. It provides useful information for examining and evaluating risks. Many insurance companies require completion of their own forms.
4:170-AP1, E2 - *Memo to Staff Members Regarding Contacts by Media About a Crisis*	This memo is intended to encourage staff members to refer questions from the media to the District spokesperson to avoid disseminating incomplete or inaccurate information, or unintentionally violating student privacy rights.
4:170-AP2, E1 - *Letter to Parents/Guardians Regarding Student Safety*	This letter is intended to gain the support and cooperation of parents/guardians concerning the District's safety and security plan. It should align with 4:170-AP1, *Comprehensive Safety and Security Plan*.
4:170-AP2, E2 - *Letter to Parents/ Guardians Regarding the Dangers of Underage Drinking*	This letter informs parents/guardians about: (1) the dangers of underage drinking, (2) the prohibition on serving alcohol to minors, and (3) the punishment for violating these laws.

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	House Resolution 98-162 encourages, but does not require, this communication.
4:170-AP2, E3- *Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers*	This letter informs parents/guardians about social media apps that can be harmful and disruptive. It describes *hyperlocal* social media apps, e.g., YikYak, that use GPS on cell phones to target groups in specific areas and *temporary* social media apps that offer a false sense of anonymity or a false belief that content *disappears* after a certain set time limit, e.g., *ask.fm* and *Snapchat*.
4:170-AP2, E4 - *Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting*	Informing parents/guardians about sexting may help gain their support and cooperation to end sexting and its resulting disruption to the educational environment.
4:170-AP2, E5 – *Notice to Parents/Guardians of Lockdown Drill; Opt-out*	This notification informs parents/guardians in advance of any law enforcement lockdown drill addressing a school shooting incident that involves student participation, as required by 105 ILCS 128/20(c).
4:170-AP6, E1 - *School Staff AED Notification Letter*	This letter informs staff members of AED locations and instructions for responding to medical emergencies, as required by 77 Ill.Admin.Code §527.800(b).
4:170-AP6, E2 - *Notification to Staff and Parents/Guardians of CPR and AED Video*	This notification informs parents/guardians and staff of the training video on hands-only cardiopulmonary resuscitation and automated external defibrillators available on the Ill. High School Association (IHSA) website. Required by 105 ILCS 25/1.10.
4:175-AP1, E1 - *Informing Parents/Guardians About Offender Community Notification Laws*	This notification informs parents/guardians that information about sex offenders and violent offenders against youth is available on the Ill. State Police's website. It is provided during school registration or parent-teacher conferences, as required by 730 ILCS 152/.
6:235-AP1 - *Acceptable Use of the District's Electronic Networks* 6:235-AP1, E1 - *Student Authorization for Access to the District's Electronic Networks* 6:235-AP1, E2 - *Staff Authorization for Access to the District's Electronic Networks* 6:235-E3 - *Online Privacy Statement*	Internet safety is promoted by wide distribution of the District's rules and guidelines.
6:235-E4 - *Keeping Yourself and Your Kids Safe on Social Networks*	Many parents/guardians are unaware that the Children's Online Privacy Protection Act gives them control over the types of information that websites can collect from their children. This document's purpose is to provide information

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	to parents/guardians about this Act.
6:250-E - *Resource Person and Volunteer Information Form and Waiver of Liability*	Board policy makes the Superintendent responsible for establishing procedures for securing and screening resource persons and volunteers. This form is completed by an individual who wants to be a resource person and/or volunteer in a school.
7:180-AP1, E2 - *Be a Hero by Reporting Bullying*	The District's anti-bullying program seeks to stop bullying and school violence. This exhibit's purpose is to encourage reporting by both witnesses and victims.
7:180-AP1, E3 - *Memo to Staff Regarding Bullying*	The District's anti-bullying program seeks to stop bullying and school violence. This exhibit informs staff members about the District's anti-bullying program and its expectations of staff members.
7:180-AP1, E4 - *Memo to Parents/Guardians Regarding Bullying*	The District's anti-bullying program seeks to stop bullying and school violence. This exhibit informs parents/ guardians of the District's anti-bullying program and encourages them to help the District identify students who are being bullied.
7:180-AP1, E5 - *Report Form for Bullying*	The District's anti-bullying program seeks to stop bullying and school violence. This form is completed by the bullying target, witness, or other person and submitted to the Building Principal's office. Its purpose is to expedite bullying reports.
7:185-E - *Memo to Parents/Guardians Regarding Teen Dating Violence*	This memo informs students and their parents/guardians about the Board's policy prohibiting teen dating violence. Required by 105 ILCS 110/3.10(b)(5).
7:270-E1 - *School Medication Authorization Form*	This form offers a systematic process for parents/guardians to provide notice and instructions to the school nurse or other staff member regarding medications, asthma inhalers, and/or epinephrine injectors.
7:270-E2 - *School Medication Authorization Form - Medical Cannabis*	This form offers a systematic process for parents/guardians to provide notice and instructions to the school nurse or other staff member regarding student's use of medical cannabis.
7:280-E3 - *Preventing Staphylococcal Infections for Schools*	This exhibit contains information for students and their parents/guardians and staff members concerning preventing staphylococcal infections in schools.
7:300-E1 - *Agreement to Participate*	This exhibit documents that a student athlete and his or her parent/guardian were informed about the risks inherent in sports and received IHSA's: (1) information about performance enhancing substances testing program, and (2) Concussion Information Sheet. It also asks the parent/guardian for emergency contacts.

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7:300-E2 - *Certificate of Physical Fitness for Participation in Athletics*	This certificate provides documentation that the parent/guardian believes that his or her student athlete is in good health and capable of participating in the sport or activity. The parent/guardian also provides a short medical history and current medications for the student athlete.
7:300-E3 - *Authorization for Medical Treatment*	Parents/guardians sign this form to authorize medical treatment of their child who is a student athlete.
8:30-E1 - *Letter to Parent Regarding Visits to School by Child Sex Offenders*	This exhibit informs parents/guardians that State law restricts when a child sex offender may be on school property. It provides instructions to any parent/guardian who is a child sex offender.
8:30-E2 - *Child Sex Offender's Request for Permission to Visit School Property*	A child sex offender uses this exhibit to request permission to visit school property. He or she must provide the reason(s) for seeking permission to visit school property.

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Operational Services

Exhibit - Letter to Parents/Guardians Regarding Student Safety

On District letterhead

Date

Re: Student Safety

Dear Parent(s)/Guardian(s):

Student safety is our District's top priority. Our District has developed a *Comprehensive Safety and Security Plan*. 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.

School Emergency Operations and Crisis Response Plan (SEOCRP)

The District has plans for all four phases of emergency and disaster management:

1. Prevention - the capabilities needed to avoid, deter, or stop an incident.
2. Preparation - the capabilities needed to: (a) protect students, teachers, staff, visitors, networks, and property against threats or hazards, and (b) mitigate the likelihood of an incident or to reduce the impact of one.
3. Response - the capabilities needed to stabilize an incident, save lives, establish a safe and secure environment, and facilitate the transition to recovery.
4. Recovery - the capabilities needed to restore the learning environment.

These phases are covered in each SEOCRP. In addition, the District has a District Safety Coordinator and each school has a Safety Team. State law requires the District to annually review its plans.

Communications to Stakeholders

The District will share emergency information via its website, information hotline, the media, and/or 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 busy supervising students. We will attempt to provide information through the District's information hotline, _____, and/or website _____.

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

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instructions of the District Safety 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:

Information Hotline Number:

Sincerely,

Superintendent

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Operational Services

Exhibit - Letter to Parents/Guardians Regarding the Dangers of Underage Drinking

On District letterhead

Date

Re: Underage Drinking

Dear Parent(s)/Guardian(s):

A child's well-being in and out of school is important to us. One area of concern for parents/guardians and educators across the country is underage drinking. Alcohol use can cause destructive behavior that has consequences for a child's health, behavior, and school performance regardless of when and where consumption takes place. It can also lead to an increase in risky behavior.

According to the Centers for Disease Control and Prevention (CDC), 1 in 10 teens in high school drinks and drives. Teen drivers are three times more likely than experienced drivers to be in a fatal crash, and drinking any alcohol greatly increases this risk for teens. The CDC and the National Institutes of Health indicate that regular alcohol consumption by minors also corresponds to increased rates of suicide, sexual assault, high-risk sex, fighting, crime, and alcohol dependence. No one fully understands the lifetime consequences of alcohol consumption on the developing brain, but studies have shown weakened memory and worsening of school performance due to increased truancy and learning impairments.

It is illegal for any person under 21 years of age to acquire, possess, or consume alcoholic beverages. District policies prohibit alcohol use by students. District policies also prohibit students from (a) alcohol use, possession, distribution, purchase, or sale at school or school functions, and (b) attending school or school functions under the influence of alcohol. Below is a listing of some relevant Illinois laws that apply to underage drinking.

Driving While Under the Influence (DUI)

Any person under the age of 21 who has consumed alcohol and operated or been in actual physical control of a motor vehicle may be requested to submit to tests to determine alcohol content. If that person refuses the test or has an alcohol concentration greater than .00, his or her driver's license will be suspended for three months to one year. 625 ILCS 5/11-501.1(c).

Driving while under the influence of alcohol is a Class A misdemeanor punishable by a fine and jail for up to 364 days. By driving a motor vehicle anywhere in Illinois, a person gives *implied consent* to a test to determine the alcoholic/drug content of his/her blood. If a person refuses to submit to the test, his/her license will automatically be suspended. 625 ILCS 5/11-501.

Consumption of Alcohol by a Minor

Consumption of alcohol by a minor is a Class A misdemeanor. Minors convicted of alcohol possession in a public space face up to 364 days in jail and a $2,500 fine, plus court costs and court-ordered evaluations and counseling. If a person under the age of 21 pleads guilty to, or is found guilty of, consuming alcohol while under the age of 21, he or she will lose his or her driving privileges for at least three months, even if the person was not driving, and even if he or she gets court supervision (a non-conviction sentence). 235 ILCS

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5/6-20(f) and 625 ILCS 5/6-206(a)(43).

Fake Identification

Conviction for using a fake ID to obtain alcohol is a Class A misdemeanor. Punishment carries a fine of not less than $500 and requires at least 25 hours of community service. It may also affect driving privileges. If possible, any community service must be performed for an alcohol abuse prevention program. 235 ILCS 5/6-16(a)(i) and 625 ILCS 5/6-206(a).

Criminal Liability for Parent(s)/Guardian(s)

Any parent/guardian or other adult who furnishes alcohol to a minor, or who allows his or her residence to be used for the unlawful possession or consumption of alcohol by minors, may be charged with a Class A misdemeanor, punishable by a fine of not less than $500 and jail for up to 364 days. Where a violation directly or indirectly results in great bodily harm or death to any person, the crime is a Class 4 felony, punishable by one to three years in prison and up to a $25,000 fine. 235 ILCS 5/6-16(a-1).

Civil Liability for Parent(s)/Guardian(s)

Any parent/guardian or other adult who provides alcohol (such as at a home party) may be liable in a civil action for monetary damages. The action may be sought by someone who suffers personal injury, loss of support, or property loss through the actions of an intoxicated minor whose intoxication resulted from a parent/guardian or other adult giving the minor alcohol. 235 ILCS 5/6-21.

Illegal Transportation of Open Liquor

It is unlawful for any person to transport, carry, possess, or have any alcoholic liquor within the passenger area of any motor vehicle except in the original container and with the seal unbroken. 625 ILCS 5/11-502.

In conclusion, our District encourages you to talk with your child and partner with the school community to prevent underage drinking by our students. For more information on underage drinking and how to talk to your child about it, please see the following links:

pubs.niaaa.nih.gov/publications/MakeADiff_HTML/makediff.htm

www.responsibility.org/prevent-underage-drinking

https://www.stopalcoholabuse.gov/

Sincerely,

Superintendent

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Operational Services

Exhibit - Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers

On District letterhead

Date

Re: Disruptive Social Media Apps; Dangers

Dear Parent(s)/Guardian(s):

Staying on top of social medial trends is important for parents/guardians. The District wants you to know that the following social media apps have the potential to disrupt the school environment by becoming a platform for bullying, unlawful behaviors, and other dangers.

* *Hyperlocal* social media apps, e.g., *YikYak*, present safety and security concerns for our students. Hyperlocal apps use GPS on cell phones to target groups in specific areas.
* *Temporary* social media apps, e.g., *ask.fm*, *Snapchat*, and *Whisper* often present a false belief of anonymity. Temporary apps allow people to send messages and images that self-destruct after a set window of time.

Children need to understand that their online choices are important. Content never truly goes away and no one online is anonymous. Law enforcement agencies have the ability to pinpoint users and content creators, and they do investigate crimes involving the Internet and social media app usage.

The District encourages you to review the resources below and talk with your children. Let's partner together to help children understand how their digital footprints affect their and others' futures. As you discuss this topic with your child, please remind him or her how to report his or her concerns:

1. Tell your child to take a screen shot (if possible) or video (when screen shot not possible) of the content and show you or another trusted adult. Always encourage open conversations about what is happening online. When age-appropriate, discuss that possession and forwarding of sexted images violates federal and state child pornography laws.
2. Use the reporting mechanisms within the social media apps.
3. When a situation begins to disrupt your child's education, report it to your child's school.

Resources about Social Media Apps and Protecting Your Child Online

www.commonsensemedia.org, discusses apps, movies, and more! Type in the app you want to learn more about, and this website will summarize it for you.

www.consumer.ftc.gov/topics/protecting-kids-online, contains resources for adults seeking to help children make safe and responsible online choices.

Sincerely,

Building Principal

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Operational Services

Exhibit - Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting

On District letterhead

Date

Re: Preventing and Reducing Incidences of Sexting

Dear Parent(s)/Guardian(s):

Sexting is generally defined as sending, sharing, viewing, receiving, or possessing *indecent visual depictions* of oneself or another person using a cell phone. A student will be disciplined for sexting at school.

Discussing sexting and its legal and social consequences with your children may prevent and reduce incidences of it at school and elsewhere. A recent survey revealed that about 20 percent of teen boys and girls have sent sext messages. It can cause enormous emotional pain for the students involved, often with legal implications. The following talking points from the American Academy of Pediatrics may help start the discussion:

* Talk to your children, even if the issue hasn't directly impacted your community. Ask "have you heard of sexting?" "Tell me what you think it is." Learn what your child's understanding is and add an age-appropriate explanation. For more information about starting age-appropriate discussions, see *Talking to Kids and Teens About Social Media and Sexting – Tips from the American Academy of Pediatrics* at: www.aap.org/en-us/about-the-aap/aap-press-room/news-features-and-safety-tips/Pages/Talking-to-Kids-and-Teens-About-Social-Media-and-Sexting.aspx.
* Make sure children of all ages understand that the District's student behavior policy prohibits sexting, and that it is further punishable in Illinois through the Juvenile Court Act and the Criminal Code of 2012.
* Collect cell phones at gatherings of tweens and teens. Experts have noted that peer pressure can play a major role in sexting, with attendance at parties being a major contributing factor.
* Monitor the media for stories about sexting that illustrate the consequences for both senders and receivers of these images. Ask "Have you seen this story?" "What did you think about it?" "What would you do if you were this child?"
* Rehearse ways your child can respond if asked to participate in sexting.

For more information on sexting, how to talk to your children about it, and how to say no to sexting, please see the following links:

www.commonsensemedia.org/blog/talking-about-sexting
www.education.com/magazine/article/child-sexting-parents/
www.athinline.org/facts/sexting
https://planetnutshell.com/portfolio/say-no-to-sexting-grades-7-12/
https://medicalxpress.com/news/2017-12-teen-girls-bombarded-sexting.html

Sincerely,

Superintendent

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Operational Services

Exhibit - Notice to Parents/Guardians of Lockdown Drill; Opt-out

Distribute to parents/guardians in advance of any law enforcement lockdown drill addressing a school shooting incident that involves student participation, as required by 105 ILCS 128/20(c).

Date:

Re: Law Enforcement Lockdown Drill

Dear Parent(s)/Guardian(s):

The School Safety Drill Act requires that within the first 90 days of every academic year, we conduct at least one law enforcement lockdown drill. This drill addresses a school shooting incident and evaluates the preparedness of school personnel and students for situations involving law enforcement when there is an active threat or an active shooter within a school building. Please be assured that the lockdown drill:

- Does not include any simulations that mimic an actual school shooting incident or active shooter event,
- Is announced in advance to all school personnel and students before it begins,
- Includes content that is age and developmentally appropriate,
- Includes and involves school personnel, including school-based mental health professionals,
- Includes trauma-informed approaches to address the concerns and well-being of school personnel, and
- Permits students to ask questions related to it.

This year's lockdown drill will take place on *(insert date)* . If you do not want your child to participate in the lockdown drill, please complete the following **Opt-out Request** and return it to your child's classroom teacher by *(insert date)* .

I request that the District opt-out my child from the law enforcement lockdown drill. I understand that my child will be provided with alternative safety education and instruction related to an active threat or active shooter event.

_____

Student (*please print*)

_____

Parent/Guardian (*please print*)

_____ _____

Parent/Guardian Signature Date

If you have any questions, please feel free to contact me.

Sincerely,

Building Principal

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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 current developments or general 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 specific information, if available, about the nature of the threat, including 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 target.

A threat is *imminent* if the threat is believed to be specific and impending.

NTAS advisories are issued by the U.S. Dept. of Homeland Security at: www.dhs.gov/national-terrorism-advisory-system.

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, 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 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	Update the school emergency operations and crisis response plan (SEOCRP), specifically the emergency and disaster response procedures. See 4:170-AP1, *Comprehensive Safety and Security Plan*, at Sections G and H. Address critical emergency needs under the direction of public safety officials.

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	Coordinate emergency plans with county, State, and federal agencies. Inventory emergency supplies and equipment. Maintain current emergency communication lists for employees and students. Test alternative communication capabilities. Designate an alternative communications center located off school property. Review parent/guardian notification procedures. Review procedures to reunite students with their parents/guardians should schools close mid-day.
Communication/Activities with Employees	Instruct employees to report suspicious activities or persons to the administrative office. Conduct emergency and disaster response training for all employees. Disseminate emergency communications methods and resources, e.g., where to get information, to employees. Review SEOCRP with all employees. Update employee emergency contact numbers.
Communication/Activities with Students	Instruct students to report suspicious activities or persons to any employee. Conduct school safety drills with students.
Classes and School Activities	Close school(s) early. Cancel classes. Cancel outside activities and field trips. Cancel all activities. Cancel regular and/or extracurricular bus service.
Building and Grounds Security	Reassess facility security measures, e.g., lock exterior doors. Increase building security throughout the school system. Implement visitor control procedures. Limit visitor access to school. Prohibit visitor access to school. 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 anticipation 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.

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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

For further information on NTAS (including to access NTAS Bulletins or Alerts, view sample NTAS advisories, sign up to receive NTAS Alerts, or add NTAS Alerts to a website) see: www.dhs.gov/national-terrorism-advisory-system.

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Operational Services

Administrative Procedure - Unsafe School Choice Option

Illinois public school districts must comply with the following two statutes: (1) 105 ILCS 5/2-3.134 requires ISBE to maintain data and annually publish a list of persistently dangerous schools, and (2) 105 ILCS 5/10-21.3a, amended by P.A. 100-1046, 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 procedure implements the policy. It incorporates guidance issued by the U.S. Dept. of Education (DOE), *Unsafe School Choice Option, Non-Regulatory Guidance* (February 2004), available under the Policy Guidance section at www2.ed.gov/programs/dvpgovgrants/legislation.html, when No Child Left Behind (NCLB) was in effect. NCLB was repealed. The law that took its place is called the Every Student Succeeds Act (ESSA), which amended ESEA on December 10, 2015. ESEA, as amended by ESSA, still requires states to implement an unsafe school choice option; however, the DOE has not updated its guidance to be consistent with this new law. This procedure incorporates DOE guidance to the extent that it is consistent with the new law. ESSA implementation guidance is expected as states implement the law.

Unsafe School Choice Option for Students in Persistently Dangerous Schools

Actor	Action
ISBE	Identifies each Illinois school that is a *persistently dangerous school* as defined in 105 ILCS 5/10-21.3a(b) (attached). As of May 2014, ISBE has not identified a *persistently dangerous school*.
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 *persistently dangerous school*, of that school's status as *persistently dangerous*.
Superintendent	Keeps the Board informed as appropriate. Determines which, if any, schools will receive students assigned to a *persistently dangerous school*. 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 designee	Within 20 calendar days of identification, or longer time if 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.

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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 *persistently dangerous*. 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 *persistently dangerous schools*.

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. 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 designee	As soon as possible, notifies the student's parents/guardians that 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, amended by P.A. 100-1046 (current as of June 2021)

§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:

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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, amended by P.A. 100-961 (current as of June 2021)

§ 3. The terms used in this Act shall have the following meanings:

(a) "**Crime victim**" or "**victim**" means (1) any natural person determined by the prosecutor or the court to have suffered direct physical or psychological harm as a result of a violent crime perpetrated or attempted against that person or direct physical or psychological harm as a result of (i) a violation of Section 11-501 of the Illinois Vehicle Code or similar provision of a local ordinance or (ii) a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012; (2) in the case of a crime victim who is under 18 years of age or an adult victim who is incompetent or incapacitated, both parents, legal guardians, foster parents, or a single adult representative; (3) in the case of an adult deceased victim, 2 representatives who may be the spouse, parent, child or sibling of the victim, or the representative of the victim's estate; and (4) an immediate family member of a victim under clause (1) of this paragraph (a) chosen by the victim. In no event shall the defendant or any person who aided and abetted in the commission of the crime be considered a victim, a crime victim, or a representative of the victim.

(c) "**Violent Crime**" means: (1) any felony in which force or threat of force was used against the victim; (2) any offense involving sexual exploitation, sexual conduct, or sexual penetration; (3) a violation of Section 11-20.1, 11-20.1B, 11-20.3, 11-23, or 11-23.5 of the Criminal Code of 1961 or the Criminal Code of 2012; (4) domestic battery or stalking; (5) violation of an order of protection, a civil no contact order, or a stalking no contact order; (6) any misdemeanor which results in death or great bodily harm to the victim; (7) any violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, 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. "**Violent crime**" 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.

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Operational Services

Administrative Procedure - Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED

The following operations implement School Board policy 4:170, *Safety*, requiring a plan for responding to medical emergencies at a physical fitness facility. These operations shall be completed consistent with the Physical Fitness Facility Medical Emergency Procedures Act, 210 ILCS 74/, and the Ill. Dept. of Public Health (IDPH) Rules, Title 77, Part 527, Physical Fitness Medical Emergency Preparedness Code. Any definitions of terms found in this Act and IDPH implementing rules are used as the definitions of those terms in this procedure. 77 Ill.Admin.Code Part 527.

Actor	Action
Superintendent or designee	Appoints a staff member to coordinate the operations in this Procedure who will be known as the *Plan Coordinator*. Plan Coordinator: Janet Gladu Superintendent Name Position Files this plan with the IDPH, Division of EMS & Highway Safety, 500 E. Monroe - 8th Floor, Springfield, IL 62701. Files an updated plan with the IDPH after a change in the facility that affects the ability to comply with a medical emergency, such as the facility was closed for more than 45 days. 77 Ill.Admin.Code §527.400(a) and (c). Dates plan submitted: 18 January 2023 Decides, with input from the Plan Coordinator, the schedule for purchasing and maintenance of AEDs. See 210 ILCS 74/50 for compliance date schedule(s). If the AED becomes inoperable, the district must replace or repair it within 10 days. Persons using the facility must be notified if an operable AED is not on the premises. The AED shall be mobile and accessible at all times when the AED is operable. 77 Ill.Admin.Code §527.600. Designates each Building Principal as the individual who must be notified in the event of a medical emergency. 77 Ill.Admin.Code §527.400(a). Building Office Contact La Harpe Elementary School - Ryan Hopper Follows the requirements of 77 Ill.Admin.Code §525.500 upon receiving a completed report that an AED was used. Cooperates to provide information that may be necessary for non-transport vehicle (defined at 77 Ill.Admin.Code §515.825) in compliance with 77 Ill.Admin.Code §515.350 (requires documentation of all medical care provided and a report to the EMS System within 24 hours for the EMS System to review) and provides information to IDPH upon request.

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Actor	Action
Plan Coordinator	**Responsibilities Concerning Emergency Responders** With the Building Principal, identifies all staff members who, through their education or training, are appropriate emergency responders for specific facilities. If possible, train all emergency responders in CPR and AED use. Facility — Emergency Response Providers La Harpe Elementary School — All Staff has been Trained **Responsibilities Concerning AED Users** 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 during staffed business hours (210 ILCS 74/15 and 77 Ill.Admin.Code §527.600) and take reasonable measures to ensure that anticipated rescuers or users are trained pursuant to 410 ILCS 4/15 and 77 Ill.Admin.Code §527.800. Working with the Building Principal, identifies trained AED users and requests that other appropriate staff members and anticipated rescuers or users become trained. Facility — Trained AED Users La Harpe Elementary School — All Staff Has been trained _____ — _____ _____ — _____ **Responsibilities Concerning AED Registration** Coordinates with local emergency medical services systems. 77 Ill.Admin.Code §527.500. Notifies an agent of the local emergency communications or vehicle dispatch center of the existence, location, and type of the automated external defibrillator. 410 ILCS 4/20(b) and 77 Ill.Admin.Code §527.500. Cooperates and provides any information requested by the local emergency communications or vehicle dispatch, so they can complete the Data Collection and Submission report about the use of the AED (77 Ill.Admin.Code §515.350). 77 Ill.Admin.Code §525.500. **Responsibilities Concerning Location of AED and Other First Aid Equipment** **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. 77 Ill.Admin.Code §527.600. **Outdoor Facility** - Ensures that the AED is placed within 300 feet of the outdoor facility in an open building with unimpeded access that has marked directions to the location of the AED at its entrances. 210 ILCS 74/15 and 77 Ill.Admin.Code §527.600(c). Facility — First Aid & AED Location La Harpe Elementary School — Office, Gymnasium & Cafeteria

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Actor	Action
	Keeps a copy of the AED's manual with the AED. 77 Ill.Admin.Code §527.700(b). **Responsibilities Concerning Notification and Posting** 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. 77 Ill.Admin.Code §527.800(b). **Responsibilities Concerning Training** 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. 77 Ill.Admin.Code §527.800 and 210 ILCS 74/15(b-5) and (b-10). **Responsibilities Concerning Instructions for Responding to Medical Emergencies** Along with the Building Principal, notifies all facility staff of the location of any AEDs and the *Step-by-Step Emergency Response Plan* described below. 77 Ill.Admin.Code §527.800(b). Coordinates, along with the Building Principal, the posting of the *Step-by-Step Emergency Response Plan* described below. 77 Ill.Admin.Code §527.800(b). **Responsibilities Concerning Maintenance and Testing of AEDs** Ensures that all AEDs are maintained and tested according to manufacturer's guidelines. 77 Ill.Admin.Code §527.700(a). Keeps a copy of the maintenance and testing manual at the facility and keeps a copy of the manual with each AED. 77 Ill.Admin.Code §527.700(b).
Building Principal	In a conspicuous place in the physical fitness facility, posts: (1) the list of all staff members who are emergency responders, and (2) the *Step-by-Step Emergency Response Plan* described below. 77 Ill.Admin.Code §527.400(a). Posts a notice at the facility's main entrance stating that an AED is located on the premises. Receives notice in the event of a medical emergency. 77 Ill.Admin.Code §527.400(a).
School Nurse(s)	Along with the Plan Coordinator, helps staff members understand the instructions for responding to medical emergencies. 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. 77 Ill.Admin.Code §527.800(c).
Trained AED User(s) and/or Other Emergency Responder(s)	According to their training, uses 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. 77 Ill.Admin.Code §527.400(a). According to their training, uses the AED to help restore a normal heart

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Actor	Action
	rhythm. 77 Ill.Admin.Code §527.400(a). Calls 911 for medical emergencies and whenever an AED is used. 77 Ill.Admin.Code §527.400(b). Informs the Building Principal whenever the AED or other emergency response is used. 77 Ill.Admin.Code §527.400(b). Whenever an AED is used, cooperates and provides any information requested by the local emergency communications or vehicle dispatch, so they can complete a Data Collection and Submission report about the use of the AED (77 Ill.Admin.Code §515.350). 77 Ill.Admin.Code §525.500.
All Facility Staff Members and Users	Follow the *Step-by-Step Emergency Response Plan* described below: 1. Immediately notify the building's emergency responder(s) whose contact information is posted in the facility. Under life and death circumstances call 911 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 911, 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 cooperates and provides any information requested by the local emergency communications or vehicle dispatch, so they can complete the Data Collection and Submission report about the use of the AED. 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.

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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 physical fitness facilities. This plan includes access to an Automated 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 any activity or program organized by the school and supervised by a school employee. 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 911 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. It is important to note that the Physical Fitness Facility Medical Emergency Preparedness Act and the Local Governmental and Governmental Employees Tort Immunity Act protect staff members from liability. We appreciate your support.

Sincerely,

Superintendent

Attachments: Step-by-Step Emergency Response Plan (bottom of page 4 of 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*)

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Operational Services

Exhibit - Notification to Staff and Parents/Guardians of CPR and AED Video

On District letterhead, website, in student handbook, newsletters, bulletins, and/or calendars

Date:

To: Parent(s)/Guardian(s) and Staff

Re: CPR and AED Video

State law requires the Ill. High School Association to post a hands-only cardiopulmonary resuscitation (CPR) and automated external defibrillators (AED) training video on its website. The law also requires the District to notify staff members and parents/guardians about the video. You are encouraged to view the video, which will take less than 15 minutes of your time, at:

www.ihsa.org/Resources/SportsMedicine/CPRTraining.aspx.

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Operational Services

Administrative Procedure - Movable Soccer Goal Safety

Actor	Action
Superintendent	Requires all Building Principals to: 1. Identify any movable soccer goal that the District owns or controls and is on school grounds; and 2. Ensure that supervisors comply with the Movable Soccer Goal Safety Act a/k/a *Zach's Law*. 430 ILCS 145/.
Building Principal	Reviews the Ill. Dept. of Public Health's assistance materials found at www.idph.state.il.us/soccer_goal_safety/index.htm. Identifies any movable soccer goals on school grounds, or that the school owns or controls. Implements the Movable Soccer Goal Safety Act (430 ILCS 145/) by, among other things, instructing staff members to properly secure or anchor a movable soccer goal when installing, setting up, maintaining, or moving one.

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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. The Board President shall ensure that these checks are completed for the Superintendent. 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 U.S.C. §7926, Elementary and Secondary Education Act.
20 ILCS 2635/, Uniform Conviction Information Act.
720 ILCS 5/11-9.3, Criminal Code of 2012.
730 ILCS 152/, Sex Offender Community Notification Law.
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community

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Notification Law.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 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)

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Operational Services

Administrative Procedure - Criminal Offender Notification Laws; Screening

Laws Protecting Students on School Grounds

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 4:175, *Convicted Child Sex Offender; Screening; Notifications*; 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/, and (b) Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75154/105. These laws are hereafter referred to as "offender notification laws." See also policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

   The School Code (105 ILCS 5/10-21.9, 5/21B-5 and 5/21B-80) lists criminal offenses that disqualify an individual from District employment if the individual was convicted. 105 ILCS 5/20-21.9 requires any person hired by the District to submit to a fingerprint-based criminal history records check through (a) the Ill. State Police (ISP) for an individual's *Criminal History Records Information* (CHRI), and (b) the Federal Bureau of Investigation (FBI) national crime information databases. The law also requires a school district to initially check two publicly-available Illinois offender databases for each applicant being considered for hire and, if hired, repeatedly at least once every five years that an individual remains employed by the District, which are (a) the Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and (b) the Statewide Murderer and Violent Offender Against Youth Registry, https://isp.illinois.gov/MVOAY/Disclaimer. Obtaining the results of the fingerprint-based criminal history records check and review of the database registries is a *complete criminal history records check* as required by the School Code. See policy 5:30, *Hiring Process and Criteria*; administrative procedure 5:30-AP2, *Investigations*; and ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf

3. The National Sex Offender Public Website, www.nsopw.gov/; however, if performing a check here note that the same information will likely appear in the information furnished by the FBI.

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. 105 ILCS 5/10-21.9(f). See administrative procedures 4:60-AP3, *Criminal History Records Check of Contractor Employees*; 5:30-AP2, *Investigations*.

5. Being charged with attempting to commit, conspiring to commit, soliciting, or committing any offense listed in 105 ILCS 5/21B-80(b-5) results in the automatic suspension or revocation of the individual's license until the individual's criminal charges are adjudicated through a court of competent jurisdiction. If the individual is acquitted, his or her license or application shall be immediately reinstated.

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6. Conviction of an offense listed in 105 ILCS 5/21B-80(c) results in the automatic suspension or revocation of the individual's license. Conviction of an offense listed in 105 ILCS 5/21B-80(b), depending upon whether the individual's sentence has been satisfactorily completed and seven years have passed since that date, may result in automatic suspension or revocation of the individual's license.

7. 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 school 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 Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

8. When a criminal sexual offense is committed, or alleged to have been committed, by a District employee or contractor, law enforcement shall immediately transmit a copy of the criminal history record information relating to the investigation of the offense/alleged offense to the Superintendent. This transmission occurs either (725 ILCS 191/15, added by P.A. 102-652):

   a. Upon the Superintendent's request to a law enforcement agency; or

   b. If the law enforcement agency knows the offender/alleged offender is employed by the District (either as an employee or contractor), automatically.

   The copy of the CHRI that is provided must exclude the identity of the adult victim, and if the Superintendent is otherwise aware of the adult victim, he or she must keep that person's identity confidential.

Receipt of Information from and Collaboration with Law Enforcement

Offender Notification Laws: The Superintendent and Building Principal(s) shall notify the local law enforcement official, including the relevant lawyers in the States Attorney's Office and/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.

Licensed Teacher Felony Conviction Notification Laws: On behalf of the Board, the Superintendent, or if the licensed teacher is the Superintendent, the Board President, shall notify the State Superintendent of Education promptly and in writing of the name of a licensed teacher who was convicted of a felony, along with the conviction and the name and location of the court where the conviction occurred.

On behalf of the Board, the Superintendent, or if the teacher is the Superintendent, the Board President, shall notify the Teachers' Retirement System (TRS) of the State of Ill. Board of Trustees promptly and in writing

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when the District learns that a teacher as defined in the Ill. Pension Code was convicted of a felony, along with the name and location of the court where the conviction occurred, and the case number assigned by that court to the conviction.

Juvenile Delinquency Adjudication Notifications: The Superintendent or designee shall contact the Juvenile Division of the County State's Attorney Office(s) having jurisdiction over the District's school(s) to discuss how the State's Attorney shall inform the Superintendent or designee of any students adjudicated as delinquent minors for offenses that would be felonies and/or certain weapons offenses under the Criminal Code of 2012. 705 ILCS 405/5-901(8), amended by P.A. 102-197. The Superintendent and/or designee(s) shall ensure the dissemination of such information is limited to the Building Principal and any school counselor designated by the Building Principal. Id.

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. Information should be distributed about the Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and the Statewide Murderer and Violent Offender Against Youth Registry, https://isp.illinois.gov/MVOAY/Disclaimer. Information may also be included in the Student Handbook. See the Sex Offender Community Notification Law, 730 ILCS 152/, and exhibit 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws.*

Requests for additional information shall be referred to local law enforcement officials.

Screening Individuals Who Are Likely to Have Contact with Students at School or School Events

The law is silent with regard to *screening* volunteers and individuals in the proximity of a school. *Screening* is not the same as the School Code's requirement to perform a *fingerprint-based criminal history records check* through (a) the ISP for an individual's *Criminal History Records Information* (CHRI), and (b) the FBI's national crime information databases. 105 ILCS 5/10-21.9.

Screening involves checking an individual's name and address against the: (1) Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and (2) the Statewide Murderer and Violent Offender Against Youth Registry maintained by the State Police, https://isp.illinois.gov/MVOAY/Disclaimer. 105 ILCS 5/10-21.9(a-5), (a-6).

There are five categories listed below of individuals with the potential to have contact with students at school or at school events.

1. For employees and student teachers, the Superintendent or Building Principal(s) perform the following tasks:

    a. Complete the required forms to request the *fingerprint-based criminal history records check*; see 5:30-AP2, *Investigations*. 105 ILCS 5/10-21.9(a).

    b. *Screen* the individual's name and address against the: (1) Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and (2) the Statewide Murderer and Violent Offender Against Youth Registry maintained by the State Police, https://isp.illinois.gov/MVOAY/Disclaimer. 105 ILCS 5/10-21.9(a-5), (a-6). This screening must be done for applicants being considered for hire and, if hired, repeatedly at least once every five years that an individual remains employed by the District.

    c. Review the lists of sex offenders and violent offenders against youth as the lists are received from law enforcement. If a match is found, the Superintendent immediately contacts the local police officials to confirm or disprove the match. The Superintendent immediately notifies the Board if a

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match is confirmed. The Board President will contact the Board Attorney and the Board will take the appropriate action to comply with State law that may include terminating the individual's employment.

d. May request the individual to authorize a clearance of his or her name through the Ill. Dept. Of Children and Family Services (DCFS) CANTS system. This check documents that the person does not have an indicated report or record on DCFS' registry of child abuse and/or neglect. 325 ILCS 5/11.1(a)(11) and (c). Clearances must be requested using the DCFS form at www.dhs.state.il.us/page.aspx?item=48125.

If an indicated report by DCFS or by a child welfare agency of another jurisdiction is found, the Board must consider the individual's status as a condition of employment. Contact the Board Attorney for guidance.

e. Notify the State Superintendent of Education in writing within 10 business days when a fingerprint-based criminal history records check returns a *pending* criminal charge against a license holder for an offense set forth in 105 ILCS 5/21B-80.

f. Notify the State Superintendent of Education in writing within 15 business days when a fingerprint-based criminal history records check returns a *conviction* of a crime set forth in 105 ILCS 5/21B-80 or when publicly-available Illinois offender databases checks find a registration.

2. For students doing field or clinical experience other than student teaching, the Superintendent or Building Principal(s):

   a. May require the same fingerprint-based criminal history records check required of student teachers. The cost of this check will be reimbursed by the student seeking the experience.

   b. Performs the responsibilities listed in 1. b. & c., above.

3. For volunteers, see 6:250-AP, *Resource Persons and/or School Volunteers; Screening.* The Superintendent or Building Principal(s):

   a. May require the same fingerprint-based criminal history records check required of student teachers.

   b. Performs the responsibilities listed in 1. b. & c., above.

4. For contractors' employees, see 4:60-AP3, *Criminal History Records Check of Contractor Employees*; 5:30-AP2, *Investigations*.

5. For individuals in the proximity of a school or bus stop, the Building Principal(s) review(s) the lists of sex offenders and violent offenders against youth as they are received from law enforcement. The Building Principal or designee shall: (a) notify staff members according to the section of this procedure on **Receipt of the Information from Law Enforcement**, and (b) 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.

CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property)

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ADMIN. PROC.: 4:60-AP3 (Criminal History Records Check of Contractor Employees), 4:175-AP1, E1 (Informing Parents/Guardians About Offender Community Notification Laws), 5:30-AP2 (Investigations), 6:250-AP (Resource Persons and/or School Volunteers; Screening), 6:250-E (Resource Person and 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)

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Operational Services

Exhibit - Informing Parents/Guardians About Offender Community Notification Laws

On District letterhead, website, and/or in student handbook

Date:

To: Parent(s)/Guardian(s)

Re: Offender Community Notification Laws

State law requires schools 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 on the Ill. Dept. of State Police (ISP) website. The ISP website contains the following:

Illinois Sex Offender Registry, www.isp.state.il.us/sor/

Illinois Murderer and Violent Offender Against Youth Registry, www.isp.state.il.us/cmvo/

Frequently Asked Questions Concerning Sex Offenders, www.isp.state.il.us/sor/faq.cfm

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Operational Services

Pandemic Preparedness; Management; and Recovery

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 during a pandemic.

A pandemic is a global outbreak of disease. Pandemics happen when a new virus emerges to infect individuals and, because there is little to no pre-existing immunity against the new virus, it spreads sustainably.

To prepare the School District community for a pandemic, the Superintendent or designee shall: (1) learn and understand how the roles that the federal, State, and local government function; (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 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, the Governor may declare a disaster due to a public health emergency that may affect any decision for an emergency school closing. Decisions for an emergency school closing will be made by the Superintendent in consultation with and, if necessary, at the direction of the Governor, Ill. Dept. of Public Health, District's local health department, emergency management agencies, and/or Regional Office of Education.

During an emergency school closing, the Board President and the Superintendent may, to the extent the emergency situation allows, examine existing Board policies pursuant to Policy 2:240, *Board Policy Development*, and recommend to the Board for consideration any needed amendments or suspensions to address mandates that the District may not be able to accomplish or implement due to a pandemic.

Board Meeting Procedure; No Physical Presence of Quorum and Participation by Audio or Video

A disaster declaration related to a public health emergency may affect the Board's ability to meet in person and generate a quorum of members who are physically present at the location of a meeting. Policy 2:220, *School Board Meeting Procedure*, governs Board meetings by video or audio conference without the physical presence of a quorum.

Payment of Employee Salaries During Emergency School Closures

The Superintendent shall consult with the Board to determine the extent to which continued payment of salaries and benefits will be made to the District's employees, pursuant to Board policies 3:40, *Superintendent*, 3:50, *Administrative Personnel Other Than the Superintendent*, 5:35, *Compliance with the Fair Labor Standards Act*, 5:200, *Terms and Conditions of Employment and Dismissal*, and 5:270, *Employment At-Will, Compensation, and Assignment*, and consistent with: (1) applicable laws, regulations, federal or State or local emergency declarations, executive orders, and agency directives; (2) collective bargaining agreements and any bargaining obligations; and (3) the terms of any grant under which an employee is being paid.

Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)

When the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7, and the State Superintendent of Education declares a requirement for the District to use *Remote Learning Days* or

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Blended Remote Learning Days, the Superintendent shall approve and present to the Board for adoption a Remote and/or Blended Remote Learning Day Plan (Plan) that:

1. Recommends to the Board for consideration any suspensions or amendments to curriculum-related policies to reduce any Board-required graduation or other instructional requirements in excess of minimum curricular requirements specified in School Code that the District may not be able to provide due to the pandemic;

2. Implements the requirements of 105 ILCS 5/10-30; and

3. Ensures a plan for periodic review of and/or amendments to the Plan when needed and/or required by statute, regulation, or State guidance.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.5, 5/10-20.56, and 5/10-30.
5 ILCS 120/2.01 and 120/7(e), Open Meetings Act.
20 ILCS 2305/2(b), Ill. Dept. of Public Health Act (Part 1).
20 ILCS 3305/, Ill. Emergency Management Agency Act.
115 ILCS 5/, Ill. Educational Labor Relations Act.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:20 (Powers and Duties of the School Board; Indemnification), 2:220 (School Board Meeting Procedure), 2:240 (Board Policy Development), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:70 (Succession of Authority), 4:170 (Safety), 5:35 (Compliance with the Fair Labor Standards Act), 5:200 (Terms and Conditions of Employment and Dismissal), 5:270 (Employment At-Will, Compensation, and Assignment), 6:20 (School Year Calendar and Day), 6:60 (Curriculum Content), 6:300 (Graduation Requirements), 7:90 (Release During School Hours), 8:100 (Relations with Other Organizations and Agencies)

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Operational Services

Administrative Procedure - School Action Steps for Pandemic Influenza or Other Virus/Disease

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 (flu) or other virus/disease. The key planning activities in this checklist should build upon the School District's existing contingency plans.

The following is a list of important step-by-step actions school officials should take before a pandemic flu or other virus/disease 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, *District Organization, Operations, and Cooperative Agreements* 2:20, *Powers and Duties of the School Board; Indemnification* 2:70, *Vacancies on the School Board - Filling Vacancies* 2:200, *Types of School Board Meetings* 2:220, *School Board Meeting Procedure* 3:70, *Succession of Authority* 4:130, *Free and Reduced-Price Food Services* 4:180, *Pandemic Preparedness; Management; and Recovery* 5:35, *Compliance with the Fair Labor Standards Act* 5:40, *Communicable and Chronic Infectious Disease* 5:180, *Temporary Illness or Incapacity* 5:185, *Family and Medical Leave* 5:200, *Terms and Conditions of Employment and Dismissal* 5:270, *Employment At-Will, Compensation, and Assignment* 5:300, *Schedules and Employment Year* 5:330, *Sick Days, Vacation, Holidays, and Leaves* 6:20, *School Year Calendar and Day* 6:60, *Curriculum Content* 6:120, *Education of Children with Disabilities* 6:150, *Home and Hospital Instruction* 7:70, *Attendance and Truancy* 7:280, *Communicable and Chronic Infectious Disease* 8:100, *Relations with Other Organizations and Agencies*

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Actor	Action
Superintendent or designee and Pandemic Planning Team	Begin review and use of the following publications: For flu season: **School District (K-12) Pandemic Influenza Planning Checklist** at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_checklist.pdf. For COVID-19: **Interim Guidance for Administrators of US K-12 Schools and Child Care Programs** at: www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html. Review and ensure a succession of authority 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. See Board policies 2:70, *Vacancies on the School Board - Filling Vacancies*, and 3:70, *Succession of Authority*. Work with local health and emergency preparedness officials. They may want to use the schools to disseminate information to families about a crisis. Train employees about FLSA, overtime, and recordkeeping requirements necessary to work during a pandemic while the District is closed. Open communications with employee unions regarding "wages, hours and terms and conditions of employment" during a pandemic. Address policies for employee absenteeism, identifying critical job functions, plans for alternate coverage, and return-to-work policies as well as disease symptom recognition. Ensure resources for nurses and staff to receive training and personal protective equipment to identify flu or other pandemic disease symptoms. For flu reporting, see 4:180-AP2, *Pandemic Influenza Surveillance and Reporting*. 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. Train staff to protect themselves from occupational exposure to flu or other disease through workplace *social distancing* 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/pandemic-influenza. Ensure that **Standard Surveillance** disease recognition procedures are in place and implemented. See 4:180-AP2, *Pandemic Influenza Surveillance and Reporting*.

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Actor	Action
	For flu, encourage the use of simple non-medical ways to reduce the spread of flu by *cough and sneeze etiquette* and cleansing of hands and work areas. For COVID-19, see the **Interim Guidance for Administrators of US K-12 Schools and Child Care Programs**, *When there is no community transmission (preparedness phase)* section at: www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html. 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. 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. 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 and ISBE's nutrition page specific to managing COVID-19 issues at: www.isbe.net/nutrition. Through consultation with the Regional Office of Education or Intermediate Service Center and local authorities, develop strategies for remote learning through collaborative agreements (television or other local cable stations, teleconferencing, electronic instructional resources, etc.). 105 ILCS 5/10-30, added by P.A. 101-643 and see 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)*. Educate staff, students, and parents/guardians about the differences between the various types of flu, other viruses, and/or other diseases, best hygienic practices to prevent them, 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. 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. Review Sections IV and V of **School Guidance During an Influenza Pandemic** at: www.idph.state.il.us/pandemic_flu/schoolguide.htm.

Outbreak of Flu or Other Virus/Disease

Actor	Action
Superintendent or designee	Depending upon the type of virus/disease: For COVID-19, review the *Interim Guidance for Administrators of US K-12 Schools and Child Care Programs* at:

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	www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html. For flu, consider issuing **Sample Parent Letter # 2, First Bird Case** at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_ltr_bird.pdf. Begin **Heightened Surveillance** responses. See 4:180-AP2, *Pandemic Influenza Surveillance and Reporting*. 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.
Pandemic Planning Team	When a confirmed case has entered a school, regardless of community transmission, work with local health department regarding a press release announcing that schools will remain open, if applicable, 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. **Note:** If this sample is used for COVID-19, amend it with those specifics.
Building Principal	Post flu or other virus/disease prevention signs on campuses. See Section V of **School Guidance During an Influenza Pandemic** at: www.idph.state.il.us/pandemic_flu/schoolguide.htm. For COVID-19, see **Promoting Behaviors that Reduce Spread** subhead in the **CDC's Considerations for Schools** at: www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html, including a handwashing etiquette example at: www.cdc.gov/handwashing/when-how-handwashing.html.

Expansion of the Outbreak

Actor	Action
Local Health Department	Issue epidemic statement to general public.
Superintendent or designee	For flu, begin **Intensive Surveillance** responses. See 4:180-AP2, *Pandemic Influenza Surveillance and Reporting*.

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.

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Actor	Action
	Note: If this sample is used for COVID-19, amend it with those specifics. Issue **Sample Parent Letter #4, School Closure**. A sample is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_closures.pdf. **Note:** If this sample is used for COVID-19, amend it with those specifics.
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. **Note:** If this sample is used for COVID-19, amend it with those specifics.
Pandemic Planning Team	Continue communicating with local health department.
Superintendent or designee	For flu, return to **Heightened Surveillance** response. See 4:180-AP2, *Pandemic Influenza Surveillance and Reporting*. Begin checklist again if an outbreak recurs.

Local Health Department:

Hancock County Health Department
Name
671 Wabash Avenue
Address
Carthage, Illinois 62321

217-357-2171
Telephone

Regional Office of Education:

Regional Office of Education
Name
130 S. Lafayette St. #200
Address
Macomb, Illinois 61455

309-575-3226
Telephone

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Emergency Management Agencies:

Hancock County ESDA	Hancock County Sheriff's Office
Name	Name
1006 Wabash Avenue	98 Buchanan Street
Address	Address
Carthage, Illinois 62321	Carthage, Illinois 62321
217-357-0104	217-357-2115
Telephone	Telephone

Important Resources

ISBE and IDPH 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 flu can be found by calling 1-800-CDC-INFO or at the following websites:

www.cdc.gov/flu/pandemic-resources/index.htm
www.cdc.gov/flu
www.redcross.org

Further information on COVID-19 is subject to continual change. Follow the HHS/CDC and IDPH websites or call 1-800-CDC-INFO.

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Operational Services

Administrative Procedure - Pandemic Influenza Surveillance and Reporting

During all levels of a pandemic flu outbreak, monitoring and documenting the number of students and faculty who are absent and report having influenza is critical. Keeping track of these numbers helps health officials determine whether: (1) the outbreak is increasing in scope, (2) to declare an epidemic and (3) to close school buildings and facilities. Consult the local public health department for an illness' *expected range*.

The following information assists officials with monitoring illness rates and the potential for an epidemic:

* Basic surveillance level definitions and response actions with instructions as outlined below.
* Website links to reporting form(s) to submit to the local public health department.
* Sample attendance log to document flu-related absences.

Surveillance Levels	Response Actions
Standard Surveillance - Reported illnesses are within expected range.	Monitor attendance for increased reports of absence due to flu-like illness. Do not report absences to the local health department.
Heightened Surveillance - Reported illnesses exceed expected range.	Monitor weekly attendance for flu-like illness/absences on **Weekly Influenza Census** at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_weekly_census.pdf. Begin morning *flu check* first hour of school; screen those who report positive for symptoms. Log absences due to flu-like illness on **Daily Pandemic Influenza Census Log**, a sample is available at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_daily_census.pdf. Send weekly absence report to local health department upon request.
Intensive Surveillance - Reported illnesses significantly exceed expected range.	Monitor daily attendance and log absences on Daily Influenza Census or Daily Pandemic Influenza Log at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_daily_census.pdf. Continue morning flu check. Send daily absence report to local health department upon request. Begin preparation for potential school closure.

Important Resources

School Guidance During an Influenza Pandemic, Section III. Surveillance at: www.idph.state.il.us/pandemic_flu/schoolguide.htm.

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Operational Services

Administrative Procedure – Grant Flexibility; Payment of Employee Salaries During a Pandemic

The Superintendent may implement this procedure, after consultation with the Board, when it is determined it would be in the best interests of the District to utilize federal or State agency grant flexibilities that allow continued payment of employee salaries and benefits from grant funds during a pandemic. This procedure shall be implemented consistent with District practices required by Board policies 5:200, *Terms and Conditions of Employment and Dismissal*, and 5:270, *Employment At-Will, Compensation, and Assignment*.

During a pandemic, federal and/or State agencies may take official action to temporarily allow the District (as a grant recipient) to continue to charge employee salaries and benefits to grant funds while the activities of a grant are closed in whole or in part because of a pandemic, when those payments are made consistent with the District's local practices for the payment of salaries and benefits to *similarly situated* employees paid from *other* funding sources (i.e., not tied to grant-funds) during a pandemic. The Districts will use this procedure to address the payment of salaries and benefits to grant-funded employees and similarly situated non-grant funded employees during a pandemic.

When school buildings are closed due to a pandemic, the Superintendent shall:

1. Consult with the Board to determine the extent to which continued payment of salaries and benefits will be made to the District's employees, pursuant to Board policies 3:40, *Superintendent*, 3:50, *Administrative Personnel Other Than the Superintendent*, 5:35, *Compliance with the Fair Labor Standards Act*, 5:200, *Terms and Conditions of Employment and Dismissal* and 5:270, *Employment At-Will, Compensation, and Assignment*, and consistent with the following:

   a. Laws, regulations, federal or State or local emergency declarations, executive orders, and agency directives;

   b. Collective bargaining agreements and any bargaining obligations; and

   c. The terms of any grant under which an employee is being paid.

2. When permitted by the terms of any grant or related regulatory flexibility, and in consultation with the Board, ensure that the District continues to charge to the respective grants payment of the salaries and benefits to grant-funded employees when payment of salary and benefits is also being made to similarly situated non-grant funded employees.
3. Consult with the Board Attorney for guidance on the continued payment of salaries and benefits for grant-funded employees and similarly situated non-grant funded employees and any related legal obligations, such as collective bargaining.
4. Make recommendation(s) to the Board about the continued payment of grant-funded and similarly situated non-grant funded employees' salary and benefits during the emergency closure.
5. Regularly report to the Board regarding the payment of grant-funded and similarly situated non-grant funded employees and the work being performed by those employees during the period of the emergency closure.

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Operational Services

Targeted School Violence Prevention Program

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment.

The Superintendent or designee shall develop and implement the Program. The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

1. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s).
2. Establish Building-level Threat Assessment Team(s) to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
3. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors.

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-21.7, 5/10-27.1A, 5/10-27.1B, 5/24-24, and 5/27-23.7.
105 ILCS 128/, School Safety Drill Act.
745 ILCS 10/, Local Governmental and Governmental Employees Tort Immunity Act.
29 Ill.Admin.Code Part 1500.

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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Operational Services

Administrative Procedure - Targeted School Violence Prevention Program

Use this procedure to establish a Targeted School Violence Prevention Program (Program). It defines terms important to the Program, outlines actions for specific staff members to execute, and is adapted from the premier best practice model as of this publication: *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Second Edition (2016), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/threat-assessment-model-policies-procedures-and-guidelinespdf.pdf.

This administrative procedure contains three sections as follows:

1. Glossary of Terms
2. Establishment and Function of Targeted School Violence Prevention Plan
3. Preparedness for a Targeted School Violence Crisis, Response, and Recovery

Glossary of Terms

Aberrant Behavior – Behavior that is atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior involves actions, statements, communications, or responses that are unusual for the person or situation; actions that could lead to violence toward self or others; or actions that are reasonably perceived as threatening or causing concern for the well-being of the person. These can include (but are not limited to):

- Unusual social distancing or isolation of subjects from peers and family members;
- Sullen or depressed behavior from a usually friendly and positive person;
- Out-of-context outbursts of verbal or physical aggression;
- Increased levels of agitation, frustration, and anger;
- Confrontational, accusatory, or blaming behavior;
- An unusual interest in or fascination with weapons; and/or
- Fixation on violence as a means of addressing a grievance.

District Environment – broadly characterized as the District's learning and working environment; it includes the physical environment of school buildings and grounds, all services and programs provided by the District, and the overall school climate.

School Climate – a part of the District environment, school climate is the quality and character of school life. School climate is based on patterns of students', parents', and school personnel's experience of school life; it also reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.

Targeted School Violence – Includes school shootings and other school-based attacks where a school or a member of the school community was deliberately selected as the target of the attack and was not simply a random target of opportunity.

Targeted School Violence Prevention Plan (TSVP Plan) – For purposes of policy 4:190, *Targeted School Violence Prevention Program*, and this procedure, a District-wide plan that is incorporated into each School Emergency Operations and Crisis Response Plan (SEOCRP) in 4:170-AP1,

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Comprehensive Safety and Security Plan. A TSVP Plan is collectively implemented by local school officials, District staff, students, families, and the community with the goal of preventing and identifying threats and targeted school violence. Under a properly implemented TSVP Plan, schools can respond to individuals/situations that raise safety concerns.

Threat – A concerning communication or behavior that indicates that an individual poses a danger to the safety of school staff or students through acts of violence or other behavior that could cause harm to self or others. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; it is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat. For more information on types of threats, see the subhead entitled **Assessing and Classifying Threats** in 4:190-AP2, *Threat Assessment Team (TAT)*.

Threat Assessment – A fact-based process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially dangerous or violent individuals/situations, to assess them, and to manage/address them.

Threat Assessment Team (TAT) – A multidisciplinary Building-level team lead by the Building Principal to perform specific threat assessments. For information about the function of TATs and their procedures, see 4:190-AP2, *Threat Assessment Team (TAT)*.

Establishment and Function of Targeted School Violence Prevention Plan

Following are the strategic procedures to integrate a TSVP Plan into the District's existing policies and procedures.

Actor	Action
Superintendent	Selects School Violence Prevention Team (SVP Team) members from throughout the community to include: Building Principals (Building Principals are mandatory for successful implementation of a TSVP Plan). District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*) Teachers Law enforcement representatives Board attorney District psychologist(s), social worker(s), and/or counselor(s) Other mental health workers and/or social service agencies Faith leaders Community members Students Chairs and convenes SVP Team meetings for the purpose of developing a TSVP Plan. Determines whether to recommend that the Board assess the District's conditions for development and learning (see 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying,* for resources and more discussion). Informs the Board of the SVP Team's progress, needs, and

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Actor	Action
	recommendations by adding information items to the Board's agendas as needed. Prior to the start of each school year, files 4:190-AP2, *Threat Assessment Team (TAT)*, and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center, as applicable. 105 ILCS 128/45(b), amended by P.A. 102-791. Informs the Board that this filing was completed.
SVP Team	Meets when called by the Superintendent for the purpose of: (1) developing a TSVP Plan, and (2) creating, implementing, and monitoring TATs. For more information about the function of TATs, see 4:190-AP2, *Threat Assessment Team (TAT)*. See Recommendation #1 from the *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, encouraging districts to establish TATs, at www.iasb.com/IASB/media/School-Safety/ITTFSchoolSafetyRecommendations.pdf. Ensures that the District's TSVP Plan complies with applicable civil rights and other State and federal laws. Ensures that all District staff are annually trained and understand the TSVP Plan, the role of the SVP Team, and the role a TAT. Ensures that procedures are maintained for effective information sharing between the District and local law enforcement agencies and community services agencies, including defining the threshold for law enforcement intervention. Regularly assesses the effectiveness of the TSVP Plan throughout the District, including the establishment of resources for central reporting mechanisms at the District-wide and school-building level. Identifies policies and procedures or equivalent topics that possibly affect a TSVP Plan, including but not limited to: 1:20, *District Organization, Operations, and Cooperative Agreements* 2:150, *Committees* 2:240, *Board Policy Development* 3:40, *Superintendent* 3:60, *Administrative Responsibility of the Building Principal* 4:170, *Safety* 4:190, *Targeted School Violence Prevention Program* 5:100, *Staff Development Program* 5:130, *Responsibilities Concerning Internal Information* 5:230, *Maintaining Student Discipline* 6:65, *Student Social and Emotional Development* 6:120, *Education of Children with Disabilities*

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Actor	Action
	6:235, *Access to Electronic Networks* 7:20, *Harassment of Students Prohibited* 7:130, *Student Rights and Responsibilities* 7:140, *Search and Seizure* 7:150, *Agency and Police Interviews* 7:170, *Vandalism* 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:190, *Student Behavior* 7:200, *Suspension Procedures* 7:210, *Expulsion Procedures* 7:230, *Misconduct by Students with Disabilities* 7:250, *Student Support Services* 7:340, *Student Records* 8:10, *Connection with the Community* 8:95, *Parental Involvement* 8:100, *Relations with Other Organizations and Agencies* Recommends, through the Superintendent, proposed policy changes to the Board for consideration. See Board policy 2:240, *Board Policy Development.* Recommends and procures resources for stakeholder training.
Building Principal	Ensures 4:170-AP1, *Comprehensive Safety and Security Plan, Part G, School Emergency Operations and Crisis Response Plan (SEOCRP)*, is: Available throughout schools (do **not** limit to office); Distributed to and discussed with local law enforcement; and Regularly reviewed with building staff. Notifies and educates all staff, volunteers, and contractors of their duty to immediately report to the Building Principal or designee any expression of intent to harm another person, concerning communication, or concerning behavior that suggests an individual may intend to commit an act of violence. Notifies and educates staff, parent(s)/guardian(s), students, and community members: (1) to report individuals 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. Distributes Board policy 4:190, *Targeted School Violence Prevention Program*; 4:190-AP2, E6, *Targeted School Violence and Threat Assessment Education*; and 7:180-AP1, E2, *Be a Hero by Reporting Bullying*; and discusses what TATs are and what they do when they learn of threats and/or school violence. Assesses the feasibility of forming an anonymous tip line and organizing its management. When a tip or concern is raised, ensures TATs are trained to engage in

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Actor	Action
	their work. See 4:190-AP2, *Threat Assessment Team (TAT).*
All District staff, volunteers, and contractors	Read 4:190-AP2, E6, *Targeted School Violence and Threat Assessment Education.* Immediately report to the Building Principal or designee any expression of intent to harm another person, concerning communication, or concerning behavior that suggests an individual may intend to commit an act of targeted violence. Upon belief that an individual/situation poses a clear and immediate threat of serious violence that requires containment, notify school security and/or law enforcement in accordance with the SEOCRP. See 4:170-AP1, *Comprehensive Safety and Security Plan.*
School Board	Monitors 4:190, *Targeted School Violence Prevention Program,* and considers adopting changes recommended by the SVP Team. See Board policy 2:240, *Board Policy Development.* Ensures that prior to the start of each school year, the Superintendent files 4:190-AP2, *Threat Assessment Team (TAT)*, and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center. 105 ILCS 128/45(b), amended by P.A. 102-791. Provides both the SVP Team and TATs with appropriate resources, which may include providing resources and access for staff professional development opportunities. These opportunities should train staff to properly respond to individuals who provide them with information about a threat or school safety concern.
Superintendent/Building Principal	Ensures the student behavior policies referred to in student handbooks notify students that threatening behavior could subject a student to disciplinary consequences. See Board policies 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, and 7:190, *Student Behavior*. Ensures that staff responds to students who provide them with information about a threatening or concerning individual/situation.

Preparedness for a Targeted School Violence Crisis, Response, and Recovery

Following is an extension of 4:170-AP1, *Comprehensive Safety and Security Plan*. It outlines additional tasks for the Superintendent, District Safety Coordinator, and Building Principal(s) preparing for a targeted school violence crisis that school officials can incorporate into trainings related to each existing SEOCRP.

Actor	Action
Superintendent, Building Principal, and SVP Team	Examine 4:170-AP1, *Comprehensive Safety and Security Plan*, and recommend any changes to existing procedures to the Superintendent or District Safety Coordinator.
District Safety	Meets with SVP Team to foster an understanding of what additional

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Actor	Action
Coordinator	items each 4:170-AP1 Safety Team (see 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*) might add to its procedures to accomplish a response and recovery. Adds an agenda item to the 4:170-AP1 Safety Team meetings specific to Targeted School Violence; considers inviting the Board Attorney and local law enforcement and emergency responders to this meeting. **Note**: During a crisis, legal counsel will be a crucial part of crisis response and management (but not necessarily public relations and communication) because school officials must make split-second decisions, often with legal consequences to the District. Local law enforcement's familiarity with the identity of the District's legal counsel *before* 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 and the immediate response to it. Considers designating a trained public relations and communication manager to inform parent(s)/guardian(s) and the community during a crisis and to keep pace with social media information.
Superintendent and Building Principal(s)	For crisis preparedness and response, ensure that: 4:170-AP1, *Comprehensive Safety and Security Plan, Part G, School Emergency Operations and Crisis Response Plan (SEOCRP)*, reflects each individual building's needs. 4:170-AP1, *Comprehensive Safety and Security Plan, Part F, School Safety Drill Plan*, supports a TSVP Plan. 4:170-AP1, *Comprehensive Safety and Security Plan, Parts G and H,* reflects each building's needs. Also ensure that multiple copies of these plans exist, and direct that appropriate persons have access to the plans, e.g., local law enforcement authorities, etc. One copy in the Building Principal's office is insufficient. For crisis recovery, ensure that 4:170-AP1, *Comprehensive Safety and Security Plan, Parts I, J, and K,* reflects District needs and that the Board Attorney is aware of the plans. Recommend to the District Safety Coordinator any other additional crisis recovery items that the 4:170-AP1 Safety Team deems necessary.

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Operational Services

Exhibit - Targeted School Violence Prevention Program Resources

General Resources

Virginia Center for School and Campus Safety: www.dcjs.virginia.gov/virginia-center-school-and-campus-safety

Readiness and Emergency Management for Schools Technical Assistance Center: rems.ed.gov

School Violence: Prevention, Centers for Disease Control and Prevention: www.cdc.gov/violenceprevention/youthviolence/schoolviolence/prevention.html.

School Violence Prevention Resources, Substance Abuse and Mental Health Services Administration: www.samhsa.gov/safe-schools-healthy-students/resources/violence-prevention

Suicide Prevention Resource Center: www.sprc.org/

Final Report of the Federal Commission on School Safety, Federal Commission on School Safety (December 2018): www2.ed.gov/documents/school-safety/school-safety-report.pdf

Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence, U.S. Secret Service (July 2018): https://www.secretservice.gov/press/releases/2018/07/ntac-enhancing-school-safety-using-threat-assessment-model

A Study of the Pre-Attack Behaviors of Active Shooters in the United States Between 2000 and 2013, Federal Bureau of Investigation (June 2018): www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf

Call for Action to Prevent Gun Violence in the United States of America, Interdisciplinary Group on Preventing School and Community Violence (February 2018): curry.virginia.edu/prevent-gun-violence

Making Prevention a Reality: Identifying, Assessing, and Managing the Threat of Targeted Attacks, Federal Bureau of Investigation (November 2016): www.fbi.gov/file-repository/making-prevention-a-reality.pdf/view

Guide for Developing High-Quality School Emergency Operations Plans, U.S. Depts. of Education, Health and Human Services, Homeland Security, Justice, Federal Bureau of Investigation, and Federal Emergency Management Agency (June 2013): rems.ed.gov/docs/REMS_K-12_Guide_508.pdf

School Connectedness: Strategies for Increasing Protective Factors Among Youth, Centers for Disease Control and Prevention (2009): www.cdc.gov/healthyyouth/protective/pdf/connectedness.pdf.

Prior Knowledge of Potential School-Based Violence: Information Students Learn May Prevent a Targeted Attack, U.S. Secret Service and U.S. Dept. of Education (May 2008): rems.ed.gov/docs/DOE_BystanderStudy.pdf

Guidelines for Responding to Student Threats of Violence, Cornell, D. & Sheras, P. (2006). hreats-of-violence.pdf

The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School

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Attacks in the United States, U.S. Secret Service (July 2004): www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf

Illinois Resources

Ill. State Board of Education, School Emergency and Crisis Response Plan Guide: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx

Ill. School and Campus Safety Resource Center: http://ilschoolsafety.org/

Ill. Emergency Management Agency, Ready Illinois Schools/Campus – Resources: www2.illinois.gov/ready/plan/Pages/schools-resources.aspx#WorkingGroup

Recommendations of the Illinois Terrorism Task Force School Safety Working Group (April 5, 2018): www.iasb.com/IASB/media/School-Safety/ITTFSchoolSafetyRecommendations.pdf

Ill. Attorney General, School Violence Tipline, 1 (800) 477-0024: www.illinoisattorneygeneral.gov/children/schoolviolence.html

Ill. Association of School Boards, School Safety and Security page: www.iasb.com/safety/index.cfm

School Climate Resources

National Center on Safe Supportive Learning Environments: safesupportivelearning.ed.gov/index.php?id=133

World Health Organization Information Series on School Health's *Document 10, Creating an Environment for Emotional and Social Well-Being*: www.who.int/school_youth_health/media/en/sch_childfriendly_03_v2.pdf

National School Climate Center: www.schoolclimate.org

Rachel's Challenge, programs for creating a school climate less susceptible to harassment, bullying, and violence: rachelschallenge.org

Sandy Hook Promise, gun violence prevention programs: www.sandyhookpromise.org/prevention_programs

Serve 2 Unite, programs for combating hate, cultivating kindness, and creating student peacemakers: www.giftofourwounds.com/serve2unite/

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Operational Services

Administrative Procedure - Threat Assessment Team (TAT)

This procedure implements Threat Assessment Teams (TATs). TAT members are professional educators, mental health professionals, law enforcement professionals, and professionals from other disciplines as necessary who are trained in behavioral threat assessment. See p. 3 of 4:190-AP1, *Targeted School Violence Prevention Program*, for authority encouraging the establishment of TATs.

TATs function at the Building level, taking direction from the District-level School Violence Prevention Team. They address potential or developing threatening behavior exhibited not only by students, but from a broad range of individuals affecting the District environment, including:

- Students: current and former (and potentially prospective)
- Employees: current and former (and potentially prospective)
- Parents/guardians of students
- Persons who are (or have been) in relationships with staff or students
- Contractors, vendors, or other visitors
- Unaffiliated persons

Customize this procedure to each TAT's building-specific needs, and use it in conjunction with 4:190-AP1, *Targeted School Violence Prevention Program*; 4:190-AP2, E1, *Principles of Threat Assessment*; 4:190-AP2, E2, *Threat Assessment Documentation*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*. This procedure contains five sections as follows:

4. Glossary of Terms
5. TAT Formation, Development, and Responsibilities
6. Assessing and Classifying Threats
7. Responding to and Managing Threats
8. Reporting Threats to Outside Agencies

Glossary of Terms

Subject of Concern (Subject) – an individual who has been identified to pose a threat of violence or serious harm to self/others.
Target – an individual who is the intended target of the threat posed by the subject of concern.

Threat Assessment – A fact-based process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially dangerous or violent individuals/situations, to assess them, and to manage/address them.

Threat Assessment Team (TAT) – A multidisciplinary Building-level team lead by the Building Principal to perform specific threat assessments that, if available to serve, must include the following members: an administrator, a teacher, a school counselor, a school psychologist, a school social worker, and at least one law enforcement official.

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TAT Triage Team – Consists of at least two members of the TAT designated by the Building Principal to triage reported cases of threatening behavior. Screens cases to determine if sufficient resources exist to address concerns or if review and/or action by the full TAT is appropriate.

Types of Threats –

Low-Risk Threat: Subject/situation does not appear to pose a threat of violence or serious harm to self/others, and any exhibited issues/concerns can be resolved easily.

Moderate-Risk Threat: Subject/situation does not appear to pose a threat of violence or serious harm to self/others at this time, but exhibits behaviors that indicate a continuing intent and potential for future violence or serious harm to self/others, and/or exhibits other concerning behaviors that require intervention.

High-Risk Threat: Subject/situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan, and may also exhibit other concerning behaviors that require intervention.

Imminent Threat: Subject/situation appears to pose a clear and immediate threat of serious violence toward self/others that requires containment and action to protect the District's environment and/or identified or identifiable target(s), and may also exhibit other concerning behaviors that require intervention.

TAT Formation, Development, and Responsibilities

Following are tasks to integrate TATs into the District's Targeted School Violence Prevention Plan.

Actor	Action
Superintendent or designee	Ensures TATs are trained in threat assessment by a threat assessment expert. Free statewide training is available through the Ill. School and Campus Safety Program, at: www2.illinois.gov/ready/plan/Pages/schools-training.aspx. Prior to the start of each school year, files this procedure and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center, as applicable. 105 ILCS 128/45(b), amended by P.A. 102-791. Informs the Board that this filing was completed.
Building Principal	Selects TAT members with expertise in: School administration, e.g., a principal or other senior administrator from the school(s) covered by the TAT and human resource professionals; Instruction, e.g., a teacher or administrator with recent instructional experience; Counseling, e.g., a school counselor, school psychologist and/or school social worker; Law enforcement, e.g., a school resource officer; Being a staff member in the building; and Other community resource persons (as members or consultants as determined by the TAT). Designates a TAT triage team. See 4:190-AP2, E2, *Threat Assessment Documentation*. When a tip or concern is raised, activates the TAT and uses this procedure.

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Actor	Action
TAT	Receives education and seeks training resources, including 4:190-AP2, E1, *Principles of Threat Assessment*. Receives threat assessment training by a threat assessment expert. Commits to work collaboratively with each other, with other school staff, and (as appropriate) with community resource persons to support the safety of the school, its students, and its staff. Actively, lawfully, and ethically communicates with each other, District administrators, and other school staff who have a need to know particular information to support the safety of the school, its students, and its staff. Trains staff, students, parents/guardians, and other members of the school community to recognize and report possible threats by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from the TAT. Identifies and trains members of the school community who can take reports of possible threats. Effectively implements Board policy 4:190, *Targeted School Violence Prevention Program*.

Assessing and Classifying Threats

When a threat is reported, the Building Principal and TAT assess and classify the threat using the criteria and process outlined below.

Actor	Action
Building Principal	Educates him/herself about *types* of threats. Determines if an imminent threat exists. If an imminent threat exists, notifies law enforcement in accordance with 4:170-AP1, *Comprehensive Safety and Security Plan, Part G, School Emergency Operations and Crisis Response Plan (SEOCRP)*.
Building Principal and/or TAT Triage Team	If no imminent threat exists, or once an imminent threat is contained, triages threat (with the TAT Triage Team, if one is designated by the Building Principal) to determine if the full TAT must be involved. See 4:190-AP2, E2, *Threat Assessment Documentation*. Triage may include: Reviewing the threatening communication and/or behavior. Reviewing school and other records for any prior history or interventions with the individual(s) involved. Evaluating the threat in context so that the meaning of the threat and intent can be determined by, among other things, conducting timely and thorough interviews (as necessary) with the person(s) who reported the threat, the threat recipient(s)/target(s), other witnesses who have knowledge of the threat, and when reasonable, the subject of concern (subject) who allegedly engaged in the

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Actor	Action
	threatening communication and/or behavior. If the full TAT needs to be involved, convenes it as soon as possible.
TAT	Assesses the threat. See 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*, for key questions to ask the person(s) who reported the threat, the threat recipient(s)/target(s), other witnesses, and the subject in order to assess the threat. Once the assessment is complete, classifies the threat using the following basic criteria: Documents the threat assessment and classification using 4:190-AP2, E2, *Threat Assessment Documentation*, and ensures that TAT documentation follows the acronym FORT: **F** **Fair** – sought to understand situations and give individuals an opportunity to be heard and understood; **O** **Objective** – sought information based on facts and observations of the case and not speculation or bias; **R** **Reasonable** – engaged in responses that were effective and proportionate to the situation; and **T** **Timely** – quickly and responsively addressed reports of threatening behavior.

Responding to and Managing Threats

Actor	Action
TAT	Identifies appropriate responses to the threat based upon its level. See 4:190-AP2, E4, *Responding to Types of Threats*, for guidance on responses to each threat level. Develops, implements, and monitors an individualized, fact-based case management plan to intervene with, address, and reduce the threat by: Designating a TAT member as case manager to monitor the status of the subject and to notify the TAT of any change in status, response to interventions/referrals, or additional information that would be cause for reassessment and/or changes in interventions strategies; Assisting the subject, and any impacted staff or students, in accessing appropriate school and community-based resources for support and/or further intervention; Appointing one or more TAT members to engage directly with the subject to prevent the subject from becoming isolated; and Using the least intrusive interventions and strategies that are sufficient, fair, and reasonable to address the concerns identified. See 4:190-AP2, E5, *Threat Assessment Case Management Strategies*, for interventions and strategies, including those that are subject-based, target-based, and environmental/systems-based. Documents this process and any case updates using 4:190-AP2, E2, *Threat Assessment Documentation*. Submits updates regularly, e.g., at least every 30 days, until the case is

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Actor	Action
	resolved and the subject no longer poses a threat to the school, its students, or its staff. Maintains documentation in accordance with Board policy, State records laws, and administrative procedures.

Reporting Threats to Outside Agencies

Following is the process to notify the Local Law Enforcement Agency (LLEA) and/or the Ill. State Police (ISP) about certain types of threats:

Actor	Action
Superintendent or designee	Reports batteries committed against teachers, teacher personnel, administrative personnel, or educator support personnel to: (1) the LLEA immediately after the occurrence of the attack, and (2) ISBE through its web-based School Incident Reporting System (SIRS) as they occur during the year and no later than August 1 for the preceding school year. 105 ILCS 5/10-21.7, amended by P.A. 102-894. Immediately notifies the LLEA and the ISP upon receiving a report from any school personnel regarding a verified incident involving: A firearm in a school or on school-owned or leased property. 105 ILCS 5/10-27.1A(b). Drugs in a school or on school-owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel. 105 ILCS 5/10-27.1A(b).
Building Principal	Reports to the LLEA threats to the safety and welfare of students and teachers by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by gang activity. 105 ILCS 5/10-21.4a. Reports other threats to the LLEA as necessary and appropriate. Immediately notifies the LLEA upon receiving a report that any person has been observed in possession of a firearm on school grounds (other than a law enforcement official engaged in the conduct of his or her official duties). If the person found to be in possession of a firearm on school grounds is a student, the Building Principal or designee shall also immediately notify the student's parent/guardian. 105 ILCS 5/10-21.7A(b). Reports directly to the ISP within 24 hours of a determination that a student or other person poses a clear and present danger to himself, herself, or others. 430 ILCS 66/105 and 405 ILCS 5/6-103.3; 20 Ill.Admin.Code §1230.120(b).

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Operational Services

Exhibit - Principles of Threat Assessment

This exhibit is a resource to educate Building-level Threat Assessment Team (TAT) members about the assumptions and principles underlying behavioral threat assessment.

Assumptions

The following assumptions are informed by findings of the U.S. Secret Service and U.S. Dept. of Education's *Safe School Initiative*, as well as other research about targeted violence occurring in or related to educational settings. Key assumptions include:

1. Incidents of targeted violence at school/workplaces are rarely sudden, impulsive acts.
2. In addition to students, others also engage in targeted violence in schools, including administrators, teachers, other staff, parent(s)/guardian(s) of students, contractors, people in relationships with staff or students, and even people with no connection with the school.
3. Prior to most incidents of targeted violence, other people knew about the individual's idea and/or plan to attack.
4. Most individuals who perpetrated violence engaged in some behavior, prior to the incident, which caused others to have serious concerns about their behavior and/or well-being.
5. Many individuals who perpetrated violence had significant difficulties with losses or failures. Many were suicidal.
6. Many individuals who perpetrated violence felt bullied, persecuted, or injured by others prior to engaging in violence.
7. In many cases, others, e.g., staff, students, peers, family members, etc., were involved in some way, such as helping with plans or preparation for violence, encouraging violence, or failing to report (or take other steps) to prevent violence.
8. Most individuals who perpetrated violence did not threaten their targets directly prior to engaging in violence.
9. Violence is a dynamic process. No one is either always dangerous or never dangerous. Rather, the risk for violence is an interaction between the individual, the situation, circumstances, provocations, and inhibitory factors that are present.

The fact that most individuals engaged in pre-incident planning and preparation, and frequently shared their intentions, plans and preparations with others, suggests that the information about targeted violence is likely to be uncovered through a sound threat assessment process.

Targeted violence is the end result of a process of thinking and behavior that begins with an **idea**, e.g., to use violence to address a real or perceived grievance. The process of thinking and behavior progresses to the development of a **plan** and moves on to **preparation** and acquiring the means, e.g., weapons, training, capacity, access, to carry out the plan. The culmination, regrettably, can be in **violence**. A graphic representation of this process, the *Pathway to Violence*, is shown in Figure 1.

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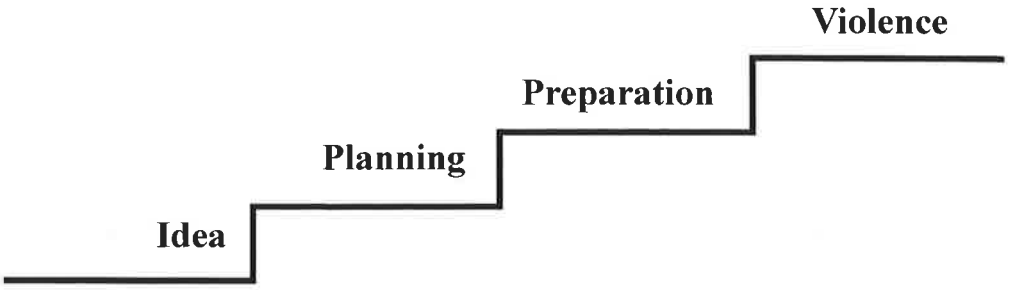


Figure 1: the *Pathway to Violence*

This process indicate opportunities to observe, identify, and intervene with threatening and/or aberrant behaviors that cause concern for violence by, or for the well-being of, the individual. Frequently, information about an individual's ideas, plans, and preparations for violence can be observed before violence occurs. However, information is likely to be scattered and fragmented. For example, a teacher may see a certain set of behaviors of an individual in her class, a coach observes other behaviors or expressed thoughts by the individual, a school resource officer has other concerns, and a school administrator is aware of certain conduct violations. The challenge, and the key, is to act quickly upon initial reports of concern, gather other pieces of the puzzle, and assemble them to determine what picture emerges.

Principles

To determine the risk of a threat, the TAT focuses on actions/behaviors, communications, and specific circumstances that might suggest that an individual intends to engage in violence and is planning or preparing for that event. The threat assessment process is centered upon an analysis of the known (or reasonably knowable) behavior(s) in a given situation.

TATs train to focus on the following core principles of threat assessment:

1. **The central question in a threat assessment inquiry is whether an individual *poses* a threat (i.e., is building the capability to cause harm), not just whether the person has made a threat (directly expressed intent to harm).** Research on targeted violence in schools and workplaces has found that fewer than 20 percent of violent perpetrators communicated a direct or conditional threat to their target before the violence. In the majority of incidents, perpetrators did not directly threaten their targets, but they did communicate their intent and/or plans to others before the violence. This indirect expression or third party communication of intent to cause harm is often referred to as *leakage*. The absence of a direct threat should not, by itself, cause a team to conclude that a subject does not pose a threat to others.
2. **Targeted violence is the end result of an understandable, and often discernable, process of thinking and behavior, often referred to as the *Pathway to Violence*, noted above in Figure 1.** Individuals who committed targeted violence did not "just snap," but engaged in a process of thought and escalation of action over days, weeks, months, and even years.
3. **Targeted violence stems from an interaction among the Subject(s), Target(s), Environment, and Precipitating Events (STEP).** Identifying, preventing, and intervening with acts of violence requires a focus on these four components and their interaction. A focus on the *Subject* of concern should provide insight into how the individual perceives and deals with conditions, often stressful, in his or her life and the intensity of effort they direct toward planning and preparation for violence. A focus on the *Target* examines choices and coping strategies they are using or responding with that may increase or decrease their risk for harm.

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A focus on the *Environment* examines the school/workplace climate and systemic issues that contribute to the risk of violence, or do not discourage it. A focus on *Precipitating* events examines critical stressors or events such as bullying, personal losses, enforcement actions, or even TAT interventions that may increase or decrease the risk for violence.

4. **An investigative, skeptical, inquisitive mindset is critical to successful threat assessment.** Those who carry out threat assessment must strive to be both accurate and fair, continuing throughout the assessment process both to gather pieces of information and to fit the pieces into a larger picture to gain understanding of the context and situation.
5. **Effective assessment is based upon facts and observations of behavior, rather than on characteristics, traits, or profiles. Perpetrator profiles do not provide a reliable basis for making judgments of the threat posed by a particular individual.**
6. **An integrated systems approach, coordinating between local agencies and service systems within the school and community, should guide the threat assessment and management process.** Relationships with agencies and service systems within the school (e.g., school psychologist, school social worker, school counselor, school-based mental health clinicians, administrators, disciplinary officers, human resources, etc.) and community (e.g., mental health providers, juvenile justice system, child welfare agencies, law enforcement, etc.) are critical to identifying, assessing, and managing individuals who are on the *Pathway to Violence*.

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Operational Services

Exhibit - Threat Assessment Documentation

Imminent threats require immediate containment and action to protect the District's environment and/or identified or identifiable target(s). A Threat Assessment Team (TAT) does not document its activities in response to an imminent threat until after the threat is contained.

The Virginia Center for School and Campus Safety has created a model *Threat Assessment Triage and Assessment Form* (Form) containing eight parts, on pages 31-41 in a publication entitled *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Second Edition (2016), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services at: www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/threat-assessment-model-policies-procedures-and-guidelinespdf.pdf.

The Form contains investigation questions designed to help a TAT gather information to identify, assess, classify, respond to, and manage threats of targeted violence to the District's environment. Modify the questions on the Form to reflect the District's local conditions and each TAT's specific building needs. Members of the TAT should use the Form to document threat assessment activities and in conjunction with 4:190-AP1, *Targeted School Violence Prevention Program*; 4:190-AP2, *Threat Assessment Team (TAT)*; 4:190-AP2, E1, *Principles of Threat Assessment*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*.

Consult the Board Attorney for recordkeeping procedures when or if the information gathered and entered in the Form is placed in a student's temporary record. See also Board policy 7:340, *Student Records*.

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Operational Services

Administrative Procedure - Threat Assessment Key Areas and Questions; Examples

This exhibit provides examples for Building-level Threat Assessment Team (TAT) members to use when assessing reports of threats to the District's environment. TAT members use this exhibit to assess a threat while following 4:190-AP2, *Threat Assessment Team (TAT)*.

Key Areas of Assessment

Review and use the following **key areas** of assessment. This is not intended as an exhaustive or complete list of areas of inquiry. Additional questions may be asked for clarification and/or to probe more deeply to fully understand the circumstances.

Before conducting an interview with a subject of concern (subject): (1) learn the facts that brought the subject to the attention of school administrators and others; and (2) review information about the subject's background, interests, and behaviors.

Key Area: Interview with person(s) who reported the threat, threat recipient(s)/target(s), and other witness(es): Interview, when possible, all persons who witnessed the reported and/or concerning behavior, including the subject and all recipients/targets. Inform the subject that the primary purpose of the interview is to gather information about a possible situation of concern and, when possible, prevent harm to staff members and/or students.

Ask potential targets of the threat about their relationship to the subject and any recent interactions with him or her. Gather information about grievances and grudges that may exist in these relationships. Conduct interviews of potential targets with special sensitivity and gather information without alarming them. If you believe a risk of violence to a potential target exists, offer him/her any available assistance and support for their safety.

Because the process provides a revised understanding of the situation in real time, always review new incoming information and re-evaluate the threat. Maintain contact with the targets to obtain information about any more concerning behaviors, improvements to the situation, or other developments.

Key Area: Review records and consult with staff who know the subject: Background information may assist with the approach to and questioning of the subject. It may also help determine whether the subject poses a threat to particular targets. Knowing background information before the interview may help determine whether the subject is honest. Areas that may contain helpful background information include:

Recent or historical work or school performance history
Disciplinary or personnel actions
Prior TAT contacts
Law enforcement or security contacts at school and/or in the community
Any involvement with mental health or social services
Presence of problems in the subject's life
Current or historical grievances that may be related to the behavior of concern
Electronic searches: Internet, social media, email, etc.

Key Area: Interview with the subject: Directly ask a subject who is a staff member or student about his/her reported actions and/or intentions. Many subjects will respond truthfully to direct questions when they are asked in a non-judgmental manner. This interview could elicit important information to understand a subject's situation and identify possible targets, which can assist the assessment of the risk of violence. More leads for

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further assessment may also arise.

Interviews send the message to the subject that the District noticed his/her behavior, and it caused concern. They also provide the subject an opportunity to: (1) tell his/her perspective, background, and intent; (2) be heard and experience support; and (3) reassess and redirect his/her behavior away from concerning activities. To a subject who has mixed feelings about attacking, an interview may suggest people are interested in his/her welfare, and that there are better, more effective, ways to deal with challenges or with specific people.

While interviewing a subject might provide valuable information, relying solely on that interview to make judgments about whether the subject poses a threat likely presents problems. Information offered during the interview may be incomplete, misleading, or inaccurate; and seeking corroboration and verifying information learned during the interview is very important.

Key Questions to Ask

Thoughtful consideration of the answers to the following key questions will produce a foundation for the TAT's response to the main question in its assessment: Does the subject pose a threat of targeted violence toward the District's environment?

Examine information gathered for evidence of behavior and conditions that suggest the subject is planning and preparing for an act of violence and/or to cause harm to him/herself or others in the District environment. Based on a review of the totality of the information available, try to answer the following questions:

1. **What are the subject's motive(s) and goal(s)? What first brought him/her to someone's attention?**

   Does the subject have a major grievance or grudge? If so, against whom?
   Does the situation or circumstance that led to these statements or actions still exist?
   What efforts have been made to resolve the problem and what was the result?
   Does the subject feel that any part of the problem is resolved or see any alternatives?
   Has the subject previously come to someone's attention or raised concern in a way that suggested he or she needs intervention or supportive services?

2. **Have there been any communications suggesting ideas, intent, planning, or preparation for violence?**

   What, if anything, has the subject communicated to someone else (targets, friends, co-workers, others) or written in a diary, journal, email, or website concerning his/her grievances, ideas and/or intentions?
   Do the communications provide insight about ideation, planning, preparation, timing, grievances, etc.?
   Has anyone been alerted or *warned away*?

3. **Has the subject shown any inappropriate interest in, fascination, and/or identification with other perpetrators and/or incidents of mass or targeted violence, e.g., terrorism, school/workplace shootings, mass murderers:**

   Previous perpetrators of targeted violence?
   Grievances of perpetrators?
   Weapons/tactics of perpetrators?
   Effect or notoriety of perpetrators?

4. **Does the subject have, or is he/she developing, the capacity to carry out an act of targeted violence?**

   How organized is the subject's thinking and behavior?
   Does the subject have the means, e.g., access to a weapon, to carry out an attack?
   Is he/she trying to get the means to carry out an attack?
   Has he/she developed the will and ability to cause harm?
   Has he/she practiced or rehearsed for the violence?

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Operational Services

Exhibit - Responding to Types of Threats

After a threat is assessed, use this exhibit with subhead **Responding to and Managing Threats** in 4:190-AP2, *Threat Assessment Team (TAT)*. Each threat level listed provides research-based appropriate responses for TATs.

Imminent Threat Responses

Imminent threats require immediate: containment and action to protect the target, referral to law enforcement, and consultation with school security. Following containment and action to protect the target, the TAT becomes involved and follows the procedures set forth in High-Risk Threat Responses.

Low-Risk Threat Responses

Resolve a low-risk threat case with any of the following, as appropriate:

1. No further action;
2. Have involved individuals issue a clarification, explanation, retraction and/or an apology;
3. Refer the subject for disciplinary action in accordance with Board policy; and/or
4. Refer the subject and/or target to school and/or community-based resources.

If the subject and/or target is referred for resources or services, a member of the TAT is designated to monitor the subject's/target's reactions for a short period of time, to ensure the referral was effective.

When the target is a student the TAT may, at its discretion, notify the target and his/her parent(s)/guardian(s). If the parent(s)/guardian(s) are notified, contact them promptly and reassure them that the threat has been resolved. That TAT may also notify parent(s)/guardian(s) of the subject, so they are aware of the situation and that it has been resolved.

If new information comes to the attention of the TAT, reassess and update the case management plan.

Moderate-Risk Threat Responses

Resolve a moderate-risk threat case with any of the following, as appropriate:

1. Protect the target with the following precautions:
   a. Direct supervision to prevent the threat while at school, at school functions, or on the bus.
   b. Caution the subject about the consequences of carrying out the threat.
   c. Notify the target and (if he/she is a student) the target's parent(s)/guardian(s) of the threat, the seriousness of the threat, the identity of the subject who made the threat, and what actions are being taken to support the safety of the target and the school as a whole.
   d. When the subject is a student, contact the subject's parent(s)/guardian(s) to assume responsibility for supervising the subject and to enlist their support to prevent the subject from carrying out the threat.
2. Consult with the school resource officer to assist in monitoring and supervising the subject and determine the need, if any, for law enforcement action.
3. Refer the subject for disciplinary action in accordance with Board policy.
4. Refer the subject and/or target for counseling, conflict mediation, or other interventions to reduce the threat and to address the underlying conflict/issues that led to the threat. The Building Principal will involve school-based professionals and/or community-based professionals who can provide assistance and appropriate intervention.

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What is the *intensity of effort* expended in attempting to develop the capability?

5. **Is the subject experiencing hopelessness and/or desperation?**

   Is there information to suggest that the subject is feeling hopeless or desperate?
   Has the subject experienced a recent failure, loss, and/or loss of status?
   Is the subject having significant difficulty coping with a stressful event?
   Has the subject engaged in behavior that suggests that he/she has considered suicide?

6. **Does the subject have a positive, trusting, sustained relationship with at least one responsible person?**

   Does the subject have at least one friend, colleague, family member, or other person that he/she trusts and can rely upon for support, guidance or assistance?
   Is that trusted person someone that would work collaboratively with the TAT for the well-being of the subject?
   Is the subject emotionally connected to other people or becoming more socially isolated?

7. **Does the subject see violence as an acceptable, desirable – or the only – way to solve a problem?**

   Does the subject still perceive alternatives to violence to address his/her grievances?
   Does the setting around the subject (friends, colleagues, family members, others) explicitly or implicitly support or endorse violence as a way of resolving problems or disputes?
   Has the subject been "dared" by others to engage in an act of violence?
   Has the subject expressed sentiments of finality or desperation to address grievances?

8. **Are the subject's conversation and *story* consistent with his/her actions?**

   Does information from other interviews and the subject's own behavior confirm or dispute what the subject says is happening and how he/she is dealing with it?
   Is there corroboration across sources or are the subject's statements at odds with his/her actions?

9. **Are other people concerned about the subject's potential for violence?**

   Are those who know the subject concerned about him/her: (a) taking action based on violent ideas or plans; (b) targeting a specific person; or (c) engaging in protective actions, e.g., distancing, avoiding, minimizing conflict, etc.?

10. **What circumstances might affect the likelihood of an escalation to violent behavior?**

    What events or situations in the subject's life, now or in the near future, may increase or decrease the likelihood that the subject will engage in violent behavior?
    Are TAT interventions escalating, de-escalating, or having no effect on movement toward violence?
    What is the response of others who know about the subject's ideas or plans? Do others: (a) actively discourage the subject from acting violently; (b) encourage the subject to attack; (c) deny the possibility of violence; or (d) passively collude with an attack, etc.?

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5. Conduct a mental health risk assessment when the TAT reasonably believes that mental health or disability issues are causing or contributing to the risk of violence. Follow parameters for the mental health risk assessment as outlined in High-Risk Threat Responses, below.

High-Risk Threat Responses

Resolve a high-risk threat with any of the following, as appropriate:

1. Notify law enforcement to contain the threat and to consult regarding school safety and security.
2. Immediately protect the target with the following precautions:
   a. Direct supervision to prevent the threat while at school, at school programs, or on the bus.
   b. Caution the subject about the consequences of carrying out the threat.
   c. Notify the target and (if he/she is a student) the target's parent(s)/guardian(s) of the threat, the seriousness of the threat, the identity of the subject who made the threat, and what actions are being taken to support the safety of the target and the school as a whole.
   d. When the subject is a student, contact the subject's parent(s)/guardian(s) to enlist their support to prevent the subject from carrying out the threat; have either law enforcement or the subject's parent(s)/guardian(s) assume responsibility for supervising the subject.
3. Refer the subject for disciplinary action in accordance with Board policy.
4. Conduct a mental health risk assessment when the TAT reasonably believes that mental health or disability issues are causing or contributing to the risk of violence. The mental health risk assessment will be conducted by a qualified independent medical/psychological professional who does not have a treatment relationship with the subject. The professional will base his/her assessment on a review of all available information, including but not limited to an interview of the subject by the professional. The professional will prepare a written report that identifies the problem/conflict that prompted the threat and recommends strategies to address the problem/conflict and to reduce the risk of violence.
   a. The Building Principal will determine the conditions for the subject's readmission to school, which may include requiring the subject to cooperate in a mental health evaluation. If the subject is a student, the parent(s)/guardian(s) will be notified of all readmission requirements and of any failure to comply. A readmission meeting will be held prior to the subject's return to school.
   b. The TAT will attempt to obtain any required signed permission for release and exchange of information with mental health provider(s), if any, and where appropriate, LLEAs.
   c. After receiving the mental health risk assessment report, the TAT will convene to complete and implement a written safety plan that includes immediate steps to prevent the threat from being carried out and a plan for further action before the subject is permitted to return to school or an alternative educational environment. The safety plan will include:

      Readmission conditions;
      Interventions, such as counseling or medication, that are needed to reduce risk;
      Scheduled follow-up contact with the subject (and parent(s)/guardian(s) if subject is a student) to assess changes in risk and update the safety plan over time, until the perceived threat is resolved; and
      The identities of person(s) responsible for monitoring and verifying that the safety plan is being followed.

A student/staff member should only be removed if the threatening behaviors engaged in by the subject are a violation of the code of conduct/Board policy, and when all applicable disciplinary procedures are followed.

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In the event that applicable disciplinary procedures are not available to school-based staff, and the school administration or TAT believes the subject poses a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services as provided in federal regulations implementing the Americans with Disabilities Act of 1990 (ADA) at 28 C.F.R. §35.139, the ADA's direct threat standard may be applied. Before applying the ADA's direct threat standard, the Building Principal will contact the District's Director of Special Education and Board Attorney (through the Superintendent, if not authorized to contact the Board Attorney directly).

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Operational Services

Exhibit - Threat Assessment Case Management Strategies

Case management is a critical component of Building-level Threat Assessment Team (TAT) work. TATs use this exhibit to examine four types of research-based case management strategies when developing a case management plan in response to a threat. Types include: subject-based, target-based, environmental/system, and monitoring for the impact of precipitating events. See subhead **Responding to and Managing Threats** in 4:190-AP2, *Threat Assessment Team (TAT)*.

Case management integrates interventions, as appropriate, across the following relevant domains:

S De-escalate, contain, or control the **subject** who may take violent action;
T Decrease vulnerabilities of the **target**;
E Modify physical and cultural **environment** and systems to discourage escalation; and,
P Prepare for and mitigate against **precipitating events** that may trigger adverse reactions.

Subject-Based Case Management Strategies

Schools regularly use many of the following examples of interventions or strategies to address inappropriate behavior including, but not limited to, threatening behavior. TATs focus on interventions that de-escalate, contain, control, and redirect the subject away from plans and preparation for violence; and toward engaging with others, problem solving, adapting, and improving their coping skills and well-being. Examples include, but are not limited to:

1. Maintain channel of communication and engagement (with subject) to:
   a. Gather information
   b. Build rapport and relationship
   c. Decrease isolation
   d. De-escalate volatile reactions
   e. Provide feedback and mentoring
   f. Monitor reactions to grievances, interventions, and precipitating events
2. Problem-solving about legitimate grievances
3. Referral for assistance or support services, such as:
   a. Academic assistance or accommodations
   b. Social skills training
   c. Behavioral contracting
   d. Modification of student classroom assignment or schedule
   e. Modification of work schedule or assignments
   f. Alternative schooling/home schooling
   g. Involvement in extra-curricular activities
   h. Performance improvement plans
   i. Peer coaching/mentoring
4. Counseling/mental health services, such as:
   a. Check-in/check-out with school counseling staff
   b. Outpatient counseling/mental health care
   c. Emergency psychiatric evaluation
5. Disciplinary measures, such as:

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a. Subject confrontation or warning
b. Administrative orders for no contact or communication
c. Detention
d. Suspension
e. Termination/expulsion
f. Law enforcement involvement
g. Court-issued protective orders
h. Diversion programs

TATs select intervention strategies with the greatest potential for addressing short-term crises as well as longer-term preventive power. While holding students and staff accountable for their actions, school administrators will be fair and reasonable in disciplinary responses. Disciplinary responses may be combined with other actions such as parent/guardian conferences, modifications of student classroom assignment or schedule, and referrals to in-school and community-based programs.

TATs recognize that even fair and reasonable discipline can be perceived by the subject as punitive discipline, which may lead to escalating threatening behavior. Suspension, expulsion or termination may risk triggering an immediate or delayed violent response unless they are coupled with containment and support. Suspension, expulsion, or termination options that focus solely on accountability and controlling the subject do not address the ongoing challenges of:

1. Moving the subject away from thoughts and plans of, and capacity for, violence and/or disruption;
2. Connecting the subject to resources (when needed);
3. Mitigating organizational/systemic factors; and
4. Monitoring the subject when he/she is no longer connected to the District.

In addition, a student who is suspended or expelled is often under less supervision than if he/she were to remain in a school setting. A student who is expelled may conclude: "I have lost everything. I have only a short time to act. I will give them what they deserve." TATs consider and plan for those responses by using separation strategies intentionally, being aware of their limitations, and anticipating their consequences.

Target-Based Case Management Strategies

TATs attempt to minimize risk and negative impact on targets and seek to maintain contact with targets (where appropriate) to help monitor the actions and impact of the subject. Examples of target-based case management strategies include, but are not limited to:

1. Coaching regarding personal safety approaches in dealing with the subject:
   a. Clear statements to the subject, e.g., "relationship/contact is unwanted" or "stop all contact and/or communication"
   b. Avoid subsequent contact/response
   c. Document all further contacts
   d. Do not engage emotionally, monitor "buttons" getting pushed
2. Minimize publicly available information, e.g., by scrubbing internet information, checking privacy settings on social media applications
3. Maintain awareness of surroundings
4. Vary routine
5. Develop contingency plans for escape, shelter, and support

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6. Encourage use of support systems, e.g., counseling/mental services and victim assistance programs

Environmental/System Case Management Strategies

TATs take a holistic view of the situation, monitoring for underlying systemic causes that may be contributing not just to a given case, but perhaps to a range of cases over time. This level of intervention focuses on group and subgroup behavior, not just that of the subject or target. Strategies include, but are not limited to:

1. Address systemic, policy, or procedural problems that may serve as precipitating events across cases
2. Bullying prevention/intervention programs
3. Enhance school/workplace climate – build and support a caring community
4. Intervene with associates that support or encourage violent behavior
5. Enhance conflict management skills of subgroups
6. Identify and address gaps in awareness of reporting and intervention options
7. Identify and address gaps in the threat assessment and management process

Monitoring for the Impact of Precipitating Events on Case Management

TATs recognize that cases do not occur in a vacuum and that life continues while they are assessing and intervening with a given case. TATs maintains an ongoing, long-term approach to anticipating, monitoring for, and (to the extent possible) managing the impact of potential precipitating events such as:

1. Loss impacting the subject, e.g., job or income, status, relationship, health, rejection/ostracization
2. Injustice
3. Implementation of administrative notices/court orders
4. Violation of administrative notices/court orders
5. Anniversary events, e.g., date of beginning of relationship, date of end of relationship, date served with court orders/separation documents, birthdays, holidays
6. Contagion effect of other high-profile or locally significant acts of violence

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General Personnel

Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race; color; creed; religion; national origin; sex; sexual orientation; age; ancestry; marital status; arrest record; military status; order of protection status; unfavorable military discharge; citizenship status provided the individual is authorized to work in the United States; work authorization status; use of lawful products while not at work; being a victim of domestic violence, sexual violence, gender violence, or any other crime of violence; genetic information; physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; conviction record, unless authorized by law; or 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 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 Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) 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, rules or regulations, 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 Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Ashlee Goettsche
Name
404 West Main Street, La Harpe, IL 61450
Address
agoettsche@laharpeeagles.com
Email
217-659-3713
Telephone

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Complaint Managers:

Janet Gladu	Ryan Hopper
Name	Name
404 West Main Street, La Harpe, IL 61450	404 West Main Street, La Harpe, IL 61450
Address	Address
jgladu@laharpeeagles.com	rhopper@laharpeeagles.com
Email	Email
217-659-7739	217-659-3713
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.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §206(d), Equal Pay Act.
29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
29 U.S.C. §701 et seq., Rehabilitation Act of 1973.
38 U.S.C. §4301 et seq., Uniformed Services Employment and Reemployment Rights Act (1994).
42 U.S.C. §1981 et seq., Civil Rights Act of 1991.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. Part 1601.
42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act of 2008.
42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964.
42 U.S.C. §2000e(k), Pregnancy Discrimination Act.
42 U.S.C. §12111 et seq., Americans with Disabilities Act, Title I.
Ill. Constitution, Art. I, §§17, 18, and 19.
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.
410 ILCS 130/40, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 513/25, Genetic Information Privacy Act.
740 ILCS 174/, Ill. Whistleblower Act.
775 ILCS 5/1-103, 5/2-101, 5/2-102, 5/2-103, 5/2-103.1, 5/2-104(D) and 5/6-101, Ill. Human Rights Act.
775 ILCS 35/, Religious Freedom Restoration Act.
820 ILCS 55/10, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 75/, Job Opportunities for Qualified Applicants Act.

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820 ILCS 112/, Ill. Equal Pay Act of 2003.
820 ILCS 180/30, Victims' Economic Security and Safety Act.
820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment, At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

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General Personnel

Administrative Procedure - Workplace Accommodations for Nursing Mothers

The School District accommodates mothers who choose to continue breastfeeding after returning to work. An employee who is a nursing mother may take reasonable breaks 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 may run concurrently with any break time already provided to the employee.

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 must: (1) be in close proximity to the work area and be other than a bathroom, and (2) be free from intrusion from coworkers and the public, and (3) 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.

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General Personnel

Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's 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 policies 2:260, *Uniform Grievance Procedure;* 2:265, *Title IX Sexual Harassment Grievance Procedure;* 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited

The District shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. The District provides annual sexual harassment prevention training in accordance with State 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, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

Employees and *nonemployees* (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved individuals, if they feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.

Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

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An employee may also report claims using Board policy 2:260, *Uniform Grievance Procedure.* If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the claim according to that policy, in addition to any response required by this policy.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

Nondiscrimination Coordinator:

Ashlee Goettsche
Name
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Complaint Managers:

Janet Gladu	Ryan Hopper
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Address	Address
jgladu@laharpeeagles.com	rhopper@laharpeeagles.com
Email	Email
217-659-7739	217-659-3713
Telephone	Telephone

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged workplace harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics*; Code of Professional *Conduct; and Conflict of Interest*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

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An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

A violation of this policy by an employee may result in discipline, up to and including discharge. A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee that may be up to and including discharge.

Retaliation Prohibited

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 complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/).

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U.S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks.

LEGAL REF.: 42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. §1604.11.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
775 ILCS 5/2-101(E) and (E-1), 5/2-102(A), (A-10), (D-5), 5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2, Ill. Human Rights Act.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Vance v. Ball State Univ., 570 U.S. 421 (2013).

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Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009).
Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).
Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).
Burlington Indus. v. Ellerth, 524 U.S. 742 (1998).
Faragher v. City of Boca Raton, 524 U.S. 775 (1998).
Harris v. Forklift Systems, 510 U.S. 17 (1993).
Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Porter v. Erie Foods Int, Inc., 576 F.3d 629 (7th Cir. 2009).
Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).
Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).
Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

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General Personnel

Administrative Procedure - Sample Questions and Considerations for Conducting the Internal Harassment in the Workplace Investigation

State and federal law prohibit harassment on the basis of an individual's actual or perceived race, religion, national origin, sex (including pregnancy), sexual orientation, age, citizenship status, work authorization status, disability, or other protected status, as identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. For the purpose of this procedure, *sexual harassment* includes harassment on the basis of sexual orientation, which means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity.

The person charged with conducting the internal harassment investigation must ascertain: (1) if the alleged conduct occurred; (2) if the conduct was unwelcome; (3) if the harassing conduct was based on any protected status of the complainant; and (4) whether the harassment created a *hostile environment* in that it had the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment. The questions that follow are designed to help the investigator uncover this evidence. ***The questions below serve as a general sample; they are not all-inclusive and the exact questions must be designed for the specific allegations in each case.***

Did the alleged conduct occur?

Investigators should consider a number of factors in evaluating whether the complained of conduct occurred, such as:

1. The level of detail provided by the complainant/witness. In certain cases, a witness's ability to recall information may be impacted by past trauma. Consider the use of a *trauma-informed* approach in these circumstances.
2. The consistency within and between a witness's statement(s).
3. The consistency between the witness's statements and those of other witnesses.
4. Corroborating witnesses and other evidence.
5. Body language/eye contact of the witness. In certain cases, the manner of a complainant's body language/eye contact during an interview may be attributable to the complainant's discomfort, rather than a lack of truthfulness.
6. The existence of a pattern of similar past behavior/harassment complaints involving the alleged harasser.
7. Does the witness have reason to be untruthful, such as a personal stake in the outcome?
8. Any corroborating documentation of the alleged conduct.

Is the conduct complained of unwelcome?

Unwelcome conduct is that verbal or physical conduct which the employee did not solicit or incite and that which the employee regarded as undesirable or offensive. The Equal Employment Opportunity Commission (EEOC) evaluates the issue of whether conduct was welcome on a case-by-case basis, 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.

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1. Who is the alleged harasser? What is the alleged harasser's name? Is the alleged harasser a co-worker or a supervisor?
2. Is the conduct complained of physical, verbal, and/or committed using an electronic device, such as, through email, text message, or a social networking website? Obtain relevant details for each incident (the *Five W's*: Who, What, Where, When, and Why).
3. If physical, describe with specificity the nature of the physical conduct. Inquire into all locations on the complainant's body that were touched and ask when, how often, how the complainant was approached, who witnessed the physical conduct, and where was the complainant when the conduct took place? Did the physical conduct involve an injury to or destruction of the complainant's possession(s) and, if so, what was the property, what was the nature of the injury, when did it happen, and where is the property now?
4. 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?
5. If the conduct was committed using an electronic device, e.g., through email, text message, or social networking website, what was stated, where, when, how often, who saw it? Does the complainant still have access to the emails, text messages, or social networking websites for the investigator's review?
6. Did the complainant or any of the witnesses retain any evidence of the offensive conduct such as a picture, email message, text message, or video or audio recording?
7. Was a complaint or protest made to anyone employed by the District or to anyone else? If so, to whom did the complainant complain, when was the complaint made, what was stated therein, and were there any witnesses to this or these complaints?
8. What was the complainant's response to the conduct? Did the complainant tell the alleged harasser to stop? Did the complainant complain to others about the alleged harasser's behavior? Did the complainant ask co-workers, supervisors or managers to make the harassment stop? If so, obtain all relevant details (the Five W's).
9. Did the complainant engage in any conduct with the alleged harasser that could have encouraged the alleged harasser's behavior? If so, what was the conduct, when and where did it occur, how often and who witnessed it?
10. Did the complainant make the alleged harasser aware at the point when the conduct became unwelcome? If so, when, how was this done, what was communicated to the alleged harasser, and were there any witnesses?
11. Did the complainant complain about the harassment to the alleged harasser, to the complainant's or alleged harasser's 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?
12. If no prior complaints about the alleged harassment were made, why not?
13. What other actions, if any, did the complainant take to indicate to the alleged harasser that the alleged harasser's conduct was unwelcome?
14. If they lack knowledge about the harassment, did co-workers, supervisors or managers notice any changes in complainant's behavior at work or in the alleged harasser's treatment of the complainant?
15. Has the alleged harasser been accused of 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?

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Did the work environment become hostile?

To ascertain whether unwelcome conduct creates an unlawful *hostile environment*, the major inquiry is whether the conduct had the purpose or effect of unreasonably interfering with an individual's performance or creates an intimidating, hostile, or offensive working environment. In the sexual harassment context, trivial or annoying conduct such as sexual flirtation or innuendo or vulgar language would probably not establish a hostile environment, but in certain circumstances the conduct when viewed in the aggregate can establish a hostile environment. The challenged conduct must substantially affect the work environment of a reasonable person for a violation to be found.

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 the complainant's job?
2. What effect, if any, did the alleged harassment have upon the complainant's mental or physical health or well-being? Was medical treatment/therapy sought?
3. Even if the alleged harassment had little, or no effect on the complainant's work performance or well-being, is there evidence, e.g., verbal or written comments, that the alleged harasser intended the conduct to have that effect?
4. ***Additional question for sexual harassment complaints:*** 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? Supervisors? Co-workers?
5. Did the character of the workplace change after complainant joined the workplace? If so, how? What was complainant's behavior? How did the alleged harasser and other co-workers or supervisors respond to complainant's behavior?
6. 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?
7. Did the alleged harasser single out the complainant? If so, how, when, where, and why?
8. Did others join in perpetrating the harassment? If so, who? What was done; when, where, who witnessed the conduct, and were others harassed too?
9. If the complained 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 inside or outside of the workplace when the comments were made?
10. Was the alleged harassment observed by supervisors, managers, or other co-workers? If so, by whom, when, where, and what was observed?
11. Was the alleged harassment observed by former employees or others outside the workplace? If so, by whom, when, where, and what was seen?

Was the harassment committed by a supervisor?

The employer will be held responsible for acts of harassment committed by the employee's supervisor, meaning someone who was authorized by the employer to have authority over the complainant's terms and conditions of employment. To investigate harassment committed by the complainant's supervisor, include questions such as the following:

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1. What conduct is the supervisor accused of? When, where, how often did it occur, and who observed?
2. Was the supervisor authorized to grant or deny tangible job benefits to the complainant? If so, what was the scope of that authority and what documents evidence it? If not, were the supervisor's recommendations concerning the complainant's terms and conditions of employment typically or routinely followed?

Was the harassment *quid pro quo* (do this for that)?

An employer will be held responsible for acts of *quid pro quo* sexual harassment, meaning that tangible job benefits were either (1) conditioned on submitting to sexual favors, or (2) denied because of the complainant's rejection of a sexual advance or request for sexual favors. *Quid pro quo*-type harassment can also occur in other contexts, such as religious discrimination, for example, if a person is required to abandon or alter his or her religious practice as a condition of employment.

1. How was the complainant's employment affected by the alleged harassment? Was the complainant denied a salary increase, a promotion, a job transfer, etc.? If so, when?
2. 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?
3. What other management employees were involved in decisions to grant or deny the tangible job benefit(s) to the complainant? Did they have knowledge of the sexual conduct?

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General Personnel

Exhibit - Resolution to Prohibit Sexual Harassment

WHEREAS, Section 10-20 of the School Code (105 ILCS 5/10-20) grants school boards other powers that are not inconsistent with their duties;

WHEREAS, Section 1-5 of the State Officials and Employees Ethics Act (5 ILCS 430/1-5) includes school districts within the definition of a *governmental entity*;

WHEREAS, Section 5-65 of the State Officials and Employees Ethics Act (5 ILCS 430/5-65, added by P.A. 100-554) provides that all persons have a right to work in an environment free from sexual harassment;

WHEREAS, Section 70-5 of the State Officials and Employees Ethics Act (5 ILCS 430/70-5, amended by P.A.s 100-554 and 101-221) requires governmental entities to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment which, at a minimum, includes: (1) a prohibition on sexual harassment; (2) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the Act, the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/); (4) the consequences: (a) of a violation of the prohibition on sexual harassment; and (b) for knowingly making a false report; and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against a Board member by a fellow Board member or other elected official;

THEREFORE, BE IT RESOLVED, by the Board of Education of *[insert name]*, *[insert county]* County, Illinois, as follows:

Section 1: The Board adopts Board policies 2:105, *Ethics and Gift Ban,* and 5:20, *Workplace Harassment Prohibited*, attached as Exhibit A, which collectively contain the following: (1) a prohibition on sexual harassment; (2) detail regarding how an individual can report an allegation of sexual harassment, including options for making a confidential report to an immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, a Complaint Manager, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations and a statement regarding the availability of whistleblower protections under the State Officials and Employees Ethics Act, the Whistleblower Act, and the Ill. Human Rights Act; and (4) the consequences: (a) of a violation of the prohibition on sexual harassment; and (b) for knowingly making a false report, and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against a Board member by a fellow Board member or other elected official.

Section 2: Any prior versions of Board policies 2:105, *Ethics and Gift Ban*, and 5:20, *Workplace Harassment Prohibited*, adopted by the Board are superseded by this Resolution.

Adopted this ____ day of _____, 20___.

Attested by: , Board President

Attested by: , Board Secretary

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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 105 ILCS 5/21B-80(c).

All applicants must complete a District application in order to be considered for employment.

Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration.

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. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed. The Superintendent or designee, or if the applicant is a successful superintendent candidate, then the Board President 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, the Ill. State Police and/or Statewide Sex Offender Database for purposes of clarifying the information, and/or the Teachers' Retirement System of the State of Illinois when required by law. The Board reserves its right to authorize additional background inquiries beyond a fingerprint-based criminal history records check when it deems it appropriate to do so, in accordance with applicable laws.

Each newly hired employee must complete a U.S. Citizenship and Immigration Services 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 105 ILCS 5/21B-80 or who falsifies, or omits facts from, his or her employment application or other employment documents. If an indicated finding of abuse or neglect of a child has been issued by the Ill. Department of Children and Family Services or by a child welfare agency of another jurisdiction for any applicant for student teaching, applicant for employment, or any District employee, then the Board must consider that person's status as a condition of employment.

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:

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.

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The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria.

The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation.

The District does not request or require an applicant to disclose wage or salary history as a condition of employment.

The District does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation.

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.

The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts.

The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Sexual Misconduct Related Employment History Review (EHR)

Prior to hiring an applicant for a position involving *direct contact with children or students*, the Superintendent shall ensure that an EHR is performed as required by State law. When the applicant is a superintendent candidate, the Board President shall ensure that the EHR is initiated before a successful superintendent candidate is offered employment by the Board.

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, a licensed advanced practice registered nurse, or a licensed 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 performed 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, a licensed advanced practice registered nurse, or a licensed 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 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 provided in policy 5:90, *Abused and Neglected Child Reporting*.

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LEGAL REF.: 42 U.S.C. §12112, Americans with Disabilities Act; 29 C.F.R. Part 1630.
15 U.S.C. § 1681 et seq., Fair Credit Reporting Act.
8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/21B-10, 5/21B-80, 5/21B-85, 5/22-6.5, 5/22-94, and 5/24-5.
20 ILCS 2630/3.3, Criminal Identification Act.
820 ILCS 55/, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
Duldulao v. St. Mary of Nazareth Hospital, 136 Ill. App. 3d 763 (1st Dist. 1985), aff'd in part and remanded 115 Ill.2d 482 (Ill. 1987).
Kaiser v. Dixon, 127 Ill. App. 3d 251 (2nd Dist. 1984).
Molitor v. Chicago Title & Trust Co., 325 Ill. App. 124 (1st Dist. 1945).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Superintendent), 4:60 (Purchases and Contracts), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Duties and Qualifications)

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General Personnel

Administrative Procedure - Interview Questions

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. Any employer that asks applicants to record video interviews and uses an artificial intelligence analysis of the applicant-submitted videos must comply with the Artificial Intelligence Video Interview Act, 820 ILCS 42/, added by P.A. 101-260. Sloppy interview practices can result in the appearance of illegal discrimination or 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. The District, if challenged, must explain why it asked for the information – a very difficult task 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. The following list of protected characteristics may not be complete because of the rapidly changing nature of discrimination laws.

Protected Status	Do not ask	Permissible to ask
Race and color	What race are your parents?	
Alienage, ancestry, national origin, nationality, and citizenship status (provided the individual is authorized to work in the U.S.), work authorization status	In what country were you born? In what country were your parents born? Are you a naturalized citizen? Do you have proof that you are authorized to work in the U.S.?	Are you legally authorized to work in the United States? What languages do you read, speak, or write fluently?
Marital status	Are you married? Single? Divorced? Engaged? Are you living with someone? Would your spouse move with you if you got this position? What is your maiden name?	
Gender, 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?	Is there anything that would interfere with regular work attendance? Are you available to work overtime?
Sexual orientation, including actual or	Do you have a spouse or partner – which?	How do you feel about supervising a diverse workplace?

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perceived heterosexuality, homosexuality, bisexuality, or gender-related identity		
Religion or creed	What religious holidays do you celebrate?	We need you to work on [*insert days*]. Are you available to work those days?
Age	When do you plan to retire? When do you plan to collect your pension?	What are your long-term career goals?
Military status	Will you miss work because you are a member of a U.S. Reserve unit, such as, Army Reserve or Marine Corps Reserve, or a member of a National Guard unit?	How does your military training or experience prepare you for this job?
Unfavorable discharge from military service	Under what circumstances were you discharged from the service?	
Arrest record Conviction that is not on the School Code's list of disqualifying convictions	Have you ever been arrested? Spent time in jail?	Have you ever been convicted of attempting to commit, conspiring to commit, soliciting, or committing any crime in the following list? (1) any sex offense or drug offense, as defined in Sec. 21B-80(a) of the School Code, (2) first degree murder or a Class X felony, or (3) any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as one or more of the foregoing offenses. 105 ILCS 5/21B-80, amended by P.A.s 101-531 and 102-552. Consult with the Board attorney if the District wants to ask candidates about disqualifying convictions before the job offer stage, due to Ill. Dept. of Human Rights guidance on 775 ILCS 5/2-103.1, added by P.A. 101-656, at: www2.illinois.gov/dhr/Pages/Conviction_Record_Protection_Frequently_Asked_Questions.aspx. See 5:30, *Hiring Process and Criteria*, at f/n 6 for additional explanation.

The Job Opportunities for Qualified Applicants Act, 820 ILCS 75/, prohibits an employer from asking about a criminal record until the employer determines that the applicant is qualified for the position; however, this does not apply when employers are required to exclude applicants with certain criminal convictions from employment. Thus, school employers should limit their requests for criminal convictions to job-disqualifying convictions.

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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?	Have you been disciplined by an employer for violating its rules forbidding the use of alcohol or tobacco products?
Genetic information	What were the results of any diagnostic, predictive, or pre-symptomatic genetic testing that you've had?	See section on *disability* below.
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?	
Credit history/report, unless the Employee Credit Privacy Act permits a satisfactory credit history to be a job requirement, such as, the position's duties include custody of or unsupervised access to cash or marketable assets valued at $2,500 or more. 820 ILCS 70/10(b).	Unless specifically permitted, do not ask: Do you have a good credit score? Have you been denied a credit card within last 5 years? Have you ever filed bankruptcy?	How long have you lived at your current address?
Wage or salary history, including benefits or other compensation, unless: the applicant's wage or salary history is a matter of public record, or is contained in a document completed by the applicant's current or former employer and then made available to the public by the employer, or then submitted or posted by the employer to comply with State or federal law; or the applicant is a current employee applying for a position with the same current employer. 820 ILCS 112/10, amended by	What is your current wage/salary? What was your previous wage/salary? What benefits or other compensation do you currently receive? What benefits or other compensation did you previously receive? What was your highest paid position? This position pays $X; is that more or less than what you are making now?	This position provides the following wage/salary, benefits, and compensation: [*insert details*]. Does that meet your expectations? What are you looking for in terms of wage/salary, benefits, and other compensation for this position?

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P.A. 101-177. For further discussion see f/n 19 in policy 5:30, *Hiring Process and Criteria*.		
Victim of domestic violence or being protected under an order of protection	Have you ever requested a restraining order or order of protection against your spouse or other person?	

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	Have you had any recent illnesses or operations? 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 needs? What prescription drugs are you currently taking?	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 illegal drugs? Do you have the required licenses to perform this job?

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General Personnel

Administrative Procedure - Investigations

Immigration Investigation

All newly hired employees must complete section one of the U.S. Citizenship and Immigration Services Form I-9 (Form I-9) no later than three business days following their first working day (Immigration Reform and Control Act, 8 U.S.C. §1324a, 8 C.F.R. §274a.2). See: www.uscis.gov/i-9. If an individual is unable to provide the required documents to complete it, the individual may present a receipt for the application of the required documents within three days of the hire. The individual must then present the required documents within 90 days of the hire. The Superintendent or designee completes section two of the Form I-9 and confirms the employee's information.

If the Employment Eligibility Verification System (E-Verify) is used to complete Form I-9, the Superintendent or designee will review the Ill. Dept. of Labor's website and its E-Verify factsheet, available at: https://labor.illinois.gov/content/dam/soi/en/web/idol/laws-rules/legal/documents/e-verification-facts-poster.pdf. See the Ill. Dept. of Labor Right to Privacy in the Workplace Act, 820 ILCS 55/12.

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 three years after the date of hire or one year after individual employment is terminated, whichever is later.

Fingerprint-based Criminal History Records Information Check (105 ILCS 5/10-21.9, amended by P.A. 102-702, eff. 7-1-23)

A fingerprint-based criminal history records information check must be initiated prior to employment, but the District may permit the individual to be hired and begin employment pending its outcome. See *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf.

A *complete criminal history records check* pursuant to 105 ILCS 5/10-21.9 consists of:

1. Fingerprint-based checks through (a) the Ill. State Police (ISP) for criminal history records information (CHRI) pursuant to the Ill. Uniform Conviction Information Act (20 ILCS 2635/), and (b) the Federal Bureau of Investigation (FBI) national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (Pub. L. 109-248),
2. *A check of the Ill. Sex Offender Registry (see the Sex Offender Community Notification Law, 730 ILCS 152/ et seq.), and
3. *A check of the Murderer and Violent Offender Against Youth Registry (see the Murderer and Violent Offender Against Youth Registration Act, 730 ILCS 154/75-154/105).

*These checks must be conducted by the District or the Regional Superintendent once every five years that an individual remains employed by the District. 105 ILCS 5/10-21.9(a-5), (a-6), amended by P.A. 102-552.

See also policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*. **Important:** 20 ILCS 2630/5.2 outlines how an individual may petition to have an arrest record expunged by the arresting authority and the records of the arrest sealed by the circuit court clerk. It also details offenses for which an individual cannot have his or her conviction sealed.

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Note: The following criminal history records check guides are also available:

1. Guide to Understanding Criminal History Record Check Information is available at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/forms/background-check-guide-071817.pdf.
2. Ill. State Board of Education non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, at: www.isbe.net/Documents/guidance_chr.pdf.

The following individuals are responsible for the actions listed:

Applicant - Each applicant for employment in any position (except bus drivers employed by a private student transportation contractor) must provide a written authorization for a complete criminal history records check at the time he or she submits the application.

Individual Student Teaching or beginning a required internship - Each individual student teaching or beginning a required internship must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor's fees) prior to participating in any field experiences in the District. See 105 ILCS 5/10-21.9(g).

Applicant for Bus Driver - 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 ISP 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 ISP. 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. See 625 ILCS 5/6-106.1, amended by P.A. 102-168; 92 Ill.Admin.Code §1035.25.

Superintendent or designee - Note: *Add any additional steps to efficiently receive a complete criminal history records check.*

1. Fingerprint-Based Criminal History Records Check:
    a. For all applicants, the Superintendent or designee completes the required forms to request the criminal history records checks from an appropriate ISP or LiveScan vendor. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the School Board President shall ensure that these checks are completed. This may include submitting the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers to the ISP and FBI on the forms prescribed by each agency.
    b. The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, will provide the applicant with a copy of the ISP and FBI reports. Required by 105 ILCS 5/10-21.9(b) and 20 ILCS 2635/7. The applicant has the obligation and responsibility to notify the District within seven (7) working days if information in the report furnished by the ISP is inaccurate or incomplete. Id.
    c. The Superintendent or designee, or the Regional Superintendent, notifies the State Superintendent of Education in writing within 15 business days when a CHRI returns a *conviction* of a crime set forth in 105 ILCS 5/21B-80. 105 ILCS 5/21.9(e), and:

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i. Makes a preliminary determination that the applicant will be disqualified based on a conviction record when: (1) the District is prohibited by 105 ILCS 5/10-21.9 from employing the individual because the conviction is an offense listed in 105 ILCS 5/21B-80, amended by P.A. 102-552; (2) there is a *substantial relationship* between one or more of the previous criminal offenses and the employment sought or held; or (3) the employment would involve an *unreasonable risk* to property or to the safety or welfare of specific individuals or the general public.

Conviction record means information indicating that a person has been convicted of a felony, misdemeanor or other criminal offense, placed on probation, fined, imprisoned, or paroled pursuant to any law enforcement or military authority. 775 ILCS 5/1-103(G-5). It includes the results of a *complete criminal history records check* conducted pursuant to 105 ILCS 5/10-21.9.

Substantial relationship means a consideration of whether a job position offers the opportunity for the same or a similar offense to occur and whether the circumstances leading to the conduct for which the person was convicted will recur in the position. 775 ILCS 5/2-103.1(A).

To determine whether an applicant is disqualified based on a *substantial relationship* or *unreasonable risk*, considers the following factors: (1) length of time since the conviction; (2) number of convictions that appear on the conviction record; (3) nature and severity of the conviction and its relationship to the safety and security of others; (4) the facts or circumstances surrounding the conviction; (5) the age of the employee at the time of the conviction; and (6) evidence of rehabilitation efforts. 775 ILCS 5/2-103.1(B). See also Ill. Dept. of Human Rights (IDHR) *Conviction Record Protection – Frequently Asked Questions* (March 2021), at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

ii. When the applicant's conviction record disqualifies him/her/them, notifies the applicant of the preliminary decision in writing. The written notice shall contain: (1) the disqualifying convictions that are the basis for the preliminary decision and the District's reasoning for the disqualification; (2) a copy of the *complete criminal history records check* conducted pursuant to 105 ILCS 5/10-21.9; and (3) an explanation of the applicant's right to submit evidence challenging the accuracy of the conviction record that is the basis for the disqualification within seven (7) working days of the applicant's receipt of the copy of the conviction record if the applicant wishes to dispute the accuracy of the conviction record and/or submit evidence in mitigation, such as rehabilitation. 775 ILCS 5/2-103.1(C)(1) and (2). See 5:30-AP2, E1, *Notice of Preliminary Hiring Decision Based on Conviction Record*, for a sample letter template.

Note: Evidence of rehabilitation may include education, training, stable employment, family and community involvement, and recovery from substance abuse. For more information, see *EEOC Enforcement*

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Guidance on the Consideration of Arrest and Conviction Records in Employment Decision under Title VII of the Civil Rights Act, at: www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-decisions.

iii. When the final decision disqualifies the applicant based on the conviction record, provides a second written notice to the applicant that contains: (1) notice of the disqualifying conviction(s) that are the basis for the final decision and the District's reasoning for the disqualification; (2) any existing procedure the employer has for the applicant to challenge the decision or request reconsideration (this is not required); and (3) the right to file a charge with the IDHR. 775 ILCS 5/2-103.1(C)(3). See 5:30-AP2, E2, *Notice of Final Hiring Decision Based on Conviction Record*, for a sample letter template.

d. The Superintendent or designee, or the Regional Superintendent, or as applicable the entity that provides background checks for public schools, notifies the State Superintendent of education in writing within 10 business days after receiving information of a *pending* criminal charge for an offense set forth in 105 ILCS 5/21B-80. Required by 105 ILCS 5/10-21.9(e).

Note: For substitute teachers, the Superintendent will need to ensure that the District performs these checks. Contact the board attorney and/or ISBE regarding the validity of a *certificate of authorization*, if a substitute teacher presents one. From 1-1-11 through 7-1-11, the Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, was allowed to issue *certificates of authorization* to substitute teachers. Issuance of a *certificate of authorization* was proof that the substitute teacher applicant had met all of the requirements to substitute teach in the educational service region; i.e., a fingerprint-based criminal history records check, a physical examination, and a negative tuberculin test. Because P.A. 97-607 deleted *certificates of authorization*, substitute teachers no longer receive them because they no longer exist. For those substitute teachers who did receive them, there is not an answer to the question of whether their *certificates of authorization* are still valid. Attorneys in the field suggest looking for an expiration date on the *certificate of authorization*. If the document has no expiration date, it is likely invalid because the document no longer exists. If there is an expiration date, then the document is likely valid until the date listed.

e. For individuals student teaching or beginning a required internship, the Superintendent or designee ensures that the individual completes the required forms, authorizations, and provides payment to the District for the costs of completing a complete criminal history records check prior to student teaching or beginning a required internship (105 ILCS 5/10-21.9(g) and policy 5:260, *Student Teachers*). For more information, see also ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/Documents/guidance_chr.pdf.

2. Screen of the Statewide offender databases upon hire and every five years thereafter that an individual remains employed by the District. 105 ILCS 5/10-21.9(a-5), (a-6), amended by P.A.s 101-531 and 102-552. The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, performs a screen for each applicant of:

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a. The Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/ et seq.), and
b. The Statewide Murderer and Violent Offender Against Youth Registry https://isp.illinois.gov/MVOAY/Disclaimer, as authorized by the Murderer and Violent Offender Against Youth Registration Act (730 ILCS 154/75-154/105).

The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, notifies the individual if he or she is identified in the database as a sex offender. Required by 105 ILCS 5/10-21.9 (a-5), (a-6), and (b). The Superintendent or designee, or the Regional Superintendent, notifies the State Superintendent of Education in writing within 15 business days, when a database screen finds a *registration* for an individual licensed by ISBE. 105 ILCS 5/21.9(e).

ISP and FBI - The ISP and FBI furnish records of convictions (until expunged), pursuant to the District's request, to the Board President. **Note**: The ISP 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…". See 105 ILCS 5/10-21.9(a) and (g). 20 ILCS 2630/3.3 establishes authority for the ISP to collect fees from the District if wishes to participate in a Federal *Rap Back Service*. Rap Back Service is a capability of the FBI's Next Generation Identification (NGI) system that provides authorized agencies notification of criminal activity and, in limited cases, of civil activity, that occurs after the initial processing and retention of criminal or civil transactions, e.g., an initial fingerprint-based criminal history records check. The Board may determine that it wants to participate. Participation includes ISP submitting fingerprints that the District orders to the FBI Rap Back Service to be retained for the purpose of being searched by future submissions to the FBI Rap Back Service. For a student teacher, the report shall be returned to the Superintendent or designee (see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf).

Board President - The School Code requires the Board President to keep a conviction record confidential. The information may only be shared between the Board President, the Superintendent or designee, Regional Superintendent (if the check was requested by the District), State Superintendent of Education, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, the ISP and/or Statewide Sex Offender Registry for clarification purposes, or the Teachers' Retirement System of the State of Illinois (TRS) when the board learns that a teacher has been convicted of a felony. See 105 ILCS 5/10-21.9(b), 105 ILCS 5/21B-10, and 105 ILCS 5/21B-85, amended by P.A. 102-552. For further discussion about the practical implementation issues for the Board President to ensure that a fingerprint-based criminal history records information check and other database screens are initiated and completed prior to employment, see f/n 11 in 5:30, *Hiring Process and Criteria*.

Regional Superintendent/Suburban Cook County Intermediate Service Center Executive Director - The Superintendent or designee may require the applicant to authorize the Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, to conduct the check when an applicant is (1) seeking employment in more than one District simultaneously as (a) a substitute teacher, (b) a concurrent part-time employee, and/or (c) educational support personnel, or (2) the employee works for a contractor holding contracts with more than one district. The Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, also performs a check of the Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer , as authorized by the Sex Offender Community Notification Law (730 ILCS 152/115), and the Violent Offender Against Youth Registry,

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https://isp.illinois.gov/MVOAY/Disclaimer, as authorized by the Murderer and Violent Offender Against Youth Registration Act (730 ILCS 154/75-154/105). See 105 ILCS 5/10-21.9 (a-5), (a-6), and (b), amended by P.A. 102-552.

Contractors - The above requirements for a *complete criminal history records check* apply to all employees and agents of contractors who have direct, daily contact with students. 105 ILCS 5/10-21.9(f). Every contractor with the District shall: (1) make every employee or agent who will have direct, daily contact with students submit to a complete criminal history records check, (2) confirm that it will make those employees available to the District for the criminal history records check, and (3) submit payment for the costs of the check(s) to the District.

Note: The provisions in 105 ILCS 5/10-21.9(f) and (g) apply to employees of contractors who have "direct, daily contact" with students. To be comprehensive and to eliminate uncertainty, this procedure and policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, may require a criminal history records check on *all* employees of contractors who may work in any school building or on school property. Whether the District uses the comprehensive language or the direct language from the School Code, the District, not the contractor, must perform the background checks. Contractors are not authorized under any State or federal law to: (1) conduct the required criminal history background checks; or (2) see the employee's criminal history furnished by the ISP and the FBI. All contracts should also require the contractor to purchase insurance to cover misconduct by their employees and/or an indemnification clause. Additionally, the Superintendent or designee should check insurance coverage to determine whether employees of contractors are covered. See also policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and administrative procedure 4:60-AP3, *Criminal History Records Check of Contractor Employees*, for the responsibilities of contractors. Last, if the District has received, within the last year, information that concerns the record of conviction and identification as a sex offender of any contractors' employees, the District must provide the information to another school or school district that requests it. 105 ILCS 5/10-21.9(f-5). For more information, see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/Documents/guidance_chr.pdf. Unless notified by the individual named in a criminal history records information (CHRI) request or by the ISP that the information furnished in a CHRI report is inaccurate or incomplete, the District cannot be liable for damages to any person to whom the CHRI pertains for actions it reasonably took in reliance on the accuracy and completeness of CHRI report. 20 ILCS 2635/7(A)(3).

District - The District complies with 105 ILCS 5/10-21.9, amended by P.A.s 102-552 and 102-702, eff. 7-1-23, and 5/21B-80, amended by P.A. 102-552. It will not knowingly employ a person, or allow a person to work or student teach/complete a required internship (105 ILCS 5/10-21.9(g)) on school grounds, who:

1. Has been convicted of any one or more of the following offenses, until seven years following the end of the sentence for the criminal offense:
    a. Those defined in the Cannabis Control Act, 720 ILCS 550/, except: 720 ILCS 550/4(a), 550/4(b), 550/4(c), 550/5(a), 550/5(b), and any offense for which the holder of a license is placed on probation under the provisions of 550/10 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.
    b. Those defined in the Ill. Controlled Substances Act, 720 ILCS 570/100 et seq., except: any offense for which the holder of a license is placed on probation under the

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provisions of 570/410 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.

c. Those defined in the Methamphetamine Control and Community Protection Act, 720 ILCS 646/, except: any offense for which the holder of a license is placed on probation under the provisions of 646/70 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.
d. Any attempt to commit any of the offenses listed in (a)-(c) of this section.
e. Any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in Illinois, would have been punishable as one or more of the offenses listed in (a)-(d) of this section.

2. Has been convicted of committing or attempting to commit any one or more of the following offenses:
    a. Attempting to commit, conspiring to commit, soliciting, or committing first-degree murder or any Class X felony.
    b. Attempting to commit, conspiring to commit, soliciting, or committing any offense defined in Article 9 (Homicide) of the Criminal Code of 1961 or the Criminal Code of 2012.
    c. Attempting to commit, conspiring to commit, soliciting, or committing any *sex offense*. Sex offense means any offense defined in:
        i. Sections 11-6 and 11-9 through 11-9.5, inclusive, and 11-30 (if punished as a Class 4 felony) of the Criminal Code of 1961 or the Criminal Code of 2012;
        ii. Sections 11-14.1 through 11-21, inclusive, of the Criminal Code of 1961 or the Criminal Code of 2012;
        iii. Sections 11-23 (if punished as a Class 3 felony), 11-24, 11-25, and 11-26 of the Criminal Code of 1961 or the Criminal Code of 2012; and
        iv. Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-4.9, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-32, 12-33, 12C-45, and 26-4 (if punished pursuant to 26-4(d)(4) or (5)) of the Criminal Code of 1961 or the Criminal Code of 2012.
    d. 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.
3. 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 Ill. Dept. of Employment Security. See 820 ILCS 405/1801.1. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure either the retiring Superintendent or designee performs this task.

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General Personnel

Exhibit – Notice of Preliminary Hiring Decision Based on Conviction Record

Use this letter when the District must notify an applicant that it made a preliminary determination that the applicant is disqualified from employment based on a conviction record. 775 ILCS 5/103.1(C).

On District Letterhead

Re: Your Employment Application – Preliminary Decision Notice

Dear [*insert name of applicant*]:

The District has reviewed the results of your complete criminal history records check conducted pursuant to 105 ILCS 5/10-21.9 in connection with your application for the position of [*insert job title*]. A copy of those results is enclosed with this letter.

After review, the District is not considering you further for employment in the District based at least in part on [*insert date and description of disqualifying offense relied upon*].

Use the following paragraph if the disqualification is based on conviction of a prohibited offense included in 105 ILCS 5/21B-80 (see 5:30-AP2, Investigations, at p. 7-8 for a listing of prohibited offenses):

105 ILCS 5/10-21.9 prohibits the District from employing anyone convicted of [*insert disqualifying offense*], and therefore, the District is prohibited by law from offering you employment.

Use the applicable paragraph(s) below if the disqualification is not based on a prohibited offense included in 105 ILCS 5/21B-80:

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District finds that employing you would involve an unreasonable risk to the property or to the safety or welfare of others.

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District finds a substantial relationship between your conviction record(s) and the employment position for which you have applied, and that your hiring would provide an opportunity for you to engage in the same or a similar offense.

Pursuant to the Illinois Human Rights Act, you have the right to respond to this Decision, after which time the District will make a final determination. Your response may include, but need not be limited to, evidence challenging the accuracy of the conviction record that the District relied upon to disqualify you [and/or evidence in mitigation, such as rehabilitation efforts]. You have until [*insert date at least seven working days from the date of the letter*] to respond to this letter. Please send your response to: [*insert contact information*]

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Sincerely,

[*insert title, such as Superintendent or Director of Human Resources*]

Enclosure: results of complete criminal history records check

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General Personnel

Exhibit – Notice of Final Hiring Decision Based on Conviction Record

Use this letter when the District must notify an applicant that it made a final determination that the applicant is disqualified based on a conviction record. 775 ILCS 5/103.1(C).

On District Letterhead

Re: Your Employment Application – Final Decision Notice

Dear [*insert name of applicant*]:

I am writing to inform you that the District has made the final decision not to consider you further for employment. This decision is based in whole or in part on the information in your conviction record that was enclosed with the preliminary decision letter that I sent to you on [*insert date*], as well as any information submitted by you in response to my letter.

Use the following paragraph if the disqualification is based on conviction of a prohibited offense included in 105 ILCS 5/21B-80 (see 5:30-AP2, Investigation at p. 7-8 for a listing of prohibited offenses):

105 ILCS 5/10-21.9 prohibits the District from employing anyone convicted of [*insert disqualifying offense*], and therefore, the District is prohibited by law from offering you employment.

Use the applicable paragraph(s) below if the disqualification is not based on a prohibited offense included in 105 ILCS 5/21B-80:

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District has determined that employing you would involve an unreasonable risk to the property or to the safety or welfare of others.

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District has determined that there is a substantial relationship between your conviction record and the employment position for which you have applied, and that your hiring would provide an opportunity for you to engage in the same or a similar offense.

[*Insert the existing procedure, if any, that the District will use for the applicant to challenge the decision or request reconsideration*]

Finally, please note that you have the right to file a charge with the Illinois Department of Human Rights.

Sincerely,

[*insert title, such as Superintendent or Director of Human Resources*]

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General Personnel

Administrative Procedure - Sexual Misconduct Related Employment History Review (EHR)

Prior to hiring an applicant for a position involving *direct contact with children or students*, a sexual misconduct related employment history review (EHR) must be initiated, but the District may permit the individual to be hired and begin employment pending its outcome. This applies to all permanent and temporary employment positions within a school, including substitute employees and employees of contractors. An EHR is not required for volunteers.

Glossary of Terms

Contractor - A firm holding a contract with any school including, but not limited to, food service workers, school bus drivers, and other transportation employees who have direct contact with children or students. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

Direct contact with children or students - The possibility of care, supervision, guidance, or control of children or students or routine interaction with children or students. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

Initiate an EHR - The District initiates an EHR when it submits an *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form(s) to every current and previous employer identified by the applicant on said form(s).

School - A public or nonpublic elementary or secondary school. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23.

Sexual misconduct - Any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include but are not limited to: 1) a sexual or romantic invitation, 2) dating or soliciting a date, 3) engaging in sexualized or romantic dialog, 4) making sexually suggestive comments that are directed toward or with a student, 5) self-disclosure or physical exposure of a sexual, romantic, or erotic nature, 6) a sexual, indecent, romantic, or erotic contact with the student. 105 ILCS 5/22-94(b), added by P.A. 102-702, eff. 7-1-23; 105 ILCS 5/22-85.5(c), added by P.A. 102-676.

Substitute Employees

For substitute employees, the EHR is required only prior to the initial hiring of a substitute employee or placement on a school's or district's approved substitute list. A substitute employee seeking to be added to another school's or district's substitute list must undergo another EHR. An EHR conducted upon initial hiring by a contractor or any other entity that furnishes substitute staffing services, e.g., a regional office of education, satisfies the EHR requirement for all schools using that contractor's/entity's services. 105 ILCS 5/22-94(i), added by P.A. 102-702, eff. 7-1-23.

Employees of Contractors

For employees of contractors, the EHR is performed either at the time of initial hiring or prior to the employee's assignment to perform work for a school involving direct contact with children or students. 105 ILCS 5/22-94(j)(1), added by P.A. 102-702, eff. 7-1-23. Contractors must maintain records documenting EHRs for all such employees and, upon the District's request, provide the District with

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access to the records. 105 ILCS 5/22-94(j)(2), added by P.A. 102-702, eff. 7-1-23. See Board policy 4:60, *Purchases and Contracts*, administrative procedure 4:60-AP1, *Purchases*, and administrative procedure 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, for employment history review requirements for employees of contractors who have direct contact with children or students.

Employment History Review for Direct Hires

Actor	Action
Board President	When the applicant is a superintendent candidate, ensures that either the resigning Superintendent, Human Resources Administrator, or designee initiates the EHR.
Superintendent, Human Resources Administrator, or designee	After a conditional hiring offer has been extended to an applicant for a temporary, permanent, or substitute position involving direct contact with children or students, initiates the EHR and provides the applicant with: 1. A *Sexual Misconduct Disclosure* form, using the Ill. State Board of Education (ISBE) *Sexual Misconduct Disclosure Template for Applicant* at www.isbe.net/Documents/Temp1-ISBE-Sexual-Misconduct-Disclosure-Form-Applicant.pdf. 2. Copies of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form, using the ISBE *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response Template* at www.isbe.net/Documents/Temp2-Auth-Release-Sexual-Misconduct-Related-Info.pdf, for the applicant to complete for each current/former employer, 3. Instructions to complete and return all forms within [*insert number*] calendar days after receipt, and 4. Notice that the District cannot hire an applicant who does not provide the information required by the forms (105 ILCS 5/22-94(f), added by P.A. 102-702, eff. 7-1-23).
Applicant	Completes the *Sexual Misconduct Disclosure* form and *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form(s) and returns them to the Superintendent, Human Resources Administrator and/or designee. 105 ILCS 5/22-94(c)(3), added by P.A. 102-702, eff. 7-1-23.
Superintendent, Human Resources Administrator, or designee	Reviews the applicant's completed *Sexual Misconduct Disclosure* form and *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form(s). Maintains copies of these forms in the personnel file. See policy 5:150, *Personnel Records*, and administrative procedure 5:150-AP, *Personnel Records*. Provides, to all employers identified by the applicant in Section 3 of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form: 1. A copy of the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response*

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Actor	Action
	form (105 ILCS 5/22-94(c)(4), added by P.A. 102-702, eff. 7-1-23); and 2. Instructions to complete the form and return it to the Superintendent, Human Resources Administrator, or designee within 20 calendar days (105 ILCS 5/22-94(e), added by P.A. 102-702, eff. 7-1-23) after receipt. For applicants licensed by ISBE, verifies the applicant's reported previous employers with previous employers in ISBE's Educator Licensure Information System (ELIS) to ensure accuracy. 105 ILCS 5/22-94(c)(5), added by P.A. 102-702, eff. 7-1-23. Reviews all responses received from the applicant's employers and uses information in the responses to evaluate the applicant's fitness to be hired or for continued employment. 105 ILCS 5/22-94(e), added by P.A. 102-702, eff. 7-1-23. May report information in the responses, as appropriate, to ISBE, a state licensing agency, a law enforcement agency, a child protective services agency, another school or contractor, or a prospective employer. Id. **Note:** An employer, school, school administrator, or contractor who provides information or records about a current or former employee or applicant is immune from criminal and civil liability for the disclosure of the information or records, unless the information or records provided were knowingly false. Id. Maintains the *Sexual Misconduct Disclosure* form and all responses received from the current/former employers in the personnel file. See policy 5:150, *Personnel Records*, and administrative procedure 5:150-AP, *Personnel Records*.

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General Personnel

Exhibit - EHR Letter to Applicant's Current/Former Employer

Use this letter when the District contacts an applicant's current or former employer to complete a sexual misconduct related employment history review. 105 ILCS 5/22-94.

On District Letterhead

Re: Applicant's Sexual Misconduct Related Employment History Review

Attention [*insert name of applicant's current/former employer*]:

You are receiving this letter pursuant to the Illinois School Code (105 ILCS 5/22-94) because your organization has been listed by the applicant as a current employer, a former employer that was a school or school contractor, or a former employer at which the applicant had direct contract with children or students, meaning the possibility of care, supervision, guidance, or control of children or students or routine interaction with children or students.

To help protect children and students from the threat of sexual misconduct, Illinois law requires all Illinois public/non-public elementary and secondary schools to conduct sexual misconduct related employment history reviews on certain applicants for hire. Therefore, we are required to ask, and you are required to complete, the enclosed standardized form, which was developed using a template created by the Ill. State Board of Education (ISBE). Illinois law further requires you to disclose the information requested on the enclosed form within twenty (20) calendar days of your receipt of the form. If you have an office of human resources or central office, such information must be provided by that office. Additionally, if you answer yes to any question, you must provide further information about the matter disclosed as well as all related records. Information received shall not be deemed a public record.

We will use the information we receive from you to evaluate the applicant's fitness to be hired or for continued employment. We may also report the information, as appropriate, to ISBE, a State licensing agency, a law enforcement agency, a child protective services agency, another school or contractor, or a prospective employer.

Under Illinois law, an employer, school, school administrator, or contractor who provides information or records about a current or former employee or applicant pursuant to this request is immune from criminal and civil liability for the disclosure of the information or records, unless the information or records provided were knowingly false. This immunity is in addition to, and not a limitation on, any other immunity provided by law or any absolute or conditional privileges applicable to the disclosure by virtue of the circumstances of the applicant's consent to the disclosure. Additionally, this immunity extends to any circumstances when the employer, school, school administrator, or contractor in good faith shares findings of sexual misconduct with another employer.

Unless the laws of another state prevent the release of the information or records requested, or disclosure is restricted by the terms of a contract entered into before July 1, 2023, and notwithstanding any other provisions of law to the contrary, an employer, school, school administrator, contractor, or applicant must report and disclose all relevant information, records, and documentation that may otherwise be confidential.

Please return a copy of your response by email to: [*insert email address*], or by US mail to:

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_____

_____

_____

Thank you for your cooperation,

[*Insert title, such as Superintendent or Human Resources Administrator*]

Enclosure: *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form

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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. Saturday until 11:59 p.m. Friday. 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

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. Licensed employees may be suspended without pay in accordance with Board policy 5:240, *Suspension*. Non-licensed employees may be suspended without pay in accordance with Board policy 5:290, *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

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(Compensatory Time-Off)

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General Personnel

Administrative Procedure - Fair Labor Standards Act Exemptions

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

Overview

* An exempt employee in Illinois is "any employee employed in a bona fide executive, administrative or professional capacity, … as defined by or covered by the Federal Fair Labor Standards Act of 1938 and the rules adopted under that Act, as both exist on March 30, 2003, but compensated at the amount of salary specified [current federal rules]." 820 ILCS 105/4a.
* According to the U.S. Dept. of Labor's (DOL's) rules, "[t]o qualify as exempt executive, administrative or professional employee,… an employee must be compensated on a salary basis at a rate of not less than $684 per week." 29 C.F.R. §541.600.
* Guidance on the DOL's website includes:

  Exemptions from overtime pay provisions: www.dol.gov/agencies/whd/compliance-assistance/handy-reference-guide-flsa#8

  Exempt vs. non-exempt status of a particular job: www2.illinois.gov/idol/Laws-Rules/FLS/Pages/overtime-exemption.aspx

FLSA Exemption Category	Staff Positions
Non-covered persons	Independent contractors: www.dol.gov/sites/dolgov/files/WHD/legacy/files/whdfs35.pdf Volunteers: www.dol.gov/agencies/whd/field-operations-handbook/Chapter-10#B10b30 Student teachers who: (1) receive academic credit for their work experience, (2) do not displace regular employees, (3) work under close supervision, and (4) are not entitled to a job at the end of their training (https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/2006_04_06_12_FLSA.pdf)
Executive employees	Superintendent Associate/Assistant Superintendents Directors Supervisors Other department managers
Administrative employees	Building Principals Assistant Principals Data systems analysts or computer programmers involved in obtaining solutions to complex business problems: www.dol.gov/agencies/whd/fact-sheets/17e-overtime-computer

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	Other certificated administrative staff
Professional employees	Teachers Counselors Registered nurses Media coordinators Other non-supervising certificated staff
Non-exempt employees	Secretaries (includes administrative assistants) Receptionists Bookkeepers Cafeteria workers Crossing guards Before/after school program workers Bus drivers/transportation workers Computer lab managers Custodians Maintenance workers Pre-school workers (whose primary duty is to care for physical needs of children rather than teaching; does *not* include licensed special education early childhood teachers) Teacher aides, paraprofessionals, and assistants

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General Personnel

Administrative Procedure - Employee Records Required by the Fair Labor Standards Act

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act (FLSA) to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

This table contains the FLSA recordkeeping requirements as described in www.dol.gov/whd/regs/compliance/whdfs21.htm.

Actor	Action
Business office working with supervisors of **non-exempt employees**	Keep each of the following records concerning non-exempt employees for at least three years (29 C.F.R. §516.2): 1. Employee's full name and social security number 2. Address, including zip code 3. Birth date, if younger than 19 4. Sex and occupation 5. Time and day of week when employee's workweek begins 6. Hours worked each day 7. Total hours worked each workweek 8. Basis on which employee's wages are paid (e.g., $9 per hour or $440 a week) 9. Regular hourly pay rate 10. Total daily or weekly straight-time earnings 11. Total overtime earnings for the workweek 12. All additions to or deductions from the employee's wages 13. Total wages paid each pay period 14. Date of payment and the pay period covered by the payment
Business office working with supervisors of **exempt employees**	Concerning exempt employees, keep for at least three years, the records listed in numbers 1-5 and 13-14 above and a record showing the basis on which the exempt employee's wages are paid (e.g., salary basis of $x per pay period). 29 C.F.R. §516.3.
Business office	1. Payroll records must be kept for at least three years. 29 C.F.R. §516.5(a). 2. Records on which wage computations are based must be kept for at least two years, i.e., time cards and piece work tickets, wage rate tables, work and time schedules, and records of additions to or deductions from wages. 29 C.F.R. §516.6. 3. Collective bargaining agreements and individual employment contracts must be kept for at least three years (when an agreement is not in writing, prepare and retain a written memorandum summarizing it). 29 C.F.R. §516.5(b). 4. Certificates and notices must be kept for at least three years. 29 C.F.R. §516.5(b).

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Building Principal	Display an official poster outlining the provisions of FLSA, available at no cost from local offices of the Wage and Hour Division and toll-free, by calling 1-866-487-9243. This poster is also available electronically for downloading and printing at: www.dol.gov/whd/regs/compliance/whd_fs.pdf Keep records regarding the posting of notices for at least 3 years. 29 C.F.R. §516.5(b).

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General Personnel

Administrative Procedure - Compensable Work Time for Non-Exempt Employees Under the FLSA

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act (FLSA) to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

Resources

Overview - www.dol.gov/whd/flsa.

For help determining whether time spent on work-related activities is compensable as "hours worked," see the U.S. Dept. of Labor's FLSA Hours Worked Advisor.

Volunteers - www.dol.gov/agencies/whd/field-operations-handbook/Chapter-10#B10b30.

Compensable Time Defined for Non-Exempt Employees

The amount of pay due an employee cannot be determined without knowing the total number of hours actually worked by that employee in each workweek. An employee must be paid for all of the time considered to be hours worked, and all time that is *hours worked* must be counted when determining overtime.

Non-Exempt Employee - The term *non-exempt employee* refers to employees who are not exempt from the overtime provisions in the wage and hour laws. See administrative procedure 5:35-AP1, *Fair Labor Standards Act Exemptions*.

Hours Worked - Non-exempt employees must be compensated for all hours worked in a workweek. In general, hours worked include:

* All the time an employee must be on duty;
* All the time an employee must be on the employer's premises;
* All the time an employee must be at any other prescribed place of work; and
* Any additional time the employee is allowed, i.e., "suffered or permitted" to work (commonly referred to as "working off the clock").

Suffered or Permitted to Work - If an employer knows or has reason to know that a non-exempt employee starts work early or continues to work late, it is considered work time. 29 C.F.R. §785.11.

This includes knowing or having reason to know that an employee works at home, e.g., as when a Building Principal's secretary calls for substitutes early in the morning. 29 C.F.R. §785.12.

If an employee works additional straight time, at the regular rate of pay, or overtime hours without authorization, that employee must still be compensated but may be disciplined for violating School Board policy.

Volunteering to Perform Regular Work - Non-exempt employees may not volunteer to perform their regular work duties off-the-clock and without compensation. 29 U.S.C. §203(e)(4)(A). An employee must be paid even if he or she offers to do the work on his or her *own time*. Employees may not waive wage and hour law requirements.

Volunteering to Perform Services that Are Not the Same as Regular Work - Non-exempt employees may volunteer to perform services under these conditions:

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1. The volunteer services are not the same as or similar to the employee's regular work duties,
2. The employee offers the services freely and without coercion, direct or implied, and
3. The employee provides the services without promise of compensation although a volunteer may be paid "expenses, reasonable benefits, or a nominal fee to perform such services." 29 U.S.C. §203(e)(4)(A), 29 C.F.R. §553.101 and 103.

A fee is not nominal if it is a substitute for compensation or tied to productivity. 29 C.F.R. §553.106(e). While the specific circumstances in each case must be analyzed, the District will generally limit nominal pay to employees for volunteer services to no more than 20% of what the District would otherwise pay to hire an employee for the same services. See *Wage and Hour Division (WHD) Opinion Letters* FLSA 2005-51 (11-10-05); FLSA 2006-28 (8-7-06); and FLSA 2006-28 (10-7-06). See also *WHD Opinion Letters* FLSA 2004-6 (7-14-04); and FLSA 2004-8 (9-7-04) for examples of non-exempt school employees serving as volunteer athletic coaches. U.S. Dept. of Labor WHD opinion letters are available at: www.dol.gov/agencies/whd/opinion-letters/request/existing-guidance.

Examples of Hours Worked for Non-Exempt Employees

Meal periods, unless the employee is completely relieved of all duties and free to leave the duty post for at least 30 minutes. Teacher aides who must supervise students during their lunch are not considered relieved of duties. Employees who eat at their desk and answer phones or otherwise perform work are not considered relieved of duties.

Attendance at inservices, meetings, or lectures, unless: (1) attendance is outside the employee's regular working hours, (2) attendance is voluntary, (3) the activity is not related to the employee's job, and (4) the employee performs no productive work for the District.

Coffee breaks or rest periods of 20 minutes or less.

Work done at home if the supervisor knows or should have known that such work was done.

Work done before or after regular hours or on weekends.

On-call time if the employee is required to remain on the employer's premises or so close that he/she is unable to use the time effectively for his/her own purposes while on-call.

Transporting material to a worksite before the start of the workday.

Time spent preparing for work, e.g., bus drivers doing safety checks before the route or securing the bus after the route.

Clean-up work at the end of a shift.

Travel time during the workday from one job site to another, e.g., non-exempt school nurses traveling from one school to another.

Travel time during the regular working hours, even if it is the weekend.

Attending a Board meeting at night either to take minutes or perform some other required or assigned duty.

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General Personnel

Administrative Procedure - Fair Labor Standards Act 12-Step Compliance Checklist

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act (FLSA) to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

The U.S. Dept. of Labor, Wage and Hour Division, administers the FLSA. It posts an encyclopedic amount of information on the FLSA on its website at: www.dol.gov/whd/regs/compliance/hrg.htm#8.

Checklist for compliance with the FLSA:

1. Classify employees as exempt or non-exempt.

Identify which employees are covered by the overtime requirements of the FLSA, i.e., *non-exempt*, and which employees are exempt from the overtime requirements. See Administrative Procedure 5:35-AP1, *Fair Labor Standards Act Exemptions*, for a list of school employees traditionally exempt and non-exempt. Include a record in each employee's file stating whether he or she is exempt or non-exempt.

An exemption from the FLSA overtime pay/compensatory time requirements is the exception, rather than the rule. Any uncertainty should be resolved in favor of finding the employee to be non-exempt and the overtime compensable, as the burden is on the school system to prove that exemptions are applicable.

2. Make sure all employees have access to and understand the School Board policy and administrative procedures on the workweek, overtime, and compensatory time. See Board policy 5:35, *Compliance with the Fair Labor Standards Act*, and Administrative Procedure 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*.

In addition, make sure that all employees:

a. Are provided a copy of the Board policy or access to the Board policy published on-line;
b. Acknowledge that they have received and understand the policy; and
c. Agree to follow the policy and procedures or be subject to discipline.

3. Notify non-exempt employees of their expected work hours in a workweek.

Be clear that the salary of non-exempt employees is paid for a 40-hour workweek. Supervisors may regularly schedule employees to work 37.5 hours per week and leave the remainder as possible flexible time. However, to avoid the possibility of *straight-time* claims for hours worked between 37.5 and 40, supervisors need to clearly communicate that the District pays employees a salary for up to 40 hours of work and that the District retains the right to request that the employee perform additional duties up to 40 hours without additional pay.

4. Keep precise records of the hours worked by every non-exempt employee by using a good timesheet, time clock, computerized check-in system, or other method. Make sure individual employees keep and sign their weekly record of hours worked. Print an acknowledgment similar to the following on every time sheet: "I acknowledge that I have reviewed this time sheet and that it accurately records all of the time that I worked for the District on the dates indicated and that I did not work for the District at any other times during the workweek that are not recorded on this timesheet."

5. Annually train District supervisory staff, as well as supervisors when first assigned supervisory

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duties, on FLSA compliance issues, including:

a. What counts as compensable work time (see Administrative Procedure 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*);
b. How timesheets must be completed for non-exempt employees; and
c. Their duty to monitor timesheets and verify time worked.

6. Train all non-exempt staff when hired and regularly thereafter on the following topics:
   a. Board policy requirements;
   b. What counts as compensable time; and
   c. How to complete timesheets correctly.
7. Require non-exempt employees who want to volunteer to execute a Volunteer Agreement. See Exhibit 5:35-E, *Volunteer Agreement Executed by a Non-Exempt Employee*.

Non-exempt employees may only volunteer to perform services on behalf of the school that do not involve the same types of duties they regularly perform in their jobs. Further, in order to be a bona fide volunteer (1) the volunteer services may not be the same as or similar to the employee's regular work duties, (2) the employee must freely and voluntarily, i.e., without any direct or implied coercion or requirement, agree to perform the volunteer services, and (3) the employee provides the services without promise of compensation; however, a volunteer may be paid expenses, reasonable benefits, or a nominal fee to perform the services. See Administrative Procedure 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*, for information about *nominal fees*.

8. Have all non-exempt employees sign the following documents:
   a. A statement that they were given a copy of the Board's policy on work time and have reviewed it, and that they understand violators may be subject to discipline; and
   b. If applicable, an agreement that any overtime worked over 40 hours per week will be compensated with time and a half compensatory time rather than overtime pay. See Exhibit 5:310-E, *Agreement to Receive Compensatory Time-Off*.
9. Have supervisory, payroll, and business staffs monitor weekly time records.

Make sure that supervisory staff continuously monitors weekly time records for accuracy and completeness, and that they report all overtime worked by non-exempt staff to the finance office for either overtime pay or compensatory time credit.

10. Keep FLSA-required records for non-exempt and exempt employees. See Administrative Procedure 5:35-AP2, *Employee Records Required by the Fair Labor Standards Act*.
11. Post all federal and State required employment posters.

Make sure that all employment posters are widely posted, e.g., in the teachers' lounge, school office, cafeteria kitchen, bus garage, janitor's closet, and other places where employees gather.

12. Consult the Board Attorney about FLSA compliance.

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General Personnel

Exhibit - Volunteer Agreement Executed by a Non-Exempt Employee

I would like to serve as a volunteer for the School District. I understand that:

1. I may **not** volunteer to perform a job that is the same or similar job for which I am employed.
2. My time and service as a volunteer are given without promise, expectation, or receipt of any form of compensation.
3. My volunteer services are not being performed in the course and scope of my regular employment and are not in any way required by the School District.
4. Either the District or I may terminate my volunteer services at any time for any reason. My withdrawal will not affect my continued employment with the School District.

This agreement will continue in force until terminated by either the employee or School District.

Volunteer Signature Date

Supervisor Date

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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 in 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.: 42 U.S.C. §12101 et seq., Americans With Disabilities Act, amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325; 29 C.F.R. §1630.1 et seq.
29 U.S.C. §791, Rehabilitation Act of 1973; 34 C.F.R. §104.1 et seq.
105 ILCS 5/24-5.
20 ILCS 2305/6, Department of Public Health Act.
820 ILCS 40/, Personnel Record Review Act.
77 Ill.Admin.Code Part 690, Control of Communicable Diseases.

CROSS REF.: 2:150 (Committees), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

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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 to the employee.

The District shall not discriminate against an employee disabled by a communicable or chronic infectious disease. 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.

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. Upon having knowledge of a known or suspected case of a communicable disease, the Superintendent or designee:
    a. Notifies the *local health authority* as required by 77 Ill.Admin.Code §690.200 and within the time frames required by 77 Ill.Admin.Code §690.100, and
    b. Follows directions for temporarily excluding an employee from school according to local health authority direction and 77 Ill.Admin.Code Part 690. See also Exhibit 7:280-E2, *Reporting and Exclusion Requirements for Common Communicable Diseases*, identifying the diseases for which there is mandatory reporting.
3. The Superintendent will inform the Communicable and Chronic Infectious Disease Review Team within three days.
4. The Communicable and Chronic Infectious Disease Review Team will meet within three 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.
5. 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.
6. 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.
7. The employee may be required to submit to a physical examination, given by a physician chosen and paid for by the District.

Monitoring the Employee's Condition

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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.

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General Personnel

Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis 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 or being *on call* for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance.
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectible, regardless of when and/or where the use occurred.
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, 105 ILCS 5/22-33. The District considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. State law protects the District from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test.

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.

For purposes of this policy, *District premises* means workplace as defined in the Cannabis Regulation and Tax Act (CRTA) in addition to District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. *School grounds* means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. "Vehicles used for school purposes" means school buses or other school vehicles.

As a condition of employment, each employee shall:

1. Abide by the terms of this Board policy respecting a drug- and alcohol-free workplace; and

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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 five 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,
    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.
6. Remind employees that policy 6:60, *Curriculum Content*, requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence.

E-Cigarette, Tobacco, and Cannabis 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 e-cigarettes, tobacco, and cannabis 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 has the meaning provided in 105 ILCS 5/10-20.5b.

Cannabis has the meaning provided in the CRTA, 410 ILCS 705/1-10.

E-Cigarette is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. In addition or 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

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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.

Disclaimer

The Board reserves the right to interpret, revise or discontinue any provision of this policy pursuant to the **Suspension of Policies** subhead in policy 2:240, *Board Policy Development*.

LEGAL REF.: 42 U.S.C. §12114, Americans With Disabilities Act.
21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15, Controlled Substances Act.
41 U.S.C. §8101 et seq., Drug-Free Workplace Act of 1988.
20 U.S.C. §7101 et seq., Safe and Drug-Free School and Communities Act of 1994.
30 ILCS 580/, Drug-Free Workplace Act.
105 ILCS 5/10-20.5b.
410 ILCS 82/, Smoke Free Illinois Act.
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 705/1-1 et seq., Cannabis Regulation and Tax Act.
720 ILCS 675, Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act.
820 ILCS 55/, Right to Privacy in the Workplace Act.
21 C.F.R. Parts 1100, 1140, and 1143.
23 Ill.Admin.Code §22.20.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 8:30 (Visitors to and Conduct on School Property)

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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. The District is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft, unless the theft was a result of the District's negligence. 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.

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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. Fees for the first checked bag will be reimbursed. Copies of airline tickets and baggage receipts 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, ride sharing services, 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 o

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rganizations described herein by fully describing the expenses on the expense form, attaching receipts.

Additional Requirements for Travel Expenses Charged to Federal and State Grants

All grant-related travel expenses must be pre-approved by the Superintendent or designee.

Expenses for travel, including expenses for transportation, lodging, meals, and related items incurred by employees and charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act (30 ILCS 708/) must also meet the following requirements:

1. The participation of the employee is necessary to the award, and the costs are specifically related to the award.
2. Expenses must be permissible under the terms and conditions of the award.
3. Expenses must be reasonable and consistent with this policy.
4. The Board does not reimburse actual expenses or pay a per diem allowance unless the employee is on official *travel status* for more than 12 hours. However, employees remain eligible for mileage reimbursement (minus regular commuting mileage/costs) and other transportation expenses if on travel status less than 12 hours.
5. Expenses may be charged based on an actual cost basis or on a per diem basis in lieu of actual costs incurred; however, only one method may be applied per trip.
6. Commercial airfare costs in excess of the least expensive coach or economy class are prohibited except when such accommodations would: (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Qualifying circumstances must be explained on the expense form, and Board approval of the additional expense is required.
7. Per diem rates and actual reimbursement amounts for mileage, meals, and lodging may not exceed the rates established by the Governor's Travel Control Board or federal travel regulations, whichever is less. These limits do not apply when: (1) an employee stays in the lowest-priced room available at or near a hotel where a conference or seminar is located or in accommodations arranged by the conference/seminar organization, or (2) lodging at or below the established rate is unavailable. In those cases, the employee will be reimbursed for actual lodging expenses with prior approval, but in no case will the reimbursement exceed 300% of the applicable maximum per diem rate. If a conference fee includes a meal, the meal or per diem allowance will be reduced by the actual value of the meal or the applicable meal allowance, whichever is less.
8. Employees must use the least expensive compact car available when using a rental car for travel, unless an exception is approved. The Board does not reimburse employees for collision damage waiver or theft insurance.
9. The Board will reimburse travel expenses not chargeable to an award from other District funds consistent with this policy.

LEGAL REF.: 2 C.F.R. §200.474.
30 ILCS 708/130, Grant Accountability and Transparency Act.
50 ILCS 150/, Local Government Travel Expense Control Act.
105 ILCS 5/10-22.32.
820 ILCS 115/9.5, Ill. Wage Payment and Collection Act.

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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)

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General Personnel

Administrative Procedure - Federal and State Grant Travel Expense Procedures

Employees must follow these procedures, **in addition to** the requirements of the Board policy 5:60, *Expenses* subhead entitled **Additional Requirements for Travel Expenses Charged to Federal and State Grants**, when their travel expenses are charged to federal grants and State grants governed by the Grant Accountability and Transparency Act (GATA).

Use of Expense Forms

Employees will submit their estimated travel expenses using 5:60-E2, *Employee Estimated Expense Approval Form*, in advance of travel and 5:60-E1, *Employee Expense Reimbursement Form*, following completion of travel. When travel expenses will be charged in part to grant funds and in part to non-grant District funds because certain expenses exceed those permitted to be charged to a grant by policy 5:60, *Expenses*, and/or these procedures, the Superintendent or designee notes that fact and the amount to be charged to each funding source in the "Comments" field on 5:60-E1, *Employee Expense Reimbursement Form*, and/or the "Comments" field on 5:60-E2, *Employee Estimated Expense Approval Form*, as applicable.

Lodging – General

1. Employees are not eligible for actual reimbursement of lodging expenses unless they are on official *travel status* for more than 12 hours. Travel status begins when the employee leaves his or her work location or, if reporting directly to a destination, from his or her residence or other location. It ends when the employee returns to his or her work location or, if reporting directly from the original destination, to the employee's residence or other location at the completion of the authorized travel. See 80 Ill.Admin.Code §3000.140.
2. Employees must first contact any preferred hotel vendors of the District.
3. It is the employee's responsibility to request the lowest available lodging rate the time of making a reservation. However, if the employee requires special lodging consideration due to a disability the employee may be reimbursed the actual cost of the least costly lodging that is substantially accessible. Employees should always inquire if a hotel offers a discounted rate for local government employees, including public school district employees. If applicable, employees should be prepared to show their school identification to prove school district employment when checking-in.
4. Employees should make hotel reservations as far in advance as possible. Employees need to be aware of hotel cancellation policies. In busier times, cancellation policies will sometimes require the traveler to cancel 72 hours in advance or be charged for the room. If an employee must cancel a reservation, the employee needs to cancel before the deadline, if at all possible. Employees making reservations for several nights in a row need to be aware of hotel early check-out policies. Some hotels charge an early check-out fee if a guest checks out prior to their scheduled departure date.
5. Employees must carefully review the bill upon check-out to ensure that the room charge reflects the appropriate rate and that no unauthorized charges have been added. For example, some hotels will automatically add a security charge or phone usage charge to a bill. If these services are not used, the charges should be removed before checking-out. Energy surcharge and lodging resort fees will be reimbursed if not optional.
6. If direct billing, employees must ensure that all personal or incidental charges are paid when checking-out, i.e., pay movies, personal phone calls, etc.

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7. Employees must obtain a copy of the hotel bill to attach to 5:60-E1, *Employee Expense Reimbursement Form*.
8. If traveling by car, an employee needs to inquire regarding self-parking options to minimize parking expenses.

Lodging – Excessive Lodging Requests

When lodging at or below the State or federal rate for a particular location is unavailable, employees must:

1. Document on 5:60-E2, *Employee Estimated Expense Approval Form*, that lodging at the scheduled rate for the location is unavailable.
2. Attach documentation to 5:60-E2, *Employee Estimated Expense Approval Form*, showing that a minimum of three budget to mid-fare hotels were contacted (where available). If there are less than three hotels available in a location to contact, the employee must document that fact on the form. The employee must inquire if the hotels will honor the government rate when obtaining quotes. If the District has any preferred hotels at the location, the employee must contact those hotels first.
3. Submit all excessive lodging requests to the Superintendent or designee for pre-approval. The Superintendent or designee will place a note in the "Comments" field on 5:60-E2, *Employee Estimated Expense Approval Form*, to reflect approval of an excessive lodging amount.

Note: An excessive lodging request is not required if an employee stays in accommodations arranged by a conference/seminar organization or in the lowest-priced room available at or near a hotel where a conference or seminar is located.

Meals

Per diem rates and actual reimbursement amounts for meals may not exceed the rates established by the Governor's Travel Control Board or federal travel regulations, whichever is less. To determine the lesser amount, compare the State rates with the federal per diem rates. Historically, the State meal allowances have been lower than the federal meal allowances. State rates are available at: www2.illinois.gov/cms/employees/travel/pages/travelreimbursement.aspx. Federal rates are available at: www.gsa.gov/travel/plan-book/per-diem-rates.

Airfare

When booking airfare, employees:

1. May not book airfare and lodging as a package through third party vendors. When booked as a package, third party vendors do not provide a detailed receipt which causes an issue verifying that the lodging rates are within the proper guidelines.
2. Should always know the restrictions and potential penalties applicable to the fare in case cancellation or change is necessary, regardless of how an airline ticket is booked.

Ride Sharing Services

When using a ride sharing service such as Uber and Lyft, employees must use the lowest cost service the ride sharing service offers such as "UberX" and "Lyft Standard." Employees will not be reimbursed for premium services offered by ride share companies such as "Uber XL," "UberSELECT," "UberBLACK," "UberSUV," "UberLUX," or "LyftPlus." Employees need to be aware that ride sharing services may charge users more during times of high demand. Ride sharing services typically let riders know in advance when prime time or surge pricing is in effect. Rides obtained during these higher cost periods are not reimbursable.

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General Personnel

Exhibit - Employee Expense Reimbursement Form

Submit to the Superintendent. ***Use of this form is required by 2:125-E3, Resolution to Regulate Expense Reimbursements.*** *Please print and attach receipts for all expenditures.*

Name: _____ Title/Office: _____

Destination: _____ Purpose: _____

Departure Date: _____ Return Date: _____

☐ **Receipts attached** Request Date: _____

☐ **Estimated expenses attached** (*Completed 5:60-E2, Employee Estimated Expense Approval Form*)(*pre-approval is required for federal and state grants*).

☐ **Approved expense advancement (voucher) attached, if applicable*** (*Completed 5:60-E2, Employee Estimated Expense Approval Form.)*

Actual Expense Report

*Employees will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, employees will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 5:60, *Expenses*.

Auto Travel Allowance: _____ per mile

Date	Auto Mileage Miles	Auto Mileage Cost	Transp. Expenses	Lodging	Meals or Per Diem Bkfst	Meals or Per Diem Lunch	Meals or Per Diem Dinner	Other Item	Other Cost	Daily Total
Subtotal										
Advances									–	
TOTAL (*A negative amount indicates refund due from employee.*)									$	

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Superintendent or Designee:
(*below maximum allowable amount*)

☐ **Approved** ☐ **Denied**
☐ **Approved in Part**
☐ **Grant Funding Source** (if applicable):_____

_____ _____
Superintendent or Designee Signature Date

Comments: _____
_____
_____
_____

School Board Action (*exceeds maximum allowable amount*):

☐ **Approved** ☐ **Denied**
☐ **Approved in Part**
☐ **Grant Funding Source** (if applicable):_____

_____ _____
Employee Signature Date

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General Personnel

Exhibit - Employee Estimated Expense Approval Form

Submit to the Superintendent. ***Use of this form is required (1) by 2:125-E3, Resolution to Regulate Expense Reimbursements and (2) for pre-approval of expenses to be charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act.*** *Please print.*

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

☐ **Estimated Expenses Approval Requested** (50 ILCS 150/20 or grant expenditure)

☐ **Travel is grant-related*** (specify grant): _____

☐ **Purchase Order Requested** Purchase Order #: _____

☐ **Expense Advancement Voucher Requested** (105 ILCS 5/10-22.32)

Voucher Amount: _____

Estimated Expense Report

Departure date: _____ **Return date:** _____

Auto Travel Allowance: _____ per mile

***Grant-related travel only:** Except for mileage and other transportation expenses, expense reimbursement/per diem is only allowed if on official travel status for 12 hours or more. If lodging at or below the applicable rate cannot be identified, please indicate below and attach at least three quotes for review.*

Date	Auto Mileage Miles	Auto Mileage Cost	Transp. Expenses	Lodging	Meals or Per Diem Bkfst	Meals or Per Diem Lunch	Meals or Per Diem Dinner	Other Item	Other Cost	Daily Total
Total										**$**

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Superintendent or Designee (*below maximum allowable amount*):

☐ **Approved** ☐ **Denied**
☐ **Approved in Part**
☐ **Grant Funding Source** (if applicable):_____

_____ _____
Superintendent or Designee Signature Date

Comments: _____
_____
_____
_____

School Board Action (*exceeds maximum allowable amount*):

☐ **Approved** ☐ **Denied**
☐ **Approved in Part**
☐ **Grant Funding Source** (if applicable):_____

_____ _____
Employee Signature Date

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General Personnel

Religious Holidays

The Superintendent shall grant an employee's request for time off to observe a religious holiday if the employee gives at least five days' prior notice and the absence does not cause an undue hardship.

Employees may use earned vacation time or 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.: 775 ILCS 5/2-101 and 5/2-102, Ill. Human Rights Act.
775 ILCS 35/155, Religious Freedom Restoration Act.

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General Personnel

Court Duty

The District will deduct any fees that an employee receives for court duty, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to the District.

An employee should give at least five days' prior notice of pending court duty to the District.

Witness Duty

The District will pay full salary during the time a licensed employee is absent due to a subpoena to serve as a witness in a trial or have a deposition taken in any school-related matter pending in court.

Jury Duty

The District will pay full salary during the time a licensed employee is absent due to jury duty.

LEGAL REF.: 105 ILCS 5/10-20.7.
705 ILCS 305/4.1, Jury Act.

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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 22, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made. The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement. *Negligent failure to report* occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

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 CyberTipline 1-800-THE-LOST (1-800-843-5678) or online at www.report.cybertip.org or www.missingkids.org. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of 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.

Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect.

All District employees shall:

6. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
7. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
8. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*), and boundary violations as required by law and policy 5:100, *Staff Development Program*.

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Alleged Incidents of Sexual Abuse; Investigations

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

If a District employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited.*

Special Superintendent Responsibilities

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.

When the Superintendent has reasonable cause to believe that a license holder (1) committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA or an act of sexual misconduct under *Faith's Law*, and (2) that act resulted in the license holder's dismissal or resignation from the District, the Superintendent shall notify the State Superintendent and the Regional Superintendent in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

The Superintendent shall develop procedures for notifying a student's parents/guardians when a District employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student as defined in *Faith's Law*. The Superintendent shall also develop procedures for notifying the student's parents/guardians when the Board takes action relating to the employment of the employee, contractor, or agent following the investigation of sexual misconduct. Notification shall not occur when the employee, contractor, or agent alleged to have engaged in sexual misconduct is the student's parent/guardian, and/or when the student is at least 18 years of age or emancipated.

The Superintendent shall execute the recordkeeping requirements of *Faith's Law*.

Special School Board Member Responsibilities

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 ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.

If the Board determines that any District employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in policy 2:20, *Powers and Duties of the School Board; Indemnification.*

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LEGAL REF.: 20 U.S.C. §7926, Elementary and Secondary Education Act.
105 ILCS 5/10-21.9, 5/10-23.13, 5/21B-85, 5/22-85.5, and 5/22-85.10.
20 ILCS 1305/1-1 et seq., Department of Human Services Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

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General Personnel

Administrative Procedure - Coordination with Children's Advocacy Center

Children's Advocacy Centers (CACs) are child-focused, trauma-informed, facility-based programs that provide a multi-disciplinary, comprehensive response to child abuse. Illinois CACs are organized and operate under the Children's Advocacy Center Act. 55 ILCS 80/. CACs are accredited based on standards set by the National Children's Alliance. 55 ILCS 80/2.5. See www.nationalchildrensalliance.org/.

If the District is located within a county that is served by an accredited CAC, it must coordinate with the CAC to implement the **Alleged Incidents of Sexual Abuse; Investigations** subhead of Board policy 5:90, *Abused and Neglected Child Reporting*. 105 ILCS 5/22-85, added by P.A. 101-531. For a map of accredited CACs, and to identify a CAC that may serve the District, see www.childrensadvocacycentersofillinois.org/about/map. Use this procedure to coordinate with the District's local CAC.

Glossary of Terms

Alleged incident of sexual abuse - An incident of sexual abuse of a child (as defined in the Ill. Criminal Code of 2012, 720 ILCS 5/11-9.1A) that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred either: on school grounds during a school activity, outside of school grounds, or not during a school activity. 105 ILCS 5/22-85(b), added by P.A. 101-531.

Alleged victim - A student who is alleged to be the victim of an alleged incident of sexual abuse.

Appropriate law enforcement agency - A law enforcement agency whose employees have been involved, in some capacity, with an investigation of a particular alleged incident of sexual abuse. 105 ILCS 5/22-85(b), added by P.A. 101-531.

Child advocate - May be a school social worker, a school or equally-qualified psychologist, or a person in a position the Ill. State Board of Education (ISBE) has identified as an appropriate advocate for a student during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(i), added by P.A. 101-531.

Forensic interview - An interview between a trained forensic interviewer, as defined by National Children's Alliance standards, and a child in which the interviewer obtains information from children in an unbiased and fact finding manner that is developmentally appropriate and culturally sensitive to support accurate and fair decision making by the multidisciplinary team in the criminal justice and child protection systems. 55 ILCS 80/2.5.

School personnel - School employees, vendors, and volunteers.

Sexual Abuse and Sexual Assault - See Ill. Criminal Code of 2012 definitions at:

720 ILCS 5/11-9.1A. Permitting sexual abuse of a child.

720 ILCS 5/11-1.20. Criminal sexual assault.

720 ILCS 5/11-1.30. Aggravated criminal sexual assault.

720 ILCS 5/11-1.40. Predatory criminal sexual assault of a child.

720 ILCS 5/11-1.50. Criminal sexual abuse.

720 ILCS 5/11-1.60. Aggravated criminal sexual abuse.

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Coordination with CAC

Actor	Action
ISBE	Identifies persons in positions who may be appropriate child advocates for students during a school's investigation into an alleged incident of sexual abuse. As of March 2020, ISBE has not identified any persons.
Superintendent or designee	Establishes a CAC Communication Committee (Committee) to operate as a Superintendent committee. See 2:150-AP, *Superintendent Committees*. Consider including: District Nondiscrimination Coordinator (see 2:260, *Uniform Grievance Procedure*; and 2:265, *Title IX Sexual Harassment Grievance Procedure*) District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*) District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Alleged Incidents of Sexual Abuse; Investigations subhead of policy 5:90, *Abused and Neglected Child Reporting*) School personnel Employees from the accredited CAC that serves the District Chairs and convenes Committee meetings for the purpose of implementing the **Alleged Incidents of Sexual Abuse; Investigations** subhead of policy 5:90, *Abused and Neglected Child Reporting*. **Note:** To achieve the minimum requirement of State law that the District coordinate with its local CAC, this procedure establishes an administrative committee. Establishing a committee provides a best practice for aligning with governance principles and examining implementation issues specific to each individual school district and the CACs that serve each district. While smaller school districts, e.g., one-building districts, may be able to implement a program through one meeting, larger school districts will likely require the uniform coordination this Committee provides. Informs the School Board of the Committee's progress and needs by adding information items to the Board's agendas as needed. Ensures that at least every two years, school personnel are trained to understand, provide information and referrals to, and address issues pertaining to students who are parents, expectant parents, or victims of domestic or sexual violence. **Note**: 105 ILCS 5/10-22.39(d) requires this training to be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting students and must include training concerning each of the following: 1. Communicating with and listening to student victims of domestic or sexual violence and expectant and parenting students. 2. Connecting student victims of domestic or sexual violence and

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	expectant and parenting students to appropriate in-school services and other agencies, programs, and services as needed. 3. Implementing the school district's policies, procedures, and protocols with regard to such students, including confidentiality.
School Personnel	Upon suspecting or receiving knowledge of an alleged incident of sexual abuse, shall perform each of the following (105 ILCS 5/22-85(c), added by P.A. 101-531): 1. Immediately report to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873 (within Illinois); 1-217-524-2606 (outside Illinois); or 1-800-358-5117 (TTY). 2. Follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. 25 ILCS 5/7, amended by P.A. 101-583. The written report shall include, if known, each of the following: The name and address of the child, his or her parents/guardians, or other persons having custody; The child's age; The child's condition, including any evidence of previous injuries or disabilities; and Any other information that the reporter believes may be helpful to DCFS for its investigation. 3. Promptly notify the Superintendent or Building Principal that a report has been made.
Superintendent or Building Principal	Immediately coordinates any necessary notifications to the student's parents/guardians with DCFS, the applicable school resource officer (SRO), and/or local law enforcement which includes the local State's Attorney's Office. Notifies the District's Nondiscrimination Coordinator of the reported alleged incident of sexual abuse.
DCFS and/or Appropriate Law Enforcement Agency	Determines whether to accept a reported alleged incident of sexual abuse for investigation. If a reported alleged incident is accepted, refers the matter to the CAC serving the District. 105 ILCS 5/22-85(d), added by P.A. 101-531. **Note:** If neither DCFS nor law enforcement investigate the alleged incident of sexual abuse, the District can move forward with its own investigation without CAC involvement.
CAC	Coordinates the investigation of the alleged incident of sexual abuse in accordance with its existing multidisciplinary team protocol and National Children's Alliance accreditation standards. 105 ILCS 5/22-85(e)(1), added by P.A. 101-531. Facilitates communication between the DCFS/law enforcement multidisciplinary team investigating the alleged incident of sexual abuse and the District's Nondiscrimination Coordinator. At a minimum: 1. Ensures that all applicable parties have each other's contact

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	information; and 2. Shares the CAC's protocol regarding the process of approving the viewing of a forensic interview by school personnel, and a contact person for questions regarding the protocol. 105 ILCS 5/22-85(e)(2), added by P.A. 101-531.
Nondiscrimination Coordinator	Upon being notified of the reported alleged incident of sexual abuse by the Superintendent or Building Principal, shall: Open and conduct the District's investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*. Schedule regular follow-up calls to the CAC to inquire whether DCFS/law enforcement has opened an investigation into the alleged incident of sexual abuse. **If DCFS/law enforcement investigation *is not* opened, stops using this procedure and continues the District's investigation in accordance with policy 7:20, *Harassment of Students Prohibited*.** **If DCFS/law enforcement investigation *is* opened, continues with the following steps.** Notes the date DCFS/law enforcement opened its investigation and sets a reminder for 15 calendar days after it. **Note:** This time period is important because the CAC has 15 calendar days to conduct a forensic interview of the alleged victim. During this time, the District is cannot interview the alleged victim regarding the alleged incident. While the child abuse and/or criminal investigations related to the alleged incident of sexual abuse are being conducted by DCFS/law enforcement, the Nondiscrimination Coordinator: Continues the District's investigation, which may include interviewing the alleged witnesses and/or the alleged perpetrator. May request information from the alleged victim or his or her parent/guardian to ensure his or her safety and well-being at school during the investigations. 105 ILCS 5/22-85(f), added by P.A. 101-531. Refrains from interviewing the alleged victim until after the CAC completes its forensic interview. 105 ILCS 5/22-85(f), added by P.A. 101-531. Upon request, must inform DCFS/law enforcement investigators of any evidence it has gathered, as permitted by federal or State law. 105 ILCS 5/22-85(f), added by P.A. 101-531. **Note:** Evidence gathered by the Nondiscrimination Coordinator during the District's investigation may be confidential under the Illinois School Student Records Act (105 ILCS 10/) and the Family Rights and Educational Privacy Act (20 U.S.C. §1232g). **Consult the Board Attorney regarding what disclosures, if any, are allowed in response to a request from**

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	DCFS and/or law enforcement and conditions that must be met prior to disclosure. Schedule regular follow-up calls with the CAC to inquire about the status of the forensic interview of the alleged victim.
CAC	Informs the Nondiscrimination Coordinator that: 1. The forensic interview of the alleged victim is complete, and the electronic recording of the forensic interview may be viewed; or 2. The CAC determined a forensic interview will not be conducted. 105 ILCS 5/22-85(g), (h), added by P.A. 101-531.
Nondiscrimination Coordinator	1. If the electronic recording of the forensic interview of the alleged victim is available for viewing: 2. Verifies the CAC has obtained informed consent from an alleged victim over the age of 13 or the alleged victim's parent/guardian for school personnel to view the forensic interview (105 ILCS 5/22-85(h), added by P.A. 101-531); and **Note:** Each CAC may have its own consent form. Contact your local CAC to confirm that it will obtain written consent from the alleged victim over the age of 13 or the alleged victim's parent/guardian (if under the age of 13). 3. Views the electronic recording of the forensic interview. 4. If the CAC has not performed a forensic interview of the alleged victim within 15 calendar days after DCFS/law enforcement opens an investigation, notifies the CAC that the District intends to interview the alleged victim.
CAC	After receiving notification that the District intends to interview the alleged victim, has 10 additional calendar days to conduct a forensic interview. 105 ILCS 5/22-85(g), added by P.A. 101-531.
Nondiscrimination Coordinator	If the CAC does not conduct a forensic interview of the alleged victim within the 10 additional calendar days, proceeds with the District's interview of the alleged victim. Id. If the alleged victim is under 18 years old, makes a child advocate available to the alleged victim and allows the child advocate to be present during the interview. A child advocate may be a school social worker, a school or equally qualified psychologist, or a person in a position that ISBE has identified as an appropriate advocate for a student during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(i), added by P.A. 101-531. Schedules regular follow-up calls to DCFS/law enforcement to inquire if the investigation of an incident has been suspended and/or is complete, including the outcome of the investigation. 105 ILCS 5/22-85(j), (k), added by P.A. 101-531.

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General Personnel

Administrative Procedure - Coordination with Children's Advocacy Center

Children's Advocacy Centers (CACs) are child-focused, trauma-informed, facility-based programs that provide a multi-disciplinary, comprehensive response to child abuse. Illinois CACs are organized and operate under the Children's Advocacy Center Act. 55 ILCS 80/. CACs are accredited based on standards set by the National Children's Alliance. 55 ILCS 80/2.5. See www.nationalchildrensalliance.org/.

If the District is located within a county that is served by an accredited CAC, it must coordinate with the CAC to implement the **Alleged Incidents of Sexual Abuse; Investigations** subhead of Board policy 5:90, *Abused and Neglected Child Reporting*. 105 ILCS 5/22-85. For a map of accredited CACs, and to identify a CAC that may serve the District, see www.childrensadvocacycentersofillinois.org/about/map. Use this procedure to coordinate with the District's local CAC.

Glossary of Terms

Alleged incident of sexual abuse - An incident of sexual abuse of a child (as defined in the Ill. Criminal Code of 2012, 720 ILCS 5/11-9.1A) that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred either: on school grounds during a school activity, outside of school grounds, or not during a school activity. 105 ILCS 5/22-85(b).

Alleged victim - A student who is alleged to be the victim of an alleged incident of sexual abuse.

Appropriate law enforcement agency - A law enforcement agency whose employees have been involved, in some capacity, with an investigation of a particular alleged incident of sexual abuse. 105 ILCS 5/22-85(b).

Child advocate - May be a school social worker, a school or equally-qualified psychologist, or a person in a position the Ill. State Board of Education (ISBE) has identified as an appropriate advocate for a student during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(i).

Forensic interview - An interview between a trained forensic interviewer, as defined by National Children's Alliance standards, and a child in which the interviewer obtains information from children in an unbiased and fact finding manner that is developmentally appropriate and culturally sensitive to support accurate and fair decision making by the multidisciplinary team in the criminal justice and child protection systems. 55 ILCS 80/2.5.

School personnel - School employees, vendors, and volunteers.

Sexual Abuse and Sexual Assault - See Ill. Criminal Code of 2012 definitions at:

720 ILCS 5/11-9.1A. Permitting sexual abuse of a child.
720 ILCS 5/11-1.20. Criminal sexual assault.
720 ILCS 5/11-1.30. Aggravated criminal sexual assault.
720 ILCS 5/11-1.40. Predatory criminal sexual assault of a child.
720 ILCS 5/11-1.50. Criminal sexual abuse.
720 ILCS 5/11-1.60. Aggravated criminal sexual abuse.

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Coordination with CAC

Actor	Action
ISBE	Identifies persons in positions who may be appropriate child advocates for students during a school's investigation into an alleged incident of sexual abuse. As of March 2023, ISBE has not identified any persons.
Superintendent or designee	Establishes a CAC Communication Committee (Committee) to operate as a Superintendent committee. See 2:150-AP, *Superintendent Committees. Consider* including: District Nondiscrimination Coordinator (see 2:260, *Uniform Grievance Procedure*; and 2:265, *Title IX Sexual Harassment Grievance Procedure*) District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*) District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the **Alleged Incidents of Sexual Abuse; Investigations** subhead of policy 5:90, *Abused and Neglected Child Reporting*) School personnel Employees from the accredited CAC that serves the District Chairs and convenes Committee meetings for the purpose of implementing the **Alleged Incidents of Sexual Abuse; Investigations** subhead of policy 5:90, *Abused and Neglected Child Reporting*. **Note:** To achieve the minimum requirement of State law that the District coordinate with its local CAC, this procedure establishes an administrative committee. Establishing a committee provides a best practice for aligning with governance principles and examining implementation issues specific to each individual school district and the CACs that serve each district. While smaller school districts, e.g., one-building districts, may be able to implement a program through one meeting, larger school districts will likely require the uniform coordination this Committee provides. Informs the School Board of the Committee's progress and needs by adding information items to the Board's agendas as needed. Ensures that at least every two years, school personnel are trained to understand, provide information and referrals to, and address issues pertaining to students who are parents, expectant parents, or victims of domestic or sexual violence. **Note:** 105 ILCS 5/10-22.39(d) requires this training to be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting students and must include training concerning each of the following:

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Actor	Action
	1. Communicating with and listening to student victims of domestic or sexual violence and expectant and parenting students. 2. Connecting student victims of domestic or sexual violence and expectant and parenting students to appropriate in-school services and other agencies, programs, and services as needed. 3. Implementing the school district's policies, procedures, and protocols with regard to such students, including confidentiality.
School Personnel	Upon suspecting or receiving knowledge of an alleged incident of sexual abuse, shall perform each of the following (105 ILCS 5/22-85(c) 1. Immediately report to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873 (within Illinois); 1-217-524-2606 (outside Illinois); or 1-800-358-5117 (TTY). 2. Follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. 25 ILCS 5/7. The written report shall include, if known, each of the following: The name and address of the child, his or her parents/guardians, or other persons having custody; The child's age; The child's condition, including any evidence of previous injuries or disabilities; and Any other information that the reporter believes may be helpful to DCFS for its investigation. 3. Promptly notify the Superintendent or Building Principal that a report has been made.
Superintendent or Building Principal	Immediately coordinates any necessary notifications to the student's parents/guardians with DCFS, the applicable school resource officer (SRO), and/or local law enforcement which includes the local State's Attorney's Office. Notifies the District's Nondiscrimination Coordinator of the reported alleged incident of sexual abuse.
DCFS and/or Appropriate Law Enforcement Agency	Determines whether to accept a reported alleged incident of sexual abuse for investigation. If a reported alleged incident is accepted, refers the matter to the CAC serving the District. 105 ILCS 5/22-85(d). **Note:** If neither DCFS nor law enforcement investigate the alleged incident of sexual abuse, the District can move forward with its own investigation without CAC involvement.
CAC	Coordinates the investigation of the alleged incident of sexual abuse in accordance with its existing multidisciplinary team protocol and National Children's Alliance accreditation standards. 105 ILCS 5/22-85(e)(1).

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Actor	Action
	Facilitates communication between the DCFS/law enforcement multidisciplinary team investigating the alleged incident of sexual abuse and the District's Nondiscrimination Coordinator. At a minimum: 1. Ensures that all applicable parties have each other's contact information; and 2. Shares the CAC's protocol regarding the process of approving the viewing of a forensic interview by school personnel, and a contact person for questions regarding the protocol. 105 ILCS 5/22-85(e)(2).
Nondiscrimination Coordinator	Upon being notified of the reported alleged incident of sexual abuse by the Superintendent or Building Principal, shall: Open and conduct the District's investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited.* Schedule regular follow-up calls to the CAC to inquire whether DCFS/law enforcement has opened an investigation into the alleged incident of sexual abuse. **If DCFS/law enforcement investigation is not opened, stops using this procedure and continues the District's investigation in accordance with policy 7:20, *Harassment of Students Prohibited.*** **If DCFS/law enforcement investigation is opened, continues with the following steps.** Notes the date DCFS/law enforcement opened its investigation and sets a reminder for 15 calendar days after it. **Note:** This time period is important because the CAC has 15 calendar days to conduct a forensic interview of the alleged victim. During this time, the District is cannot interview the alleged victim regarding the alleged incident. While the child abuse and/or criminal investigations related to the alleged incident of sexual abuse are being conducted by DCFS/law enforcement, the Nondiscrimination Coordinator: Continues the District's investigation, which may include interviewing the alleged witnesses and/or the alleged perpetrator. May request information from the alleged victim or his or her parent/guardian to ensure his or her safety and well-being at school during the investigations. 105 ILCS 5/22-85(f). Refrains from interviewing the alleged victim until after the CAC completes its forensic interview. 105 ILCS 5/22-85(f). Upon request, must inform DCFS/law enforcement investigators of any evidence it has gathered, as permitted by federal or State law. 105 ILCS 5/22-85(f).

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Actor	Action
	Note: Evidence gathered by the Nondiscrimination Coordinator during the District's investigation may be confidential under the Illinois School Student Records Act (105 ILCS 10/) and the Family Rights and Educational Privacy Act (20 U.S.C. §1232g). **Consult the Board Attorney regarding what disclosures, if any, are allowed in response to a request from DCFS and/or law enforcement and conditions that must be met prior to disclosure.** Schedule regular follow-up calls with the CAC to inquire about the status of the forensic interview of the alleged victim.
CAC	Informs the Nondiscrimination Coordinator that: 1. The forensic interview of the alleged victim is complete, and the electronic recording of the forensic interview may be viewed; or 2. The CAC determined a forensic interview will not be conducted. 105 ILCS 5/22-85(g), (h).
Nondiscrimination Coordinator	If the electronic recording of the forensic interview of the alleged victim is available for viewing: 1. Verifies the CAC has obtained informed consent from an alleged victim over the age of 13 or the alleged victim's parent/guardian for school personnel to view the forensic interview (105 ILCS 5/22-85(h); and **Note:** Each CAC may have its own consent form. Contact your local CAC to confirm that it will obtain written consent from the alleged victim over the age of 13 or the alleged victim's parent/guardian (if under the age of 13). 2. Views the electronic recording of the forensic interview. If the CAC has not performed a forensic interview of the alleged victim within 15 calendar days after DCFS/law enforcement opens an investigation, notifies the CAC that the District intends to interview the alleged victim.
CAC	After receiving notification that the District intends to interview the alleged victim, has 10 additional calendar days to conduct a forensic interview. 105 ILCS 5/22-85(g).
Nondiscrimination Coordinator	If the CAC does not conduct a forensic interview of the alleged victim within the 10 additional calendar days, proceeds with the District's interview of the alleged victim. Id. If the alleged victim is under 18 years old, makes a child advocate available to the alleged victim and allows the child advocate to be present during the interview. A child advocate may be a school social worker, a school or equally qualified psychologist, or a person in a position that ISBE has identified as an appropriate advocate for a student during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(i).

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Actor	Action
	Schedules regular follow-up calls to DCFS/law enforcement to inquire if the investigation of an incident has been suspended and/or is complete, including the outcome of the investigation. 105 ILCS 5/22-85(j), (k).

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General Personnel

Administrative Procedure - Parent/Guardian Notification of Sexual Misconduct

When a District employee, contractor, or agent is alleged to have engaged in *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c) with a student, the District must first provide notice to the student and then provide written notice to the student's parents/guardians.

Following the District's investigation of the alleged sexual misconduct, additional notice must be provided when the Board takes any action relating to the employment of the alleged perpetrator, including whether employment was terminated or whether the Board accepted the employee's resignation. Notice of formal Board action must first be provided to the student and then written notice must be provided to the student's parents/guardians.

The only time student notification is not required before parental notification is when a District employee or agent deems it necessary to address an imminent risk of serious physical injury or death of a student or another person, including the victim. If notification is not given to the student first, then it must be given as soon as practicable and without delay following parental notification.

These parent/guardian notification procedures do not apply if the student's parent/guardian is the alleged perpetrator of sexual misconduct, and/or if the student is at least 18 years of age or emancipated.

Sexual misconduct - Any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include but are not limited to: 1) a sexual or romantic invitation, 2) dating or soliciting a date, 3) engaging in sexualized or romantic dialog, 4) making sexually suggestive comments that are directed toward or with a student, 5) self-disclosure or physical exposure of a sexual, romantic, or erotic nature, 6) a sexual, indecent, romantic, or erotic contact with the student. 105 ILCS 5/22-85.5(c), added by P.A. 102-676.

Notification of Alleged Sexual Misconduct

Actor	Action
Superintendent or Building Principal	Upon learning that a District employee, contractor, or agent is alleged to have engaged in sexual misconduct with a student: Verifies that the allegation has been reported to the Ill. Dept. of Children and Family Services (DCFS) in accordance with Board policy 5:90, *Abused and Neglected Child Reporting*. Immediately coordinates any necessary notifications to the student's parents/guardians with DCFS, the applicable school resource officer, and/or local law enforcement which includes the local State's Attorney's Office. Notifies the District's Nondiscrimination Coordinator of the reported alleged sexual misconduct.
Nondiscrimination Coordinator	Upon being notified of the reported alleged sexual misconduct by the Superintendent or Building Principal, shall:

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Actor	Action
	Determine whether the alleged sexual misconduct is also being investigated by the Ill. Dept. of Children and Family Services (DCFS) and/or law enforcement. Open and conduct an investigation into the alleged incident of sexual misconduct in accordance with policy 7:20, *Harassment of Students Prohibited*. Considering any DCFS and/or law enforcement investigation(s), identify the appropriate time frame for notifying the student and the student's parents/guardians of the alleged sexual misconduct. 105 ILCS 5/22-85.10(a)(1), added by P.A. 102-702, eff. 7-1-23. **Note:** Notification must be provided as soon as feasible after the District becomes aware of the alleged sexual misconduct, subject to the requirements of 105 ILCS 5/22-85(f) restricting interviews of a student who is a victim of an alleged incident of sexual abuse. Id. at (a)(4). See 5:90-AP1, *Coordination with Children's Advocacy Center*.
Nondiscrimination Coordinator, School Counselor, and/or a staff member trained in child development	Notifies the student, in a developmentally appropriate manner, with a staff member present who is trained in child development or is one the student trusts, that a District employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student. Notice will include: 1. That notice will be given to the student's parent(s)/guardian(s) (105 ILCS 5/22-85.10(a)(2)(A), added by P.A. 102-702, eff. 7-1-23); 2. What information will be included in the notice to parent(s)/guardian(s) (Id. at (a)(2)(B)); 3. Any District and community-based counseling options for students affected by grooming behaviors identified by the Student Support Committee (see the ***Erin's Law* Counseling Options, Assistance, and Intervention** subhead of policy 7:250, *Student Support Services*); 4. If the student is 12 years of age or older, any available counseling services under 105 ILCS 5/3-550 (105 ILCS 5/22-85.10(a)(2)(C), added by P.A. 102-702, eff. 7-1-23); and 5. Beginning 7-1-25, any available resources for the student within the school and community in accordance with 105 ILCS 5/26A, including the name and contact information of the District's domestic and sexual violence and parenting resource coordinator under 105 ILCS 5/26A-35 (Id. at (a)(2)(C), (D)).
Nondiscrimination Coordinator	After the student notification, notifies parent(s)/guardian(s) in writing of: 1. The alleged sexual misconduct (Id. at (a)(3)(A)); 2. Any District and community-based counseling options for students affected by grooming behaviors identified by the Student Support Committee (see the ***Erin's Law* Counseling Options, Assistance,**

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Actor	Action
	and Intervention subhead of policy 7:250, *Student Support Services*); and 3. Beginning 7-1-25, any available resources for the student within the school and community in accordance with 105 ILCS 5/26A, including the name and contact information of the District's domestic and sexual violence and parenting resource coordinator under 105 ILCS 5/26A-35 ((105 ILCS 5/22-85.10(a)(3)(B), added by P.A. 102-702).

Notification of Board Action

Actor	Action
Superintendent and Nondiscrimination Coordinator	As soon as feasible after the Board takes any action relating to the employment of the alleged perpetrator, notifies the student, in a developmentally appropriate manner, of: 1. The fact that notice will be given to the student's parent(s)/guardian(s) (Id. at (b)(2)(A)); 2. Information that will be included in the notice to parents/guardians (Id. at (b)(2)(B)); 3. Any District and community-based counseling options for students affected by grooming behaviors identified by the Student Support Committee (see the ***Erin's Law* Counseling Options, Assistance, and Intervention** subhead of policy 7:250, *Student Support Services*); 4. If the student is 12 years of age or older, any available counseling services under 405 ILCS 5/3-550 (105 ILCS 5/22-85.10(b)(2)(C), added by P.A. 102-702, eff. 7-1-23); and 5. Beginning 7-1-25, any available resources for the student within the school and community in accordance with 105 ILCS 5/26A, including the name and contact information of the District's domestic and sexual violence and parenting resource coordinator under 105 ILCS 5/26A-35 (105 ILCS 5/22-85.10(b)(2)(C), (D), added by P.A. 102-702). If the student is no longer enrolled when the Board takes action, written notice may be sent to the last known address in the student's file. Id. at (b)(5).
Superintendent	After the student notification, notifies parent(s)/guardian(s), in writing of: 1. The Board's action (Id. at (b)(3)(A)); 2. Whether a report concerning the alleged sexual misconduct was or will be submitted to the State Superintendent of Education and the Regional Superintendent pursuant to 105 ILCS 5/10-21.9 (Id. at (b)(3)(B)); 3. Any District and community-based counseling options for students affected by grooming behaviors identified by the Student Support

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Actor	Action
	Committee (see the ***Erin's Law*** **Counseling Options, Assistance, and Intervention** subhead of policy 7:250, *Student Support Services*); and 4. Beginning 7-1-25, any available resources for the student within the school and community in accordance with 105 ILCS 5/26A, including the name and contact information of the District's domestic and sexual violence and parenting resource coordinator under 105 ILCS 5/26A-35 (105 ILCS 5/22-85.10(b)(3)(C), added by P.A. 102-702). If the student is no longer enrolled when the Board takes action, written notice may be sent to the last known address in the student's file. Id. at (b)(5).

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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 include the Abused and Neglected Child Reporting Act (ANCRA), School Code, and awareness and prevention of child sexual abuse and grooming behaviors (*Erin's Law*) training as follows (see policies 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, and 5:90, *Abused and Neglected Child Reporting*):

1. Staff development for local school site personnel who work with students in grades kindergarten through 8, in the detection, reporting, and prevention of child abuse and neglect.
2. Within three months of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every three years.
3. By January 31, 2023, and every year after, all school personnel must complete evidence-informed training on preventing, reporting, and responding to child sexual abuse, grooming behaviors, and boundary violations.

The staff development program shall provide, at a minimum, at least once every two 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 two 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.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010; 7 C.F.R. Parts 210 and 235.
105 ILCS 5/2-3.62, 5/10-20.17a, 5/10-20.61, 5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/10-23.13, 5/22-80(h), and 5/24-5.
105 ILCS 25/1.15, Interscholastic Athletic Organization Act.
105 ILCS 150/25, Seizure Smart School Act.
105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.
325 ILCS 5/4, Abused and Neglected Child Reporting Act.
745 ILCS 49/, Good Samaritan Act.
775 ILCS 5/2-109, Ill. Human Rights Act.

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23 Ill.Admin.Code §§ 22.20, 226.800, and Part 525.
77 Ill.Admin.Code §527.800.

CROSS REF.: 2:265 (Title IX Sexual Harassment Grievance Procedure), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 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), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

ADMIN. PROC.: 2:265-AP1 (Title IX Sexual Harassment Response), 2:265-AP2 (Formal Title IX Sexual Harassment Complaint Grievance Process), 4:160-AP (Environmental Quality of Buildings and Grounds), 4:170-AP6 (Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED), 5:100-AP (Staff Development Program), 5:120-AP2 (Employee Conduct Standards), 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)

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General Personnel

Administrative Procedure - Staff Development Program

The following procedure implements policy 5:100, *Staff Development Program*. It sets professional growth requirements. 105 ILCS 5/24-5. Failure to meet professional growth requirements is considered remediable. Morris v. Ill. State Bd. of Educ., 198 Ill.App.3d 51 (3rd Dist. 1990).

This procedure is consistent with the minimum requirements of State law. If the District has a local collective bargaining agreement, it may contain provisions that differ from this procedure. When the procedure's subject matter is superseded by a bargaining agreement, insert the following: "Please refer to the current [*insert name of any applicable CBA*]."

Implementation of Staff Development Program

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 Offices of Education (ROE) or Intermediate Service Centers (ISC), whichever is applicable, governing the schools of that region. The request for approval should be submitted to the Regional Superintendent (for ROEs) or Chief Administrative Officer (for ISCs) at least 30 days prior to the event.

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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.

F. For nutrition directors and school nutrition professionals, the annual training standards for school nutrition professionals. 7 C.F.R. Parts 210 and 235.

LEGAL REF.: Morris v. Ill. State Bd. of Educ., 198 Ill.App.3d 51 (3rd Dist. 1990).
42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010.
7 C.F.R. Parts 210 and 235.
105 ILCS 5/2-3.48, 5/2-3.53, 5/2-3.56, 5/2-3.59, 5/2-3.62, 5/3-11, 5/3-14.8, 5/10-20.17a, 5/10-20.61, 5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/10-23.13, 5/22-80(h), and 5/24-5.
105 ILCS 25/1.15, Interscholastic Athletic Organization Act.
105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.
23 Ill.Admin.Code §§ 22.20, 226.800, and Part 525.
77 Ill.Admin.Code §527.800.

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General Personnel

Recognition for Service

The School Board will periodically recognize those District employees who contribute significantly to the educational programs and welfare of the students.

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General Personnel

Employee Ethics; Code of Professional Conduct; and Conflict of Interest

All District employees are expected to maintain high standards in their job performance, demonstrate integrity and honesty, be considerate and cooperative, and maintain professional and appropriate relationships with students, parents/guardians, staff members, and others.

The Superintendent or designee shall provide this policy to all District employees and students and/or parents/guardians in their respective handbooks, and ensure its posting on the District's website, if any.

Professional and Appropriate Conduct

Professional and appropriate employee conduct are important Board goals that impact the quality of a safe learning environment and the school community, increasing students' ability to learn and the District's ability to educate. To protect students from sexual misconduct by employees, and employees from the appearance of impropriety, State law also recognizes the importance for District employees to constantly maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries. Many breaches of employee-student boundaries do not rise to the level of criminal behavior but do pose a potential risk to student safety and impact the quality of a safe learning environment. Repeated violations of employee-student boundaries may indicate the grooming of a student for sexual abuse. As bystanders, employees may know of concerning behaviors that no one else is aware of, so their training on: (1) preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior; (2) this policy; and (3) federal and state reporting requirements is essential to maintaining the Board's goal of professional and appropriate conduct.

The Superintendent or designee shall identify employee conduct standards that define appropriate employee-student boundaries, provide training about them, and monitor the District's employees for violations of employee-student boundaries. The employee conduct standards will require that, at a minimum:

1. Employees who are governed by the *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE), will comply with its incorporation by reference into this policy.
2. Employees are trained on educator ethics, child abuse, grooming behaviors, and employee-student boundary violations as required by law and policies 2:265, *Title IX Sexual Harassment Grievance Procedure*; 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:90, *Abused and Neglected Child Reporting*; and 5:100, *Staff Development Program*.
3. Employees maintain professional relationships with students, including maintaining employee-student boundaries based upon students' ages, grade levels, and developmental levels and following District-established guidelines for specific situations, including but not limited to:
    a. Transporting a student;

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b. Taking or possessing a photo or video of a student; and

c. Meeting with a student or contacting a student outside the employee's professional role.

4. Employees report prohibited behaviors and/or boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.

5. Discipline up to and including dismissal will occur for any employee who violates an employee conduct standard or engages in any of the following:

   a. Violates expectations and guidelines for employee-student boundaries.

   b. Sexually harasses a student.

   c. Willfully or negligently fails to follow reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), or the Elementary and Secondary Education Act (20 U.S.C. § 7926).

   d. Engages in *grooming* as defined in 720 ILCS 5/11-25.

   e. Engages in grooming behaviors. Prohibited grooming behaviors include, at a minimum, *sexual misconduct. Sexual misconduct* is any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:

      i. A sexual or romantic invitation.

      ii. Dating or soliciting a date.

      iii. Engaging in sexualized or romantic dialog.

      iv. Making sexually suggestive comments that are directed toward or with a student.

      v. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature.

      vi. A sexual, indecent, romantic, or erotic contact with the student.

Statement of Economic Interests

The following employees must file a *Statement of Economic Interests* as required by the Ill. 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;

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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

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 105 ILCS 5/22-5, "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 ISBE 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 or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest. A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract:

1. A member of the employee's immediate family;
2. An employee's partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above.

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or subcontracts. 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.*

Guidance Counselor Gift Ban

Guidance counselors are prohibited from intentionally soliciting or accepting any gift from a *prohibited source* or any gift that would be in violation of any federal or State statute or rule. For guidance counselors, a *prohibited source* is any person who is (1) employed by an institution of higher education, or (2) an agent or spouse of or an immediate family member living with a person employed by an institution of higher education. This prohibition does not apply to:

1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the guidance counselor pays market value.
3. A gift from a relative.
4. Anything provided by an individual on the basis of a personal friendship, unless the guidance counselor believes that it was provided due to the official position or employment of the guidance counselor and not due to the personal friendship. In

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determining whether a gift is provided on the basis of personal friendship, the guidance counselor must consider the circumstances in which the gift was offered, including any of the following:

a. The history of the relationship between the individual giving the gift and the guidance counselor, including any previous exchange of gifts between those individuals.

b. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

c. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.

5. Bequests, inheritances, or other transfers at death.

6. Any item(s) during any calendar year having a cumulative total value of less than $100.

7. Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.

A guidance counselor does not violate this prohibition if he or she promptly returns the gift to the prohibited source or donates the gift or an amount equal to its value to a 501(c)(3) tax-exempt charity.

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.

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Incorporated by reference: 5:120-E (Code of Ethics for Ill. Educators)

LEGAL REF.: U.S. Constitution, First Amendment.
2 C.F.R. §200.318(c)(1).
5 ILCS 420/4A-101, Ill. Governmental Ethics Act.
5 ILCS 430/, State Officials and Employee Ethics Act.
30 ILCS 708/, Grant Accountability and Transparency Act.
50 ILCS 135/, Local Governmental Employees Political Rights Act.
105 ILCS 5/10-22.39, 5/10-23.13, 5/22-5, 5/22-85.5, and 5/22-93.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/11-25, Criminal Code of 2012.
775 ILCS 5/5A-102, Ill. Human Rights Act.
23 Ill.Admin.Code Part 22, Code of Ethics for Ill. 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), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Terminations and Suspensions), 7:20 (Harassment of Students Prohibited)

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General Personnel

Administrative Procedure - Statement of Economic Interests for Employees

Date	Action
Upon initial employment	All employees who are required to file a statement of economic interests (see Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*) must file such a statement upon initial employment if employed by May 1. 5 ILCS 420/4A-105(c).
On or before February 1, annually	Superintendent or designee shall certify to the appropriate county clerks a list of names and addresses of employees who are required to file a statement of economic interests (see policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*). The list shall set out the names in alphabetical order by county of residence. The Superintendent or designee shall send the list to county clerks of the counties in which those employees reside, or if any employee resides outside of Illinois, to the county clerk of the county in which the District's principal office is located. 5 ILCS 420/4A-106.5, added by P.A. 101-221 and amended by P.A. 101-617.
On or before April 1, annually	County clerk of each county shall notify employees whose names have been certified to him or her of the requirements for filing statement of economic interests. 5 ILCS 420/4A-106.5, added by P.A. 101-221.
On or before May 1, annually	All employees who are required to file a statement of economic interests (see policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*) must file a statement of economic interests with the county clerk of the county in which the principal District office is located (5 ILCS 420/4A-106.5), unless the employee has already filed a statement in relation to the District within the calendar year. 5 ILCS 420/4A-105.
After January 1, 2011	Any county clerk who uses a system of Internet-based filing of economic interest statements must: (1) post the contents of statements, without filers' addresses or signatures, that were filed using the Internet on a publicly accessible website, and (2) otherwise comply with 5 ILCS 420/4A-108, amended by P.A. 102-664. The times for the filing of statements of economic interests set forth in Section 4A-105 must be followed in any system of Internet-based filing.

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General Personnel

Administrative Procedure - Employee Conduct Standards

Professional and appropriate conduct is expected of all District employees. The standards listed below serve as a notice of expected conduct. The standards are intended to protect the health, safety, and general welfare of students and employees, ensure the community a degree of accountability within the School District, and define misconduct justifying disciplinary action, up to and including dismissal. The listed standards are not a complete list of expectations, and depending on the factual context, an employee may be disciplined for conduct that is not specifically listed. The conduct standards apply to all District employees to the extent they do not conflict with an applicable collective bargaining agreement; in the event of a conflict, the provision is severable and the applicable bargaining agreement will control. In addition, all employees who are governed by the *Code of Ethics for Illinois Educators* must comply with 5:120-E, *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE) (23 Ill.Admin.Code Part 22).

All school employees shall:

1. Exhibit positive examples of preparedness, punctuality, attendance, self-control, language, and appearance.

2. Exemplify honesty and integrity. Violations of this standard include, but are not limited to, falsifying, misrepresenting, omitting, or erroneously reporting the professional qualifications of oneself or another individual or information submitted in connection with job duties or during the course of an official inquiry/investigation.

3. Maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries, both in and outside the school. Attend all in-service trainings on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel (105 ILCS 5/10-22.39), as well as all required trainings on child abuse, grooming behaviors, and employee-student boundary violations (325 ILCS 5/4(j), 105 ILCS 5/10-23.12, and 5/10-23.13 (*Erin's Law*)). Violations of this standard include, but are not limited to: (a) committing any act of child abuse or cruelty to children; (b) willfully or negligently failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/); (c) engaging in harassing behavior, including but not limited to sexually harassing a student (775 ILCS 5/5A-102); (d) willfully or negligently failing to report an instance of suspected sexual harassment as required by Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), (e) providing a recommendation of employment for an employee, contractor, or agent that the employee knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law, as prohibited by the Elementary and Secondary Education Act (20 U.S.C. § 7926), (f) engaging in *grooming* as defined in 720 ILCS 5/11-25; (g) engaging in prohibited grooming behaviors, including *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c) (*Faith's Law*) and Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; (h) furnishing tobacco, alcohol, cannabis, or any other illegal/unauthorized substance, including e-cigarettes, to any student or allowing a student under his or her supervision to use tobacco, alcohol, cannabis (including medical cannabis unless the student is authorized to be administered a medical cannabis

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infused product by the school employee pursuant to *Ashley's Law*); and (i) violating expectations and guidelines for employee-student boundaries set forth in 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

4. Maintain a safe and healthy environment, free from being impaired by and/or under the influence of prohibited substances to ensure high quality performance for the District and its students. The use of illegal drugs and/or abuse and misuse of alcohol, drugs, and other lawful products while on District premises or while performing work for the District diminishes the District's credibility and ability to educate students about drug and substance abuse prevention pursuant to Board policy 6:60, *Curriculum Content*. Violations of this standard include, but are not limited to, engaging in any of the prohibited activities listed in the District's drug- and alcohol-free workplace policy. Examples include using or being impaired by or under the influence of illegal drugs; abusing, misusing, and/or being impaired by or under the influence of alcohol, drugs, and/or other lawful products when performing work for the District when impairment is detectable regardless of when and/or where the use occurred; and/or using or being impaired or under the influence of or possessing medical cannabis in a school bus or on school grounds.

5. Maintain a safe and healthy environment, free from harassment, intimidation, bullying, hazing, and violence, and free from bias and discrimination. Violations of this standard include, but are not limited to: (a) unless specifically permitted by the Firearm Concealed Carry Act, carrying a firearm on or into any District controlled building, real property, or parking area, or any transportation vehicle paid for in whole or in part with public funds; (b) willfully or negligently failing to immediately report suspected cases of child abuse or neglect or of gender harassment; (c) knowingly failing to report hazing to supervising educational authorities or, in the event of death or great bodily harm, to law enforcement; and (d) failing to appropriately respond to a witnessed or reported incident of student-on-student bullying, harassment, hazing, or teen dating violence.

6. Comply with the Professional Testing Practices for Educators, prepared and published by ISBE for educators who administer any standardized test (at www.isbe.net/Documents/prof-test-prac.pdf). This document contains numerous examples of actions that violate test security; actions that must not be part of test preparation; actions that must not occur during test administration; and actions that must be avoided when reporting test results.

7. Honor the public trust when entrusted with public funds and property by acting with a high level of honesty, accuracy, and responsibility. Violations of this standard include, but are not limited to: (a) misusing public or school-related funds; (b) failing to account for funds collected from students or parents/guardians; (c) submitting fraudulent requests for reimbursement of expenses or for pay; (d) co-mingling District or school funds with personal funds or checking accounts; and (e) using school property without the approval of the supervising school official.

8. Maintain integrity with students, colleagues, parents/guardians, community members, and businesses concerning business dealings and when accepting gifts and favors. Violations of this standard include, but are not limited to, soliciting students or parents/guardians to purchase supplies or services from the employee or to participate in activities that financially benefit the employee without fully disclosing the interest.

9. Respect the confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements. Violations of this standard include, but are not limited to: (a) disclosing confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and

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assessment/testing results, unless disclosure is required or permitted by law; and (b) disclosing confidential information restricted by State or federal law.

10. Demonstrate conduct that follows generally recognized professional standards and attend all in-service trainings on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel (105 ILCS 5/10-22.39(f)). Unethical conduct is any conduct that impairs the employee's ability to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

11. Comply with all State and federal laws and rules regulating public schools and Board policies, including but not limited to: 2:105 (*Ethics and Gift Ban*), 4:165 (*Awareness and Prevention of Child Sexual Abuse and Prohibited Grooming Behaviors*), 5:10 (*Equal Employment Opportunity and Minority Recruitment*), 5:20 (*Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria*), 5:50 (*Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*), 5:60 (*Expenses*), 5:90 (*Abused and Neglected Child Reporting*), 5:100 (*Staff Development Program*), 5:120 (*Employee Ethics; Code of Professional Conduct; and Conflict of Interest*), 5:130 (*Responsibilities Concerning Internal Information*), 5:140 (*Solicitations By or From Staff*), 5:170 (*Copyright*), 5:180 (*Temporary Illness or Temporary Incapacity*), 5:200 (*Terms and Conditions of Employment and Dismissal*), 5:230 (*Maintaining Student Discipline*), 5:280 (*Duties and Qualifications*), 5:290 (*Employment Termination and Suspensions*), 6:235 (*Access to Electronic Networks*), 7:20 (*Harassment of Students Prohibited*), 7:180 (*Prevention of and Response to Bullying, Intimidation, and Harassment*), 7:190 (*Student Behavior*), 7:340 (*Student Records*), and 8:30 (*Visitors to and Conduct on School Property*).

Conviction of any employment disqualifying criminal offense listed in 105 ILCS 5/10-21.9 or 5/21B-80 will result in dismissal.

Before disciplinary action is taken, the supervisor will conduct a fair and objective investigation to determine whether the employee violated a standard or other work rule and the extent that any violation impacts educational or operational activities, effectiveness, or efficiency. Discipline must be appropriate and reasonably related to the seriousness of the misconduct and the employee's record. Any applicable provision in a contract, bargaining agreement, or State law will control the disciplinary process.

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General Personnel

Exhibit – Expectations and Guidelines for Employee-Student Boundaries

105 ILCS 5/10-23.13, Erin's Law, requires this exhibit's discussion. Use this exhibit to structure local conversations around what the District will include for its examples of expectations and guidelines about professional boundaries in employee-student relationships. Finalization of this exhibit requires a conversation among district administrators and employees to customize it based upon the ages, grade levels, and developmental levels of the students served, as well as local conditions.

All District employees must maintain professional employee-student boundaries and relationships with students. This includes meeting expectations and following guidelines established by the District for employee-student boundaries. These expectations and guidelines apply to all professional, educational support, and contracted District employees. If they conflict with an applicable collective bargaining agreement, the provision is severable and the applicable bargaining agreement will control.

The District understands that employees may have pre-existing relationships with families of students outside of school. These expectations and guidelines do not apply to employee-student relationships based in pre-existing relationships, including nuclear or extended families. These expectations and guidelines are not intended to prohibit such interactions, provided that an awareness of employee-student boundaries is maintained at all times. This document is not exhaustive, and an employee may be disciplined for boundary violations that are not specifically listed.

Employee-Student Boundaries

The relationship between students and school employees is an inherently unequal imbalance of power because school employees are in a unique position of trust, care, authority, and influence in relation to students. District employees breach employee-student boundaries when they misuse their position of power over a student in a way that compromises the student's health, safety, or general welfare. Employee-student boundaries are categorized into four areas that are not mutually exclusive:

- **Emotional Boundaries** – both the employee's own emotional state and self-regulation as well as students' emotional states and developmental abilities to self-regulate.
- **Relationship/Power Boundaries** – recognizing, as noted above, that the employee-student relationship is unequal and employees must safeguard against misusing positions of power.
- **Communication Boundaries** – how and what employees communicate to students, including communication that is verbal, nonverbal, in person, or via electronic means.
- **Physical Boundaries** – physical contact between employees and students.

While some employee-student boundaries are clear and easy to recognize, there are some unclear, *grey* areas that employees must plan for and respond to with sound judgment. This means recognizing the potential negative consequences for students and/or employees engaging in certain behaviors with students or allowing inappropriate conduct to continue. Employees may use *time, place, and circumstances* as a guiding principle by asking themselves:

- Is this the appropriate *time* for my planned action?
- Have I chosen the appropriate *place* for the planned action?

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- Are these appropriate *circumstances* for me to take my planned action?

To avoid behavior or conduct which may lead to a breach in employee-student boundaries, employees should also recognize their own unique vulnerabilities. Examples of vulnerabilities that employees may experience include, but are not limited to:

- Employees regarding students as peers
- Employees who too closely identify with students and their issues
- Employees experiencing adult relationship issues
- Immature employees, or employees with an under-developed moral compass
- Employees feeling a need for attention
- Employees who abuse alcohol or other substances
- Employees who lack personal crisis management skills

Employees experiencing difficulties in their personal lives may be particularly susceptible to engaging in at-risk behavior or conduct with students. Employees must be alert to such risks and ensure they maintain professional boundaries at all times. The Markkula Center for Applied Ethics' Framework for Ethical Decision-Making may help employees evaluate and address conduct that concerns them. See www.scu.edu/ethics/ethics-resources/ethical-decision-making/.

Guidelines for Specific Boundary Areas

Customize based upon the ages, grade levels, and developmental levels of the students served.

Boundary Area	Inappropriate	Appropriate
Emotional	Favoring certain students by inviting them to your classroom at non-instructional times to "hang out." Favoring certain students by giving them special privileges. Engaging in peer-like behavior with students. Discussing personal issues with students.	Inviting students who need additional instructional support to your classroom for such additional support. Conducting one-on-one student conferences in a classroom with the door open.
Relationship/Power	Meeting with a student off-campus without parent/guardian knowledge and/or permission. Dating, requesting, or participating in a private meeting with a student (in person or virtually) outside your professional role. Transporting a student in a school or private vehicle	Meeting with a student off-campus with parent/guardian knowledge and/or permission, e.g., when providing pre-arranged tutoring or coaching services. Transporting a student in a school or private vehicle with administrative authorization. Taking and using photos/videos

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Boundary Area	Inappropriate	Appropriate
	without administrative authorization. Giving gifts, money, or treats to individual students. Sending students on personal errands. Intervening in serious student problems instead of referring the student to an appropriately trained professional. A sexual or romantic invitation toward or from a student. Taking and using photos/videos of students for non-educational purposes.	of students for educational purposes, with student and parent/guardian consent, while abiding by student records laws, policies, and procedures.
Communication	Initiating or extending contact with a student beyond the school day in a one-on-one or non-group setting. Inviting students to your home. Adding students on personal social networking sites as contacts when unrelated to a legitimate educational purpose. Privately messaging students by any means. Maintaining intense eye contact. Making comments about a student's physical attributes, including excessively flattering comments. Engaging in sexualized or romantic dialog. Making sexually suggestive comments directed toward or with a student. Disclosing confidential information. Self-disclosure of a sexual, romantic, or erotic nature.	Limiting communication to what is necessary for educational and/or extracurricular activities. Using District-approved methods for communicating with students.

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Boundary Area	Inappropriate	Appropriate
Physical	Full frontal hugs. Invading personal space. Massages, shoulder rubs, neck rubs, etc. Lingering touches or squeezes. Tickling. Having a student on your lap. Physical exposure of a sexual, romantic, or erotic nature. Sexual, indecent, romantic, or erotic contact with a student. Assisting a young student or a student with special needs with a toileting issue without obtaining parent/guardian permission.	Occasionally patting a student on the back, shoulder, or arm. Momentary physical contact with limited force designed to prevent a student from completing an act that would result in potential physical harm to the student or another person or damage to property; or to remove a disruptive student who is unwilling to leave the area voluntarily. Assisting a young student or a student with special needs with a toileting issue when parent/guardian permission has been granted.

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General Personnel

Exhibit - Code of Ethics for Illinois Educators

Code of Ethics for Illinois Educators, Illinois State Board of Education (ISBE) (23 Ill.Admin.Code §22.20)

a) Responsibility to Students

The Illinois educator is committed to creating, promoting, and implementing a learning environment that is accessible to each student, enables students to achieve the highest academic potential, and maximizes their ability to succeed in academic and employment settings as a responsible member of society. Illinois educators:

1. Embody the Standards for the School Support Personnel Endorsements (23 Ill.Admin.Code Part 23), the Illinois Professional Teaching Standards (23 Ill.Admin.Code Parts 24 and 130), and Standards for Administrative Endorsements (23 Ill.Admin.Code Part 29), as applicable to the educator, in the learning environment;
2. Respect the inherent dignity and worth of each student by assuring that the learning environment is characterized by respect and equal opportunity for each student, regardless of race, color, national origin, sex, sexual orientation, disability, religion, language or socio-economic status;
3. Maintain a professional relationship with students at all times;
4. Provide a curriculum based on high expectations for each student that addresses individual differences through the design, implementation, and adaptation of effective instruction; and
5. Foster in each student the development of attributes that will enhance skills and knowledge necessary to be a contributing member of society.

b) Responsibility to Self

Illinois educators are committed to establishing high professional standards for their practice and striving to meet these standards through their performance. Illinois educators:

1. Assume responsibility and accountability for their performance and continually strive to demonstrate proficiency and understanding of current trends in both content knowledge and professional practice;
2. Develop and implement personal and professional goals with attention to professional standards through a process of self-assessment and professional development;
3. Represent their professional credentials and qualifications accurately; and
4. Demonstrate a high level of professional judgment.

c) Responsibility to Colleagues and the Profession

The Illinois educator is committed to collaborating with school and district colleagues and other professionals in the interest of student learning. Illinois educators:

1. Collaborate with colleagues in their respective schools and districts to meet local and State educational standards;
2. Work together to create a respectful, professional, and supportive school climate that allows all educators to maintain their individual professional integrity;
3. Seek out and engage in activities that contribute to the ongoing development of the profession;

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4. Promote participation in educational decision-making processes;
5. Encourage promising candidates to enter the education profession; and
6. Support the preparation, induction, mentoring, and professional development of educators.

d) Responsibility to Parents, Families and Communities

The Illinois educator will collaborate, build trust, and respect confidentiality with parents, families, and communities to create effective instruction and learning environments for each student. Illinois educators:

1. Aspire to understand and respect the values and traditions of the diversity represented in the community and in their learning environments;
2. Encourage and advocate for fair and equal educational opportunities for each student;
3. Develop and maintain professional relationships with parents, families, and communities;
4. Promote collaboration and support student learning through regular and meaningful communication with parents, families, and communities; and
5. Cooperate with community agencies that provide resources and services to enhance the learning environment.

e) Responsibility to ISBE

Illinois educators are committed to compliance with the School Code (105 ILCS 5/) and its implementing regulations, and to State and federal laws and regulations relevant to their profession. Illinois educators:

1. Provide accurate communication to ISBE concerning all educator licensure matters;
2. Maintain appropriate educator licensure for employment; and
3. Comply with State and federal laws and regulations.

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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 web-based and/or mobile technologies that allow users to share content and/or engage in interactive communication through online communities. This includes, but is not limited to, services such as *Facebook, LinkedIn, Twitter, Instagram, TikTok, 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 computers, tablets, smartphones, and other devices.

Usage and Conduct

All District employees who use personal technology and/or social media shall:

1. Adhere to the high standards for **Professional and Appropriate Conduct** required by policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, 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 policies 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 6:235, *Access to Electronic Networks*; and 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. Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of personal technology or social media.
5. Report instances of suspected abuse or neglect discovered through the use of social media or personal technology pursuant to a school employee's obligations under policy 5:90, *Abused and Neglected Child Reporting*.
6. Not disclose confidential information, including but not limited to school student records (e.g., student work, photographs of students, names of students, or any other personally identifiable information about students) or personnel records, in compliance with policy 5:130, *Responsibilities Concerning Internal Information*. For District employees, proper approval may include implied consent under the circumstances.
7. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures.
8. 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.

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9. 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.
10. 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.

Superintendent Responsibilities

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 policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*.
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 neither the District, nor anyone on its behalf, commits an act prohibited by the Right to Privacy in the Workplace Act, 820 ILCS 55/10; i.e., the *Facebook Password Law*.
5. Periodically review this policy and any implementing 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.
775 ILCS 5/5A-102, Ill. Human Rights Act.
820 ILCS 55/10, Right to Privacy in the Workplace Act.
23 Ill.Admin.Code §22.20, Code of Ethics for Ill. Educators.
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.: 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 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)

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General Personnel

Exhibit - Employee Receipt of Board Policy on Personal Technology and Social Media

I, the individual whose signature appears below, acknowledge receipt of Board policy 5:125, *Personal Technology and Social Media; Usage and Conduct*. I affirm that I have read the policy and agree to comply with its requirements.

_____
Name (*please print*)

_____ _____
Signature Date

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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)

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General Personnel

Administrative Procedure - Email Retention

Emails, including attachments, sent or received by the District or District employees may be, depending on their content, subject to disclosure under the Freedom of Information Act and/or discovery in litigation as evidence in support of a claim. Employees must use the same standards of judgment, propriety, and ethics with email as they do with other forms of school business related communications.

Accordingly, employees have the same responsibilities for email messages as they do for any other communication and must distinguish between record and non-record messages. This allows for the proper storage or disposal of email. However, no District record, no matter its form, may be destroyed if it is subject to a litigation hold. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. For guidance on School Board member use and retention of email, see 2:140-E, *Guidance for Board Member Communications, Including Email Use*. For help with these responsibilities, please contact the District's FOIA Officer.

Non-Record Messages

Email messages are *non-record messages* if they do not evidence the District's organization, function, policies, procedures, or activities; or do not contain informational data appropriate for preservation. These are generally informal or preliminary drafts, notes, recommendations, or memoranda that do not contain official action. Examples include:

1. Personal correspondence not received or created in the course of District or school business, such as, "What's for dinner?" or "I'll be glad to drive to the meeting."
2. Duplicates of notices concerning meetings or workshops, dates, discussion topics, or material to prepare for or to be discussed during a meeting.
3. Publications or promotional materials from vendors and similar materials that are sent as part of mass marketing campaigns.
4. Correspondence containing recommendations or opinions that are preliminary to a decision, unless appropriate for preservation, e.g., legal opinions.
5. Informal correspondence to parents/guardians concerning school activities or an individual student's progress or assignments provided the messages do not contain notice of final or official action.
6. Draft material, except when appropriate for preservation, e.g., draft collective bargaining agreement language.

If the email is a *non-record message*, the employee should delete it as soon as its purpose is fulfilled unless the email is subject to a litigation hold. The goal is to control excessive accumulation of material.

Official Record Messages

Email messages are *official record messages* if they are evidence of the District's organization, function, policies, procedures, or activities or contain informational data appropriate for preservation. Some examples include:

1. Policy documents or contract-related documents.
2. Correspondence, e.g., letters, memos, or emails from individuals, companies, or organizations

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requesting information about the District or school policies or practices and the responses to these requests.

3. Project reports.
4. Correspondence dealing with significant aspects of District administration or a school executive office, including messages containing information concerning policies, programs, fiscal and personnel matters, and contracts.
5. Correspondence between Board members regarding District business.
6. Updates provided to a student's parent/guardian about the student's progress or a disciplinary matter.
7. Correspondence between administrators regarding an employee investigation.

Official record messages should routinely be transferred to the records maintenance location identified by the Records Custodian or Head of Information Technology (IT). Before transferring the message, the employee should identify it as belonging in one of the categories of records established by the Records Custodian or Head of IT. Once transferred, it becomes the official copy and the original electronic version may be deleted according to the District's approved record preservation and retention schedule. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*.

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General Personnel

Solicitations By or From Staff

District employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Superintendent.

CROSS REF.: 8:90 (Parent Organizations and Booster Clubs)

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General Personnel

Personnel Records

Maintenance and Access to 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:

9. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Superintendent.
10. 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.
11. Anyone having the respective employee's written consent may have access.
12. Access will be granted to anyone authorized by State or federal law to have access.
13. All other requests for access to personnel information are governed by Board policy 2:250, *Access to District Public Records*.

Prospective Employer Inquiries Concerning a Current or Former Employee's Job Performance

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:

14. 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 Ill. Dept. of Children and Family Services (DCFS); and
15. Comply with the federal law prohibiting the District from providing a recommendation of employment for an employee, contractor, or agent that District knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law but the Superintendent or designee may follow routine procedures regarding the transmission of administrative or personnel files for that employee.
16. Manage the District's responses to employer requests for sexual misconduct related employment history review (EHR) information in accordance with *Faith's Law*.

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.

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LEGAL REF.: 20 U.S.C. §7926.
105 ILCS 5/22-94.
325 ILCS 5/4, Abused and Neglected Child Reporting Act.
745 ILCS 46/10, Employment Record Disclosure Act.
820 ILCS 40/, Personnel Record Review Act.
23 Ill.Admin.Code §1.660.

CROSS REF.: 2:250 (Access to District Public Records), 5:90 (Abused and Neglected Child Reporting), 7:340 (Student Records)

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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 five years from the application date. Applicant records include the following if received by the District:

Employment 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
Valid certificate and/or evidence of required credentials for services being performed
Criminal background investigation history and report
Sexual Misconduct Related Employment History Review (EHR) records
Form I-9 required under the Immigration Reform and Control Act
Records maintained pursuant to Internal Revenue Service regulations
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)
Records maintained for the Ill. Teachers' Retirement System or the Ill. Municipal Retirement System
Credit release information
Sick leave, leaves of absence, personal leave, and vacation data (where appropriate)
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
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
Disciplinary actions and accompanying records
Notice of discharge and accompanying records
Letter of resignation or retirement
Notification that an employee is the subject of an Ill. Dept. of Children and Family Services (DCFS) investigation pursuant to the Abused and Neglected Child Reporting Act (ANCRA) 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

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Any additional information the District 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
Acknowledgement of mandated reporter status
Employment records will be maintained permanently for all District employees and former employees 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: (1) activities or associations with individuals or groups involved in the physical, sexual, or other exploitation of a minor, or (2) activities occurring on the District's premises or during the employee's working hours that interfere with the performance of the employee's duties or activities, or those of other employees, regardless of when and where occurring, that constitute criminal conduct or may reasonably be expected to harm the District's property, operations or educational process, or programs, or that could, by the employee's actions, cause the District financial liability. 820 ILCS 40/9.

Access to Employee Records and Correction Requests

An employee is granted access to his or her personnel records according to provisions in the Ill. Personnel Record Review Act (PRRA), 820 ILCS 40/, and any relevant provisions in an applicable collective bargaining agreement. Except for the documents described in 820 ILCS 40/10, an employee is granted access to his or her personnel records at least two times in a calendar year at reasonable intervals. Unless otherwise indicated in an applicable bargaining agreement, access to the employee's personnel records will 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 seven working days after the request. If such deadline cannot reasonably be met, the District will have an additional seven 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 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 that are treated as exceptions in the PRRA discussed below.
6. The employee may copy material maintained in his or her personnel record. Payment for record copying will 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.

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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 the 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 District 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 will 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

The Board Attorney shall be consulted whenever a subpoena or court order requests personnel record information. Any other request for personnel information by a third party will be treated as a FOIA request and immediately forwarded to the School District's Freedom of Information Officer (see 2:250-AP1, *Access to and Copying of District Public Records*). Concerning a request for a disciplinary report, letter of reprimand, or other disciplinary action:

1. If the responsive record is more than four years old and is not related to an incident or an attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in 105 ILCS 5/22-85.5(c), access will be denied unless the release is ordered in a legal action or arbitration. 5 ILCS 140/7.5(q); 820 ILCS 40/8, amended by 102-702, eff. 7-1-23.
2. If the responsive record is more than four years old and is related to an incident or an attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in 105 ILCS 5/22-85.5(c), the request cannot be denied. 820 ILCS 40/8, amended by P.A. 102-702, eff. 7-1-23.
3. If the responsive record is four years old or less, access will be granted (regardless of its nature). The District will provide the employee with written notice or through electronic mail, if available, on or before the day any such record 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, amended by P.A. 102-702, eff. 7-1-23.
4. The employee will not be informed 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.

A FOIA request for a performance evaluation will be denied. 820 ILCS 40/11, 5 ILCS 140/7.5(q).

Before replying to a request from a third party, the District will review the requested records and delete or redact material that is protected from disclosure. 820 ILCS 40/8, amended by P.A. 102-702, eff. 7-1-23.

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Restriction on Employee Access

The PRRA, 820 ILCS 40/10, 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 that 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 that 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 ANCRA whenever a District employee makes a report to DCFS involving another District employee's conduct. This includes performing the following tasks (325 ILCS 5/4 and 820 ILCS 40/13):

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.

Complying with Requirements of *Faith's Law*

The Superintendent or designee shall execute the recordkeeping requirements of *Faith's Law*. This includes performing the following tasks (105 ILCS 5/22-94(e)):

1. At the time of an employee's separation from employment, or upon request of any employee, ensures the completion of the *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response* form, using the Ill. State Board of Education *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response Template* at: www.isbe.net/Documents/Temp2-Auth-Release-Sexual-Misconduct-Related-Info.pdf.
2. If the District is still investigating an employee for *sexual misconduct* after the employee's separation from employment, updates the information in the *Authorization for Release of*

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Sexual Misconduct Related Information and Current/Former Employer Response form accordingly.

3. Maintains the completed *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response* form in the employee's personnel file.
4. Responds to employer requests for sexual misconduct related employment history information under *Faith's Law* by: (a) completing the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form provided by the employer within 20 calendar days of receipt, and (b) providing to the employer any relevant information, including copies of personnel records, regarding instances of sexual misconduct in accordance with the instructions on the form.

LEGAL REF.: 5 ILCS 140/, Freedom of Information Act.
105 ILCS 5/22-94.
325 ILCS 5/4 and 5/7.4, Abused and Neglected Child Reporting Act.
820 ILCS 40/, Personnel Record Review Act.
23 Ill.Admin.Code §1.660.

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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.

Copyright Infringement; Designation of District Digital Millennium Copyright Act (DMCA) Agent

The employee listed below receives complaints about copyright infringement within the use of the District's online services. The Superintendent or designee will register this information with the federal Copyright Office as required by federal law.

District DMCA Agent:

Name
Dr. Janet Gladu
Address
404 West Main St., La Harpe, IL 61450
Email
jgladu@laharpeeagles.com
Telephone
217-659-7739

LEGAL REF.: 17 U.S.C. §101 et seq., Federal Copyright Law of 1976.
105 ILCS 5/10-23.10.

CROSS REF.: 6:235 (Access to Electronic Networks)

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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 DVD.

   e. Yes, if you plan 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

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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, DVD products, and/or downloadable files 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 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 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
Teaching	Commercial activity - gain of financial rewards from *(sic)* use; e.g., sale of goods, services; advertising; fundraising, etc.

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Research/Scholarship/Academics	Profiting from use
Nonprofit educational institution	Bad-faith behavior; e.g., misrepresentation of intended use
Criticism	Denying credit to original author or artist
Comment	Entertainment
News reporting that is fact intensive	News reporting with a new perspective or creative flair
Used to create something different and new	Making a stylized version that retains the core elements of the original work
Restricted access given	
Parody	

Nature of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
Published work	Unpublished work
Factual or nonfiction based	Highly creative work (art, music, novel)
Out of print work	Fiction

Amount and Substantiality of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
Small amount used	Large portion or whole work used
Portion used not central or significant to entire work	Portion used is the heart of the work

Impact on Market of Copyrighted Work (often viewed as the most important factor)

Favoring Fair Use	Opposing Fair Use
User owns lawfully acquired/purchased copy	Use could supplant original author's sale for copyrighted work
One or few copies made	Significantly impairs the market/potential market of copyrighted work or derivative work
No significant effect on market/potential market for copyrighted work	Reasonable available licensing mechanisms
No similar product marketed by copyright holder	Affordable permission to use copyrighted work available

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No ready licensing or permission mechanism	Numerous copies made
	Made accessible on the internet or elsewhere
	Repeated or long-term use

In addition to the defense of fair use, a user of a work may also raise the argument that the expression at issue is not protectable because it is composed of *scènes à faire*, which are elements of work that are so rudimentary, commonplace, standard or unavoidable that they do not distinguish one work in a class from another, and therefore receive no copyright protection. Examples of *scènes à faire* might include:

- Story elements, e.g., an adventure story involving a wizened old mentor to a young upstart
- A horror story featuring an unstoppable killer
- Cliché phrases such as *ruby red lips*

A related concept is the *merger doctrine*, which provides that if an idea can be expressed in only a few limited ways, the expression *merges* with the idea and cannot be protected by copyright. Examples of merger may be:

- An order form for a certain type of product
- The architectural layout of a one-bedroom apartment
- Sweepstakes rules

Like questions of fair use, these issues are likely to be factually intensive and their application can be highly subjective. Consult the board attorney for guidance.

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Appendix 2: Copyright Resource List

U.S. Copyright Office
www.copyright.gov

U.S. Copyright Office Fair Use Index
www.copyright.gov/fair-use/

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.
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/legislation/pl107-273.pdf

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The TEACH Act: New roles, rules and responsibilities for academic institutions
www.copyright.com/wp-content/uploads/2015/04/CR-Teach-Act.pdf

Copyright: Distance Education and the TEACH Act
http://www.ala.org/advocacy/copyright/teachact/distanceeducation

Copyright Crash Course: TEACH ACT
https://guides.lib.utexas.edu/copyright/teachact
The University of Texas Libraries

WIPO (World Intellectual Property Organization)
www.wipo.org

MPAA (Motion Picture Association of America)
www.mpaa.org

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.siia.net/

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
https://www.csusa.org (copy and paste link into browser if clicking doesn't work)

The Copyright (Copyright Registration and Information Resource)
www.benedict.com

Crash Course in Copyright
University of Texas Libraries
copyright.lib.utexas.edu/

Kohn on Music Licensing
www.kohnmusic.com

National Writers Union
www.nwu.org

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Poets & Writers, Inc.
www.pw.org

Project Gutenberg (Internet's oldest producer of FREE electronic books (eBooks or eTexts))
www.gutenberg.org

WATCH: Writers and Their Copyright Holders
The University of Texas at Austin
norman.hrc.utexas.edu/watch/

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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 or email. 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 norman.hrc.utexas.edu/watch/. Phone: 512/471-8944, 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, Email: www.copyright.com/about/contact/, www.copyright.com.

3. For images, contact: The Film Foundation, 7920 Sunset Boulevard, 6th Floor, Los Angeles, CA 90046, Phone: 303/436-5060, Email: www.film-foundation.org; American Society of Media Photographers, Four Embarcadero Center, Suite 1400, San Francisco, CA 94111, Phone: 877/771-2767, 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, 61 Broadway Ste. 1630, New York, NY 10006, Phone: 315/545-5034, Email: nwu.org/contact-us/, www.nwu.org; and the Society of Children's Book Writers and Illustrators, 8271 Beverly Blvd., Los Angeles, CA 90048, Phone: 323/782-1010, Email: averysilverberg@scbwi.org, www.scbwi.org.

5. For a musical work, contact: American Society of Composers, Authors and Publishers (ASCAP), 250 West 57th Street, New York, NY 10107, Phone: 212/621-6000, Email: www.ascap.com; Broadcast Music Incorporated (BMI), 7 World Trade Center, 250 Greenwich Street, New York, NY 10007, Phone: 212/220-3000, Email: www.bmi.com/licensing; or SESAC, 55 Music Square East, Nashville, TN 37203, Phone: 615/320-0055, Email: see 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. at www.harryfox.com; National Music Publishers Association, 1900 N St NW, Suite 500, Washington, DC 20036, Phone: 202/393/6672, Email: see www.nmpa.org.

7. Play Rights

   Concord Theatricals
   250 W. 57th St., 6th Floor
   New York, NY 10107
   Phone: 866/979-0447

   info@concordtheatricals.com

   Anchorage Press (Plays for young people)
   c/o Dramatic Publishing
   311 Washington St.
   Woodstock, IL 60098-3308
   Phone: 800/448-7469

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concordtheatricals.com

customerservice@dpcplays.com
www.dramaticpublishing.com

Dramatists Play Service, Inc.
440 Park Avenue South
New York, NY 10016
Phone: 212/683-8960
postmaster@www.dramatists.com
https://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 at www.mplc.com, Phone: 800/462-8855, Email: mplc.org/index/contactform, info@mplc.com, www.mplc.org, 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, www.copyright.gov, 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.

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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 marketing or 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 marketing or 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

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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.

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General Personnel

Administrative Procedure - Designation of District Digital Millennium Copyright Act (DMCA) Agent; Registration Process

Before using this exhibit, consult the Board Attorney to first identify whether the District is an online service provider (OSP) under the DMCA. The DMCA is an amendment to 17 U.S.C. §101 et seq. It provides certain limitations on the liability of OSPs for copyright infringement under the DMCA's *Safe Harbor Provision* (SHP). OSPs are operators of websites that allow users to generate content of their own and upload that content to the OSP's website.

If the District is an OSP, the SHP shields the District from being sued when or if infringing copyrighted content is uploaded to its website(s), and it provides limitations on liability for storage, at the direction of a user, of copyrighted material residing on a system or network controlled or operated by or for an OSP. The SHP is only available if an OSP designates an agent to receive notifications of claimed infringement, provides the agent's contact information to the U.S. Copyright Office, and posts that information on the its website in a location accessible to the public (www.copyright.gov/onlinesp/).

If the District is an OSP, the Superintendent or designee will follow these steps to identify and register a DMCA agent to receive notifications of claimed infringement:

1. Identify an agent to receive notification of claims of infringement. This may be the Superintendent, an Assistant Superintendent, or another administrator.
2. Review the video tutorial or video tutorial transcript entitled "Creating a DMCA Designated Agent Registration Account" at www.copyright.gov/dmca-directory/help.html, which provides step-by-step instructions for creating a Registration Account with the U.S. Copyright Office.
3. Go to dmca.copyright.gov/login.html and follow the tutorial instructions to create a Registration Account.
4. Review the video tutorial or video tutorial transcript entitled "Designating an Agent for Service Provider" at www.copyright.gov/dmca-directory/help.html, which provides step-by-step instructions for designating an agent with the U.S. Copyright Office.
5. Log in to your DMCA Designated Agent Registration Account at dmca.copyright.gov/osp/login.html and follow the tutorial instructions to designate a DMCA agent.
6. Continue following the tutorial instructions to the "Certify and Pay" step, and pay the requisite fee on Pay.gov using one of the payment methods provided. **Note**: Consult the Board Attorney about filing alternative names when registering and whether additional fees may apply. The fee for filing allows for the listing of only one name for OSP. It is the OSP's legal name. If the District uses other names or additional URLs, it should include them in the same filing to avoid additional fees to register.
7. Post the District's DMCA agent's contact information in a publicly accessible location on the website. See policy 5:170, *Copyright*. **Note**: Consult the Board Attorney about further steps necessary for registering and posting DMCA agent information. For example, some websites make users verify that

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they are not infringing copyright when they upload content, along with a Terms of Service and Copyright Policy. Other steps may include training from the Board Attorney about procedures to terminate repeat infringers, responding to takedown notices, etc.

LEGAL REF.: 17 U.S.C. §101 et seq., Federal Copyright Law of 1976

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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's Name (*please print*)

_____ _____
Copyright Owner's Signature Date

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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 teacher or other licensed 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, a licensed advanced practice registered nurse, or a licensed physician assistant if the examination is job-related and consistent with business necessity.

LEGAL REF.: 42 U.S.C. §12101 et seq., Americans with Disabilities Act.
105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.
Elder v. School Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).
School District No. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

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General Personnel

Family and Medical Leave

Leave Description

An eligible employee 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 (federal 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 September 1 and ending August 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 servicemember (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, provided such leave is available for use in accordance with Board policies and rules. In addition, 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.

FMLA 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, child, or parent.
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 by federal rules.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember 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

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To be eligible for FMLA leave, an employee must be employed at a 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 1,000 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. 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 servicemember 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 servicemember.
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

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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 FMLA 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 FMLA 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.: 29 U.S.C. §2601 et seq., Family and Medical Leave Act; 29 C.F.R. Part 825.
105 ILCS 5/24-6.4.

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)

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General Personnel

Administrative Procedure - Resource Guide for Family and Medical Leave

School Code

105 ILCS 5/24-6.4, added by P.A. 102-335 (mandates a lower 1,000 hour threshold for FMLA eligibility rather than 1,250 hours).

Web Resources

Compilation of resources from the U.S. Dept. of Labor (DOL), Wage & Hour Division
www.dol.gov/whd/fmla

Revised FMLA Poster
www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf

Certification of Health Care Provider for Employee's Serious Health Condition
www.dol.gov/whd/forms/WH-380-E.pdf

Note: Consult the Board Attorney to ensure that: (1) the District is using the most recent version of the DOL's FMLA notification and certification forms, (2) Genetic Information Nondiscrimination Act (GINA) safe harbor protections are adequately customized into these forms (the DOL did not include in its forms the specific instructions included in GINA's sample safe harbor provision), and (3) both federal and State law requirements are met.

Certification of Health Care Provider for Family Member's Serious Health Condition
www.dol.gov/whd/forms/WH-380-F.pdf

See **Note**, above.

Notice of Eligibility and Rights & Responsibilities
www.dol.gov/whd/forms/WH-381.pdf

Designation Notice
www.dol.gov/whd/forms/WH-382.pdf

Certification of Qualifying Exigency For Military Family Leave (PDF)
www.dol.gov/whd/forms/WH-384.pdf

Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave
www.dol.gov/whd/forms/WH-385.pdf

Fact Sheet #28 (Non-Military) (PDF)
www.dol.gov/whd/regs/compliance/whdfs28.htm

Fact Sheet #28A (Military) (PDF)
www.dol.gov/whd/regs/compliance/whdfs28a.htm

Department of Labor Rules

29 C.F.R. Part 825,
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title29/29cfr825_main_02.tpl

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Subpart A - Coverage Under the Family and Medical Leave Act §825.100

§825.100	The Family and Medical Leave Act
§825.101	Purpose of the Act
§825.102	Definitions
§825.103	[Reserved]
§825.104	Covered employer
§825.105	Counting employees for determining coverage
§825.106	Joint employer coverage
§825.107	Successor in interest coverage
§825.108	Public agency coverage
§825.109	Federal agency coverage
§825.110	Eligible employees
§825.111	Determining whether 50 employees are employed within 75 miles
§825.112	Qualifying reasons for leave, general rule
§825.113	Serious health condition
§825.114	Inpatient care
§825.115	Continuing treatment
§§825.116-118	[Reserved]
§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 covered servicemember, spouse, parent, son or daughter, next of kin of a covered servicemember, adoption, foster care, son or daughter on active duty or call to covered 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 (military caregiver leave)

Subpart B - Employee Leave Entitlements Under the Family and Medical Leave Act

§825.200	Amount of leave
§825.201	Leave to care for a parent
§825.202	Intermittent leave or reduced leave schedule
§825.203	Scheduling of intermittent or reduced schedule leave
§825.204	Transfer of an employee to an alternative position during intermittent leave or reduced schedule leave
§825.205	Increments of FMLA leave for intermittent or reduced schedule leave
§825.206	Interaction with the FLSA
§825.207	Substitution of paid leave

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§825.208 [Reserved]
§825.209 Maintenance of employee benefits
§825.210 Employee payment of group health benefit premiums
§825.211 Maintenance of benefits under multi-employer health plans
§825.212 Employee failure to pay health plan premium payments
§825.213 Employer recovery of benefit costs
§825.214 Employee right to reinstatement
§825.215 Equivalent position
§825.216 Limitations on an employee's right to reinstatement
§825.217 Key employee, general rule
§825.218 Substantial and grievous economic injury
§825.219 Rights of a key employee
§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 Employer notice requirements
§825.301 Designation of FMLA leave
§825.302 Employee notice requirements for foreseeable FMLA leave
§825.303 Employee notice requirements for unforeseeable FMLA leave
§825.304 Employee failure to provide notice
§825.305 Certification, general rule
§825.306 Content of medical certification for leave taken because of an employee's own serious health condition or the serious health condition of a family member
§825.307 Authentication and clarification of medical certification for leave taken because of an employee's own serious health condition or the serious health condition of a family member; second and third opinions
§825.308 Recertifications for leave taken because of an employee's own serious health condition or the serious health condition of a family member
§825.309 Certification for leave taken because of a qualifying exigency
§825.310 Certification for leave taken to care for a covered servicemember (military caregiver leave)
§825.311 Intent to return to work
§825.312 Fitness-for-duty certification
§825.313 Failure to provide certification

Subpart D - Enforcement Mechanisms

§825.400 Enforcement, general rules
§825.401 Filing a complaint with the Federal Government
§825.402 Violations of the posting requirement
§825.403 Appealing the assessment of a penalty for willful violation of the posting requirement
§825.404 Consequences for an employer when not paying the penalty assessment after a final order is issued

Subpart E - Recordkeeping Requirements

§825.500 Recordkeeping requirements

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Subpart F - Special Rules Applicable to Employees of Schools

§825.600 Special rules for school employees, definitions

§825.601 Special rules for school employees, limitations on intermittent leave

§825.602 Special rules for school employees, limitations on leave near the end of an academic term

§825.603 Special rules for school employees, duration of FMLA leave

§825.604 Special rules for school employees, 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

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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(e)(1)(A).
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)

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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/Guardians:

As a parent/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 qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under an emergency or other provisional status through which State qualification or licensing criteria have been waived;
- Whether the teacher is teaching in the field of discipline of the teacher's licensure; and
- Whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications.

This notice is required by federal law (20 U.S.C. §6312(e)(1)(A)). If you would like to receive any of this information, please contact the District office.

Sincerely,

Superintendent

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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 Does Not Meet Applicable State Certification/Licensure Requirements

On District letterhead

Date

Re: Your Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification or Licensure Requirements

Dear Parents/Guardians:

All teachers working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements.

The teacher listed below has taught your child's class for the last four consecutive weeks. While the District is unable to verify that the teacher meets applicable State certification or licensure requirements for the grade level and subject area to which he/she is assigned, our observations of his/her classroom indicate that he/she is providing a satisfactory educational program and experience.

This notice is required by federal law (20 U.S.C. §6312(e)(1)(B)(ii)). If you have any questions concerning this notice, please contact the District office.

Teacher:_____ Subject:_____

Sincerely,

Superintendent

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Professional Personnel

Exhibit - Letter to Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment

On District letterhead

Date

Re: Your Educator Certification/License

Dear *[insert teacher's name]*:

Teachers working in a program supported with federal funds under Title I, Part A are required to meet applicable State certification and licensure requirements.

Our records indicate you are teaching without meeting applicable State educator certification and licensure requirements for the grade level and subject to which you are assigned. As required by federal law, the District has notified the parents/guardians of students in your classes that you are teaching without the above-referenced certification or licensure (20 U.S.C. §6312(e)(1)(B)(ii)).

Please contact your Building Principal as soon as possible to discuss your educator certification and licensure requirements. 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

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Professional Personnel

Terms and Conditions of Employment and Dismissal

The School Board delegates authority and responsibility to the Superintendent to 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 individual employment contract or 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

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 not required to work on legal school holidays unless the District has followed applicable State law that allows it to hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on the third Monday in January (the Birthday of Dr. Martin Luther King, Jr.); February 12 (the Birthday of President Abraham Lincoln); the first Monday in March (known as Casimir Pulaski's birthday); the second Monday in October (Columbus Day); and November 11 (Veterans Day).

School Day

Teachers are required to work the school day adopted by the Board. Teachers employed for at least four 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 salaries fixed 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, and employee desires.

School Social Worker Services Outside of District Employment

School social workers may not provide services outside of their District employment to any student(s) attending school in the District. *School social worker* has the meaning stated in 105 ILCS 5/14-1.09a.

Dismissal

The District will follow State law when dismissing a teacher.

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Evaluation

The District's teacher evaluation system will be conducted under the plan developed pursuant to State law.

On an annual basis, the Superintendent will provide the Board with a written report which outlines the results of the District's teacher evaluation system.

LEGAL REF.: 105 ILCS 5/10-19, 5/10-19.05, 5/10-20.65, 5/14-1.09a, 5/22.4, 5/24-16.5, 5/24-2, 5/24-8, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.
820 ILCS 260/, Nursing Mothers in the Workplace Act.
23 Ill.Admin.Code Parts 50 (Evaluation of Educator Licensed Employees) and 51 (Dismissal of Tenured Teachers).
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).

CROSS REF.: 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

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Professional Personnel

Resignations

Tenured teachers may resign at any time with consent of the School Board or by written notice sent to the 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 Board.

LEGAL REF.: 105 ILCS 5/24-14.
Park Forest Heights School Dist. v. State Teacher Certification Bd., 363 Ill.App.3d 433 (1st Dist. 2006).

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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 120 days beginning with the 2021-2022 through the 2022-2023 school year, otherwise 90 paid school days in any one school term.
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 paid school days.

The Ill. Teachers' Retirement System (TRS) limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 120 paid days or 600 paid hours in each school year, but not more than 100 paid days in the same classroom. Beginning July 1, 2023, a substitute teacher who is a TRS annuitant may substitute teach 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.

Short-Term Substitute Teachers

A short-term substitute teacher must hold a valid short-term substitute teaching license and have completed the District's short-term substitute teacher training program. Unless otherwise permitted by law, short-term substitutes may teach no more than five consecutive school days for each licensed teacher who is under contract with the Board.

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 five business days after the employment of a substitute teacher in an emergency situation.

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LEGAL REF.: 105 ILCS 5/10-20.68, 5/21B-20(2), 5/21B-20(3), and 5/21B-20(4).
40 ILCS 5/16-118, Ill. Pension Code.
23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teaching License).

CROSS REF.: 5:30 (Hiring Process and Criteria)

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Professional Personnel

Administrative Procedure - Substitute Teachers

Minimum Qualifications of the Substitute Teacher

Substitute teachers are generally required to have one of the following that is valid in Illinois:

1. Professional educator license or professional educator license with stipulations that required a bachelor's degree for issuance
2. Substitute teaching license

Exceptions in 105 ILCS 5/21B-20(2)(E) and (F) allow individuals who do not hold a bachelor's degree to substitute teach in career and technical education classrooms if they hold an educator license with stipulations and such license holds: a career and technical educator endorsement or a provisional career and technical educator endorsement.

Additionally, any individual who serves as a substitute teacher for driver's education must be endorsed for driver's education pursuant to 23 Ill.Admin.Code §25.100(h).

Minimum Qualifications of the Short-Term Substitute Teacher

Short-term substitute teachers must:

1. Hold a valid Short-Term Substitute Teaching License; and
2. Have completed the District's short-term substitute teacher training program.

The District's short-term substitute teacher training program provides short-term substitutes with information on curriculum, classroom management techniques, school safety, and District and building operations. This training program is also available to individuals who hold a Substitute Teaching License and/or substitute teachers holding a Professional Educator License.

Personnel File Requirements

All substitute teachers shall have each of the following documents on file with the District Administrative Office.

1. Completed application for employment and transcript of college credits
2. Evidence of license registration
3. Evidence of physical fitness to perform assigned duties and freedom from communicable disease
4. State and federal tax forms
5. If applicable, Immigration and Naturalization Service, Form I-9
6. Signed *Acknowledgement of Mandated Reporter Status* form provided by DCFS and, if applicable, evidence that the individual completed mandated reporter training within three months of initial employment and at least every three years after that date (required by the Abused and Neglected Child Reporting Act, 325 ILCS 5/4)

Contact ISBE, the ROE, or Intermediate Service Center with questions. More information is on the ISBE website, *Substitute Teacher License* at: www.isbe.net/Pages/Educator-Licensure-Requirements.aspx.

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District Responsibilities

1. The Superintendent or designee maintains a list of all substitute teachers in the District Administrative Office.
2. The Superintendent or designee verifies:
   a. Criminal background check results
   b. Appropriate license and registration
   c. References and employment verification

Additional Requirements and Procedures

1. Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*
2. Administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*
3. Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*
4. Board policy 5:30, *Hiring Process and Criteria*
5. Administrative procedure 5:30-AP2, *Investigations*
6. Board policy 5:150, *Personnel Records*

Standard Duties of All Substitute Teachers

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 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 District 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.

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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 individuals 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, they may be called the morning they are needed.

Building-Level Responsibilities

The person arranging for a substitute teacher's service shall provide each substitute with the information relevant to the service, for example:

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
5. District student behavior policy and procedures

LEGAL REF.: 105 ILCS 5/10-20.67, 5/21B-20(2), 5/21B-20(3), 5/21B-20(4), and 5/24-5(b-5).
23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teacher License).

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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 _____

Explanation of area(s) of concern:

_____

_____

_____

_____

_____

_____

_____

_____

Reported by: ☐ Student ☐ Staff ☐ Both

In the future, please do not assign this substitute to:

☐ Classroom/Teacher's name _____

☐ Grade level _____

☐ Building _____

☐ Any Position

_____

Reporter's name (*printed*)

_____ _____

Reporter's signature Date

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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 all teachers, other certificated [licensed] educational employees (except for individuals employed as paraprofessional educators), and persons providing a student's related service(s): (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 that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, 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.

LEGAL REF.: 105 ILCS 5/24-24.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:150 (Committees), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

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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.

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; and
- 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 made within five 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 professional employee of the date and time of the hearing. At the pre-suspension hearing, the professional employee 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 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 employee to present the allegations and give the employee an opportunity to refute the charges. The employee will be told the dates and times the suspension will begin and end.

Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)

Upon receipt of a DCFS recommendation that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with the District, the Board or Superintendent or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended by DCFS, proceeding with:
   a. A suspension with pay; or

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b. A suspension without pay.

Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 105 ILCS 5/24-12.
5 ILCS 430/5-60(b), State Officials and Employee Ethics Act.
325 ILCS 5/7.4(c-10), Abused and Neglected Child Reporting Act.
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).
Barszcz v. Cmty College Dist. No. 504, 400 F.Supp. 675 (N.D. Ill. 1975).
Massie v. East St. Louis Sch. Dist. No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Employment Termination and Suspensions)

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Professional Personnel

Administrative Procedure - Suspensions

Suspension Without Pay

Actor	Action
School Board or designee	Provide the professional employee with a written pre-suspension notification that includes: 1. The reason(s) for the proposed suspension; 2. The date(s) and duration of the proposed suspension; 3. How the employee may request a hearing; and 4. The employee's rights to be represented, present witnesses on his/her behalf, and cross-examine any witness who testifies against him/her. Contact the Board Attorney for advice and assistance.
Professional Employee	If a hearing is desired, request a hearing within five (5) calendar days of receipt of the pre-suspension notification.
School Board or designee	If a hearing is requested: 1. Promptly schedule a hearing and give the employee written notification of its date, time, and place at least five (5) calendar days before the hearing. This notification shall set forth the procedure to be followed at the hearing as stated below. 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 oral or 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. g. The Board may receive all relevant oral and written evidence

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	without regard to the legal rules of evidence, but shall consider the weight of the evidence in making a determination. h. The school officials and the employee may make closing statements at the conclusion of the hearing. i. The hearing may be recorded stenographically, electronically, or by tape at the direction of either party at its own expense. If either party makes a recording, the other party shall be offered an opportunity to purchase a copy of the transcript or to reproduce the electronic/tape recording. 2. Appoint a hearing officer, if desired.
School Board or Hearing Officer	Conduct the hearing. The hearing officer, if one was used, shall prepare a written summary of the evidence for the Board and, if requested, a written recommendation.
School Board	Decide whether to suspend the professional employee as authorized by 105 ILCS 5/24-12(d)(1). If the Board used a hearing officer and requested a written recommendation, the 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. If the Board's suspension is not sustained following review by a trial court: (1) ensure that the professional employee does not suffer the loss of any salary or benefits by reason of the suspension, and (2) assign the professional employee to a position substantially similar to the one that the employee held prior to the suspension. 105 ILCS 5/24-12(d)(10).

Suspension With Pay

Actor	Action
Superintendent or designee	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 reasonably possible. Contact the Board Attorney for advice and assistance.

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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 10 days sick leave each school year at full pay. Unused days are allowed to accumulate to 180 days. Sick leave is defined in State law as personal illness, mental or behavioral health complications, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, placement for adoption, or the acceptance of a child in need of foster care.

As a condition for paying sick leave after three days absence for personal illness 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 mental health professional licensed in Illinois providing ongoing care or treatment to the staff member, (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (6) 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.

Staff members are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or Superintendent may require medical certification.

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need of foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway.

Family 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 family bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Family Bereavement Leave Act. Eligible employees may use family bereavement leave, without any adverse employment

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action, for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of a covered family member, which includes an employee's child, stepchild, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent (2) making arrangements necessitated by the death of the covered family member, (3) grieving the death of the covered family member, or (4) absence from work due to a Significant Event, which includes: (i) miscarriage, (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party, (iv) a failed surrogacy agreement, (v) a diagnosis that negatively impacts pregnancy or fertility, or (vi) a still birth. An employee qualifying for leave due to a Significant Event will not be required to identify which specific reason applies to the employee's request.

The leave must be completed within 60 days after the date on which the employee received notice of the death of the covered family member or the date on which an event under item (4) above occurs. However, in the event of the death of more than one covered family member 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 Family Bereavement Leave Act. This policy does not create any right for an employee to take family bereavement leave that is inconsistent with the Family Bereavement Leave Act.

Sabbatical Leave

Sabbatical leave may be granted in accordance with the School Code.

Personal Leave

Professional staff members are granted one personal leave day 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.

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 three 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 five days of the school year,
6. Personal leave days may not be used on in-service and/or institute training days, and
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 Board may grant a leave of absence without pay to tenured professional staff members who have rendered satisfactory service and desire to return to employment in a similar capacity at a time determined by the Board.

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.

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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 Board shall grant a professional staff member's request for a non-paid, child-rearing leave, not to exceed the balance of the school year plus one additional school year (but in no event shall such leave exceed three semesters), provided the request complies with this policy. Nothing in this section shall prohibit a professional staff member from using paid sick days as provided in this policy.

A teacher should 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 Leave

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 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 Dept. of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the teacher's child, if the conference or meeting 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.

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Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence or (2) has a family or household member who is a victim of such violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, gender violence, or any other crime of 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, if the District employs at least 50 employees, an employee is entitled to a total of 12 work weeks of unpaid 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 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) twenty days of paid leave of absence per year to a trustee of the Teachers' Retirement System in accordance with 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.

COVID-19 Paid Administrative Leave

During any time when the Governor has declared a disaster due to a public health emergency under 20 ILCS 3305/7, paid administrative leave is available to eligible employees if the District, State or any of its agencies, or the local health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee from being on District property for a reason outlined in State law.

For an employee to be eligible for COVID-19 paid administrative leave, the employee must be fully vaccinated against COVID-19 as defined in 105 ILCS 5/10-20.83 (final citation pending).

The employee will receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Ill. Dept. of Public Health, unless a longer period has been negotiated with the exclusive bargaining representative.

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As a condition of being granted COVID-19 paid administrative leave, an employee shall provide all documentation necessary to substantiate the employee's eligibility for the leave, as requested by the Superintendent or designee. An employee who is on COVID-19 paid administrative leave will receive the employee's regular rate of pay; the leave will not diminish any other leave or benefits of the employee. Employees may not accrue COVID-19 paid administrative leave.

LEGAL REF.: 105 ILCS 5/10-20.83 (final citation pending), 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.
10 ILCS 5/13-2.5, Election Code.
330 ILCS 61/, Service Member Employment and Reemployment Rights Act.
820 ILCS 147/, School Visitation Rights Act.
820 ILCS 154/, Child Bereavement Leave Act.
820 ILCS 180/, Victims' Economic Security and Safety Act.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

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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 six consecutive months immediately before the request and works at least one-half of the full-time equivalent position. 820 ILCS 147/40. Periods when school is not in session will not count as a break in consecutive service.

School Visitation Leave

An employee is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the employee's child, if the conference or meeting 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. 820 ILCS 147/15.

Request

An employee must request a school conference and activity leave in writing at least seven 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. 820 ILCS 147/15. 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. 820 ILCS 147/49.

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, subject to the requirements relating to reduction of pay of exempt employees in the federal Fair Labor Standards Act. 820 ILCS 147/20. The employee taking a visitation leave will not lose any benefits. 820 ILCS 147/35.

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 two working days of the visitation will subject the employee to the standard disciplinary procedures for unexcused absences from work. 820 ILCS 147/30.

LEGAL REF.: 820 ILCS 147/, School Visitation Rights Act.

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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.

A *105 ILCS 5/10-21.9(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 Registration Act (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 5/10-21.9(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 Ill. State Police (ISP), to the ISP. 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.: 34 U.S.C. §20901 et seq., Adam Walsh Child Protection and Safety Act, P.L. 109-248.
20 ILCS 2635/1, Uniform Conviction Information Act.
105 ILCS 5/10-21.9, 5/10-22.34, and 5/24-5.

CROSS REF.: 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:190 (Teacher Qualifications)

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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 nonlicensed employees at-will but shall maintain a record of positions or employees who are not at-will.

Compensation

The 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 the prior authorization from the employee's immediate supervisor. Educational support personnel are paid twice a month.

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.

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)

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Educational Support Personnel

Exhibit - Notice of Employment

On District letterhead

To _____ Date _____

Please accept this letter as an acknowledgment that you have been or are being offered employment with the School District under the terms and conditions as stated in this letter, School Board policy, and any applicable employee handbook and/or collective bargaining agreement. If you wish to accept this offer, sign below and return this letter to the central administrative office.

Job position or title _____

Date and time on which you are to report to work _____

Job location _____

Hours per day _____ Days per week _____

Your hourly rate is $ _____

The remaining terms and conditions of your employment, as well as any employment benefits, are contained in Board policy and any applicable employee handbook and/or collective bargaining agreement. These items will be discussed during your orientation.

_____ _____
Board President or Secretary Date

_____ _____
Superintendent Date

For successful candidate/employee (*Sign and return to the central administrative office.*)

I understand that I am an employee-at-will and that my employment may be terminated at anytime with or without cause, subject to the terms and conditions of any applicable policy, employee handbook and/or collective bargaining agreement. I agree to comply with the Board's policies, administration's procedures, and supervisors' instructions.

_____ _____
Employee Date

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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 School Board policies as they may be changed from time to time at the Board's sole discretion.

Paraprofessionals

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 Ill. 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.

Nonlicensed Personnel Working with Students and Performing Non-Instructional Duties

Nonlicensed personnel performing non-instructional duties 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 for school activities connected to the academic program during any time in which the Governor has declared a disaster due to a public health emergency, in accordance with ISBE rule; or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

Nothing in this policy prevents a nonlicensed 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 governed 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

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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.
105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
625 ILCS 5/6-104 and 5/6-106.1, Ill. Vehicle Code.
23 Ill.Admin.Code §§1.280, 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)

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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 manages a program to implement State and federal law defining the circumstances and procedures for the 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)

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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

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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

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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.

Commercial Driver's License Drug and Alcohol Clearinghouse Checks for all CDL Drivers

Beginning 1-6-20, prior to employment, the District will conduct a full query of the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse to obtain information about the driver's eligibility under federal rules to perform a safety-sensitive function. For current employees, the District will, at least annually, conduct a limited query of the Clearinghouse for each driver. If information exists in the Clearinghouse about the individual driver, the District will conduct a full query within 24 hours to determine the driver's eligibility under federal rules to perform any safety-sensitive function. If the District fails to conduct a full query within 24 hours, it will not allow the driver to continue to perform any safety-sensitive function until it conducts the full query and confirms that the driver may perform such functions.

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

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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.

If an employee is permitted to return to the performance of safety-sensitive functions, the District will not allow, require, permit or authorize a driver to operate a commercial motor vehicle during any period in which the District determines that a driver is not in compliance with the return-to-duty requirements, after the occurrence of any of the following events:

1. The driver receives a positive, adulterated, or substituted drug test result.
2. The driver receives an alcohol confirmation test result of 0.04 or higher alcohol concentration.
3. The driver refused to submit to a test for drugs or alcohol required by federal regulations.
4. The driver used alcohol prior to a post-accident alcohol test.
5. An employer has *actual knowledge* that a driver has:
    a. Used alcohol while performing safety-sensitive functions;
    b. Used alcohol within four hours of performing safety-sensitive functions; or
    c. Used a controlled substance.

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

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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 5/6-106.1a 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 Ill. 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 5/6-106.1c 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

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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.

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Educational Support Personnel

Employment Termination and Suspensions

Resignation and Retirement

An employee is requested to provide two 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 two 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. This includes recommending a non-licensed employee for immediate dismissal for willful or negligent failure to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/.

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

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provided a notice and hearing according to the suspension policy for professional employees. Upon receipt of a recommendation from the Ill. Dept. Children and Family Services (DCFS) that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with the District, the Board or Superintendent or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended, proceeding with:
    a. A suspension with pay; or
    b. A suspension without pay.

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 5/10-22.34c and 5/10-23.5.
5 ILCS 430 et seq., State Officials and Employees Ethics Act.
325 ILCS 5/7.4(c-10), Abused and Neglected Child Reporting Act.
820 ILCS 105/4a, Minimum Wage Law.

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:240 (Suspension), 5:270 (Employment At-Will, Compensation, and Assignment)

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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)

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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 onehalf 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)

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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

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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 employee handbook and/or 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 employee handbook and/or collective bargaining agreement.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:150 (Personnel Records)

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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, mental or behavioral complications, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, placement for adoption, or the acceptance of a child in need of foster care. The Superintendent or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness 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 mental health professional licensed in Illinois providing ongoing care or treatment to the staff member (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (6) 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.

Employees are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or the Superintendent may require medical certification.

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need to foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway.

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Vacation

Twelve-month employees shall be eligible for paid vacation days according to the following schedule:

Length of Employment		Monthly Accumulation	Maximum Vacation Leave Earned Per Year
From:	To:		
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 legal school holiday listed below, District employees will not be required to work on:

New Year's Day
Martin Luther King Jr.'s Birthday
Abraham Lincoln's Birthday
Casimir Pulaski's Birthday
Memorial Day
Juneteenth National Freedom Day
Independence Day
Labor Day
Columbus Day
Veterans Day
2022 Election Day
Thanksgiving Day
Christmas Day

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.

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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 Ill. Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Ill. Municipal Retirement Fund in accordance with State law.

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. Leave for Service in the Military.
2. Leave for Service in the General Assembly.
3. School Visitation Leave.
4. Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence.
5. Family Bereavement Leave.
6. Leave to serve as an election judge.
7. COVID-19 Paid Administrative Leave.

LEGAL REF.: 105 ILCS 5/10-20.7b, 5/10-20.83 (final citation pending), 5/24-2, 5/24-6, and 5/24-6.3.
10 ILCS 5/13-2.5, Election Code.
330 ILCS 61/, Service Member Employment and Reemployment Rights Act.
820 ILCS 147, School Visitation Rights Act.
820 ILCS 154/, Child Bereavement Leave Act.
820 ILCS 180/, Victims' Economic Security and Safety Act.
School Dist. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); Elder v. Sch. Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence)

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Instruction

Educational Philosophy and Objectives

The District's educational program will seek to provide an opportunity for each student to develop to his or her maximum potential. The objectives for the educational program are to:

1. Foster students' self-discovery, self-awareness, and self-discipline.
2. Develop students' awareness of and appreciation for cultural diversity.
3. Stimulate students' intellectual curiosity and growth.
4. Provide students with fundamental career concepts and skills.
5. Help students develop sensitivity to the needs and values of others and a respect for individual and group differences.
6. Help each student strive for excellence and instill a desire to reach the limit of his or her potential.
7. Encourage students to become lifelong learners.
8. Provide an educational climate and culture free of bias concerning the protected classifications identified in policy 7:10, *Equal Educational Opportunities*.

In order for the Board to monitor whether the educational program is attaining these objectives and to be knowledgeable of current and future resource needs, the Superintendent shall prepare an annual report that includes:

1. A review and evaluation of the present curriculum.
2. A projection of curriculum and resource needs.
3. An evaluation of, and plan to eliminate, any bias in the curriculum or instructional materials and methods concerning the classifications referred to in item 8, above.
4. Any plan for new or revised instructional program implementation.
5. A review of present and future facility needs.

CROSS REF: 1:30 (School District Philosophy), 3:10 (Goals and Objectives), 6:15 (School Accountability), 7:10 (Equal Educational Opportunities)

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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 Ill. State Board of Education (ISBE) prepared *State Goals for Learning and 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 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 ISBE rules, and continuously keep the Board informed:

1. Prepare each school's annual recognition application and quality assurance appraisal, whether internal or external, to assess each school's 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. Prepare a school report card, present it at a regular Board meeting, and disseminate it as provided in State law.
5. In accordance with 105 ILCS 5/2-3.153, annually administer a climate survey on the instructional environment within the school to, at minimum, students in grades 4 through 12 and teachers.

LEGAL REF.: 105 ILCS 5/2-3.25, 5/2-3.25a, 5/2-3.25b, 5/2-3.25c, 5/2-3.25d-5, 5/2-3.25e-5, 5/2-3.25f, 5/2-3.25f-5, 5/2-3.63, 5/2-3.64a-5, 5/2-3.153, 5/10-17a, 5/10-21.3a, and 5/27-1.
23 Ill.Admin.Code Part 1, Subpart A: Recognition Requirements.

CROSS REF.: 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

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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 Board may, from time to time, designate a regular school day as a commemorative holiday.

School Day

The 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, 5/10-19.05, 5/10-20.56, 5/10-20.46, 5/10-30, 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, and 5/27-20.2.
10 ILCS 5/11-4.1, Election Code.
5 ILCS 490/, State Commemorative Dates Act.
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; Indemnification), 4:180 (Pandemic Preparedness; Management; and Recovery), 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)

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Instruction

Administrative Procedure – Remote and/or Blended Remote Learning Day Plan(s)

Use this procedure in conjunction with the subhead ***Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)*** *in policy 4:180, Pandemic Preparedness; Management; and Recovery.*

When the District must implement a Remote and/or Blended Remote Learning Day Plan (Plan) that designates *remote learning days* (RLDs) and/or *blended remote learning days* (BRLDs) for instruction in grades pre-kindergarten through 12, the Superintendent must approve a Plan, present the Plan to the Board for adoption prior to its implementation, implement the Plan after Board approval, and post it on the District's website.

The Superintendent will begin the process of developing a Plan in one of the two following ways:

1. Adapting the District's e-learning program (adopted by the Board pursuant to 105 ILCS 5/10-20.56) into a Plan and ensuring that it is posted on the District's website and communicated to the community in accordance with this procedure. See *E-learning Program; Days*, in the **Definitions** subhead below for more information about an e-learning program.
2. Using this procedure if the District has not implemented an e-learning program.

Definitions

Blended Remote Learning Days (BRLDs) – School attendance days during which the District provides hybrid days of in-person and remote instruction to students. Once the State Superintendent of Education declares that the District must use remote learning days or blended remote learning days, the Superintendent implements these days in grades pre-kindergarten through 12. These days are counted as days of attendance and are pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19, amended by P.A. 101-643, and 5/10-19.05, added by P.A. 101-12 and amended by P.A. 101-643. If the District has implemented an *e-learning program*, these school attendance days may be met through it. See 105 ILCS 5/10-30, added by P.A. 101-643.

E-learning Program; Days – E-learning is short for electronic learning. As an optional instructional tool for school districts, e-learning days are part of an implemented *e-learning program* in the District that:

1. Uses the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners; and
2. Addresses a district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program.

An e-learning program is implemented after a school board:

1. Adopts a resolution to implement research-based program(s) for district-wide e-learning days that permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by 105 ILCS 5/10-19 (105 ILCS 5/10-20.56(b), amended by P.A. 101-12);

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2. Conducts a public hearing on the District's initial e-learning program proposal or renewal with at least 10 days' advanced notice (Id. at 5/10-20.56(c), amended by P.A. 101-12); and

3. On or before September 1st annually, to ensure access for all students, receives verifications by the regional office of education (ROE) or intermediate service center (ISC) that the board's proposal for an e-learning program has: (a) met the requirements specified in 105 ILCS 5/10-20.56, amended by P.A.s 101-12, 101-643, 102-584, and 102-697; (b) the components designed to reasonably and practicably accomplish the requirements outlined in the enabling statute; and (c) not exceeded the minimum number of emergency days in a district's approved school calendar. In its verification process, the ROE/ISC ensures that the specific needs of all students are met, including special education students and English Learners, and that all mandates are still met using the proposed research-based program. See 105 ILCS 5/10-20.56(b), amended by P.A.s 101-12 and 102-584.

While the ROE/ISC must annually verify a district's e-learning program, the Board's approval of an e-learning program is for a term of three years. 105 ILCS 5/10-20.56(d)(10), amended by P.A. 101-12.

Plan – The District's formal implementation of remote instruction that includes RLDs and BRLDs. If the District already has an e-learning program in place, it should adapt the program into a Plan by ensuring that the requirements for communicating the Plan, e.g., website posting, etc. are met. When finalized, it is provided to students and faculty, posted on the District's website where other policies, rules, and standards of conduct are posted, and listed in 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Plans should be periodically reviewed and amended to ensure the needs of all students continue to be met throughout the suspension of in-person learning. If a plan is amended, post the amended plan to the District website.

Remote Learning Days (RLDs) – Remote learning is learning that happens outside of the traditional classroom because the student and teacher are separated by distance and/or time. Remote learning can be real-time or flexibility-timed, and it may or may not involve technology. School attendance days are days that the District provides remote instruction to students. Once the State Superintendent of Education declares that the District must use remote learning days or blended remote learning days, the Superintendent implements these days in grades pre-kindergarten through 12 on days of attendance. These days are counted as pupil attendance days for calculation of the length of the District's official calendar under 105 ILCS 5/10-19, amended by P.A. 101-643, and 5/10-19.05, added by P.A. 101-643. If a district has implemented an *e-learning program*, these school attendance days may be met through it. Five RLDs, taken consecutively or in separate increments, may be used to develop, review, or amend the District's Plan or provide professional development to staff about remote education; i.e., *Remote Learning Planning Days*. See 105 ILCS 5/10-30, added by P.A. 101-643.

Remote Learning Planning Days – Up to five consecutive or separate increment days that a district may use to develop, review, or amend its Plan or to provide professional development to staff about remote education. These days are counted as days of attendance and are pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19, amended by P.A. 101-643, and 5/10-19.05, added by P.A. 101-643. See 105 ILCS 5/10-30, added by P.A. 101-643.

Plan Development and Implementation

Use this Plan before, during, and after implementing 105 ILCS 5/10-30, added by P.A. 101-643. **Note:** The legislative history and purpose of 105 ILCS 5/10-30, added by P.A. 101-643 was to ensure school districts could reopen in time for the start of the 2020-2021 school year, even if that required remote learning.

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Consult the Board Attorney for guidance on this procedure.

Actor	Action
Board	If permitted by local resources and conditions, implement an e-learning program pursuant to 105 ILCS 5/10-20.56, amended by P.A.s 101-12, 101-643, 102-584, and 102-697. If the Board decides not to implement an e-learning program in the District, provides the Superintendent with the resources necessary to implement a Remote and/or Blended Remote Learning Day Plan (Plan) that meets the needs of all students. 105 ILCS 5/10-30, added by P.A. 101-643. Directs, through policy, the Superintendent to recommend any suspensions or amendments to policies to reduce any Board-required graduation or other instructional requirements in addition to the minimum requirements specified in School Code that the District was not able to complete due to a pandemic. 105 ILCS 5/10-16.7. Monitors Board policies 2:20, *Powers and Duties of the School Board; Indemnification,* 4:180, *Pandemic Preparedness; Management; and Recovery*, and 6:20, *School Year Calendar and Day*, 6:60, *Curriculum Content*, and 6:300, *Graduation Requirements* (if applicable), and makes changes recommended by the Superintendent. See policy 2:240, *Board Policy Development*. Considers all policy changes recommended by the Superintendent pursuant to policy 2:240, *Board Policy Development,* and included as a topic for discussion in the annual report required by Board policy 6:10, *Educational Philosophy and Objectives*. Adopts the Superintendent-approved Plan for District-wide implementation. Provides appropriate, additional resources requested by the Superintendent to successfully implement the Plan.
Board and Superintendent	Identify, discuss, modify, and monitor relevant policies that remote learning may possibly affect, including but not limited to: 4:130, *Free and Reduced-Price Food Services* 4:180, *Pandemic Preparedness; Management; and Recovery* 5:35, *Compliance with the Fair Labor Standards Act* 5:40, *Communicable and Chronic Infectious Disease* 5:180, *Temporary Illness or Temporary Incapacity* 5:185, *Family and Medical Leave* 5:200, *Terms and Conditions of Employment and Dismissal* 5:270, *Employment At-will, Compensation, and Assignment* 5:300, *Schedules and Employment Year* 5:330, *Sick Days, Vacation, Holidays and Leaves* 6:10, *Educational Philosophy and Objectives* 6:15, *School Accountability* 6:20, *School Year Calendar and Day* 6:30, *Organization of Instruction*

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Actor	Action
	6:60, *Curriculum Content* 6:120, *Education of Children with Disabilities* 6:150, *Home and Hospital Instruction* 6:190, *Extracurricular and Co-Curricular Activities* 6:300, *Graduation Requirements* 7:70, *Attendance and Truancy* 7:280, *Communicable and Chronic Infectious Disease* 8:30, *Visitors to and Conduct on School Property* 8:100, *Relations with Other Organizations and Agencies*
Superintendent or Designee	When the District is required by the State Superintendent of Education to implement RLDs and/or BRLDs: 1. If an e-learning program is in place: a. Adapts it into a Plan by ensuring that the requirements for communicating the Plan, e.g., website posting, etc. are met; b. Approves the Plan; and c. Presents the Plan to the Board for adoption. 2. If an e-learning program is not in place: a. Establishes a District-wide Remote Learning Committee to design a Plan for implementation of RLDs and BRLDs. Committee members should include: District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Plan) Pandemic Planning Team member(s) District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan*, Part C, **District Safety Coordinator and Safety Team; Responsibilities)** District 504 Coordinator (see 6:120, *Education of Children with Disabilities*, and 6:120, AP1, E1 *Notice to Parents/Guardians Regarding Section 504 Rights*) Staff members Parents/Guardians Students b. Chairs and convenes Committee meetings. Manages virtual attendance by some or all Committee members when necessary. 3. Designates RLDs and/or BRLDs in grades pre-kindergarten through 12. 4. Approves the Plan and presents it to the Board for adoption. 5. Implements the Plan.

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Actor	Action
	6. Ensures that the Plan is provided to students and faculty, posted on the District's website where other policies, rules, and standards of conduct are posted, and listed in 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. 7. Provides periodic reports to the Board about the Committee's progress and needs, along with any amendments to the Plan for the purposes of ensuring that it meets the needs of all students by adding information items to the Board's agendas as needed.
Remote Learning Committee	Designs a Plan for the Superintendent's approval and Board's adoption to implement remote instruction through the District in a manner that: 1. Explores what may work best for the school community using any remote learning guidance issued by the Ill. State Board of Education (ISBE), at: www.isbe.net/Pages/covid19.aspx. 2. Potentially uses Remote Learning Planning Days consecutively or in separate increments to develop, review, or amend this Plan or provide professional development to staff about remote education; If the District does not have an e-learning program, includes design in the Plan for implementation of remote instruction that also provides: 1. Accessibility of remote instruction to all students enrolled in the District; 2. Hybrid RLDs and BRLDs, as directed or allowed by the ISBE; 3. Activities for both RLDs and BRLDs that align with State learning standards and policies 6:10, *Educational Philosophy and Objectives*, 6:15, *School Accountability*, 6:30, *Organization of Instruction*, 6:60, *Curriculum Content*, and 6:300, *Graduation Requirements*, if applicable; 4. Communication between students and teacher(s), as necessary to align with the requirements of policy 7:340, *Student Records*; 5. Methods to address the unique needs of students in special populations, including, but not limited to, students eligible for special education under 105 ILCS 5/14-1.01 et seq., students who are English learners as defined in 105 ILCS 5/14C-2, and students experiencing homelessness under the Education for Homeless Children Act (105 ILCS 45/), or vulnerable student populations; 6. Guidance for how the District will take attendance and monitor and verify each student's remote participation; and 7. Resources for transitions from remote learning to in-person instruction when the State Superintendent declares that RLDs and/or BRLDs are no longer deemed necessary. Delivers the Plan to the Superintendent for approval in a format that is easily posted on the District's website. Periodically reviews and amends the Plan, with the Superintendent as needed, to ensure it meets the needs of all students. 105 ILCS 5/10-30(5), added by P.A. 101-643. Recommends to the Board, through the Superintendent, any policy changes for consideration. See policy 2:240, *Board Policy Development*. Reports reviews and amendments to the Plan to the Superintendent or

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Actor	Action
	designee.
All Staff	Implements the Plan.

LEGAL REF.: 105 ILCS 5/10-30.

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Instruction

Organization of Instruction

The School District has instructional levels for grades K through eight. 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 a school that do not necessarily follow grade level designations. For purposes of attendance reporting and other records, however, each student is assigned a 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)

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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 nonvocational 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.

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2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents/guardians, 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.: 20 U.S.C. §1681, Title IX of the Education Amendments of 1972, implemented by 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), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights)

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Instruction

Administrative Procedure - Curriculum Development

Faculty Curriculum 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:

1. Engage in two-way communication with teachers in order to address questions and concerns, keep everyone informed, and cooperatively strive for continuous improvement.
2. Provide system wide coordination of curriculum and student learning experiences.
3. Identify and categorize problems related to curriculum.
4. Research instructional methods and curriculum, utilizing available resources.
5. Engage in long-range planning for the continuous improvement of the curriculum.

The Superintendent or designee appoints Committee members and directs the Committee, providing specific tasks and timeframes.

Curriculum Guides and Course Outlines

Development of guides:

1. Curriculum guides are best developed by the staff and teachers who are to use them.
2. When entire staff participation is not feasible, the Superintendent or designee will direct staff representatives and/or relevant department heads to study, create, and revise the guides.
3. Completed guides will be given to the Superintendent.

Use of guides:

1. Curriculum guides serve as a framework from which teachers will develop units of study, individual lesson plans, and approaches to instruction that will serve students' particular needs at a particular time. The guides shall be used to map the logical sequence of instruction.
2. 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, teachers may be given a greater degree of freedom in respect to sequence.
3. In all cases, sufficient latitude shall be permitted to provide teachers with time to teach the current, topical, and incidental issues that add to motivation and meaningful teaching and learning.
4. The Building Principal and/or department heads shall see that optimum use is made of available curriculum guides.

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Instruction

School Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school-based 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).

The Superintendent will ensure:

1. Each school building complies with this policy;
2. The policy is available to the community on an annual basis through copies of or online access to the Board Policy Manual; and
3. The community is informed about the progress of this policy's implementation.

Goals for Nutrition Education and Nutrition Promotion

The goals for addressing nutrition education and nutrition promotion 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.
- Nutrition education will be part of the District's comprehensive health education curriculum. See Board policy 6:60, *Curriculum Content.*

Goals for Physical Activity

The goals for addressing physical activity include the following:

- 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 policies 6:60, *Curriculum Content* and 7:260, *Exemption from Physical Education*.
- During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted. See policies 6:60, *Curriculum Content* and 7:260, *Exemption from Physical Education*.
- The curriculum will be consistent with and incorporate relevant *Illinois Learning Standards for Physical Development and Health* as established by the Ill. State Board of Education (ISBE).

Nutrition Guidelines for Foods Available During the School Day; Marketing Prohibited

Students will be offered and schools will promote nutritious food and beverage choices during the school day that are consistent with Board policy 4:120, *Food Services* (requiring compliance with the nutrition standards specified in the U.S. Dept. of Agriculture's (USDA) *Smart Snacks* rules).

In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall:

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1. Restrict the sale of *competitive foods*, as defined by the USDA, in the food service areas during meal periods;
2. Comply with all ISBE rules; and
3. Prohibit marketing during the school day of foods and beverages that do not meet the standards listed in Board policy 4:120, *Food Services*, i.e., in-school marketing of food and beverage items must meet *competitive foods* standards.

Competitive foods standards do not apply to foods and beverages available, but not sold in school during the school day; e.g., brown bag lunches, foods for classroom parties, school celebrations, and reward incentives.

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.

ISBE rules prohibit EFDs for grades 8 and below in participating schools.

The Superintendent or designee in a participating school may grant an EFD for grades 9 through 12 in participating schools. 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 for grades 9 through 12 in participating schools 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.

Unused Food Sharing Plan

In collaboration with the District's local health department, the Superintendent or designee will:

1. Develop and support a food sharing plan (Plan) for unused food that is focused on needy students.
2. Implement the Plan throughout the District.
3. Ensure the Plan complies with the Richard B. Russell National School Lunch Act, as well as accompanying guidance from the U.S. Department of Agriculture on the Food Donation Program.
4. Ensure that any leftover food items are properly donated to combat potential food insecurity in the District's community. *Properly* means in accordance with all federal regulations and State and local health and sanitation codes.

Monitoring

At least every three years, the Superintendent shall 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 (a triennial report). This triennial 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
- How the District will make the results of the assessment available to the public
- Where the District will retain records of the assessment

The Board will monitor and adjust the policy pursuant to policy 2:240, *Board Policy Development*.

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Community Involvement

The Board and Superintendent will actively invite suggestions and comments concerning the development, implementation, periodic reviews, and updates 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. Community involvement methods shall align their suggestions and comments to policy 2:140, *Communications To and From the Board* and/or the **Community Engagement** subhead in policy 8:10, *Connection with the Community*.

Recordkeeping

The Superintendent shall retain records to document compliance with this policy, the District's records retention protocols, and the Local Records Act.

LEGAL REF.: Pub. L. 108-265, Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004.
42 U.S.C. §1771 et seq., Child Nutrition Act of 1966.
42 U.S.C. §1751 et seq., National School Lunch Act.
42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010.
42 U.S.C. §1779, as implemented by 7 C.F.R. §§210.11 and 210.31.
50 ILCS 205/, Local Records Act.
105 ILCS 5/2-3.139 and 5/2-3.189.
23 Ill.Admin.Code Part 305, Food Program.
ISBE's *School Wellness Policy* Goal, adopted Oct. 2007.

CROSS REF.: 2:140 (Communications To and From the Board), 2:150 (Committees), 2:240 (Board Policy Development), 4:120 (Food Services), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 7:260 (Exemption from Physical Education), 8:10 (Connection with the Community)

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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 including the dangers of opioid abuse. 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. Daily time of at least 30 minutes (with a minimum of at least 15 consecutive minutes if divided) will be provided for supervised, unstructured, child-directed play for all students in kindergarten through grade 5. Before the completion of grade 5, students will be offered at least one unit of cursive instruction. In grades 6, 7, or 8, students must receive at least one semester of civics education in accordance with Illinois Learning Standards for social science.

2. In grades 9 through 12, subjects include: (a) language arts, (b) writing intensive courses, (c) science, (d) mathematics, (e) social studies including U.S. history, American government and one semester of civics, (f) foreign language, (g) music, (h) art, (i) driver and safety education, and (j) vocational education.

   Students otherwise eligible to take a driver education course must receive a passing grade in at least eight courses during the previous two semesters before enrolling in the course. The Superintendent or designee may waive this requirement if he or she believes a waiver to be in the student's best interest. The course shall include: (a) instruction necessary for the safe operation of motor vehicles, including motorcycles, to the extent that they can be taught in the classroom, (b) classroom instruction on distracted driving as a major traffic safety issue, (c) instruction on required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, and railroad crossings and their approaches, and (d) instruction concerning law enforcement procedures for traffic stops, including a demonstration of the proper actions to be taken during a traffic stop and appropriate interactions with law enforcement. Automobile safety instruction covering traffic regulations and highway safety must include instruction on the consequences of alcohol consumption and the operation of a motor vehicle. The eligibility requirements contained in State law for the receipt of a certificate of completion from the Secretary of State shall be provided to students in writing at the time of their registration.

3. In grades 7 through 12, as well as in interscholastic athletic programs, steroid abuse prevention must be taught.

4. In kindergarten through grade 12, 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. In addition, anti-bias education and intergroup conflict resolution may be taught as an effective method for preventing violence and lessening tensions in schools; these prevention methods are most effective when they are respectful of individuals and their divergent viewpoints and religious beliefs, which are protected by the First Amendment to the Constitution of the United States.

5. In grades kindergarten through 12, age-appropriate Internet safety must be taught, the scope of which

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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.

6. In all grades, students must receive developmentally appropriate opportunities to gain computer literacy skills that are embedded in the curriculum.

7. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage. Instruction in all grades will include examples of behaviors that violate policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment.*

8. In all schools, citizenship values must be taught, including: (a) American patriotism, (b) principles of representative government (the American Declaration of Independence, the Constitution of the United States of America, and the Constitution of the State of Illinois), (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process.

9. 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 in a physical education course with such frequency as determined by the Board after recommendation from the Superintendent, but at a minimum of three days per five-day week. For exemptions and substitutions, see policies 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students* and 7:260, *Exemption from Physical Education*.

10. In all schools, health education must be stressed, including: (a) proper nutrition, (b) physical fitness, (c) components necessary to develop a sound mind in a healthy body, (d) dangers and avoidance of abduction, and (e) age-appropriate and evidence-informed 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.

11. 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.

12. In grades 9 through 12, consumer education must be taught, including: (a) financial literacy, including consumer debt and installment purchasing (including credit scoring, managing credit debt, and completing a loan application); budgeting; savings and investing; banking (including balancing a checkbook, opening a deposit account, and the use of interest rates); understanding simple contracts; State and federal income taxes; personal insurance policies; the comparison of prices; higher education student loans; identity-theft security; and homeownership (including the basic process of obtaining a mortgage and the concepts of fixed and adjustable rate mortgages, subprime loans, and predatory lending); and (b) the roles of consumers interacting with agriculture, business, labor unions and government in formulating and achieving the goals of the mixed free enterprise system.

13. Beginning in the fall of 2022, in grades 9 through 12, intensive instruction in computer literacy, which may be included as a part of English, social studies, or any other subject.

14. Beginning in the fall of 2022, in grades 9 through 12, a unit of instruction on media literacy that

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includes, but is not limited to, all of the following topics: (a) accessing information to evaluate multiple media platforms and better understand the general landscape and economics of the platforms, and issues regarding the trustworthiness of the source of information; (b) analyzing and evaluating media messages to deconstruct media representations according to the authors, target audience, techniques, agenda setting, stereotypes, and authenticity to distinguish fact from opinion; (c) creating media to convey a coherent message using multimodal practices to a specific target audience that includes, but is not limited to, writing blogs, composing songs, designing video games, producing podcasts, making videos, or coding a mobile or software application; (d) reflecting on media consumption to assess how media affects the consumption of information and how it triggers emotions and behavior; and (e) social responsibility and civics to suggest a plan of action in the class, school, or community for engaging others in a respectful, thoughtful, and inclusive dialogue over a specific issue using facts and reason.

15. Beginning in the fall of 2023, in grades 9 through 12, an opportunity for students to take at least one computer science course aligned to Illinois learning standards. *Computer science* means the study of computers and algorithms, including their principles, hardware and software designs, implementation, and impact on society. Computer science does not include the study of everyday uses of computers and computer applications; e.g., keyboarding or accessing the Internet.

16. 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.

17. In all schools, United States (U.S.) 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, (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 Slovakians in the history of this country and State, (f) a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois, (g) Illinois history, and (h) the contributions made to society by Americans of different faith practices, including, but not limited to, Muslim Americans, Jewish Americans, Christian Americans, Hindu Americans, Sikh Americans, Buddhist Americans, and any other collective community of faith that has shaped America.

    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.

18. In grade 7 and all high school courses concerning U.S. history or a combination of U.S. history and American government, 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.

19. In all schools, the curriculum includes instruction as determined by the Superintendent or designee 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.

20. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the history, struggles, and contributions of women.

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21. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on Black History, including the history of the pre-enslavement of Black people from 3,000 BCE to AD 1619, the African slave trade, slavery in America, the study of the reasons why Black people came to be enslaved, the vestiges of slavery in this country, the study of the American civil rights renaissance, as well as the struggles and contributions of African-Americans.
22. In all schools offering a secondary agricultural education program, the curriculum includes courses as required by 105 ILCS 5/2-3.80.
23. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement.
24. Beginning in the fall of 2022, in all schools, instruction as determined by the Superintendent or designee on the events of Asian American history, including the history of Asian Americans in Illinois and the Midwest, as well as the contributions of Asian Americans toward advancing civil rights from the 19th century onward, which must include the contributions made by individual Asian Americans in government and the arts, humanities, and sciences, as well as the contributions of Asian American communities to the economic, cultural, social, and political development of the United States.
25. In kindergarten through grade 8, education must be available to students concerning effective methods of preventing and avoiding traffic injuries related to walking and bicycling.

LEGAL REF.: Pub. L. No. 108-447, Section 111 of Division J, Consolidated Appropriations Act of 2005.
Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008), Protecting Children in the 21st Century Act.
47 C.F.R. §54.520.
5 ILCS 465/3 and 465/3a.
20 ILCS 2605/2605-480.
105 ILCS 5/2-3.80(e) and (f), 5/10-20.79, 5/10-23.13, 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, 5/27-6.5, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.08, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-20.7, 5/27-20.8, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-23.10, 5/27-23.11, 5/27-23.15, 5/27-23.16, 5/27-24.1, and 5/27-24.2.
105 ILCS 110/3, Comprehensive Health Education Program.
105 ILCS 435/, Vocational Education Act.
625 ILCS 5/6-408.5, Ill. Vehicle Code.
23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.

CROSS REF.: 4:165 (Awareness and Prevention of Child Sex Abuse and Grooming Behaviors), 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:70 (Teaching About Religions), 6:235 (Access to Electronic Networks), 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)

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Instruction

Administrative Procedure - Comprehensive Health Education Program

105 ILCS 110/3 requires the District to implement a Comprehensive Health Education Program (CHEP). CHEP is a systematic and extensive educational program designed to provide a variety of learning experiences based upon scientific knowledge of the human organism as it functions within its environment which will favorably influence the knowledge, attitudes, values, and practices of Illinois [students]; and which will aid [students] in making wise personal decisions in matters of health.

Unless limited to specific grades, the following major educational areas are the basis for curricula in the District's CHEP in all elementary and secondary schools:

1. Human ecology and health;
2. Human growth and development;
3. In all grades, age-appropriate sexual abuse and assault awareness and prevention education, except no student in grades pre-K through 8 shall be required to take or participate in any instruction for *recognizing and avoiding* sexual abuse if the student's parent/guardian submits written objection and refusal to participate in the instruction shall not be reason for failing, suspending or expelling the student. Through grade 12, an age-appropriate and evidence-informed curriculum pursuant to *Erin's Law* will provide instruction pursuant to policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*. The Superintendent must ensure all parent(s)/guardian(s) of students in any of grades K through 8 receive not less than five days' written notice before commencing the instruction.
4. In all grades, a minimum of 16 hours of safety education in the courses of study regularly taught with instruction about:
    a. Automobile safety, including traffic regulations, highway safety, and the consequences of alcohol consumption and the operation of a motor vehicle;
    b. Safety in the home, including safe gun storage;
    c. Safety in connection with recreational activities;
    d. Safety in and around school buildings;
    e. Safety in connection with vocational work or training;
    f. For students in grades 9 through 11, CPR subject to the excusal limitations in the first aid item 26, below; and
    g. For students in grades 6 through 8, CPR and how to use an AED by watching a training video on those subjects.
5. In all grades, tobacco and e-cigarettes and other vapor devices;
6. In grades K through 8, education must be available to students concerning effective methods of preventing and avoiding traffic injuries related to walking and bicycling.

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7. In grades K through 8, instruction, study, and discussion of effective methods for the prevention and avoidance of drugs and the dangers of opioid and substance abuse that are integrated into the curricula and designed to promote effective methods for the prevention and avoidance of drug and substance abuse.

8. In grades K through 8, annual instruction on the danger of and how to avoid abduction as part of the District's regular curriculum.

9. In grades 5 through 12, alcohol and drug use and abuse, including the medical and legal ramifications of alcohol, drug, and tobacco use that integrates into existing curricula, instruction related to:

    a. The physical and legal effects and ramifications of drug and substance abuse (including use during pregnancy);

    b. Ill. State Board of Education (ISBE) instructional materials and guidelines developed to assist the District with incorporating this instruction topic into its curricula; and

    c. Either as part of existing curricula during the school day or as part of an after-school program, support services and instruction for students who are or students whose parent(s)/guardian(s) are chemically dependent.

10. In grades 6-12, parenting education that includes instruction in the following:

    a. Child growth and development, including prenatal development.

    b. Childbirth and child care.

    c. Family structure, function, and management.

    d. Prenatal and postnatal care for mothers and infants.

    e. Prevention of child abuse.

    f. The physical, mental, emotional, social, economic, and psychological aspects of interpersonal and family relationships.

    g. Parenting skill development.

11. Family life, specifically its emotional, psychological, physiological, hygienic and social responsibilities, including sexual abstinence until marriage and evidence-based and medically accurate information regarding sexual abstinence; and in grades 6 through 12, instruction on the prevention, transmission, and spread of AIDS; except if a student's parent/guardian submits written objection to taking or participating in family life course or AIDS prevention instruction, and refusal to take or participate in the family life course or AIDS prevention instruction shall not be reason for suspension or expulsion of the student. See 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*.

12. Comprehensive personal health and safety and comprehensive sexual health education (NSES); except no student shall be required to take or participate in any NSES class or course, and a student's parent/guardian may opt the student out of NSES by submitting the request in writing or using 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention*

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Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs. Refusal to take or participate in an NSES course or program may not be a reason for disciplinary action, academic penalty, suspension, or expulsion or any other sanction of a student. Active parental consent for their child to participate in NSES is not required; however, because NSES mandates instruction about sexual violence (defined to include sexual abuse) and instruction in recognizing and avoiding sexual abuse required by 105 ILCS 5/27-13.2 requires a minimum of five days' notice to parents/guardians of students in grades K through 8, the District will notify students in grades K through 8 using the **Notice of Sexual Abuse and Assault Awareness and Prevention Education** subhead of 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*. See also 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

13. Course materials and instruction to advise students about the Abandoned Newborn Infant Protection Act, 325 ILCS 2/;
14. The prevention and control of disease;
15. In grades 7 through 12, teen dating violence awareness;
16. In grades 7 through 12, instruction about the prevention of abuse of anabolic steroids in science, health, drug abuse, physical education, or other appropriate courses of study. Instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students participating in these programs.
17. In grade 9 or 10, one unit of instruction in either grade about donations and transplants of organs/tissue and blood, except if a student's parent/guardian files written objection on constitutional grounds, but refusal to take or participate in the instruction shall not be reason for suspension or expulsion of a student or result in any academic penalty.
18. Public and environmental health;
19. Consumer health;
20. Safety education and disaster survival;
21. Mental health and illness that evaluates the multiple dimensions of health by reviewing the relationship between physical and mental health to enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity and must include how and where to find mental health resources and specialized treatment in the State.
22. Personal health habits;
23. Nutrition;
24. Dental health;
25. Cancer, including, without limitation, types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help;
26. Basic first aid including, but not limited to:

    a. Cardiopulmonary resuscitation (CPR) and the Heimlich maneuver, including training on how to properly administer CPR in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization, except

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if a student's parent/guardian submits written objection, but refusal to participate in the training shall not be a reason for suspension or expulsion of the student; and

b. In secondary schools, how to use an automated external defibrillator (AED) shall be included, except if a student's parent/guardian submits written objection, but refusal to participate in the training shall not be a reason for suspension or expulsion of the student.

27. Heart disease;
28. Diabetes;
29. Stroke;
30. The prevention of child abuse and neglect;
31. Suicide prevention pursuant to policy 7:290, *Suicide and Depression Awareness and Prevention*;
32. All students shall receive age-appropriate instruction on motor vehicle safety and litter control.

Notice to Parent/Guardian; Requirements; Written Objection(s) and/or Opt-outs

Refusal to take or participate in any course or program that allows parents/guardians to object in writing and/or opt their children out shall not be reason for disciplinary action or academic penalty to the student. The District will provide 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs* to parents/guardians wishing to provide written objection or opt out of content in CHEP.

LEGAL REF.: 105 ILCS 110/, Comprehensive Critical Health Problems and Comprehensive Health Education Act.

ADMIN PROC.: 6:60-AP2 (Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES)); 6:60-AP3 (Developmentally Appropriate Consent Education)

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Instruction

Exhibit - Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs

Date _____

Class and Time _____

Teacher _____

Notice of Sexual Abuse and Assault Awareness and Prevention Education

In grades pre-kindergarten through 12, State law requires the District to provide age-appropriate sexual abuse and assault awareness and prevention education (105 ILCS 110/3), except that no student in grades K through 8 shall be required to take or participate in any instruction for recognizing and avoiding sexual abuse if the student's parent/guardian submits written objection and refusal to participate in the instruction (105 ILCS 5/27-13.2).

This is your minimum five-day notice that this instruction will begin for your child.

Request to Examine 105 ILCS 110/3 (Family Life and/or Abstinence and Contraception) and/or 105 ILCS 5/27-9.1a (*National Sex Ed Standards (NSES)*) Materials

A sample of the District's instructional materials and course outline for family life and/or abstinence and contraception instructional materials are available from the classroom teacher for your inspection. If you are requesting to examine this material, please check the box below and return it to your child's classroom teacher within calendar five days.

The scope and sequence of instructional materials for NSES is posted on the District's Internet website, along with the name and contact information, including an email address, of staff members who can respond to your inquiries. You may request to see NSES instructional materials in person by checking the box below.

☐ **I request to examine the instructional materials and course outline for Family Life classes.**

☐ **I request to examine, in person, the instructional materials to be used for *NSES*.**

Written Objection(s) and/or Opt-outs

No student is required to take or participate in the following classes or courses, and no penalty exists 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 request and return it to your child's classroom teacher within five school days.

I request that the District opt-out my child for and/or object in writing to class attendance about:

(*Check the main box and any or all sub-category boxes that apply to your objection or opt-out*)

☐ 105 ILCS 5/27-13.2 allows me to object to my child, who is in grades K through 8, from learning age-appropriate instruction for recognizing and avoiding sexual abuse; I understand once my child enters grades 9 through 12, I may no longer object

☐ 105 ILCS 5/10-23.13, amended by P.A. 102-610 (*Erin's Law*), and see policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*

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- ☐ 105 ILCS 5/27-9.1a(b)(6), (8), (9), and (12), added by P.A. 102-522 (NSES includes sexual abuse education under the term sexual violence)
- ☐ 105 ILCS 110/3 (age-appropriate sexual abuse and assault awareness and prevention)

☐ Family life (psychological, physiological, hygienic and social responsibilities, including sexual abstinence until marriage) (105 ILCS 110/3)

- ☐ Evidence-based and medically accurate information regarding sexual abstinence (105 ILCS 110/3)

☐ AIDS, including in grades 6 through 12, its prevention, transmission and spread (105 ILCS 110/3)

☐ *NSES* (See 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES)*) (105 ILCS 5/27-9.1a(d), added by P.A. 102-522)

☐ Donations and transplants of organs/tissue and blood organ/tissue transplantation (105 ILCS 5/27-23.5)

☐ CPR and the Heimlich maneuver, including training on how to properly administer CPR in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization (105 ILCS 110/3)

☐ How to use an AED (105 ILCS 110/3)

_____

Student (*please print*)

_____

Parent/Guardian (*please print*)

_____ _____

Parent/Guardian Signature Date

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Instruction

Exhibit - Resources for Biking and Walking Safety Education

105 ILCS 5/27-23.11 requires the District to make education available to students in grades kindergarten through 8 on effective methods for preventing and avoiding traffic injuries related to walking and bicycling. How that education is made available and any specific resources used are at the discretion of the District.

Pedestrian Safety Programs

Pedestrian Safer Journey by the Federal Highway Administration - Includes age-appropriate videos with follow-up quizzes and discussion guides on safe walking. The material is divided into three age ranges: 5 to 9, 10 to 14, and 15 to 18. Also includes a list of additional resources and curricula from around the country for teachers and parents/caregivers. Available at: www.pedbikeinfo.org/pedsaferjourney/index.html.

Child Pedestrian Safety Curriculum by the National Highway Traffic Safety Administration - Teaches and encourages pedestrian safety for students in grades kindergarten through 5. It is organized into five lessons: walking near traffic, crossing streets, crossing intersections, parking lot safety, and school bus safety. Each lesson builds upon previous set of skills learned. Available at: www.nhtsa.gov/pedestrian-safety/child-pedestrian-safety-curriculum.

WalkSafe® by the University of Miami KiDZ Neuroscience Center - Organized into three levels for grades kindergarten-1, 2-3, and 4-5, and includes lessons using videos, outside simulation activities, and art projects. Supplemental materials include handouts, flashcards, and pre- and post-assessment tests. Available at: kidzneurosciencecenter.com/walksafe/.

Bicycle Safety Programs

Bicycle Safer Journey by the Federal Highway Administration - Includes age-appropriate videos with follow-up quizzes and discussion guides on safe bicycling. The material is divided into three age ranges: 5 to 9, 10 to 14, and 15 to 18. Also includes a list of additional resources and curricula from around the country for teachers and parents/caregivers. Available at: www.pedbikeinfo.org/bicyclesaferjourney/index.html.

Bikeology by Shape America and the National Highway Traffic Safety Administration - Aligns with the National Standards for kindergarten-12 Physical Education and includes lessons and assessments for skills and knowledge. Supplemental materials include a parent guide to reinforce the curriculum. Available at: www.shapeamerica.org//publications/resources/teachingtools/qualitype/upload/bikeology-curriculum-part1-v2.pdf.

BikeSafe® by the University of Miami KiDZ Neuroscience Center - Contains four off-bike lessons to teach bicycle safety skills to middle school-aged children through interactive simulations, modeling, and creative activities. Supplementary materials include student worksheets and parent tip sheets. An on-bike lesson plan is also provided. Available at: kidznc.org/bikesafe.

Bike Safety Quiz by Ride Illinois - Teaches kids, adults, and motorists how to share the road safely. Interactive quizzes for each audience cover safety techniques and relevant state laws. Available at: www.bikesafetyquiz.com/.

Cycling Skills Clinic Guide by the National Highway Traffic Safety Administration - Provides a step-by-step approach to planning and initiating an on-bicycle safety skills event, including instructions and resources for setting up and conducting a skills-training course. Available at: one.nhtsa.gov/Driving-Safety/Bicycles/CyclingSkillsClinic.

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Kids on Wheels Training Manual by the Active Transportation Alliance - An experiential, on-bike curriculum to teach grades 2-4 students to travel safely on a bicycle. Over three lessons, students are engaged in demonstrations, hands-on exercises, and on-bicycle riding skills activities. Available at: www.activetrans.org/resources/education.

Combined Pedestrian and Bicycle Safety Programs

Bicycle and Pedestrian Safety: 10-minute Lessons for PE Class by the Active Transportation Alliance - A series of brief pedestrian- and bicycle-themed lessons consisting of one 10- to 15-minute physical activity. Available at: www.activetrans.org/resources/education.

Bicycle and Pedestrian Safety: 9 Lessons for the Classroom by the Active Transportation Alliance - A series of brief pedestrian- and bicycle-themed lessons designed to be delivered in a classroom setting. Available at: www.activetrans.org/resources/education.

LEGAL REF.: 105 ILCS 5/27-23.11.

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Instruction

Administrative Procedure – Developmentally Appropriate Consent Education

The District offers age and developmentally appropriate consent education in grades K through 12 pursuant to 105 ILCS 5/27-9.1b, added by P.A. 102-522. This administrative procedure contains two sections as follows:

1. Glossary of Terms
2. Developmentally Appropriate Consent Education Curriculum

Glossary of Terms

The current Definitions of 105 ILCS 5/27-9.1a(a) are incorporated here by reference.

Age and developmentally appropriate - Suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Consent - An affirmative, knowing, conscious, ongoing, and voluntary agreement to engage in interpersonal, physical, or sexual activity, which can be revoked at any point, including during the course of interpersonal, physical, or sexual activity.

Developmentally Appropriate Consent Education Curriculum

In grades K through 5, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following:

1. Setting appropriate physical boundaries with others.
2. Respecting the physical boundaries of others.
3. The right to refuse to engage in behaviors or activities that are uncomfortable or unsafe.
4. Dealing with unwanted physical contact.
5. Helping a peer deal with unwanted physical contact.

In grades 6 through 12, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following:

1. That consent is a freely given agreement to sexual activity.
2. That consent to one particular sexual activity does not constitute consent to other types of sexual activities.
3. That a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
4. That a person's manner of dress does not constitute consent.
5. That a person's consent to past sexual activity does not constitute consent to future sexual activity.
6. That a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.
7. That a person can withdraw consent at any time.
8. That a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to certain circumstances that include, but are not limited to when the person is:
   a. Incapacitated due to the use or influence of alcohol or drugs;
   b. Asleep or unconscious;

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c. A minor; or
d. Incapacitated due to a mental disability.

9. The legal age of consent in this State.

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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 and 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 include incorporating 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.

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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, 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), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

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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)

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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.

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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.

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.

LEGAL REF.: Garcetti v. Ceballos, 547 U.S. 410 (2006).
Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies)

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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.

Animal Experiments

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal's health or safety are permissible.

Animal Dissection

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)

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Instruction

Administrative Procedure - Dissection of Animals

Actor	Action	Time
Curriculum Director	Identifies: (1) which, if any, courses contain a dissection project, and (2) the available alternative projects. Reports this information to the Building Principal. "Dissection" includes cutting, killing, preserving, or mounting of living or dead animals or animal parts for scientific study; it 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. Students who object to performing, participating in, or observing a dissection must be excused from classroom attendance without penalty. 105 ILCS 112/25.	Throughout the curriculum development process
Building Principal	Ensures that course descriptions indicate which courses contain a dissection unit. For such courses, indicates that objecting students have the right to refrain, and the availability, if any, of an alternative. ISBE guidelines for notifying students, parents, administrators, and teachers are available at: www.isbe.net/Documents/alternatives_dissection_2000.pdf#search=dissection.	Annually when course offerings and descriptions are distributed to students
School Counselors and Teachers	Reminds objecting students to check the expectations and requirements of the post-secondary schools that they may be interested in attending. 105 ILCS 112/20(b).	Whenever a student may choose between dissection and an alternative program
Students	If dissection is objectionable, asks the teacher to be excused from the dissection project and requests an alternative project.	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. 105 ILCS 112/25.	Continuously

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Instruction

Exhibit - Guidelines and Application for Using Animals in School Facilities for Educational Purposes

To be submitted to the Building Principal

This application must be approved before an animal may be brought into any school facility. Animals may be brought into the classroom or learning center for educational purposes, provided: 1) prior permission is received from both the supervising teacher and the Building Principal or designee; and 2) the following *Guidelines for Using Animals in School Facilities* are agreed to by the applicant, supervising teacher, and/or the animal owner.

Please print

Name and type of animal	School facility
Materials (i.e., cages, carriers, food, etc.)	Date(s) requested
Educational purpose	

Guidelines for Using Animals in School Facilities

Prohibited Animals

The following animals are prohibited in school facilities:

1. Inherently dangerous animals (e.g., lions, tigers, cougars, and bears)
2. Nonhuman primates (e.g., monkeys and apes)
3. Mammals at high-risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes, and coyotes)
4. Aggressive or unpredictable animals, wild or domestic
5. Stray animals with unknown health and vaccination history
6. Venomous or toxin-producing animals (e.g., certain spiders, insects, reptiles, and amphibians)

Vaccination Requirements

Prior to bringing certain animals into school facilities, current health records and/or proof of current vaccination is required as follows:

1. **Cats** – A health certificate signed by a licensed veterinarian showing proof of current vaccination against feline distemper/upper respiratory vaccine (FVRCP), feline leukemia, feline chlamydiosis, and rabies; and proof of a negative fecal exam or successful treatment for internal parasites within the past six months.
2. **Dogs** – A health certificate signed by a licensed veterinarian showing proof of current vaccination against canine distemper, hepatitis, leptospirosis, canine parainfluenza (CPIV), parovirus, Bordatella, and rabies; and proof of a negative fecal exam or successful treatment for internal parasites within

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the past six months.

3. **Ferrets** – A health certificate signed by a licensed veterinarian showing proof of current vaccination against rabies; and proof of a negative fecal exam or successful treatment for internal parasites within the past six months.
4. **Psittacine Birds** – Proof of treatment or negative test results for psittacosis (avian chlamydiosis).

General Guidelines

To protect students and staff from zoonotic diseases, the following guidelines apply to animals brought into school facilities for educational purposes:

1. The Building Principal or designee must approve all animals brought into school facilities.
2. Animals must be clean and free of intestinal parasites, fleas, ticks, and mites.
3. Students must be supervised by District staff during all human-animal contact.
4. Animals should be handled humanely.
5. Animals should be displayed in enclosed cages or under appropriate restraint (e.g., leash).
6. Animals may not roam free, fly free or have contact with wild animals.
7. No animals are allowed in areas where food or drink is prepared or consumed.
8. Food for animals must be stored in air-tight, closed contains (preferably hard plastic) to prevent spills and attracting nuisance animals and/or insects.
9. Anyone handling animals must wash his/her hands thoroughly with warm water and soap afterwards. Hand sanitizer may not be used as a substitute for soap and water.
10. Areas where animals have been present must be cleaned and disinfected by District staff.
11. Animal waste must be appropriately disposed of by a District staff member (e.g., using disposable plastic gloves and plastic bags). **Under no circumstances are students allowed to clean cages/aquariums or handle animal waste**.
12. The supervising teacher must:
    A. Consult with parent(s)/guardian(s) to determine any special considerations needed for students who are immunocompromised or have allergies, asthma, or other health concerns; and
    B. Complete and issue the *Student Permission for Exposure to Animal(s)* form to the parent(s)/guardian(s) of all students who will be exposed to the animal(s).
13. A responsible adult must accompany all animal visits into school facilities.

Procedures for the Housing, Care and Handling of Specific Animals

1. **Dogs** – All dogs must be housebroken.
2. **Farm animals** – Due to the risk of E. coli O157:H7, Salmonella, Campylobacter, and Cryptosporidium, these animals are not appropriate unless meticulous attention to personal hygiene can be assured.
3. **Ferrets** – Ferrets bite when startled, therefore students should not handle ferrets in the classroom. Students under the age of five are prohibited from having contact with these animals.
4. **Fish** – Use disposable gloves when cleaning aquariums. Do not dispose of aquarium water in sinks

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used for food preparation or for obtaining drinking water.

5. **Hamsters, Guinea pigs, and Gerbils** – Due to the risk of Salmonella bacteria and Lymphocytic choriomeningitis virus, special care must be taken when students handle these animals. Students under the age of five are prohibited from having contact with these animals.
6. **Psittacine Birds** – Because these birds (e.g., parrots, parakeets, budgies, and cockatiels) can carry disease, students are prohibited from handling them. Staff members should clean cages when students are not present.
7. **Reptiles and Amphibians** – Due to the risk of Salmonella bacteria, special precautions must be taken when students handle these animals. Students under the age of five are prohibited from having contact with these animals.

Animal-Related Injuries

If an animal bites, scratches, or otherwise injures someone at school and the skin is pierced, the Building Principal or designee will ensure:

1. The teacher immediately reports the incident to the Building Principal or designee and school nurse;
2. If necessary, the school nurse notifies public health authorities;
3. The school nurse notifies the student's parent(s)/guardian(s); and
4. An incident/accident report is completed by the staff member responsible at the time of the injury and forwarded to the school nurse.

Additional Applicant, Supervising Teacher, and Animal Owner Responsibilities

1. Applicant responsibilities:
   A. The applicant must have a plan that assures the animal is appropriately housed, humanely cared for, and properly handled.
   B. The applicant must submit health records and/or proof of current vaccination as set forth in these *Guidelines for Using Animals in School Facilities.*
   C. Animals are not to be transported on school buses.
2. Supervising teacher and/or facility staff responsibilities:
   A. The supervising teacher signing the application must assume primary responsibility for the animal.
   B. Only the teacher or students designated by the teacher are to handle the animals.
   C. If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety.
3. Animal owner's responsibilities:
   A. The animal's owner agrees to hold the District, its employees, agents, and assigns harmless for any injury to, including death of, the animal.
   B. The animal's owner, if different from the person making the application, must sign below demonstrating that he or she granted permission for the animal to come into the classroom and agrees to the conditions set forth in this application.

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I agree to abide by the *Guidelines for Using Animals in School Facilities* outlined above in this application.

Applicant (*please print*) _____ Telephone number _____

Address _____

Applicant's signature _____ Date _____

Supervising teacher (*please print*) _____

Supervising teacher's signature _____ Date _____

Animal owner's name if different from applicant (*please print*) _____

Animal owner's signature _____ Date _____

The Building Principal will base his or her decision on the information being provided in this application as well as other criteria deemed important. *Note to Building Principal or designee: after approving or denying this application, return a copy of it to the applicant and keep the original in the school office.*

Approved **Denied**

Building Principal or designee's signature _____ Date _____

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Instruction

Exhibit - Student Permission for Exposure to Animals

To be used when animal(s) are brought into the classroom or learning center for educational purposes.

Student:_____ Grade/Teacher:_____

Dear Parent(s)/Guardian(s):

As allergies, asthma, immune challenges, and/or other health needs may make animal contact inappropriate for some students, District guidelines require prior parent/guardian permission for student contact with animal(s) in school.

On *(insert date)*, the following animal(s) will visit my classroom for educational purposes:

☐ Cat	☐ Bird	☐ Ferret	☐ Guinea Pig
☐ Dog	☐ Rabbit	☐ Hamster	☐ Reptile or amphibian
☐ Rat	☐ Mouse	☐ Gerbil	☐ Other_____

The following animals are prohibited in schools: venomous or toxin-producing animals (e.g., certain spiders, insects, reptiles, and amphibians), wild or exotic animals, mammals at high-risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes, and coyotes), non-human primates, stray animals, or aggressive/unpredictable animals.

The Building Principal or designee will ensure that the District's *Guidelines for Using Animals in School Facilities* are followed. You may find these *Guidelines* in the school office. I will also supervise the entire student-animal contact session, have a clean and disinfected area for showing the animal(s), not allow food or drink in the animal showing area, and appropriately dispose of animal waste. **Under no circumstances are students allowed to clean cages or handle animal waste.**

Please complete and return this form to me by *(insert date)*. If you have any questions or concerns, please feel free to contact me at *(insert contact information)*.

To Be Completed by Parent/Guardian:

☐ I **do** permit my child identified above to be exposed to the animal(s) listed above. I further 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 my child's exposure to the animal(s) listed above.

☐ I **do not** permit my child identified above to be exposed to the animal(s) listed above. I understand that when the animal(s) listed above are present, my child will be excused from classroom attendance without penalty and given an alternative educational activity.

_____

Parent/Guardian Name (*please print*)

_____ _____

Parent/Guardian Signature Date

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Instruction

Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program

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 addressing individual learning styles, career development, and social needs, and may include without limitation one or more of the following:

* Parent-teacher conferences
* Counseling services by social workers and/or guidance counselors
* Counseling services by psychologists
* Psychological testing
* Truants' alternative and optional education program
* 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
* Graduation incentives program
* Remediation program

Any student who is below the age of 20 years is eligible to enroll in a graduation incentives program if he or she:

1. Is considered a dropout according to State law;
2. Has been suspended or expelled;
3. Is pregnant or is a parent;
4. Has been assessed as chemically dependent; or
5. Is enrolled in a bilingual education or English Language Learners program.

LEGAL REF.: 105 ILCS 5/2-3.41, 5/2-3.66, 5/10-20.9a, 5/13B, 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

CROSS REF.: 6:280 (Grading and Promotion), 6:300 (Graduation Requirements), 7:70 (Attendance and Truancy)

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Instruction

Education of Children with Disabilities

The School 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 (inclusive) for whom it is determined, through definitions and procedures described in the Ill. State Board of Education (ISBE) *Special Education* rules, that special education services are needed. Children with disabilities who turn 22 years old during the school year are eligible for such services through the end of the school year.

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 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 ISBE *Special Education* rules. 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), 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 District in fulfilling its obligations to the District's students with disabilities.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.: 20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.
29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.
42 U.S.C. §12101 et seq., Americans With Disabilities Act.
34 C.F.R. Part 106.
34 C.F.R. Part 300.
105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.
23 Ill.Admin.Code Part 226.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

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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 Ill. State Board of Education (ISBE) requirements for procedures, the special education committee of the Ill. Council of School Attorneys (ICSA) prepared sample special education procedures. ISBE rules at 23 Ill.Admin.Code Part 226 contain the requirements for special education procedures that must be implemented by each school district and cooperative entity. The IASB/ICSA sample procedures are available on the IASB website: iasb.com/law/icsaspeced.cfm.

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Instruction

Exhibit - Notice to Parents/Guardians Regarding Section 504 Rights

On District letterhead.

Date:

Dear Parent/Guardian:

Re: Section 504 Rights

Section 504 of 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: (1) protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Dept. of Education (ED), and (2) ensure 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* as defined by 34 C.F.R. §104.3.

This notice describes the rights ensured by Section 504 to those disabled students who do not qualify for special education and related services under the Individuals With Disabilities Education Act (IDEA). The intent of this notice is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any decisions in reference to Section 504. If you have questions about the identification, assessment, and placement of children eligible for Section 504, please contact the District's Section 504 Coordinator at *[insert phone number and location]*.

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. Part 104. The purpose of this notice is to advise parents/guardians and/or students of these rights.
2. The services of an interpreter, for parents/guardians who are deaf or do not typically communicate using spoken English and who participate in a Section 504 meeting. 105 ILCS 5/14-6.01.
3. A free appropriate public 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.
4. 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.
5. A placement in the least restrictive environment to the maximum extent appropriate to meet the student's needs. 34 C.F.R. §104.34.
6. Facilities, services, and activities comparable to those provided for non-disabled students. 34 C.F.R. §104.34.
7. An evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. 34 C.F.R. §104.35.
8. Testing and other evaluation procedures conforming to the requirements of 34 C.F.R. §104.35(b) as to validation, administration, areas of evaluation, etc. The District shall

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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(c).

9. Placement decisions made by a group of persons, i.e., a Section 504 committee, including the parents/guardians and 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(c).
10. Periodic reevaluation of students who have been provided special education and related services. 34 C.F.R. §104.35(d).
11. 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.
12. Examine relevant records. 34 C.F.R. §104.36.
13. An impartial hearing regarding the student's identification, evaluation, or educational placement including an opportunity for parental participation in the hearing and representation by an attorney, and a review procedure. 34 C.F.R. §104.36.
    [Insert details regarding the district's hearing and review procedures.]
14. File a grievance under Board policy 2:260, *Uniform Grievance Procedure*, regarding any complaints that allege action prohibited by Section 504.
15. 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.
16. File a complaint with the Office of Civil Rights. The Illinois regional Office of Civil Rights is located in Chicago at:

    Chicago Office
    Office for Civil Rights
    U.S. Department of Education
    John C. Kluczynski Federal Building
    200 S. Dearborn Street, 37th Floor
    Chicago, IL 60604
    Phone: 312/730-1560
    Fax: 312/730-1576
    TDD: 800/877-8339
    Email: OCR.Chicago@ed.gov

If you would like more information about the differences between Section 504 and IDEA, see *Protecting Students with Disabilities FAQ about Section 504 and the Education of Children with Disabilities,* available at: www2.ed.gov/about/offices/list/ocr/504faq.html.

Sincerely,

Superintendent

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Instruction

Exhibit - Special Education Required Notice and Consent Forms

Below is the URL to Ill. State Board of Education (ISBE) updated *Special Education Required Notice and Consent Forms* and instructions to understand the purpose and use of each form. The forms are the official versions of the State-required forms. The URL also provides access to each form in languages other than English.

www.isbe.net/Pages/Special-Education-Required-Notice-and-Consent-Forms.aspx

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Instruction

Administrative Procedure - Access to Classrooms and Personnel

Access to classrooms and personnel is permitted in limited situations by 105 ILCS 5/14-8.02(g-5). 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 student. 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 student. To minimize disruption, reasonable access means that the parent(s)/guardian(s) or qualified professional retained by or on behalf of a parent(s)/guardian(s) or student is allowed access once per school quarter for up to one hour or one class period. 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 Individualized Education Program (IEP) team.
5. If the visitor is an independent educational evaluator or a qualified professional retained by or on behalf of a parent or student, he or she must be afforded reasonable access of sufficient duration and scope for the purpose of conducting an evaluation of the student, the student's performance, the student's current educational program, placement, services, or environment, or any educational program, placement, services, or environment proposed for the student, including interviews of educational personnel, student observations, assessments, tests, or assessments of the student'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 student's current educational services, program, or placement or to a proposed educational service, program, or placement.

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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 student 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 Student Record 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 and/or information. 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 School District designee must facilitate such visit(s) when the student attends a program outside of the District, such as at a private day program or residential program, provided it is supported in whole or in part by public funds.

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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 School 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.

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):

☐ Teacher, certified in the areas of:_____ Illinois certified? ☐Y ☐N

☐ Clinical Psychologist
☐ School Psychologist
☐ Licensed Clinical Social Worker
☐ Licensed Social Worker
☐ School Social Worker
☐ Occupational Therapist
☐ Physical Therapist
☐ Speech/Language Pathologist
☐ Audiologist
☐ Psychiatrist
☐ Registered Nurse
☐ Certified School Nurse

☐ 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:_____

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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 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 and/or information.

_____ _____

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 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 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

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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	Informs the School District of the need for a service animal to accompany their disabled child to school. Cooperates with the District to successfully incorporate the service animal into the educational environment.
Superintendent or designee	Discusses this procedure with the Building Principal, other appropriate administrative and special education staff, and the Board Attorney.

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	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. Contacts the District's insurance carrier(s) to assess appropriate coverage for issues involving service animals, including a handler. 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. 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). 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.
IEP and/or 504 Team	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*. 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. For a student with an IEP or Section 504 plan, or who qualifies for one, determines: 1. Whether the service animal is a required *related service* to ensure the provision of a "free appropriate public education" (FAPE), and/or 2. Whether the service animal is an appropriate *reasonable accommodation* for the student's disability. 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. Informs the parent/guardian that the student's service animal may accompany the student to school, and explains that the service animal

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	must be under the control of its handler at all times and housebroken. 28 C.F.R. 35.136(b), and (d). If the school excludes the service animal: 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	**When notice of the need for a service animal in a school facility is provided:** 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/guardian of any unmet guidelines and what actions must be taken to meet these guidelines and avoid exclusion of the service animal. Discusses 6:120-AP3, E1, *Guidelines for Service Animals in School Facilities*, with building staff. Requests to be immediately informed if the animal's behavior does not conform to these guidelines. 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, *Resource Persons and/or School Volunteers; Screening,* and 6:250-E, *Resource Person and Volunteer Information Form and Waiver of Liability*. ADA regulations, 28 C.F.R. §§35.130(f) and 35.136(h), and the Ill. White Cane Law, 775 ILCS 30/3, 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. Creates a plan with the student's parent/guardian and the handler for: 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. 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.

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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); Alboniga v. Sch. Bd. of Broward Co. Fla., 87 F.Supp.3d 1319 (S.D.FL. 2015).

Checks with the school nurse regarding any known allergies among students attending the school.

Manages identified students' competing educational interests by:

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.

See Kalbfleisch ex rel. v. Columbia Cmty. Unit Sch. Dist., 396 Ill.App.3d 1105 (5th Dist. 2009), for a discussion about the balancing of interests. Other helpful publications include:

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.

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.

The U.S. Dept. of Justice's *Commonly Asked Questions about Service Animals in Places of Business* at: www.ada.gov/qasrvc.htm.

Klein, Thorp and Jenkins, Ltd. and the Ill. Association of School Boards' *Service Animals Factsheet Q & A* at: www.iasb.com/IASB/media/Documents/ServiceAnimalsQA2019.pdf.

Facilitates the dissemination of accurate information about the presence of the service animal at school while respecting privacy rights.

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.

Providing a joint communication allows the school to exchange the

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	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*. Prepares a list of answers to anticipated questions. 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); Ill. White Cane Law, 775 ILCS 30/4 (makes it unlawful to interfere with the rights of a disabled person). 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*. **When a service animal arrives at school without notice:** Keeps the animal with the student if the service animal is obviously: 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. Informs staff that the animal may not be taken away from the student. Informs the parent/guardian of this procedure and requests their cooperation with the District to successfully incorporate the service animal into the educational environment. Excludes the animal and contacts the student's parent/guardian if the animal does not obviously meet the conditions in 6:120-AP3, E1, *Guidelines for Service Animals in School Facilities*. Contacts animal control if the Principal or designee believes the animal is not properly vaccinated, licensed, may be dangerous, or is sick.

LEGAL REF.: 105 ILCS 5/14-6.02.
510 ILCS 70/, Humane Care for Animals Act.
775 ILCS 30/, Ill. White Cane Law.
28 C.F.R. Part 35.
34 C.F.R. Parts 100 and 300.

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Instruction

Exhibit - Guidelines for Service Animals in School Facilities

For use by Superintendent and Building Principal only.

This exhibit's guidelines are not intended for use as an agreement between the District and its students and their parents/guardians as a condition of the student using a service animal. It is intended for use by the Building Principals to:

1. Ensure that the legitimate safety interests of staff and students are met,
2. Inform their individual building staff of these guidelines when service animals are present in their individual buildings, and
3. Request that staff members inform the Building Principal if they observe a service animal that is not meeting any of the listed guidelines.

These guidelines are not based on speculation, stereotypes, or generalizations about students with disabilities. Each guideline includes an explanation based upon State and federal law with legal citations and resources that provide further information.

☐ **The animal is *individually trained* to perform tasks for the benefit of a student with a disability.**

Explanation	Legal Citation(s) and Resources
A service animal must perform work or an individualized task(s) for the benefit of a student with a disability. When it is not obvious what service the service animal provides, only the following questions may be asked: 1. Is the animal a service animal required because of a disability? 2. What work or task has the service animal been trained to perform?	105 ILCS 5/14-6.02 requires the service animal to be *individually trained* to perform tasks for the benefit of a student with a disability. 28 C.F.R. §§35.104 and 35.136 mirror state law and require that the work or tasks performed by a service animal be directly related to the student's disability. Section 35.104 defines work or tasks, which 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. **Note**: Providing emotional support, well-being, comfort, companionship or being present to deter criminal behaviors does not satisfy the requirement to "perform work or tasks."

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☐ **The animal has a current rabies vaccination tag.**

Explanation	Legal Citation(s) and Resources
A service animal must have a current rabies vaccination and tag for the safety interests of all individuals in the school environment.	510 ILCS 5/8 requires a current rabies vaccination, which is verified through a current rabies vaccination tag. Because State law requires animals to receive this vaccination, it is a legitimate safety requirement that is based upon an actual risk for the service animal to access school facilities. 28 C.F.R. §35.130(h).
School officials must always assume that the service animal is properly licensed.	Federal law does not allow the District to ask for proof of a license. This is true even when local municipalities, cities, or villages within the District's boundaries have additional registration requirements. The U.S. Dept. of Justice opines that unlicensed animals do not pose the same safety concern as those that are not vaccinated, i.e., the fundamental nature of the school environment is not affected by failing to obtain a license. The District may call animal control if there is a legitimate suspicion that the animal is not licensed, and the animal's owner may then be subject to a fine. However, the animal must still be allowed in the school.

☐ **The handler(s) may lawfully:** **1. Be on school property, and**
2. Have contact with children.

Explanation	Legal Citation(s) and Resources
The animal handler must not be 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 Murderer and Violent Offender Against Youth Registration Act.	720 ILCS 5/11-9.3 prohibits a child sex offender from being present on school property when persons under the age of 18 are present. Because this requirement is State law, it is a legitimate safety requirement based upon an actual risk for the service animal's handler to access school facilities. 28 C.F.R. §35.130(h). The U.S. Dept. of Justice opines that a service animal's handler should be treated the same as the District treats all other resource persons and volunteers. **Note**: Some school boards forbid the use of convicted felons as volunteers. Board policy 6:250, *Community Resource Persons and Volunteers,* requires the Superintendent to establish procedures for securing and screening resource persons and volunteers. 6:250-AP, *Resource Persons and/or School Volunteers; Screening*, requires criminal history records checks for individuals who work in direct contact with students or where a check would be prudent.

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☐ **The animal is under the control of the handler and housebroken.**

Explanation	Legal Citation(s) and Resources
A service animal must be under the control of its handler. A service animal must be housebroken.	Federal law allows exclusion of a service animal from the school environment when its handler is not able to take effective action to control the animal or the animal is not housebroken. The U.S. Dept. of Justice opines that one accident, however, will not be sufficient for exclusion of a service animal. 28 C.F.R. §35.136. For more examples and explanation regarding effective action to control a service animal and whether an animal is housebroken, see Americans with Disabilities Act, Title II Regulations, Nondiscrimination on the Basis of Disability in State and Local Government Services, *2010 Guidance and Section-by-Section Analysis* at: www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm.

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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/). 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 at: 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.

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Instruction

Program for the Gifted

The Superintendent or designee shall implement an education program for gifted and talented learners that will challenge and motivate academically advanced learners and engage them in appropriately differentiated learning experiences to develop their unique abilities. 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.

The School Board will monitor this program's performance by meeting periodically with the Superintendent or designee to determine and/or review the indicators and data that evidence whether the educational program for gifted and talented learners is accomplishing its goals and objectives and is otherwise in compliance with this policy.

LEGAL REF.: 105 ILCS 5/14A.
23 Ill.Admin.Code Part 227.

CROSS REF.: 6:135 (Accelerated Placement Program)

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Instruction

Accelerated Placement Program

The District provides an Accelerated Placement Program (APP). The APP advances the District's goal of providing educational programs with opportunities for each student to develop to his or her maximum potential. The APP provides an educational setting with curriculum options usually reserved for students who are older or in higher grades than the student participating in the APP. APP options include, but may not be limited to: (a) accelerating a student in a single subject; (b) other grade-level acceleration; and (c) early entrance to kindergarten or first grade Participation in the APP is open to all students who demonstrate high ability and who may benefit from accelerated placement. It is not limited to students who have been identified as gifted and talented. Eligibility to participate in the District's APP shall not be conditioned upon the protected classifications identified in School Board policy 7:10, *Equal Educational Opportunities*, or any factor other than the student's identification as an accelerated learner.

The Superintendent or designee shall implement an APP that includes:

1. Decision-making processes that are fair, equitable, and involve multiple individuals, e.g. District administrators, teachers, and school support personnel, and a student's parent(s)/guardian(s);
2. Notification processes that notify a student's parent(s)/guardian(s) of a decision affecting a student's participation in the APP;
3. Assessment processes that include multiple valid, reliable indicators; and
4. The automatic enrollment, in the following school term, of a student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment administered under 105 ILCS 5/2-3.64a-5, as follows:
    a. A student who meets or exceeds State standards in English language arts shall be automatically enrolled into the next most rigorous level of advanced coursework in English, social studies, humanities, or related subjects.
    b. A student who meets or exceeds State standards in mathematics shall be automatically enrolled into the next most rigorous level of advanced coursework in mathematics.
    c. A student who meets or exceeds State standards in science shall be automatically enrolled into the next most rigorous level of advanced coursework in science.

The Superintendent or designee shall annually notify the community, parent(s)/guardian(s), students, and school personnel about the APP, the process for referring a student for possible evaluation for accelerated placement, and the methods used to determine whether a student is eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework. Notification may: (a) include varied communication methods, such as student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate.

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LEGAL REF.: 105 ILCS 5/14A.
23 Ill.Admin.Code Part 227, Gifted Education.

CROSS REF.: 6:10 (Educational Philosophy and Objectives), 6:130 (Program for the Gifted), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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Instruction

Administrative Procedure - Accelerated Placement Program Procedures

The District's Accelerated Placement Program (APP) places qualified students in an educational setting that includes curriculum usually reserved for students who are older or in higher grades than the student, and is implemented by the Superintendent or designee. 105 ILCS 5/14A.

This administrative procedure contains seven sections as follows:

1. Definitions
2. Annual Notification
3. Referral Process
4. Evaluation Process
5. Eligibility Determination
6. Automatic Enrollment in Advanced High School Coursework
7. Program Reporting, Review, and Expanded Access Plan

Definitions

Accelerated placement is the placement of a student in an educational setting with curriculum that is usually reserved for students who are older or in higher grades than the student. Accelerated placement includes, but may not be limited to: early entrance to kindergarten or first grade, accelerating a student in a single subject, and grade acceleration.

Early entrance to kindergarten is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age on or before September 1 of that school term.

Early entrance to first grade is the admission to first grade of a student who is assessed for and meets the District's readiness standards to attend school. A student may, but is not required to, have attended a non-public preschool and continued his or her education at that school through kindergarten and been taught in kindergarten by an appropriately certified teacher. A student who is younger than six upon starting first grade but who was admitted early to kindergarten does not need to be reevaluated prior to admission to first grade.

Individual subject acceleration is the practice of assigning a student to a specific content area at a higher instructional level than is typical given the student's grade for the purpose of providing access to appropriately challenging learning opportunities in one or more subject areas. It may be accomplished by either: (a) physically moving the student to a higher level class for instruction; or (b) using higher level curricular or study materials in the student's current classroom.

Whole grade acceleration is the practice of assigning a student to a higher grade level than is typical, given the student's age, on a full-time basis for the purpose of providing access to appropriately challenging learning opportunities. Commonly referred to as skipping a grade, grade acceleration may be done at the beginning of or during the school term.

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Annual Notification

Actor	Action
Superintendent or designee	Annually notifies the community, including community-based organizations, providers of out-of-school programs, parent(s)/guardian(s), students, and school personnel, about the: 1. APP 2. Process for referring a student for possible evaluation for accelerated placement, including: a. Steps to be taken to make a referral; b. Individual(s) to whom a referral may be submitted; c. Deadlines by which a referral must be made; and d. Information that must be provided in the referral. 3. Methods used to determine whether a student is eligible for accelerated placement. 4. Strategies used to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework. Provides such notification: 1. By varied communication methods, such as student handbooks and District/school websites; and 2. In multiple languages.

Referral Process

Actor	Action
Parent(s)/Guardian(s), Licensed Educational Professionals, Student (with written consent of a parent/guardian), or Peer (through a licensed educational professional who has knowledge of the student's abilities). In addition to the above-noted individuals, referrals for possible early entrance to kindergarten or first grade may also come from: Preschool Educator, Non-public Kindergarten Teacher, Pediatrician, or Psychologist who knows the student.	Refers a student for possible evaluation for accelerated placement using the process set forth in this procedure.

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Actor	Action
Student Services Director, Building Principal, or designee	Within [*insert number*] school days after receiving a referral, determines whether an evaluation for accelerated placement is warranted. To determine whether an evaluation is warranted, may review existing data about the student, utilize screening data, and conduct preliminary procedures such as observation of the student, consultation with the teacher or other individual making the request, and a conference with the student. Provides the student's parent(s)/guardian(s) with written notice of the referral determination. For cases not warranting an evaluation, the process ends here. For cases warranting an evaluation, proceed to Evaluation Process, below.

Evaluation Process

Actor	Action
Student Services Director, Building Principal, or designee	Convenes an Evaluation Team (consisting of District teacher(s) and school support personnel, as appropriate) having the knowledge and skills necessary to: 1. Identify multiple valid, reliable indicators to use during the evaluation; 2. Identify appropriate assessment instruments; 3. Administer said assessments; and 4. Interpret evaluation results. The composition of the team may vary depending upon the type of acceleration requested and other relevant factors.
Evaluation Team	Identifies multiple valid, reliable indicators and any assessment instruments appropriate to use during the evaluation. Prepares a written document identifying the evaluation components. This may occur without a meeting.
Student Services Director, Building Principal, or designee	Provides parent(s)/guardian(s) with written notification of the Evaluation Team's conclusions regarding the evaluation components and requests parent(s)'/guardian(s)' written consent to conduct the evaluation.
Parent/Guardian	Provides written consent to conduct the evaluation.
Evaluation Team	Completes the evaluation within [*insert number*] school days following the date of receipt of parent(s)'/guardian(s)' written consent to conduct the evaluation. Ensures the evaluation is nondiscriminatory and follows policy 7:10, *Equal Educational Opportunities*.

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Eligibility Determination

Actor	Action
Evaluation Team	Convenes a meeting with parent(s)/guardian(s) to review evaluation results and determine eligibility for the APP. Provides parent(s)/guardian(s) with written notice of eligibility determination. If the student is found eligible for the APP, prepares and provides parent(s)/guardian(s) with a written plan detailing the type of acceleration the student will receive and strategies to support the student. If the student is not found eligible for the APP, provides parent(s)/guardian(s) with written notice of their right to appeal the eligibility determination, within five calendar days after receiving the determination, by submitting a written request to the Superintendent.
Parent/Guardian	If desired, within [*insert number*] calendar days after receiving written notice that student is not eligible for the APP, submits written appeal to the Superintendent.
Superintendent	Within [*insert number*] calendar days after receiving the written appeal request, reviews the case, and provides parent(s)/guardian(s) with written notice of his/her decision. The Superintendent's decision is final.

Automatic Enrollment in Advanced High School Coursework

Actor	Action
Student Services Director, Building Principal, or designee	Identifies students who qualify for automatic enrollment in the "next most rigorous level of advanced coursework" (NMR) offered by the District, for the following school term, by reviewing State assessment results in English language arts, mathematics, and science. For English language arts, the NMR includes courses in English, social studies, humanities, or related subjects. For a student entering grade 12, the NMR in English language arts or mathematics must be a dual credit course (as defined in the Dual Credit Quality Act, 110 ILCS 27/5), an Advanced Placement course (as defined in the College and Career Success for All Students Act, 105 ILCS 302/10), or an International Baccalaureate course. The same is true for all other subjects, except that the NMR may also include an honors class, an enrichment opportunity, a gifted program, or another program offered by the District.

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Actor	Action
	Provides written notice to parent(s)/guardian(s) of a qualified student of the student's eligibility for automatic enrollment in the NMR level of advanced coursework offered by the high school that: 1. Identifies the course(s) the student is eligible for, including the location and schedule, if known, of the course(s); 2. Informs the parent(s)/guardian(s) of the option to instead enroll the student in alternative coursework that better aligns with the student's postsecondary education or career goals; 3. Identifies the alternative coursework the student is eligible for, including the location and schedule, if known, of the alternative coursework; and 4. Requests that the parent(s)/guardian(s) notify the District within [*insert number*] calendar days of their course enrollment decision.
Parent/Guardian	Provides the District with written notice of their course enrollment decision within [*insert number*] calendar days after receiving the written notice.

Program Reporting, Review, and Expanded Access Plan

Actor	Action
Superintendent, Student Services Director, or designee	Submits by July 31 each year to the Ill. State Board of Education (ISBE) through the Student Information System (SIS): 1. Demographic information for each student participating in the APP; 2. Student participation in the APP; and 3. Type of APP placement. Reviews disaggregated data on APP participation and successful completion rates to address gaps among demographic groups in accelerated placement opportunities. Develops and, as necessary, updates a plan to expand access to the APP and to ensure the teaching capacity necessary to meet any increased demand.

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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 the Education for Homeless Children Act. The Superintendent or designee 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.: 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 45/, Education for Homeless Children Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 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)

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Instruction

Administrative Procedure - Education of Homeless Children

Actor	Action
School Board **Preliminary Step**	Upon recommendation of the Superintendent, determine whether to expend transportation funds to provide financial homeless prevention assistance to the parents/guardians (or persons who enroll students) of children who are homeless or *at risk of becoming homeless*, in accordance with the provisions of 105 ILCS 5/29-5 (amended by P.A. 102-539); 105 ILCS 45/1-17. See duties of the Liaison for Homeless Children below for specific eligibility requirements.
Superintendent **Preliminary Steps**	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). Under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(2)), *homeless children and youths* means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of 42 U.S.C. §11302(a)(1)). The term includes: 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; or are abandoned in hospitals; **Note:** Section §11434a(2) no longer includes children "awaiting foster care placement" within the definition of *homeless children and youths*. 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 11302(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 for purposes of this part because the children are living in clauses (1) through (3) above. Under the 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: 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: a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);

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	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.
Liaison for Homeless Children **Duties**	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. 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). Ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, District programs. 42 U.S.C. §11432(g)(6)(A)(ii). Ensure that homeless families, children, and youths receive educational services for which they are eligible, and make referrals to health care, dental, mental health and substance abuse, housing, and other appropriate services. 42 U.S.C. §11432(g)(6)(A)(iii)-(iv). Inform parents/guardians of educational and related opportunities available to their children, and provide them with meaningful opportunities to participate in their children's education. 42 U.S.C. §11432(g)(6)(A)(v). Disseminate public notice of the educational rights of homeless children and youths in the location where they receive services (such as schools, shelters, public libraries, and soup kitchens). 42 U.S.C. §11432(g)(6)(A)(vi). Mediate enrollment disputes to: 1. Ensure the child/youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute; 2. 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; 3. Complete the dispute resolution process as expeditiously as possible; and 4. In the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending resolution of the dispute. 42 U.S.C. §11432(g)(3)(E)(iv) and 42 U.S.C. §11432(g)(6)(A)(vii). 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)(viii). Convene a meeting with the parent/guardian and teacher of the child if the travel time to a homeless child's school of origin is longer than one hour each way, or if the travel time is shorter, but the District wishes to evaluate whether such travel is in the best interest of the child's development and education. 105 ILCS 45/1-15. Assist unaccompanied youth in placement/enrollment decisions, consider the

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	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)(iv). 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). If needed, verify children's homeless status so they may obtain free copies of their birth certificates, in accordance with procedures established by the State Registrar of Vital Records. 410 ILCS 535/25.3. 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). 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). Make a recommendation to the Superintendent regarding whether the Board should authorize financial homeless prevention assistance for families with children who are homeless or *at risk of being homeless*. 105 ILCS 5/29-5 (amended by P.A. 102-539); 105 ILCS 45/1-17. In those cases where the parties agree it is in the best interest of the child and District to do so, prepare a written housing plan (Plan) to provide financial assistance in an amount that will allow a child who is homeless or *at risk of being homeless* to remain permanently in his/her home or obtain new housing. Financial assistance may include: (1) mortgage or rental assistance that will allow a child to remain permanently in his/her living situation or obtain a new living situation; and/or (2) assistance with unpaid bills, loans, or other financial debts that result in housing being inadequate. 105 ILCS 45/1-17(a). Before entering into any such Plan, verify that all of the following requirements have been met in order for the District to claim the financial assistance against its State transportation funds: 1. The District has attempted to provide the financial assistance through its local homeless assistance agency that is part of the McKinney-Vento Homeless Act's continuum of care. 105 ILCS 45/1-17(b). 2. The amount of the financial assistance will not exceed the District's actual costs for providing transportation for the child. 105 ILCS 5/29-5, amended by P.A. 102-539. 3. The District is not otherwise claiming the transportation costs in another State or federal grant. 105 ILCS 5/29-5, amended by P.A. 102-539. 4. If the assistance is to be provided to a child *at risk of becoming homeless*, the parent/guardian, person who enrolled the child, or unaccompanied minor has provided documented evidence showing that the child's living situation will, within eight weeks, cease to be fixed,

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	regular, and adequate and will result in the child becoming homeless. Acceptable proof includes, but is not limited to: foreclosure notice, eviction notice, utility shut-off or discontinuation notice, or written statement from the parent/guardian, person who enrolled the student, or unaccompanied minor. 105 ILCS 45/1-17(d). 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).
Parents/guardians **Assignment**	Choose the child's attendance center between the following options (105 ILCS 45/1-10 controls because it exceeds the rights granted to parents/guardians in federal law): 1. 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 2. 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 child attended when permanently housed or the school in which the child was last enrolled. 42 U.S.C. §11432(g)(3)(I) and 105 ILCS 45/1-5. If the child is attending his/her school of origin, make a good faith effort to provide or arrange for transportation to and from the school of origin, including authorizing relatives, friends, or a program for homeless persons to provide the child with transportation.
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 45/1-20. 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 45/1-20. 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). See 7:340, *Student Records*, and 7:340-AP1, *School Student Records*. 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)):

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	1. Transportation services; 2. Educational services for which the child/youth 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 educational programs for English learners; 3. Programs in career and technical education; 4. Programs for gifted and talented students; and 5. School nutrition programs. 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.
Transportation Director and Building Principal Where Homeless Student Will be Enrolled **Transportation**	Ensure transportation is provided to 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); 42 U.S.C. §11432(g)(4)(A). 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)(I). Transportation shall be arranged as follows: 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 child/youth'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. 42 U.S.C. §11432(g)(1)(J)(iii).
Superintendent or Designee **Dispute**	If a dispute arises, shall inform the homeless child/youth's parents/guardians of the availability of an investigator, sources for low-cost or free legal assistance, and other advocacy services in the community. 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. The Homeless Family Placement Act governs shelter placement. 310 ILCS 85/1.

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Instruction

Migrant Students

The Superintendent will develop and implement a program to address the needs of migrant children in the District in accordance with federal law.

This program will:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students through appropriate local, State, and federal educational programs, including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant children with full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.
4. Provide, to the extent feasible:
    a. Advocacy and outreach programs to migrant children and their families, including helping such children and families gain access to other education, health, nutrition, and social services,
    b. Professional development programs, including mentoring, for District staff,
    c. Family literacy programs,
    d. The integration of information technology into educational and related programs, and
    e. Programs to facilitate the transition of secondary school students to postsecondary education or employment.
5. Provide programs, activities, and procedures for the engagement of parents/guardians and family members of migrant students in an understandable format and language.

Migrant Education Program for Parent/Guardian and Family Member Engagement

Parents/guardians and family members of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parents/guardians and family members of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

LEGAL REF.: 20 U.S.C. §6318.
20 U.S.C. §6391 et seq., Education of Migratory Children.
34 C.F.R. §200.81 et seq.

CROSS REF.: 6:170 (Title I Programs)

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Instruction

Home and Hospital Instruction

A student who is absent from school, or whose physician, physician assistant, or advanced practice registered nurse 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 rules governing (1) the continuum of placement options for students who have been identified for special education services or (2) the home and hospital instruction provisions for students who have not been identified for special education services. Appropriate educational services from qualified staff will begin no later than five school days after receiving a written statement from: (1) a physician licensed to practice medicine in all of its branches, (2) a licensed physician assistant, or (3) a licensed advanced practice registered nurse. 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, physician assistant, or advanced practice registered nurse indicates, in writing, that she is medically unable to attend regular classroom instruction, and (2) for up to three 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.: 105 ILCS 5/10-19.05(e), 5/10-22.6a, 5/14-13.01, and 5/18-4.5.
23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity), 7:280 (Communicable and Chronic Infectious Disease)

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Instruction

English Learners

The District offers opportunities for resident English Learners to achieve at high levels in academic subjects and to meet the same challenging State academic standards that all children are expected to meet. 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 language proficiency.
3. Comply with State law regarding the 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 Learners 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: (a) the reasons for their child's identification, (b) their child's level of English proficiency, (c) the method of instruction to be used, (d) how the program will meet their child's needs, (e) how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation, (f) specific exit requirements of the program, (g) how the program will meet their child's individualized education program, if applicable, and (h) information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged.

Parent Involvement

Parents/guardians of English Learners will be informed how they can: (1) be involved in the education of their children; (2) be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students; and (3) participate and serve on the District's Transitional Bilingual Education Programs Parent Advisory Committee.

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LEGAL REF.: 20 U.S.C. §§6312, 6314, 6315, and 6318.
20 U.S.C. §6801 et seq.
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)

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Instruction

Title I Programs

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.

Title I Parent and Family Engagement

The District maintains programs, activities, and procedures for the engagement of parents/guardians and families 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 Parent and Family Engagement Compact

The Superintendent or designee shall develop a *District-Level Parent and Family Engagement Compact* according to Title I requirements. The *District-Level Parent and Family Engagement Compact* shall contain: (1) the District's expectations for parent and family engagement, (2) specific strategies for effective parent and family engagement 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.

School-Level Parent and Family Engagement Compact

Each Building Principal or designee shall develop a *School-Level Parent and Family Engagement Compact* according to Title I requirements. This *School-Level Parent and Family Engagement 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-AP1, E1 (District-Level Parent and Family Engagement Compact) and 6:170-AP1, E2 (School-Level Parent and Family Engagement Compact)

LEGAL REF.: Title I of the Elementary and Secondary Education Act, 20 U.S.C. §63016514.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190 (Teacher Qualifications), 5:280 (Duties and Qualifications), 6:15 (School Accountability), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:160 (English Learners),

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7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 8:95 (Parental Involvement)

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Instruction

Administrative Procedure - Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs

The development, implementation, and maintenance of parent/guardian and family engagement 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 and 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 two-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/guardian 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 achievement levels of challenging State academic standards.
  * 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 their children's education.
  * 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 20 U.S.C. §6314(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 students' participating in Title I programs
* Staff members
* Students participating in Title I programs
* 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.

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* 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 or if the meetings are conducted by a Board-appointed committee.
* 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 parent and family engagement compacts in improving the academic achievement.
* Review the *success* indicators in order to evaluate the effectiveness of the parent and family engagement compacts in improving the academic achievement.
* 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;
* The needs of parents/guardians and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
* Strategies to support successful school and family interactions.

  Use the findings of such evaluation to design evidence-based strategies for more effective parent/guardian involvement.
* If the schoolwide program plan under 20 U.S.C. §6314(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 Board.
* Provide status reports to the Board and, periodically, submit updated parent and family engagement compacts to the Board.
* Revise the applicable parent and family engagement compacts as necessary.

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Instruction

Exhibit - District-Level Parent and Family Engagement Compact

This District-level *Compact* provides an understanding of the joint responsibility of the District and parents/guardians and family members to improve students' academic achievement and school performance. To that end, the District provides opportunities for parent/guardian and family engagement at the District level as follows:

1. The District involves parents/guardians and family members in the joint development of the District's plan to help low-achieving children meet challenging achievement and academic standards (20 U.S.C. §6312), and the development of comprehensive and targeted support and improvement plans (20 U.S.C. §§6311(d)(1), (2)) by:

* Establishing a District-level committee with parent/guardian liaisons from each building as well as representatives from other relevant federal, State, and local programs.
* 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 parent/guardian participation, e.g., illiteracy or language difficulty.

2. The District provides the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent/guardian and family 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.
* Providing ongoing communication about the District-wide committee through District newsletters or other written or electronically communicated means.
* Engaging the building parent organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions.
* Utilizing parent organizations to assist in identifying effective communication strategies based on their members' needs.
* Providing a master calendar of District meetings to discuss pertinent topics.
* Allowing meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents/guardians and family members in education.

3. The District coordinates and integrates parent/guardian and family engagement strategies under this *Compact*, to the extent feasible and appropriate, with engagement strategies under other relevant federal, State and local programs by:

* Involving District and program representatives to assist in identifying specific population needs.
* Sharing data from other programs to assist in developing new initiatives to improve academic

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achievement and school improvement.

4. The District conducts, with the meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served under Title I, including identifying: (a) barriers to greater participation by parents/guardians in activities authorized by 20 U.S.C. §6318 (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); (b) the needs of parents/guardians and family members to assist with the learning of their children, including engaging with school personnel and teachers; and (c) strategies to support successful school and family interactions. The District then uses the findings of such evaluation to design evidence-based strategies for more effective parent/guardian involvement, and to revise, if necessary, its District-level parents/guardians and family engagement policies. The District does these activities by:

* Evaluating the effectiveness of the content and communication methods through a variety of means, 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).

5. 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 parent organizations coordination of events.
* Establishing a parent advisory committee comprised of a sufficient number and representative group of parents/guardians or family members to adequately represent the needs of the District's population for the purposes of developing, revising, and reviewing the parent and family engagement policy. **Note:** 20 U.S.C. §6318(a)(2)(F) uses the phrase *parent-advisory board* but this exhibit uses the phrase *parent advisory committee* to align with 2:150-AP, *Superintendent Committees*, which contains a subhead entitled **Title I Parent Advisory Committee**.

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Instruction

Exhibit - School-Level Parent and Family Engagement Compact

This school-level parent and family engagement 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 at the school level by:

Parent/Guardian Involvement

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 by the relevant provision in Title I, 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 parent and family engagement policy and the joint development of the school-wide program plan (under 20 U.S.C. §6314(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.
   * 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 website, email 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 achievement levels of challenging State academic standards.
6. The Building Principal or designee shall:

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* 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 20 U.S.C. §6314(b) is not satisfactory to the parents/guardians of participating children, the Building Principal or designee shall:
   * Submit any parent/guardian comments on the plan 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

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 challenging academic standards. Each parent/guardian is responsible for supporting their children's learning by:
   * Volunteering in their child's classroom.
   * Participating, as appropriate, in decisions relating to their children's education and positive use of extracurricular time.
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 child's progress.
   * Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.
   * Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

Building Capacity for Involvement

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 in understanding the challenging State academic standards, State and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children.
* Provide materials and training, such as, literacy and technology (including education about the harms of copyright piracy), to help parents/guardians work with their children to improve their children's achievement.
* Educate teachers, instructional support personnel, principals, other school leaders, and other staff, with the assistance of parents/guardians, in: a) the value and utility of contributions of parents/guardians; and b) how to effectively communicate and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the school.
* To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, State and local programs, including public preschool programs, and conduct other activities, such as parent/guardian resource centers, that encourage and support parents/guardians in more fully participating in their children's education.
* Ensure that information is sent to the parents/guardians of participating children in a format and, to the extent practicable, in a language that parents/guardians can understand.
* Provide such other reasonable support for parental involvement activities under this section as parents/guardians may request.

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In addition, each school may:

* 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 provided by the relevant provision in Title I 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 encourage and enhance the involvement of other parents/guardians.
* 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 committee to provide advice on all matters related to parental involvement in supported programs. **Note:** 20 U.S.C. §6318(e)(12) uses the phrase *parent advisory council* but this exhibit uses the phrase *parent advisory committee* to align with 2:150-AP, *Superintendent Committees*, which contains a subhead entitled **Title I Parent Advisory Committee**.
* Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities.

Accessibility

In carrying out the parental involvement requirements of this compact, the school, to the extent practicable, will provide opportunities for the informed participation of parents/guardians and family members (including those with limited English proficiency, with disabilities, and migratory children), including providing information and school reports in a format and, to the extent practicable, in a language such parents/guardians understand.

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Instruction

Administrative Procedure - Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws

The Elementary and Secondary Education Act (ESEA), McKinney-Vento Homeless Assistance Act (McKinney-Vento), and Protection of Pupil Rights Amendment (PPRA) mandate that schools receiving federal funds provide parents/guardians with information and notices in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand. This procedure contains the key notifications that districts and schools must provide to the parents/guardians of students. The legal references are provided at the end of the procedure. The only notices applying to districts that do not receive Title I funds are those regarding student privacy. In addition, see:

* ISBE's *Frequently Asked Questions regarding the Every Student Succeeds Act (ESSA)*, published 8-12-16, at: www.isbe.net/Documents/ESSA-faq.pdf.
* U.S. Department of Education's *Frequently Asked Questions regarding Transitioning to the Every Student Succeeds Act (ESSA)*, updated 1-18-17, at:

  https://oese.ed.gov/files/2020/02/essatransitionfaqs11817.pdf.

I. Improving Basic Programs Operated by Local Educational Agencies

The following information must be provided to parents in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

1. **Annual report cards.** Districts must disseminate an annual report card that includes information on the District as a whole and each school served by the District, with aggregate and disaggregated information for each required subgroup of students including: (a) student achievement on academic assessments (designated by category), (b) graduation rates, district performance, teacher qualifications, and (c) other information required by 20 U.S.C. §6311(h)(2)(C). See 6:170-AP2, E1 *District Annual Report Card Required by Every Student Succeeds Act (ESSA)*.

   The District's annual report card shall be: (a) concise, (b) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand, and (c) accessible to the public, which includes placing it on the District's website or, if the District does not operate a website, providing it in another manner determined by the District.

2. **Teacher and paraprofessional qualifications.** 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 in a timely manner, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, whether:

   a. The teacher has met the State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

   b. The teacher is teaching under emergency or other provisional status.

   c. The teacher is teaching in the field of discipline of the certification of the teacher.

   d. Paraprofessionals provide services to the student and, if so, their qualifications.

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3. **Student achievement.** Districts must provide to parents information on the level of academic achievement and growth of the parent's child in each of the State academic assessments.

4. **Non-certificated/licensed teachers.** Districts must provide parents timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

5. **Testing transparency.** At the beginning of each school year, a school 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 in a timely manner, information regarding any State or District agency policy regarding student participation in any assessments mandated by 20 U.S.C. §6311(b)(2) and by the State or District, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

   In addition, the District shall make widely available through public means (including by posting in a clear and easily accessible manner on the District's website and, where practicable, on each school's website), information on each assessment required by the State to comply with 20 U.S.C. §6311, other assessments required by the State, and (where available and feasible to report) assessments required districtwide, including:

   a. The subject matter assessed;

   b. The purpose for which the assessment is designed and used;

   c. The source of the requirement for the assessment; and

   d. Where such information is available:

      i. The amount of time students will spend taking the assessment, and the schedule for the assessment; and

      ii. The time and format for disseminating results.

II. English Learners

1. **Language instruction educational programs.** Districts must inform a parent of an English learner identified for participation, or participating in, such a program of:

   a. The reasons for their child being identified as an English learner;

   b. Their child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

   c. The instructional methods used in their child's program and the instructional methods used in other available programs;

   d. How their child's program will meet their child's educational strengths and needs

   e. How the program will help their child to learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;

   f. Exit requirements for the program, including the expected rate of transition from such program into classrooms not tailored for English learners and the expected rate of high school graduation;

   g. In the case of a child with a disability, how the program meets the objects of their child's individualized education program; and

   h. Information regarding parental rights that includes written guidance:

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i. Detailing parents' right to immediately remove their child from the program upon their request;

ii. Detailing parents' options to decline enrollment in the program or to choose another program or instructional method, if available; and

iii. Assisting parents in selecting among various programs and instruction methods, if more than one program/method is offered.

Parents shall be provided this information no later than 30 days after the beginning of the school year or, for students identified as English learners during the school year, within the first two weeks of the child's placement in a language instruction educational program.

2. **Outreach.** Each district shall implement an effective means of outreach to parents of English learners 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 within a well-rounded education, and meet challenging State academic 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.

III. Parent and Family Engagement

1. **Parent and family engagement policies.** Parents and family members shall be notified of the parent and family engagement 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. **Meeting and information.** 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 parent and family engagement policy and the joint development of the schoolwide program plan under 20 U.S.C. §6314(b);

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 achievement levels of the challenging State academic standards; 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.

e. If the schoolwide program plan under 20 U.S.C. §6314(b) is not satisfactory to the parents of participating children, submit any parent comments on the plan when the school makes the plan available to the Board.

IV. Education of Homeless Children and Youths

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1. **Notice of rights.** 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/guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:

   a. Shall be signed by the parent/guardian (or, in the case of an unaccompanied youth, the youth);

   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;
      * That homeless children and youths should not be stigmatized by school personnel; and
      * Includes contact information for the local liaison for homeless children and youths.

2. **Assistance to unaccompanied youth.** 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. **Public notice of rights.** Each district shall ensure that public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

V. Student Privacy

1. **Notice of privacy policy**. 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. **Notification of specific events.** Each district shall directly notify parents/guardians, at least annually at the beginning of the school year, of the specific or approximate dates when activities described in 20 U.S.C. §1232h(c)(2)(C) are scheduled.

3. **Notice of existing policy.** All districts shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., "The School 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."

LEGAL REF.: I. 1. Elementary and Secondary Education Act (ESEA), 20 U.S.C. §6311(h)(2).
2. ESEA, 20 U.S.C. §6312(e)(1)(A).
3. ESEA, 20 U.S.C. §6312(e)(1)(B)(i).
4. ESEA, 20 U.S.C. §6312(e)(1)(B)(ii).

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5. ESEA, 20 U.S.C. §6312(e)(2).

II. 1. ESEA, 20 U.S.C. §6312(e)(3)(A), (B).

2. ESEA, 20 U.S.C §6312(e)(3)(C).

III. 1. ESEA, 20 U.S.C. §6318(b).

2. ESEA, 20 U.S.C. §6318(c).

IV. 1. McKinney-Vento Homeless Assistance Act (McKinney-Vento), 42 U.S.C. §11432(e)(3)(C).

2. McKinney-Vento, 42 U.S.C. §11432(g)(3)(B)(iii).

3. McKinney-Vento, 42 U.S.C. §11432(g)(6)(A)(vi).

V. 1. Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. §1232h(c)(2)(A).

2. PPRA, 20 U.S.C. §1232h(c)(2)(B).

3. PPRA, 20 U.S.C. §1232h(c)(3).

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Instruction

Administrative Procedure - District Annual Report Card Required by Every Student Succeeds Act (ESSA)

Districts must disseminate an annual report card that includes information on the District as a whole and each school served by the District, with aggregate and disaggregated information for each required subgroup of students, including: (a) student achievement on academic assessments (designated by category), (b) graduation rates, district performance, teacher qualifications, and (c) other required information required by 20 U.S.C. §6311(h)(2)(C) of ESSA.

District Annual Report Card

The Illinois State Board of Education (ISBE) will ensure that the District:

1. Collects the appropriate data for its annual report card, including:
    a. ISBE's State Report Card Information (see **ISBE Annual Report Card Requirements in 20 U.S.C. §6311(h)(1)(C)** subhead, below) disaggregated in the same manner as ISBE is required to present it, as that information applies to the District and each of its schools, including:
        i. Information that shows how students in the District achieved on the academic assessments described in 20 U.S.C. §6311(b)(2) (high quality Illinois Assessments) compared to students in the State as a whole (20 U.S.C. §6311(h)(2)(C)(i));
        ii. Information that shows how each student in each of the District's Schools achieved on the academic assessments described in described in 20 U.S.C. §6311(b)(2) (high quality Illinois Assessments) compared to students in the State as a whole (20 U.S.C. §6311(h)(2)(C)(ii)); and
        iii. Any other information that the District determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each school in the District, whether or not such information is included in the annual ISBE report card (20 U.S.C. §6311(h)(2)(C)(iii)).
2. Excludes "results on the Illinois academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress, compared to the national average of such results (20 U.S.C. §6311(h)(1)(C)(xii))."

ISBE Annual Report Card Requirements in 20 U.S.C. §6311(h)(1)(C)

The following text is a direct copy of 20 U.S.C. §6311(h)(1)(C)(i)-(xiv), amended by Pub. L. 115-224; it states that Illinois' report card shall include the following information:

(i) A clear and concise description of the State's accountability system under subsection (c), including--

(I) The minimum number of students that the State determines are necessary to be included in each of the subgroups of students, as defined in subsection (c)(2), for use in the accountability system;

(II) The long-term goals and measurements of interim progress for all students and for each of the subgroups of students, as defined in subsection (c)(2);

(III) The indicators described in subsection (c)(4)(B) used to meaningfully differentiate all

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public schools in the State;

(IV) The State's system for meaningfully differentiating all public schools in the State, including--

(aa) The specific weight of the indicators described in subsection (c)(4)(B) in such differentiation;

(bb) The methodology by which the State differentiates all such schools;

(cc) The methodology by which the State differentiates a school as consistently underperforming for any subgroup of students described in section (c)(4)(C)(iii), including the time period used by the State to determine consistent underperformance; and

(dd) The methodology by which the State identifies a school for comprehensive support and improvement as required under subsection (c)(4)(D)(i);

(V) The number and names of all public schools in the State identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) or implementing targeted support and improvement plans under subsection (d)(2); and

(VI) The exit criteria established by the State as required under clause (i) of subsection (d)(3)(A), including the length of years established under clause (i)(II) of such subsection.

(ii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of Title 10) on active duty (as defined in section 101(d)(5) of such title), information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

(iii) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a child in foster care--

(I) Information on the performance on the other academic indicator under subsection (c)(4)(B)(ii) for public elementary schools and secondary schools that are not high schools, used by the State in the State accountability system; and

(II) High school graduation rates, including four-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

(iv) Information on the number and percentage of English learners achieving English language proficiency.

(v) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(4)(B)(v) used by the State in the State accountability system.

(vi) Information on the progress of all students and each subgroup of students, as defined in subsection (c)(2), toward meeting the State-designed long term goals under subsection (c)(4)(A), including the progress of all students and each such subgroup of students against the State measurements of interim progress established under such subsection.

(vii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

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(viii) Information submitted by the State educational agency and each local educational agency in the State, in accordance with data collection conducted pursuant to section 3413(c)(1) of this title, on--

(I) Measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment; and

(II) The number and percentage of students enrolled in--

(aa) Preschool programs; and

(bb) Accelerated coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment programs.

(ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of--

(I) Inexperienced teachers, principals, and other school leaders;

(II) Teachers teaching with emergency or provisional credentials; and

(III) Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

(xi) The number and percentages of students with the most significant cognitive disabilities who take an alternate assessment under subsection (b)(2)(D), by grade and subject.

(xii) Results on the State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)), compared to the national average of such results.

(xiii) Where available, for each high school in the State, and beginning with the report card prepared under this paragraph for 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (c)(2)), at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation--

(I) In programs of public postsecondary education in the State; and

(II) If data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State.

(xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools, which may include the number and percentage of students meeting State determined levels of performance for core indicators, as defined by section 113(b)(3)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)(3)(A)), and reported by States only in a manner consistent with section 113(b)(3)(C) of

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such Act (20 U.S.C. 2323(b)(3)(C)).

LEGAL REF.: 20 U.S.C. §6311(h)(1)(C) and (h)(2)(C).

Pub. L. 115-224, Strengthening Career and Technical Education for the 21st Century Act.

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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. Anti-bias education and activities to address intergroup conflict resolution.
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, 5/1022.20c, 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.
105 ILCS 110/3, Comprehensive Health Education Program.
105 ILCS 433/, Vocational Academies Act.

CROSS REF.: 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:320 (High School Credit for Proficiency)

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Instruction

Remote Educational Program

The Superintendent shall develop, maintain, and supervise a remote educational program consistent with 105 ILCS 5/10-29. The remote educational program shall provide an opportunity for qualifying students to participate in an educational program delivered by the District in a location outside of a school.

The remote educational program shall:

1. Align its curriculum with the Ill. Learning Standards and Board policies 6:10, *Educational Philosophy and Objectives* and 6:15, *School Accountability*.
2. Offer instruction and educational experiences consistent with those given to students at the same grade level in the District through compliance with Board policies 6:30, *Organization of Instruction* and 6:300, *Graduation Requirements*.
3. Provide instructors that meet the teacher qualifications in Board policy 5:190, *Teacher Qualifications*. Instructors are responsible for the following elements of the program:
   a. Planning instruction,
   b. Diagnosing learning needs,
   c. Prescribing content delivery through class activities,
   d. Assessing learning,
   e. Reporting outcomes to administrators and parents/guardians, and
   f. Evaluating the effects of instruction.
4. Provide a remote educational program anytime during the period of time from and including the opening date to the closing date of the District's regular school term. It may operate on any calendar day, notwithstanding whether it is a student attendance day or institute day on the District's calendar or any other provision of law restricting instruction on that day. The District's regular school term is established by Board policies 2:20, *Powers and Duties of the School Board; Indemnification,* and 6:20, *School Year Calendar and Day*. The remote educational program may be offered outside of the regular school term as part of any authorized summer school program.
5. Establish a system to determine student participation in instruction in alignment with Board policy 6:20, *School Year Calendar and Day*.
6. Limit participation to students who are juniors or seniors or demonstrate individual educational need(s). Approval of students in the program will be on a space-available basis.
7. Authorize the Superintendent or designee to approve students for participation in the program when the student shows evidence of:
   a. Enrollment in the District pursuant to Board policies 7:60, *Residence* and 7:30, *Student Assignment and Intra-District Transfer*.
   b. Prior approval from their individualized educational program (IEP) team, if applicable.
   c. How the remote educational program best serves the student's individual learning needs.
   d. A consistent, appropriate attendance record, no disciplinary record, and a 2.5 minimum grade point average.
8. Include a process for developing and approving a written remote educational plan for each student participating in the program.
9. Require students to complete their participation in the program within 12 months, unless the student's

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participation is extended by the District.

10. Require students to participate in all assessments administered by the District pursuant to State and federal law and Board policy 6:340, *Student Testing and Assessment Program*.
11. Align with the requirements of Board policy 7:340, *Student Records*.
12. Comply with other State and federal laws and align with all applicable Board policies. This includes the Superintendent submitting a copy of this policy to the Ill. State Board of Education along with any amendments to it and any data on student participation.
13. Be monitored by the Board pursuant to Board policy 2:240, *Board Policy Development,* and included as a topic for discussion in the annual report required by Board policy 6:10, *Educational Philosophy and Objectives*. It shall include a discussion of the process for renewal of the program when applicable.

LEGAL REF.: 105 ILCS 5/10-29.
23 Ill.Admin.Code §226.360.

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 2:240 (Board Policy Development), 5:190 (Teacher Qualifications), 6:10 (Educational Philosophy and Objectives), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:30 (Organization of Instruction), 6:300 (Graduation Requirements), 6:340 (Student Testing and Assessment Program), 7:30 (Student Assignment and Intra-District Transfer), 7:60 (Residence), 7:340 (Student Records)

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Instruction

Extracurricular and Co-Curricular Activities

The Superintendent must approve an activity in order for it to be considered a District-sponsored extracurricular or 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 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, *Student 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.

For high school students, 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. Participation in co-curricular activities is dependent upon course selection and successful progress in those courses. In order to be eligible to participate in any school-sponsored or school-supported athletic or extracurricular activity, a student must maintain an overall ___ grade point average. Any student-participant failing to meet these academic criteria shall be suspended from the activity for ___ calendar days or until the specified academic criteria are met, whichever is longer.

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)

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Instruction

Administrative Procedure - Academic Eligibility for Participation in Extracurricular Activities

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 grade point average.
Coach or Sponsor	Before allowing a student to join an extracurricular activity, ensure that the student 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 or Sponsor	At the end of each grade-reporting period, determine whether any student(s) failed to meet the academic criteria. **For any student who fails to meet the academic criteria:** Determine how long the student will be suspended from the activity; explain to the student the reason for the suspension; send a notice of the suspension to the student's parent(s)/guardian(s). **For any student suspended for not meeting the academic criteria:** At the end of the suspension, determine whether the student now meets the District's academic criteria. If so, notify the student and the student's parent(s)/guardian(s) that the student is now eligible to participate. If the student does not meet these criteria, notify the student's parent(s)/guardian(s) that the student will remain ineligible to participate until the student meets the academic criteria.

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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 informed judgments and promote critical reading and thinking;
4. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society; and
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 materials used in the District to the School Board. Anyone may inspect any textbook or instructional material.

Teachers are encouraged to use age-appropriate supplemental material only when it will enhance, or otherwise illustrate, the subjects being taught. 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 Superintendent or designee shall give parents/guardians an opportunity to request that their child not participate in a class showing a movie, television program, or other media with an R or equivalent 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 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)

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Instruction

Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct

The Superintendent or designee shall establish a *Bring Your Own Technology* (BYOT) *Program*. The program will:

1. Promote educational excellence by facilitating resource sharing, innovation, and communication to enhance (a) technology use skills; (b) web-literacy and critical thinking skills about Internet resources and materials, including making wise choices; and (c) habits for responsible digital citizenship required in the 21st century.
2. Provide sufficient wireless infrastructure within budget parameters.
3. Provide access to the Internet only through the District's electronic networks.
4. Identify approved BYOT devices and what District-owned technology devices may be available; e.g., laptops, tablet devices, E-readers, and/or smartphones.
5. Align with Board policies 4:140, *Waiver of Student Fees*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 5:125, *Personal Technology and Social Media; Usage and Conduct*; 5:170, *Copyright*; 6:120, *Education of Children with Disabilities*; 6:235, *Access to Electronic Networks*; 7:140, *Search and Seizure*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:190, *Student Behavior*; 7:340, *Student Records*; and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*.
6. Provide relevant staff members with BYOT professional development opportunities, including the provision of:
   a. Classroom management information about issues associated with the program, e.g., technical support, responsible use, etc.;
   b. A copy of or access to this policy and any building-specific rules for the program;
   c. Additional training, if necessary, about 5:170, *Copyright*; and
   d. Information concerning appropriate behavior of staff members as required by State law and policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*.
7. Provide a method to inform parents/guardians and students about this policy.
8. Include the program in the annual report to the Board as required under policy 6:10, *Education Philosophy and Objectives*.

The District reserves the right to discontinue its BYOT program at any time. The District does not provide liability protection for BYOT devices, and it is not responsible for any damages to them.

Responsible Use

The District recognizes students participating in the program as responsible young adults and holds high expectations of their conduct in connection with their participation in the program. Teachers may encourage students to bring their own devices as supplemental in-class materials when: (a) using the devices will appropriately enhance, or otherwise illustrate, the subjects being taught; (b) the Building Principal has approved their use and found that their use is age-appropriate; and (c) the student's

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parent/guardian has signed the *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement Form*. A student's right to privacy in his or her device is limited; any reasonable suspicion of activities that violate law or Board policies will be treated according to policy 7:140, *Search and Seizure*.

Responsible use in the program incorporates into this policy the individual's *Acceptable Use of Electronic Networks* agreement pursuant to policy 6:235, *Access to Electronic Networks*. Responsible use also incorporates the established usage and conduct rules in policy 5:125, *Personal Technology and Social Media; Usage and Conduct,* for staff and 7:190, *Student Behavior,* for students. Failure to follow these rules and the specific BYOT program student guidelines may result in: (a) the loss of access to the District's electronic network and/or student's BYOT privileges; (b) disciplinary action pursuant to 7:190, *Student Behavior*; 7:200, *Suspension Procedures*; or 7:210, *Expulsion Procedures*; and/or (c) appropriate legal action, including referrals of suspected or alleged criminal acts to appropriate law enforcement agencies.

LEGAL REF.: 15 U.S.C. §§6501-6508, Children's Online Privacy Protection Act; 16 C.F.R. Part 312, Children's Online Privacy Protection Rule.
20 U.S.C §6751 et seq., Enhancing Education Through Technology Act.
47 U.S.C. §254(h) and (l), Children's Internet Protection Act.
47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.
105 ILCS 5/10-20.28.

CROSS REF.: 1:30 (School District Philosophy), 4:140 (Waiver of Student Fees), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:170 (Copyright), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:120 (Education of Children with Disabilities), 6:210 (Instructional Materials), 6:235 (Access to Electronic Networks), 7:140 (Search and Seizure), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:340 (Student Records)

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Instruction

Exhibit - Authorization to Participate in the Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct Agreement

This form accompanies policy 6:220, Bring Your Own Technology (BYOT); Responsible Use and Conduct. It must be signed before a student participates in a BYOT Program. Please submit this form to the Building Principal.

Student _____ **School year**_____

To be read and signed by the student-participant and his/her parent/guardian:

Dear Parents/Guardians:

Our School District allows students to participate in a curriculum-based Bring Your Own Technology (BYOT) Program. You must authorize your child's participation in the program by agreeing to the following terms and discussing them with your child, including using the Internet through the District's electronic network during instructional time (Children's Internet Protection Act (CIPA) (47 U.S.C. §254)). This authorization and agreement needs to be signed only once while your child is enrolled in the District.

Your child must also sign the *Student Authorization for Access to the District's Electronic Networks* agreement to participate in the program. If you have not read and signed this document or do not know whether one is already on file in the District, contact your Building Principal. You may also ask your Building Principal for any other forms or exhibits referenced in the BYOT authorization and agreement below.

The violation of any laws or Board policies while participating in the program may result in the loss of your child's privilege to participate in the program. Remember that you are legally responsible for your child's actions. If you agree to allow your child to participate in BYOT program, sign the authorization and agreement below and return it to your school.

The teacher's role in the program is that of instructor in your child's classroom. Teachers cannot spend time fixing technical difficulties with BYOT devices. Parents/guardians and their children share the responsibility for technical support and providing a properly charged BYOT device. If a BYOT device has technical difficulties: (1) a District-owned device may be provided, if available, or (2) students may be asked to partner with another student who has a functioning BYOT device during a lesson. The District will also expect you and your child to keep the BYOT device free from viruses, malware, and/or any other harmful programs that could damage the District's electronic network. Finally, the right to privacy in your child's BYOT device is limited while it is on any school property.

Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement

I hereby request that my child be allowed to participate in the District's BYOT program. (*Please indicate agreement by initialing the checkbox.*)

☐ I have read this *BYOT Participation Authorization and Responsible Use Agreement.* I understand the program is designed for educational purposes and that during instructional times, my child may access the District's Internet only through its electronic networks to minimize access to inappropriate material.

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☐ I will hold harmless the District, its employees, agents, and Board members, for any harm caused by materials or software obtained via the District's network and compliance with federal law(s) (including, but not limited to CIPA requirements).

☐ I have previously signed the *Student Authorization for Electronic Network Access* form. I have also read and discussed with my child the following documents: (1) the Responsible Use portion of policy 6:220, *Bring Your Own Technology (BYOT) Programs; Responsible Use and Conduct*; (2) 6:220-E2, *Bring Your Own Technology (BYOT) Program Student Guidelines*; and (3) 6:235-E5, *Children's Online Privacy Protection Act*.

☐ I understand that my child and I share the responsibility for technical support, providing a properly charged BYOT device, and keeping the BYOT device free from viruses, malware and/or any other harmful programs that could infect or harm the District's electronic network.

☐ I understand that the District does not provide liability protection for BYOT devices, and it is not responsible for any damages.

☐ I understand that my child's privacy rights in his/her BYOT device while on any school property are limited as outlined in Board policy.

☐ I consent that my child may share another student's BYOT device, or in the alternative, be asked to share his/her BYOT device with another student, from time to time as directed by the classroom teacher.

_____ _____

Parent/Guardian (*please print*) Date

_____ _____

Parent/Guardian signature Student signature

To be read and signed by student and parent/guardian who is not participating:

I have decided **not to participate** in the BYOT program sponsored by the School District for the remainder of this school year. In order for me to participate in the BYOT program at a later date, I understand that I must contact the Building Principal and sign the above *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement*.

_____ _____

Parent/Guardian (please print) Date

_____ _____

Parent/Guardian signature Student signature

Enclosures: 6:220, *Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct*; 6:220-E2, *Bring Your Own Technology (BYOT) Program Student Guidelines*; 6:235-E5, *Children's Online Privacy Protection Act*

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Instruction

Exhibit - Bring Your Own Technology (BYOT) Program Student Guidelines

This exhibit accompanies policy 6:220, Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct. It should be sent home with students along with 6:220-E1, Authorization to Participate in the Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct Agreement, and 6:235-E5, Children's Online Privacy Protection Act. It outlines BYOT guidelines. Building Principals may want to include this in the student handbook. Modify this exhibit to reflect the District's and any building-specific guidelines.

The purpose of the District's BYOT program is to extend and enrich the learning environment. The following guidelines apply to students who participate in the program:

- Access only the District's Internet gateway. The District filters access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate at school pursuant to policy 6:235, *Access to Electronic Networks*. Make no attempts to bypass the District's Internet gateway. Similar to when a filter is disabled or malfunctions, it is impossible to control all Internet material, and a BYOT participant may discover inappropriate material. It may also be discovered if and/or when sharing a BYOT device with another student. Report inappropriate content and conduct to your classroom teacher.

- Follow the standards of your parents/guardians. The District respects each family's right to decide whether or not to participate. District-provided technology may be an alternative.

- Access only authorized data or files on the computer or Internet sites that are relevant to the classroom curriculum and suggested by a teacher. Students are strictly prohibited from infecting the District's network(s) with a virus or malware program designed to damage, alter, destroy, or otherwise compromise the network, and hacking, altering, or bypassing security policies or measures. Installing and updating anti-virus and anti-malware software and keeping the operating system on BYOT devices updated is required. The District may examine any BYOT device that it suspects is causing network problems or may be the source of an attack or virus infection.

- Use of a BYOT device is subject to policy 7:190, *Student Behavior*.

- Transmit only appropriate content while using the District's electronic network. At no time, may a photographic image or video of any person on campus be made, posted, or shared, unless authorized by the teacher for instructional purposes. Any reasonable suspicion of an activity that violates law or Board policies will be treated according to policy 7:140, *Search and Seizure*. Bullying, harassment, or sexual material will not be tolerated and will be managed pursuant to policies 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, or 7:20, *Harassment of Students Prohibited*, as appropriate. Retrieval of devices that become involved in a law enforcement investigation is the student and parent/guardian's responsibility.

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- Charge all BYOT devices prior to school every day. Turn off and keep BYOT devices in the sight of the teacher during assessments, unless otherwise directed by a teacher. Immediately follow any teacher's instruction to shut down BYOT devices or close the screen. All BYOT devices must be in silent mode and put away when directed by teachers.

- Sharing BYOT devices with other students is allowed only when a parent/guardian has approved this in writing through the *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement* and the teacher has directed it.

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Instruction

Library Media Program

The Superintendent or designee shall manage the District's library media program to comply with (1) State law and Ill. State Board of Education (ISBE) 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.
7. The program is guided by the principles of the American Library Association's *Library Bill of Rights* and its interpretation for school libraries.

Parents/guardians, employees, and community members who believe that library media program resources violate rights guaranteed by any law or Board policy may file a complaint using Board policy 2:260, *Uniform Grievance Procedure*.

The Superintendent or designee shall establish criteria consistent with this policy for the review of objections. Parents/guardians, employees, and community members with suggestions or complaints about library media program resources may complete a *Library Media Resource Objection Form*. The Superintendent or designee shall inform the parent/guardian, employee, or community member, as applicable, of the District's decision.

LEGAL REF.: 23 Ill.Admin.Code §1.420(o).

CROSS REF.: 6:60 (Curriculum Content), 6:170 (Title I Programs), 6:210 (Instructional Materials)

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Students

Administrative Procedure - Responding to Complaints About Library Media Resources

Actor	Action
Parents/Guardians, Employees, or Community Members	Submits any feedback or complaints about the District's library media resources to the Building Principal, using 6:230-AP, E, *Library Media Resource Objection Form.*
Building Principal	Directs any parent/guardian, employee, or community member wishing to submit formal feedback or a complaint regarding the District's library media resources to complete 6:230-AP, E, *Library Media Resource Objection Form.* If the complaint alleges a violation of law or board policy, refers the complaint to the District Complaint Manager for processing under Board policy 2:260, *Uniform Grievance Procedure.* Transmits the *Library Media Resource Objection Form* to the Superintendent or designee for further action.
Superintendent, in consultation with the School Librarian	Determines on a case-by-case basis what action, if any, will be taken in response to a complaint about a library media resource. In making a determination, considers whether the library media resource is aligned with the criteria set forth in Board policy 6:230, *Library Media Program*, specifically, does the resource in question: 1. Supplement classroom instruction 2. Foster reading for pleasure 3. Enhance information literacy 4. Support research 5. Align with the principles of the American Library Association's *Library Bill of Rights* regarding selection of materials, which include: a. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation. b. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval. c. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment. Consults with the Board Attorney regarding responses to complaints about library resources. Prepares and sends a written response to the person who submitted the *Library Media Resource Objection Form*, informing the person of the District's decision. Notes on the *Library Media Resource Objection Form* the date on which the response was provided and attaches the response to the form.

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Instruction

Exhibit - Library Media Resource Objection Form

Use this form to submit feedback and/or complaints about the District's library media resources. Please complete this form and return it to the Building Principal, who will submit it to the Superintendent or designee. Please print.

Book/Library Resource Title _____ School _____

Please explain why you object to this library resource and state your desired outcome, if any. Please be specific.

_____

_____

_____

_____

_____

_____

Complainant name (*please print*) _____ Telephone _____ Email Address _____

Complainant represents: ☐ Student ☐ Parent/guardian of student ☐ Other

Complainant address _____

Complainant signature _____ Date _____

Completed by the Superintendent or designee.

Written response provided to Complainant on:_____ (attach response to this form)

Superintendent or Designee Signature _____ Date _____

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Instruction

Access to Electronic Networks

Electronic networks are a part of the District's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication.

The term *electronic networks* includes all of the District's technology resources, including, but not limited to:

1. The District's local-area and wide-area networks, including wireless networks (Wi-Fi), District-issued Wi-Fi hotspots, and any District servers or other networking infrastructure;
2. Access to the Internet or other online resources via the District's networks or to any District-issued online account from any computer or device, regardless of location;
3. District-owned or District-issued computers, laptops, tablets, phones, or similar devices.

The Superintendent shall develop an implementation plan for this policy and appoint system administrator(s).

The School District is not responsible for any information that may be lost or damaged, or become 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 and Appropriate Online Behavior

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 resource center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyberbullying awareness and response. 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 networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate school business purpose. Use is a privilege, not a right. Users of the District's electronic networks have no expectation of privacy in any material that is stored on, transmitted, or received via the District's electronic networks. General rules for behavior and communications apply when using electronic networks. The District's administrative procedure, *Acceptable Use of the District's Electronic Networks*, 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

Technology protection measures shall be used on each District computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of

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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 networks,
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 *Authorization for Access to the District's Electronic Networks* 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.

Confidentiality

All users of the District's computers to access the Internet 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.

Violations

The failure of any user to follow the terms of the District's administrative procedure, *Acceptable Use of the District's Electronic Networks,* or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

LEGAL REF.: 20 U.S.C. §7131, Elementary and Secondary Education Act.
47 U.S.C. §254(h) and (l), Children's Internet Protection Act.

47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.
115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.
720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:210 (Instructional Materials), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct), 6:230 (Library Media Program), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

ADMIN. PROC.: 6:235-AP1 (Acceptable Use of the District's Electronic Networks), 6:235-AP1, E1 (Student Authorization for Access to the District's Electronic Networks), 6:235-AP1, E2 (Staff Authorization for Access to the District's Electronic Networks)

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Instruction

Administrative Procedure - Acceptable Use of the District's Electronic Networks

All use of the District's *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 prohibited 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 legal action.**

Terms and Conditions

The term *electronic networks* includes all of the District's technology resources, including, but not limited to:

1. The District's local-area and wide-area networks, including wireless networks (Wi-Fi), District-provided Wi-Fi hotspots, and any District servers or other networking infrastructure;
2. Access to the Internet or other online resources via the District's networking infrastructure or to any District-issued online account from any computer or device, regardless of location;
3. District-owned and District-issued computers, laptops, tablets, phones, or similar devices.

Acceptable Use - Access to the District's electronic networks must be: (a) for the purpose of education or research, and be consistent with the District's educational objectives, or (b) for legitimate business use.

Privileges - Use of the District's electronic networks is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges, disciplinary action, and/or appropriate legal action. The system administrator or Building Principal 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.

Unacceptable Use - The user is responsible for his or her actions and activities involving the electronic networks. Some examples of unacceptable uses are:

a. Using the electronic networks for any illegal activity, including violation of copyright or other intellectual property rights or contracts, or transmitting any material in violation of any State or federal law;

b. Using the electronic networks to engage in conduct prohibited by board policy;

c. Unauthorized downloading of software or other files, regardless of whether it is copyrighted or scanned for malware;

d. Unauthorized use of personal removable media devices (such as flash or thumb drives);

e. Downloading of copyrighted material for other than personal use;

f. Using the electronic networks for private financial or commercial gain;

g. Wastefully using resources, such as file space;

h. Hacking or attempting to hack or gain unauthorized access to files, accounts, resources, or entities by any means;

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i. Invading the privacy of individuals, including the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature, such as a photograph or video;

j. Using another user's account or password;

k. Disclosing any network or account password (including your own) to any other person, unless requested by the system administrator;

l. Posting or sending material authored or created by another without his/her consent;

m. Posting or sending anonymous messages;

n. Creating or forwarding chain letters, spam, or other unsolicited messages;

o. Using the electronic networks for commercial or private advertising;

p. Accessing, sending, posting, publishing, or displaying any abusive, obscene, profane, sexual, threatening, harassing, illegal, or knowingly false material;

q. Misrepresenting the user's identity or the identity of others; and

r. Using the electronic networks while access privileges are suspended or revoked.

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 the District's electronic networks are not private. People who operate District technology have access to all email and other data. Messages or other evidence relating to or in support of illegal activities may be reported to the authorities.

e. Do not use the networks in any way that would disrupt its use by other users.

f. Consider all communications and information accessible via the electronic networks to be private property.

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.

Indemnification - By using the District's electronic networks, the user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or

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arising out of, any violation of these procedures.

Security - Network security is a high priority. If the user can identify or suspects a security problem on the network, the user must promptly notify the system administrator or Building Principal. Do not demonstrate the problem to other users. Keep user account(s) and password(s) confidential. Do not use another individual's account without written permission from that individual. Attempts to log-on to the network as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the networks.

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 malware, such as viruses and spyware.

Telephone Charges - The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, texting or data use charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.

Copyright Web Publishing Rules - Copyright law and District policy prohibit the re-publishing of text or graphics found on the Internet or on District websites or file servers/cloud storage without explicit written permission.

a. For each re-publication (on a website 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 email 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 website 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.

Use of Email - The District's email system, and its constituent software, hardware, and data files, are owned and controlled by the District. The District provides email to aid students and staff members in fulfilling their duties and responsibilities, and as an education tool.

a. 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 email account is strictly prohibited.

b. Each person should use the same degree of care in drafting an email message as would be put into a written memorandum or document. Nothing should be transmitted in an email message that would be inappropriate in a letter or memorandum.

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c. Electronic messages transmitted via the District's Internet gateway carry with them an identification of the user's Internet *domain*. This domain is a registered name and identifies the author as being with the 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 the District. Users will be held personally responsible for the content of any and all email messages transmitted to external recipients.

d. Any message received from an unknown sender via the Internet, such as spam or potential phishing emails, 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.

e. Use of the District's email system constitutes consent to these regulations.

Internet Safety

Internet access is limited to only those *acceptable uses* as detailed in these procedures. Internet safety is supported if users will not engage in *unacceptable uses*, as detailed in these procedures, and otherwise follow these procedures.

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.

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.

The system administrator and Building Principals shall monitor student Internet access.

LEGAL REF.: 20 U.S.C. §7131, Elementary and Secondary Education Act.
47 U.S.C. §254(h) and (l), Children's Internet Protection Act.
720 ILCS 135/, Harassing and Obscene Communications Act.

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Instruction

Exhibit - Student Authorization for Access to the District's Electronic Networks

This form accompanies Administrative Procedure 6:235-AP1, Acceptable Use of the District's Electronic Networks. It must be signed when students will have unsupervised Internet access or when supervision will be minimal. Please submit this form to the Building Principal.

Dear Parents/Guardians:

Our School District has the ability to enhance your child's education through the use of its electronic networks, including the Internet. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. Students and their parents/guardians need only sign this *Authorization for Access to the District's Electronic Networks* once while the student is enrolled in the School District.

The District *filters* access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate in the school setting. If a filter has been disabled or malfunctions it is impossible to control all material and a user may discover inappropriate material. Ultimately, parents/guardians are responsible for setting and conveying the standards that their child should follow, and the School District respects each family's right to decide whether or not to authorize Internet access.

With this educational opportunity also comes responsibility. The use of inappropriate material or language, or violation of copyright laws, may result in the loss of the privilege to use this resource. Remember that you are legally responsible for your child's actions. If you agree to allow your child to have a network account, sign the *Authorization* form below and return it to your school.

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Authorization for Access to the District's Electronic Networks Form

Students must have a parent/guardian read and agree to the following before being granted unsupervised access:

All use of the electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. **The failure of any user to follow the terms of the *Acceptable Use of the District's Electronic Networks* will result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signatures at the end of this document are legally binding and indicate the parties who signed have read the terms and conditions carefully and understand their significance.

I have read this *Authorization* form. I understand that access is designed for educational purposes and that the District has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the District to restrict access to all controversial and inappropriate materials. I will hold harmless the District, its employees, agents, or Board members, for any harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child's use is not in a school setting. I have discussed the *Acceptable Use of the District's Electronic Networks* with my child. I hereby request that my child be allowed access to the District's electronic networks, including the Internet.

Parent/Guardian Name (*please print*)

Parent/Guardian Signature Date

Students must also read and agree to the following before being granted unsupervised access:

I understand and will abide by the *Acceptable Use of the District's Electronic Networks*. I understand that the District and/or its agents may access and monitor my use of the District's electronic networks, including the Internet, my email, and downloaded material, without prior notice to me. I further understand that should I commit any violation, my access privileges may be revoked, and school disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the School District and its Board members, employees, and agents from any claims and damages arising from my use of, or inability to use the District's electronic networks, including the Internet.

Student Name (*please print*)

Student Signature Date

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Instruction

Exhibit - Staff Authorization for Access to the District's Electronic Networks

This form accompanies Administrative Procedure 6:235-AP1, Acceptable Use of the District's Electronic Networks. Each staff member must sign this Authorization as a condition for using the District's Electronic Networks. Please submit this form to the Building Principal.

All use of the electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. Administrative Procedure 6:235-AP1, *Acceptable Use of the District's Electronic Networks*, does not attempt to state all required or prohibited behavior by users. However, some specific examples are provided. **The failure of any user to follow the terms of *Acceptable Use of the District's Electronic Networks,* will result in the loss of privileges, disciplinary action, and/or legal action.** The signature at the end of this document is legally binding and indicates that the individual has read the terms and conditions carefully and understands their significance.

Staff members need only sign this *Authorization for Access to the District's Electronic Networks* once while employed by the School District.

I understand and will abide by the *Acceptable Use of the District's Electronic Networks*. I understand that the District and/or its agents may access and monitor my use of the District's electronic networks, including the Internet, my email, and downloaded material, without prior notice to me. I further understand that should I commit any violation, my access privileges may be revoked, and disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the School District and its School Board members, employees, and agents from any claims and damages arising from my use of, or inability to use the District's electronic networks, including the Internet.

User Name (*please print*)

User Signature Date

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Instruction

Administrative Procedure - Web Publishing Guidelines

General Requirements

All material published on the District's website 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 School Board members, agendas, policies, appropriate administrative procedures, Department activities or services, schools, teachers or classes, student projects, and student extracurricular organizations. Personal information, not related to education, will not be allowed on the District's website.

The District webmaster shall implement a centralized process for review and uploading of material onto the District's website to ensure that, before material is published, it complies with District policy and procedures. 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-service 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's website 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 the District's Electronic Networks*.
3. Due to limited storage space and varying network speeds, file sizes may be limited by the District webmaster.
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's website. 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. 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 the District's Electronic Networks*, including material that is abusive, obscene, profane, sexual threatening, harassing, knowingly false or invades the privacy of any individual. Anonymous messages are prohibited.
2. Correct grammar and spelling are expected.
3. All information must be verifiable.

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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 websites is discouraged, but if used, the external sites must contain appropriate educational materials and information as exclusively determined by the District. Every effort should be made to ensure that all links are operational. Every link to an external website must open a new browser window.
7. Relevant dates are required on all publications, including the date on which the publication was placed on the District's website. Each site should contain the date the page was last updated.
8. All publications must include the District email 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 email must be included as the responsible person. Only District staff members may act as student sponsors.
9. Use of the District's website 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 Google Chrome, Mozilla Firefox, or Microsoft Edge, before being posted on the District's website.

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.

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. 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*). Student email 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 website shall have signed an *Authorization for Access to the District's Electronic Networks*. Before material is published on the District's website, 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 website is deemed "work for hire," and the copyright in those works vests in the District. All material submitted for the District's website 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

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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.

Department-Level

District departments (e.g., Transportation, Personnel, or Curriculum) may publish their own web pages as part of the District's website. 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.

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 website's homepage 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 webpages, 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

A student wanting to create web pages on the District's website 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 email address. Student 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.: 6:235 (Access to Electronic Networks), 7:315 (Restrictions on Publications; High Schools)

ADMIN. PROC.: 5:170-AP1 (Copyright Compliance), 6:235-AP1 (Acceptable Use of the District's Electronic Networks), 6:235-AP1, E1 (Student Authorization for Access to the District's Electronic Networks), 6:235-AP1, E2 (Staff Authorization for Access to the District's Electronic Networks), 6:235-E3 (Online Privacy Statement)

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Instruction

Exhibit - Online Privacy Statement

Post the content of this exhibit on the District's website to inform website visitors of the information the District collects through its website and how it uses that information. Modify this exhibit as needed to reflect the District's practices.

Online Privacy Statement

The School District respects the privacy of all website visitors to the extent permitted by law. This Online Privacy Statement is intended to inform you of the ways in which this website collects information, the uses to which that information will be put, and the ways in which we will protect any information you choose to provide us.

There are four types of information that this site may collect during your visit: network traffic logs, website visit logs, cookies, and information voluntarily provided by you.

Network Traffic Logs

In the course of ensuring network security and consistent service for all users, the District employs software programs to do such things as monitor network traffic, identify unauthorized access or access to nonpublic information, detect computer viruses and other software that might damage District computers or the network, and monitor and tune the performance of the District network. In the course of such monitoring, these programs may detect such information as email headers, addresses from network packets, and other information. Information from these activities is used only for the purpose of maintaining the security and performance of the District's networks and computer systems. Personally identifiable information from these activities is not released to external parties without your consent unless required by law.

Website Visit Logs

District websites routinely collect and store information from online visitors to help manage those sites and improve service. This information includes the pages visited on the site, the date and time of the visit, the Internet address (URL or IP address) of the referring site (often called "referrers"), the domain name and IP address from which the access occurred, the version of browser used, the capabilities of the browser, and search terms used on our search engines. This site makes no attempt to identify individual visitors from this information; any personally identifiable information is not released to external parties without your consent unless required by law.

Cookies

Cookies are pieces of information stored by your web browser on behalf of a website and returned to the website on request. This site may use cookies for two purposes: to carry data about your current session at the site from one webpage to the next and to identify you to the site between visits. If you prefer not to receive cookies, you may turn them off in your browser, or you may set your browser to ask you before accepting a new cookie. Some pages may not function properly if the cookies are turned off. Unless otherwise notified on this site, we will not store data, other than for these two purposes, in cookies. Cookies remain on your computer, and accordingly we neither store cookies on our computers nor forward them to any external parties. We do not use cookies to track your movement among different websites and do not exchange cookies with other entities.

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Information Voluntarily Provided by You

In the course of using this website, you may choose to provide us with information to help us serve your needs. For example, you may send us an email to request information, an application or other material, and you may sign up for a mailing list. Any personally identifiable information you send us will be used only for the purpose indicated. Requests for information will be directed to the appropriate staff and may be recorded to help us update our site. We will not sell, exchange, or otherwise distribute your personally identifiable information without your consent, except to the extent required by law. We do not retain the information longer than necessary for normal operations.

Each webpage requesting information discloses the purpose of that information. If you do not wish to have the information used in that manner, you are not required to provide it. Please contact the person listed on the specific page, or listed below, with questions or concerns on the use of personally identifiable information.

While no system can provide guaranteed security, we take reasonable efforts to keep information you provide to us secure, including encryption technology (if any), and physical security at the location of the server where the information is stored.

Communication Preferences

You can stop the delivery of informational emails from the District by following the specific instructions in the email you receive. Depending on the respective service, you may also have the option of proactively making choices about the receipt of email, telephone calls, and postal mail for particular District information and activities.

Links to Non-District Websites

District websites provide links to other websites or resources. We do not control these sites and resources, do not endorse them, and are not responsible for their availability, content, or delivery of services. In particular, external sites are not bound by this Online Privacy Statement; they may have their own policies or none at all. Often, you can tell you are leaving a District website by noting the URL of the destination site. Links to external websites open a new browser window.

Please email your questions or concerns to the System Administrator [*insert contact information*].

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Instruction

Exhibit - Keeping Yourself and Your Kids Safe On Social Networks

For students:

* Put everything behind password protected walls, where only friends can see.
* Protect your password and make sure you really know who someone is before you allow them onto your friend's list.
* Blur or morph your photos a bit so they won't be abused by cyberbullies or predators.
* Don't post anything your parents, principal or a predator couldn't see.
* What you post online stays online - forever!!!! So ThinkB4UClick!
* Don't do or say anything online you wouldn't say offline.
* Protect your privacy and your friends' privacy too...get their okay before posting something about them or their pics online.
* Check what your friends are posting/saying about you. Even if you are careful, they may not be and may be putting you at risk.
* That cute 14-year old boy may not be cute, may not be 14 and may not be a boy! You never know!
* And, unless you're prepared to attach your blog to your college/job/internship/scholarship or sports team application…don't post it publicly!
* Stop, Block and Tell! (don't respond to any cyberbullying message, block the person sending it to you and tell a trusted adult).
* R-E-S-P-E-C-T! (use good netiquette and respect the feelings and bandwidth of others).
* Keep personal information private (the more information someone has about you, the more easily they can bully you).
* Google yourself! (conduct frequent searches for your own personal information online and set alerts … to spot cyberbullying early).
* Take 5! (walk away from the computer for 5 minutes when something upsets you, so you don't do something you will later regret).

And for parents:

* Talk to your kids - ask questions (and then confirm to make sure they are telling you the truth!)
* Ask to see their profile page (for the first time)…tomorrow! (It gives them a chance to remove everything that isn't appropriate or safe…and it becomes a way to teach them what not to post instead of being a gotcha moment! Think of it as the loud announcement before walking downstairs to a teen party you're hosting.)
* Don't panic…there are ways of keeping your kids safe online. It's easier than you think!
* Be involved and work with others in your community. (Think about joining WiredSafety.org and help create a local cyber-neighborhood watch program in your community.)
* Remember what you did that your parents would have killed you had they known, when you were fifteen.
* This too will pass! Most kids really do use social networks just to communicate with their friends. Take a breath, gather your thoughts and get help when you need it. (You can reach out to WiredSafety.org.)
* It's not an invasion of their privacy if strangers can see it. There is a difference between reading their paper diary that is tucked away in their sock drawer…and reading their blog. One is between them and the paper it's written on; the other between them and 700 million people online!
* Don't believe everything you read online - especially if your teen posts it on her blog!

For more information, visit www.WiredSafety.org.

Reprinted with permission from "Parry Aftab's Guide to Keeping Your Kids Safe Online, MySpace, Facebook and Xanga, Oh! My!" Parry Aftab, Esq., www.aftab.com.

Resources for Students and Parents

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Resources for students:

Federal Trade Commission - www.consumer.ftc.gov/features/kids-online.

Connect Safely - Tips for Safe Social Networking for Teens www.connectsafely.org/social-web-tips-for-teens/ (2017).

NetSmartz - www.missingkids.org/netsmartz/resources.

Resources for parents:

National Crime Prevention Council – Social Networking Safety, Tips for Parents http://archive.ncpc.org/topics/internet-safety/social-networking-safety.html. Great comprehensive article for parents.

Connect Safely - Social Web Tips for Parents https://www.connectsafely.org/social-web-tips-for-parents/ (2017).

National Cyber Security Alliance - Raising Digital Citizens https://staysafeonline.org/get-involved/at-home/raising-digital-citizens/.

Illinois Attorney General – Stay Connected Stay Informed https://illinoisattorneygeneral.gov/cyberbullying/.

Federal Trade Commission – COPPA: A few tips to keep your child safe online https://www.consumer.ftc.gov/blog/2019/04/coppa-few-tips-keep-your-child-safe-online (2019).

DHS U.S. CERT - Socializing Securely: Using Social Networking Services www.us-cert.gov/sites/default/files/publications/safe_social_networking.pdf.

DHS U.S Computer Emergency Readiness Team - Staying Safe on Social Network Sites https://us-cert.cisa.gov/ncas/tips/ST06-003 (2019).

Safe Chat Room and Social Sites for Kids https://www.commonsensemedia.org/lists/safe-chat-rooms-and-social-sites-for-kids.

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Instruction

Exhibit - Children's Online Privacy Protection Act

On District letterhead:

RE: Children's Online Privacy Protection Act

Dear Parents/Guardians:

This letter is being sent as part of the District's continuing effort to educate parents and students about privacy protection and Internet use that occurs outside of the protections required for use of educational technology in school.

The Children's Online Privacy Protection Act (COPPA) gives parents/guardians control over what information companies can collect from their children online. However, not all companies are transparent about what data a mobile app or website collects, who will have access to that data, and how it will be used. Allowing your child access to games and other seemingly harmless applications on a smartphone or computer risks his or her exposure to intrusive marketing and access to personal information.

The following suggestions may help keep children from being bombarded by unwanted advertising, from making unwanted purchases and from disclosing personal information and location:

* Talk to your child early and often about online behavior, safety, and security, and encourage your child to make good choices.
* Be choosy about the applications that you let your child use. Try the app yourself to check for advertising messages and/or social networking and purchase options before allowing your child access.
* Select activities that do not require access to the Internet or an application, such as looking at family pictures or listening to preselected music, screened and approved by you.
* Make certain that the ability to make purchases is password protected.
* Set up family rules and consequences explaining that all purchases made via a smartphone or computer must have parent/guardian consent.
* Caution children about the use of social networking and other sites and/or apps that can pinpoint locations.
* Monitor computer and smartphone use whenever and wherever possible.

For more information on the Children's Online Privacy Protection Act and protecting your child online, please see the following links:

www.consumer.ftc.gov/articles/0031-protecting-your-childs-privacy-online#breakingrules
www.consumer.ftc.gov/features/feature-0002-parents

Sincerely,

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Instruction

Field Trips

Field trips are permissible when the experiences are a part of the school curriculum and/or contribute to the District's educational objectives.

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 Superintendent or designee shall analyze the following factors to determine 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, except that the District will pay such costs for students who qualify for a fee waiver under Board policy 4:140, *Waiver of Student Fees*. 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.

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.: 4:140 (Waiver of Student Fees), 6:10 (Educational Philosophy and Objectives), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

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Instruction

Administrative Procedure - Field Trip Guidelines

Actor	Action
Teacher(s) or administrator who seeks consent for a school-sponsored trip with students	Submits a trip proposal to the Building Principal. The proposal must specifically describe each of the following: 10. The trip, including possible dates, location, and experience 11. The trip's educational value 12. Transportation requirements 13. Supervision plans that include, among other things, plans for at least two adult supervisors to be present with every grouping of students 14. The students who will be involved 15. The alternative experience that will be provided non-participating students 16. A summary and evaluation of any previous similar trip
Building Principal	Prepares a recommendation for the Superintendent or Board, as appropriate, using the following factors to analyze the trip proposal: 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
Appropriate teacher(s) and Building Principal	Makes final transportation arrangements. Recruits parents/guardians for supervisory roles, as appropriate. Collects signed consent forms and fees from all participating students' parents/guardians. Makes sure all supervisors have a list of the following: 1. Names of all student participants and supervisors 2. Names and specifics of students with special needs 3. Name/phone number of emergency contacts for all students and supervisors 4. Date/time and specific destination of trip 5. Departure/arrival times both to and from destination 6. Name and phone number of transportation company and primary contact in case of emergency 7. Name/phone number of contact at destination 8. Once at destination, where to go in case of an emergency

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Actor	Action
	9. Make final supervisor assignments and inform all supervisors of their individual assignments
Parent(s)/guardian(s)	Decides whether to consent to their child's participation. If the student is participating, pays all applicable fees for entry, food, lodging, transportation, or other costs. The District will pay such costs for students who qualify for free and reduced school lunches in accordance with policy 4:140, *Waiver of Student Fees*.
Teacher(s) or administrator proposing the trip	After a trip, evaluates the trip and provides the Building Principal with the evaluation.

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Instruction

Community Resource Persons and Volunteers

The School Board encourages the use of resource persons and 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 licensed teacher's immediate supervision; To assist in times of violence or other traumatic incidents within the District by providing crisis intervention services to lessen the effects of emotional trauma on staff, students, and the community, provided the volunteer meets the qualifications established by the Ill. School Crisis Assistance Team Steering Committee;
4. As a guest lecturer or resource person under a licensed teacher's direction and with the administration's approval; or
5. As supervisors, chaperones, or sponsors for non-academic school activities.

The Superintendent shall follow Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications,* to 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 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.
720 ILCS 5/12C-50.1, Failure to Report Hazing.
730 ILCS 150/1 et seq., Sex Offender Registration Act.
730 ILCS 152/101 et seq., Sex Offender Community Notification Law.
730 ILCS 154/75 et seq., Murderer and Violent Offender Against Youth Community Notification Law.
730 ILCS 154/101 et seq., Murderer and Violent Offender Against Youth Registration Act.

CROSS REF.: 4:170 (Safety), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:280 (Duties and Qualifications), 8:30 (Visitors to and Conduct on School Property), 8:95 (Parental Involvement)

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Instruction

Administrative Procedure - Resource Persons and/or School Volunteers; Screening

The Building Principal or designee directs the use of resource persons and school volunteers within the school building. The use of any individual as a resource person or volunteer is subject to School Board policy 4:170, *Safety*; administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*; and Board policy 8:30, *Visitors to and Conduct on School Property*. Specifically, the Principal or designee directs recruitment, screening, placement, and training within the following parameters:

Qualifications - Resource persons and volunteers may come from all backgrounds and all age groups. The main qualification is for the individual to have a desire to give his or her time and talent to enrich student learning opportunities and the school community generally.

Individuals Prohibited from Serving as a Volunteer or Resource Person - No individual 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, may serve as a resource person or volunteer.

Screening - Whenever a potential resource person or volunteer submits a new information form, the Principal or designee shall screen that individual's name and address against the: (1) Ill. Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the Ill. Dept. of State Police (ISP), www.isp.state.il.us/cmvo/. The Principal may also request an individual to submit to a fingerprint-based criminal history records information check in situations where it would be prudent, e.g., extended direct, daily contact with students. In addition, the Principal or designee shall review monthly the names of individuals who are serving as resource persons or volunteers to determine if any resource person or volunteer appears on the Ill. Sex Offender or Violent Offender Against Youth Registries.

Recruitment - School personnel may recruit resource persons and volunteers through the following resources: parents/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 someone, the staff member must provide the individual's name and address to the Principal.

Role - Resource persons and volunteers serve only in an auxiliary capacity under the direction and direct supervision of a staff member; they are not a substitute for a member of the school staff. Resource persons and volunteers do not have access to confidential student school records.

Selection, Placement, and Supervision - Selection and placement shall be on the basis of an individual's qualifications and availability and the school's needs. The individual will be assigned to a staff member only with the staff member's consent. The relationship between the individual and staff member should be one of mutual respect and confidence.

Requirements - Each resource person and volunteer must register in the school's main office at the beginning of each visit and wear identifying information, e.g., a name tag, etc., while in the building or serving. Unless he or she has already done so during the current academic year, the individual must complete an information form and waiver. Absent an indication on the form that the individual may not qualify, the individual may proceed to the assigned activity.

An individual is prohibited from being a resource person or volunteer if he or she behaves in any manner

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that does not align with the District and/or school building's vision, mission, policy and/or procedures or is otherwise detrimental to the school environment, e.g., 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, etc.

Training - Each academic year, when an individual first completes the volunteer information form, the Principal or designee will give the individual a copy of this administrative procedure along with other pertinent information. The staff member to whom the individual is assigned is responsible for explaining what is expected of the individual. 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.

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Instruction

Exhibit - Resource Person and Volunteer Information Form and Waiver of Liability

Volunteers must complete this form one time each school year. Please print clearly in ink.

Name _____ _____
Last First Middle Telephone

Address _____
Street City Zip Code

Personal physician _____ Telephone _____

Emergency adult contact _____ Telephone _____

Are you now or have you ever been a school volunteer? ☐ Yes ☐ No

If yes, at which school? _____ Year? _____

Name(s) of any child(ren) attending this school _____

Criminal Conviction Information: Are you a child sex offender? ☐ Yes ☐ No

Have you ever been convicted of a felony? ☐ Yes ☐ No If Yes, list all offenses.

Offense	Date	Location

If requested, are you willing to consent to a criminal history records check? ☐ Yes ☐ No

Waiver of Liability

The School District does not provide 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:

You acknowledge that the School District does not provide insurance coverage for any loss, injuries, illness, or death resulting from your unpaid service to the School District.

You agree to assume all risk for death or any loss, injury, illness, or damage of any nature or kind, arising out of your supervised or unsupervised service to the School District. You also agree to waive any and all claims against the School Board, its members, employees, agents or assigns, for loss due to death, injury, illness or damage of any kind arising out of your supervised or unsupervised service to the School District.

For volunteer coaches only: I understand that while fulfilling my coaching responsibilities, I am *a school official* under State law. In accordance with policy 5:90, *Abused and Neglected Child Reporting*, I will report to the Building Principal any hazing, which includes any unsanctioned or unauthorized act that results in bodily harm to any person. If the act results in death or great bodily harm, I will make a report to law enforcement and promptly notify the Building Principal that a report has been made (720 ILCS 5/12C-50.1).

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Volunteer Name (*please print*)

Volunteer Signature Date

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
- ☐ Other _____

Name of supervising staff member _____

Illinois Sex Offender Database Registry at: https://isp.illinois.gov/Sor/Disclaimer

Registry checked by: _____ Date: _____ (*mandatory*)

Illinois Murderer and Violent Offender Against Youth Registry at:
https://isp.illinois.gov/MVOAY/Disclaimer

Registry checked by: _____ Date: _____ (*mandatory*)

Dru Sjodin National Sex Offender Public Website (NSOPW) at: https://www.nsopw.gov/

NSOPW checked by: _____ Date: _____ (*mandatory*)

To be completed by the Building Principal:

Will the individual 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 fingerprint-based criminal history records check would be prudent? ☐ Yes ☐ No

If *yes*, and provided the individual authorized the fingerprint-based criminal history records check, please provide the following:

Date that the background check was requested _____

Date that the background check was received and reviewed _____

Check reviewed by (*please print*) _____

Signature of Reviewer Date

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Instruction

Assemblies and Ceremonies

Assemblies must be approved by the Superintendent or designee and be consistent with the District's educational objectives.

While the District respects an individual's brief, quiet, personal religious observance(s), it 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, 505 U.S. 577 (1992).
Santa Fe Independent Sch. Dist. v. Doe, 530 U.S. 290 (2000).
Kennedy v. Bremerton Sch. Dist., 142 S.Ct. 2407 (2022).
Jones v. Clear Creek Independent Sch. Dist., 930 F.2d 416 (5th Cir. 1991), *cert. granted, judgement vacated*, 505.U.S. 1215 (1992), *remand*, 977 F.2d 963, *reh'g denied*, 983 F.2d 234 (5th Cir. 1992), and *cert. denied*, 508 U.S. 967 (1993).

CROSS REF.: 6:70 (Teaching About Religion), 6:80 (Teaching About Controversial Issues)

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Instruction

Complaints About Curriculum, Instructional Materials, and Programs

Parents/guardians have the right to inspect any instructional material used as part of their child's educational curriculum pursuant to School Board policy 7:15, *Student and Family Privacy Rights*.

Parents/guardians, employees, and community members who believe that curriculum, instructional materials, or programs violate rights guaranteed by any law or Board policy may file a complaint using Board policy 2:260, *Uniform Grievance Procedure*.

Parents/guardians, employees, and community members with other suggestions or complaints about curriculum, instructional materials, or programs should complete a *Curriculum Objection Form*. 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*. The Superintendent or designee shall establish criteria for the review of objections and inform the parent/guardian, employee, or community member, as applicable, of the District's decision.

LEGAL REF.: 20 U.S.C. §1232h, Protection of Pupil Rights Amendment.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

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Students

Administrative Procedure – Responding to Complaints About Curriculum, Instructional Materials, and Programs

Actor	Action
Parents/Guardians, Employees, and/or Community Members	Submits any feedback or complaints about the District's curriculum, instructional materials, or programs to the Building Principal, using 6:260-AP, E, *Curriculum Objection Form*.
Building Principal	Directs any parent/guardian, employee, or community member wishing to submit formal feedback or a complaint regarding curriculum, instructional materials, or programs to complete 6:260-AP, E, *Curriculum Objection Form*. If the complaint alleges a violation of law or board policy, refers the complaint to the District Complaint Manager for processing under policy 2:260, *Uniform Grievance Procedure.* Transmits the *Curriculum Objection Form* to the Superintendent or designee for further action.
Superintendent or designee (such as the Assistant Superintendent of Curriculum and Instruction)	Determines on a case-by-case basis what action, if any, will be taken in response to a complaint about curriculum, considering whether, as applicable: 1. The curriculum, instructional material, or program is aligned with the criteria set forth in Board policy 6:40, *Curriculum Development*, specifically, regarding: a. The district's educational philosophy and goals; b. Student needs as identified by research, demographics, and student achievement and other data; c. The knowledge, skills, and abilities required for students to become life-long learners; d. Minimum requirements of State and federal law and regulations for curriculum and graduation requirements; e. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available; f. Illinois State Learning Standards and any District learning standards; and g. Any required State or federal student testing. 2. The law and/or the District already provides a means for parents/guardians to opt their child out;

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	3. The curriculum, instructional material, or program is optional or supplemental in nature; 4. Reasonable and appropriate alternatives exist; and 5. Individual circumstances that support a need for an accommodation exist. Consults with the Board Attorney as needed regarding responses to curriculum-related complaints. Prepares and sends a written response to the person who submitted the *Curriculum Objection Form*, informing the person of the District's decision. Notes on the *Curriculum Objection Form* the date on which the response was provided and attaches the response to the form.

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Students

Administrative Procedure – Responding to Complaints About Curriculum, Instructional Materials, and Programs

Actor	Action
Parents/Guardians, Employees, and/or Community Members	Submits any feedback or complaints about the District's curriculum, instructional materials, or programs to the Building Principal, using 6:260-AP, E, *Curriculum Objection Form*.
Building Principal	Directs any parent/guardian, employee, or community member wishing to submit formal feedback or a complaint regarding curriculum, instructional materials, or programs to complete 6:260-AP, E, *Curriculum Objection Form*. If the complaint alleges a violation of law or board policy, refers the complaint to the District Complaint Manager for processing under policy 2:260, *Uniform Grievance Procedure.* Transmits the *Curriculum Objection Form* to the Superintendent or designee for further action.
Superintendent or designee (such as the Assistant Superintendent of Curriculum and Instruction)	Determines on a case-by-case basis what action, if any, will be taken in response to a complaint about curriculum, considering whether, as applicable: 1. The curriculum, instructional material, or program is aligned with the criteria set forth in Board policy 6:40, *Curriculum Development*, specifically, regarding: a. The district's educational philosophy and goals; b. Student needs as identified by research, demographics, and student achievement and other data; c. The knowledge, skills, and abilities required for students to become life-long learners; d. Minimum requirements of State and federal law and regulations for curriculum and graduation requirements; e. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available; f. Illinois State Learning Standards and any District learning standards; and g. Any required State or federal student testing. 2. The law and/or the District already provides a means for parents/guardians to opt their child out;

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Actor	Action
	3. The curriculum, instructional material, or program is optional or supplemental in nature; 4. Reasonable and appropriate alternatives exist; and 5. Individual circumstances that support a need for an accommodation exist. Consults with the Board Attorney as needed regarding responses to curriculum-related complaints. Prepares and sends a written response to the person who submitted the *Curriculum Objection Form*, informing the person of the District's decision. Notes on the *Curriculum Objection Form* the date on which the response was provided and attaches the response to the form.

Instruction

Exhibit - Curriculum Objection Form

Use this form to submit feedback and/or objections about the District's curriculum, instructional material, or programs. Please complete this form and return it to the Building Principal, who will submit it to the Superintendent or designee. Please print.

_____ _____
Subject area Classroom teacher

Please state, as precisely as possible, the specific curriculum area, instructional material, or program to which you object (*include name, title, author, and any other identifying information*).

_____

_____

How did you become aware of the curriculum area, instructional material, or program?

☐ By information provided by the teacher ☐ By review

☐ By word-of-mouth ☐ Other _____

Please explain why you object to the curriculum area, instructional material, or program, and state your desired outcome, if any. Please be specific.

_____

_____

_____

_____

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(If applicable) Do you want your child to be excluded from participation? **Please note parents/guardians may request exclusion and provide ideas for alternative education, but the District makes the final decision regarding such requests.**

☐ Yes ☐ No

(If applicable) In place of participation in the curriculum area, what course of study would you suggest for your child?

_____

_____

_____

_____ _____

Complainant name (*please print*) Telephone

Complainant represents: ☐ Student ☐ Parent/guardian of student
☐ Other

_____

Complainant address

_____ _____

Complainant signature Date

- -

Completed by the Superintendent or designee.

Written response provided to Complainant on:_____(attach response to this form)

_____ _____

Superintendent or Designee Signature Date

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Instruction

Guidance and Counseling Program

The School District provides a guidance and counseling program for students. The Superintendent or designee shall direct the District's guidance and counseling program. School counseling services, as described by State law, may be performed by a qualified guidance specialist or any certificated staff member.

[For Elementary and Unit Districts]

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.

[For High School and Unit Districts]

The guidance program will assist students to identify career options consistent with their abilities, interests, and personal values. Students shall be encouraged to seek the help of counselors to develop specific curriculum goals that conform to the student's career objectives. High school juniors and seniors will have the opportunity to receive career-oriented information. Representatives from colleges and universities, occupational training institutions and career-oriented recruiters, including the military, may be given access to the school campus in order to provide students and parents/guardians with information.

LEGAL REF.: 105 ILCS 5/10-22.24a and 5/10-22.24b.
23 Ill.Admin.Code §1.420(q).

CROSS REF.: 6:50 (School Wellness), 6:65 (Student Social and Emotional Development), 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), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention)

ADMIN. PROC.: 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 and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information)

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Instruction

Grading and Promotion

The Superintendent or designee shall establish a system of grading and reporting academic achievement to students and their parents/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 the standardized tests required by the Ill. State Board of Education (ISBE) 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. A District administrator cannot change the final grade assigned by the teacher 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.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:300 (Graduation Requirements), 6:340 (Student Testing and Assessment Program), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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Instruction

Administrative Procedure - Evaluating and Reporting Student Achievement

Actor	Action
Teacher	Informs students about the grading system at the beginning of each school year or term, whichever is applicable. 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 absences. Assesses student achievement as demonstrated through such performance indicators as the following (these are not listed in order of importance and are not exclusive): 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. Assigns grades for academic improvement and achievement using standardized criterion-referenced test scores, letter grades, and/or other assigned numerical criteria. 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 two weeks, will be changed to a failure. 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.
Building Principal or designee	Supervises implementation of this administrative procedure. Ensures that parents/guardians are informed of their child's progress at regular intervals, but at least four times a year, and whenever the student's performance requires special attention. Divorced or separated parents will both be informed unless a court order requires otherwise.

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	All grades and symbols must be appropriately explained. 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 his/her child's progress or school activities. Develops a timetable for deficiency reports. Supervises the various methods for communicating with parents/guardians including: 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.
Building Principal or designee *[Elementary schools only]*	Makes the final decision regarding a student's retention or promotion with input from the classroom teacher, parent/guardian, and other school personnel as appropriate. Retention and promotion 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. Ensures placement, promotion, or retention decisions are based on the student's best interests after a careful evaluation of the advantages and disadvantages of alternatives. For each student who does not qualify for promotion to the next higher grade, determines appropriate remedial assistance, that may include, without limitation, a summer bridge program of no less than 90 hours, tutorial sessions, increased or concentrated instructional time, modifications to instructional materials, and retention in grade. 105 ILCS 5/10-20.9a(b).
Building Principal or designee *[Secondary schools only]*	Makes a recommendation to the Superintendent regarding: 1. Whether a 4.0 or a 5.0 (or another alternative) system should be used for calculating grade point average (GPA); 2. Whether advanced placement, honors, and accelerated courses will have additional points added toward calculating GPA and class rank, i.e., weighted grades; 3. Which courses' grades will be used in computing GPA and class rank; 4. How to determine academic scholars, class valedictorian, salutatorian, and/or honor roll; and 5. Whether a pass/fail option will be offered and, if so, the

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	guidelines for that option.
Parents/Guardians	Attend parent-teacher conferences. Provide a study-conducive atmosphere and supervise their child's completion of course work. Sign or otherwise acknowledge receipt of their child's report cards and other assessment notices and provide appropriate feedback to their child. Whenever a question or concern arises, leave a message at the school for the appropriate teacher or other school staff member. In order to object to a grade or retention/promotion decision, first confer with the appropriate teacher and, if still not satisfied, contact the Building Principal.
Building Principal or designee *[All schools]*	Confers with any parent/guardian and/or student who objects to a grade or to a retention/promotion decision. Discusses with the teacher the reason(s) why an objection was made to a grade or to a retention/promotion decision and requests the teacher's perspective. Determines whether to change the grade or retention/promotion decision based on the existence of any of reasons authorized in policy 6:280, *Grading and Promotion*, i.e.: * 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. Decides whether to change the grade or retention/promotion decision and, if so, notifies the teacher of the nature and reason for the change and signs the changed record.

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Instruction

Homework

Homework is part of the District's instructional program and has the overarching goal of increasing student achievement. 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.

Missed Homework

Students absent for a valid cause may make up missed homework in a reasonable timeframe per policy 7:70, *Attendance and Truancy*.

CROSS REF.: 7:70 (Attendance and Truancy)

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Instruction

Graduation Requirements

To graduate from high school, unless otherwise exempted, each student is responsible for:

1. Completing all District graduation requirements that are in addition to the State requirements.
2. Completing all courses as provided in the School Code, 105 ILCS 5/27-22.
3. Completing all minimum requirements for graduation as specified in State law.
4. Passing an examination on patriotism and principles of representative government, proper use of the flag, methods of voting, and the Pledge of Allegiance.
5. Participating in State assessments that are required for graduation by State law.
6. Filing one of the following: (1) a Free Application for Federal Student Aid (FAFSA) with the U.S. Dept. of Education, (2) an application for State financial aid, or (3) an Ill. State Board of Education (ISBE) waiver form indicating that the student understands what these aid opportunities are and has chosen not to file an application. If the student is not at least 18 years of age or legally emancipated, the student's parent/guardian must file one of these documents on the student's behalf.

   A student is exempt from this requirement if: (1) the student is unable to file a financial aid application or an ISBE waiver due to extenuating circumstances, (2) the Building Principal attests the District made a good faith effort to assist the student or the student's parent/guardian with filing a financial aid application or an ISBE waiver form, and (3) the student has met all other graduation requirements.

The Superintendent or designee is responsible for:

1. Maintaining a description of all course offerings that comply with the above graduation requirements.
2. Notifying students and their parents/guardians of graduation requirements.
3. Developing the criteria for #4 above.
4. Complying with State law requirements for students who transfer during their senior year because their parent(s)/guardian(s) are on active military duty. This includes making reasonable adjustments to ensure graduation if possible, or efforts to ensure that the original (transferor) school district issues the student a diploma.
5. Taking all other actions needed or necessary to implement this policy.

Early Graduation

The Superintendent or designee shall implement procedures for students to graduate early, provided they finish seven semesters of high school and meet all graduation requirements.

Certificate of Completion

A student with a disability who has an Individualized Education Program prescribing special education, transition planning, transition services, or related services beyond the student's four years

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of high school, qualifies for a certificate of completion after the student has completed four years of high school. The student is encouraged to participate in the graduation ceremony of his or her high school graduation class. The Superintendent or designee shall provide timely written notice of this requirement to children with disabilities and their parents/guardians.

Service Member Diploma

The District will award a diploma to a service member who was killed in action while performing active military duty with the U.S. Armed Forces or an honorably discharged veteran of World War II, the Korean Conflict, or the Vietnam Conflict, provided that he or she (1) resided within an area currently within the District at the time he or she left high school, (2) left high school before graduating in order to serve in the U.S. Armed Forces, and (3) has not received a high school diploma.

LEGAL REF.: 105 ILCS 5/2-3.64a-5, 5/22-27, 5/22-87, 5/27-3, 5/27-22, and 5/27-22.10.
105 ILCS 70/, Educational Opportunity for Military Children Act.
23 Ill.Admin.Code §1.440.

CROSS REF.: 6:30 (Organization of Instruction), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:315 (High School Credit for Students in Grade 7 or 8), 6:320 (High School Credit for Proficiency), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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Instruction

Exhibit - Application for a Diploma for a Service Member Killed in Action or for Veterans of WWII, the Korean Conflict, or the Vietnam Conflict

Complete and submit to the Superintendent.

Please print:

Name to Appear on Diploma _____ Phone _____

Address _____ Birth Date _____

City _____ State _____ Zip _____

For Veterans of WWII, the Korean Conflict, or the Vietnam Conflict

The applicant is requesting a high school diploma and attests that he or she meets the following criteria as established by School Board policy:

1. Served in the U.S. Armed Forces during World War II, the Korean Conflict, or the Vietnam Conflict.

   Please check one or more of the following:

   ☐ World War II: December 7, 1941 - December 31, 1946, including the induction period of September 16, 1940 – December 6, 1941

   ☐ Korean Conflict: June 27, 1950 - January 31, 1955, including the induction period of January 1, 1947 – June 26, 1950

   ☐ Vietnam Conflict: January 1, 1961 – May 7, 1975

2. Left high school in order to serve in the U.S. Armed Forces.
3. Resided within an area currently within the School District at the time he or she withdrew from high school.
4. Has not received a high school diploma or a GED (high school equivalency).

Applicant's Name *(printed)* _____ Signature _____ Date _____

For Service Members Killed in Action

The applicant is requesting a high school diploma on behalf of a service member who was killed in action and attests that the deceased service member meets each of the following criteria as established by Board policy:

1. Was killed in action while performing active military duty with the U.S. Armed Forces.
2. Left high school in order to serve in the U.S. Armed Forces.

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3. Resided within an area currently within the School District at the time he or she withdrew from high school.
4. Has not received a high school diploma or a GED (high school equivalency).

Applicant's Name *(printed)* Signature Date

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Instruction

Exhibit - State Law Graduation Requirements

The School Code, 105 ILCS 5/27-22, amended by P.A.s 101-464, 101-654, 101-643, 102-366, 102-551, and 102-864, and 105 ILCS 5/22-87, added by P.A. 101-180, contains the following course requirements for a student in Illinois to receive a high school diploma. Other graduation requirements, including additional course requirements, if any, are contained in School Board policy 6:300, *Graduation Requirements*. For guidance in offering the coursework necessary to meet the State graduation requirements, see the Ill. State Board of Education, *State Graduation Requirements, Guidance Document* (2016), available at: www.isbe.net/Documents/grad_require.pdf.

****

State Law Graduation Requirements

105 ILCS 5/27-22, amended by P.A.s 101-464, 101-643, 101-654, 102-366, 102-551, and 102-864.

Required high school courses.

A. (a) - (d) are not listed because they are blank in the statute.

(e) **Through the 2023-2024 school year**, as a prerequisite to receiving a high school diploma, each pupil entering the 9th grade must, in addition to other course requirements, successfully complete all of the following courses:

(1) Four years of language arts.

(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. When applicable, writing-intensive courses may be counted towards the fulfillment of other graduation requirements.

(3) Three years of mathematics, one of which must be Algebra I and one of which must include geometry content, and one of which may be an Advanced Placement computer science course. A mathematics course that includes geometry content may be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path.

(3.5) For pupils entering the 9th grade in the 2022-2023 school year and 2023-2024 school year, one year of a course that includes intensive instruction in computer literacy, which may be English, social studies, or any other subject and which may be counted toward the fulfillment of other graduation requirements.

(4) Two years of science.

(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government and, beginning with pupils entering the 9th grade in the 2016-2017 school year and each school year thereafter, at least one semester must be civics, which shall help young people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be competent and responsible citizens throughout their lives. Civics course content shall focus on government institutions, the discussion of current and controversial issues, service learning, and simulations of the democratic process. School districts may utilize private funding available for purposes of offering civics education. Beginning with pupils entering the 9th grade in the 2021-2022

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school year and each school year thereafter, one semester, or part of one semester, may include a financial literacy course.

(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, (D) vocational education, or (E) forensic speech (speech and debate). A forensic speech course used to satisfy the course requirement under subdivision (1) may not be used to satisfy the course requirement under this subdivision (6).

(f) The State Board of Education shall develop and inform school districts of standards for writing-intensive coursework.

A. (e-5) **Beginning with the 2024-2025 school year**, as a prerequisite to receiving a high school diploma, each pupil entering the 9th grade must, in addition to other course requirements, successfully complete all of the following courses:

(1) Four years of language arts.

(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. If applicable, writing-intensive courses may be counted toward the fulfillment of other graduation requirements.

(3) Three years of mathematics, one of which must be Algebra I, one of which must include geometry content, and one of which may be an Advanced Placement computer science course. A mathematics course that includes geometry content may be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path.

(3.5) One year of a course that includes intensive instruction in computer literacy, which may be English, social studies, or any other subject and which may be counted toward the fulfillment of other graduation requirements.

(4) Two years of laboratory science.

(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government and at least one semester must be civics, which shall help young people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be competent and responsible citizens throughout their lives. Civics course content shall focus on government institutions, the discussion of current and controversial issues, service learning, and simulations of the democratic process. School districts may utilize private funding available for the purposes of offering civics education. One semester, or part of one semester, may include a financial literacy course.

(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, (D) vocational education, or (E) forensic speech (speech and debate). A forensic speech course used to satisfy the course requirement under subdivision (1) may not be used to satisfy the course requirement under this subdivision (6).

(e-10) Beginning with the 2028-2029 school year, as a prerequisite to receiving a high school diploma, each pupil entering the 9th grade must, in addition to other course requirements, successfully complete 2 years of foreign language courses, which may include American Sign Language. A pupil may choose a third year of foreign language to satisfy the requirement under paragraph (6) of subsection (e-5).

(f) The State Board of Education shall develop and inform school districts of standards for writing-intensive coursework.

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(f-5) If a school district offers an Advanced Placement computer science course to high school students, then the school board must designate that course as equivalent to a high school mathematics course and must denote on the student's transcript that the Advanced Placement computer science course qualifies as a mathematics-based, quantitative course for students in accordance with subdivision (3) of subsection (e) of this Section.

(g) This amendatory Acts of 1983 and of the 94th General Assembly do not apply to students with disabilities whose course of study is determined by an Individualized Education Program.

Subdivision (3.5) of subsection (e) does not apply to pupils entering the 9th grade in the 2021-2022 school year or a prior school year or to students with disabilities whose course of study is determined by an individualized education program.

Subsection (e-5) does not apply to pupils entering the 9th grade in the 2023-2024 school year or a prior school year or to students with disabilities whose course of study is determined by an individualized education program. Subsection (e-10) does not apply to pupils entering the 9th grade in the 2027-2028 school year or a prior school year or to students with disabilities whose course of study is determined by an individualized education program.

(h) The provisions of this Section are subject to the provisions of Section 27-22.05 [substitutions for required courses].

(i) The State Board of Education may adopt rules to modify the requirements of this Section for any students enrolled in grades 9 through 12 if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Management Agency Act.

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105 ILCS 5/22-87, added by P.A. 101-180.

Graduation requirements; Free Application for Federal Student Aid.

(a) Beginning with the 2020-2021 school year, in addition to any other requirements under this Code, as a prerequisite to receiving a high school diploma from a public high school, the parent or guardian of each student or, if a student is at least 18 years of age or legally emancipated, the student must comply with either of the following:

(1) File a Free Application for Federal Student Aid with the United States Department of Education or, if applicable, an application for State financial aid.

(2) On a form created by the State Board of Education, file a waiver with the student's school district indicating that the parent or guardian or, if applicable, the student understands what the Free Application for Federal Student Aid and application for State financial aid are and has chosen not to file an application under paragraph (1).

(b) Each school district with a high school must require each high school student to comply with this Section and must provide to each high school student and, if applicable, his or her parent or guardian any support or assistance necessary to comply with this Section. A school district must award a high school diploma to a student who is unable to meet the requirements of subsection (a) due to extenuating circumstances, as determined by the school district, if (i) the student has met all other graduation requirements under this Code and (ii) the principal attests that the school district has made a good faith effort to assist the student or, if applicable, his or her parent or guardian in filing an application or a waiver under subsection (a).

(c) The State Board of Education may adopt rules to implement this Section.

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Instruction

Exhibit – Form for Exemption from Financial Aid Application Completion

This form is to be used to document a parent/guardian or student's exemption from the State law requirement to file, as a prerequisite to receiving a high school diploma:

1. *A Free Application for Federal Student Aid (FAFSA) at https://studentaid.gov/;*
2. *An application for State financial aid at www.isac.org/students/before-college/financial-aid-planning/retention-of-illinois-rise-act/; or*
3. *An Ill. State Board of Education (ISBE) FAFSA Nonparticipation Form at* www.isbe.net/Documents/FAFSA-Non-Participation-Form.pdf. *105 ILCS 5/22-87(b), added by P.A. 101-180; 23 Ill.Admin Code §1.440(c)(4).*

Return a copy of the completed form to the parent/guardian or student and keep a copy in the student's file.

Completed by Student's parent/guardian or Student, if 18 years or older or legally emancipated.

Student's Name: _____

Address: _____

School: _____

Grade: _____

I am unable to file a FAFSA, an application for State financial aid, or an ISBE FAFSA Nonparticipation Form because of the following:

_____

_____

_____

_____

_____

Completed by the High School Principal.

Due to extenuating circumstances, the Student is unable to file a FAFSA, an application for State financial aid, or an ISBE FAFSA Nonparticipation Form:

☐ Yes ☐ No, exemption denied

(Complete next portion only if the answer is Yes above)

I attest that the District has made the following good faith efforts to assist the Student's parent/guardian or Student, if applicable, in filing an application or a waiver from this requirement:

_____

_____

_____

_____

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The student has met all other State law graduation requirements.

☐ Yes, exemption approved ☐ No, exemption denied

High School Principal Signature

Date

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Instruction

High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students

Credit for Non-District Experiences

A student may receive high school credit for successfully completing any of the listed courses or experiences even when it is not offered in or sponsored by the District:

1. Distance learning course, including a correspondence, virtual, or online course
2. Courses in an accredited foreign exchange program
3. Summer school or community college courses
4. College or high school courses offering dual credit at both the college and high school level
5. Foreign language courses taken in an ethnic school program approved by the Illinois State Board of Education
6. Work-related training at manufacturing facilities or agencies in a Tech Prep Program
7. Credit earned in a Vocational Academy

The student must seek approval from the Superintendent or designee to receive graduation credit for any non-District course or experience. The Superintendent or designee shall determine the amount of credit and whether a proficiency examination is required before the credit is awarded. As approval is not guaranteed, students should seek conditional approval of the experience before participating in a non-District course or experience. The student assumes responsibility for any fee, tuition, supply, or other expense. The student seeking credit is responsible for (1) providing documents or transcripts that demonstrate successful completion of the experience, and (2) taking a proficiency examination, if requested. The Superintendent or designee shall determine which, if any, non-District courses or experiences, will count toward a student's grade point average, class rank, and eligibility for athletic and extracurricular activities. When applicable, the Building Principal or designee shall, prior to the first day of class, inform individual high school students enrolled in a mixed enrollment dual credit course that includes students who have and have not met the community college's criteria for dual credit coursework of whether or not they are eligible to earn college credit for the course. This section does not govern the transfer of credits for students transferring into the District.

Substitutions for Required Courses

Vocational or technical education. A student in grades 9-12 may satisfy one or more high school courses (including physical education) or graduation requirements by successfully completing related vocational or technical education courses if:

1. The Building Principal approves the substitution(s) and the vocational or technical education course is completely described in curriculum material along with its relationship to the required course; and
2. The student's parent/guardian requests and approves the substitution(s) in writing on forms provided by the District.

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Registered Apprenticeship Program. The Superintendent or designee will ensure that the District complies with State law requirements for registered apprenticeship programs. The opportunities and requirements for registered apprenticeship programs contained in this policy will be posted on the District's website, and parents/guardians and students will also be notified of such opportunities in the appropriate school handbook(s).

A student in grades 9-12 who is 16 years or older may satisfy one or more high school courses (including physical education) or graduation requirements by successfully completing a registered apprenticeship program if:

1. The registered apprenticeship program meets all criteria contained in State law;
2. The registered apprenticeship program is listed by the District, or the student identifies a registered (but not listed) apprenticeship program with a business or organization if one is not offered in the District;
3. The student enrolled in a registered apprenticeship program has the opportunity to earn post-secondary credit toward a certificate or degrees, as applicable;
4. The student's parent/guardian requests and approves the substitution(s) in writing on forms provided by the District and on its website;
5. The Building Principal approves the substitution(s); and
6. All non-academic requirements mandated by the School Code for high school graduation that would otherwise prohibit or prevent the student from participating in the registered apprenticeship program are waived.

Advanced placement computer science. The advanced placement computer science course is equivalent to a high school mathematics course. A student in grades 9-12 may substitute the advanced placement computer science course for one year of mathematics, in accordance with Section 27-22 of the School Code. The transcript of a student who completes the advanced placement computer science course will state that it qualifies as a mathematics-based, quantitative course.

Substitutions for physical education. A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated below. The Superintendent or designee shall maintain records showing that the criteria set forth in this policy were applied to the student's individual circumstances, as appropriate.

1. Ongoing participation in a marching band program for credit;
2. Enrollment in Reserve Officer's Training Corps (ROTC) program sponsored by the District;
3. Ongoing participation in an *interscholastic* or *extracurricular athletic program*;
4. Enrollment in academic classes that are required for admission to an institution of higher learning (student must be in the 11th or 12th grade); or
5. Enrollment in academic classes that are required for graduation from high school, provided that failure to take such classes will result in the student being unable to graduate (student must be in the 11th or 12th grade).

A student who is eligible for special education may be excused from physical education courses pursuant to 7:260, *Exemption from Physical Education*.

Volunteer service credit. A student participating in the District's Volunteer Service Credit Program, if any, may earn credit toward graduation for the performance of community service. The amount of

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credit given for program participation shall not exceed that given for completion of one semester of language arts, math, science, or social studies.

Re-Entering Students

Individuals younger than 21 years of age may re-enter high school to acquire a high school diploma or an equivalency certificate, subject to the limitations in Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. Re-entering students may obtain credit through the successful completion of the following (not all of these may be available at any one time):

1. District courses
2. Non-District experiences described in this policy
3. Classes in a program established under Section 10-22.20 of the School Code, in accordance with the standards established by the Illinois Community College Board
4. Proficiency testing, correspondence courses, life experiences, and other nonformal educational endeavors
5. Military service, provided the individual making the request has a recommendation from the American Council on Education

The provisions in the section **Credit for Non-District Experiences**, above, apply to the receipt of credit for any non-District course.

LEGAL REF.: 105 ILCS 5/2-3.44, 5/2-3.108, 5/2-3.115, 5/2-3.142, 5/2-3.175, 5/10-22.43a, 5/10-20.62, 5/27-6, 5/27-22.3, and 5/27-22.05.
110 ILCS 27/, Dual Credit Quality Act.
23 Ill.Admin.Code §§1.425(e), 1.440(f), 1.470(c), and Part 255.

CROSS REF.: 6:180 (Extended Instructional Programs), 6:300 (Graduation Requirements), 6:315 (High School Credit for Students in Grade 7 or 8), 6:320 (High School Credit for Proficiency), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:260 (Exemption from Physical Education)

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Instruction

Exhibit - Class Substitution Request

Students in grades 9-12 may satisfy one or more high school courses or graduation requirements by successfully completing related vocational or technical education courses, or a registered apprenticeship program. Students participating in a registered apprenticeship program must be at least 16 years old.

This request for class substitution must be completed by the student's parent/guardian (or by the student who is at least 18 years of age) and submitted to the Building Principal for approval. Such requests will be kept in the student's temporary school record in accordance with 23 Ill.Admin.Code §1.445 (as applicable) and Section 4 of the Ill. School Student Records Act (105 ILCS 10/4).

Student Name *(please print)* _____ Grade _____

Parent/Guardian Name *(please print)* _____ Telephone _____ Student Birthdate _____

Class Requesting to Substitute	Vocational/Technical Course/Registered Apprenticeship Program Substitute

Student Signature _____ Date _____

Parent/Guardian Signature *(For students under age 18)* _____ Date _____

Request for class substitution: **Approved**

Denied

Building Principal _____ Date _____

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Instruction

High School Credit for Students in Grade 7 or 8

The Superintendent or designee may investigate, coordinate, and implement a program for students in grades 7 and 8 to enroll in a course required for a high school diploma.

[*The next two paragraphs are only for unit and high school districts; the final paragraph is only for elementary districts.*]

If a program is available, students in grades 7 and 8 may enroll in a course required for a high school diploma when the course is offered by the high school that the elementary student would attend and either of the following is satisfied: (1) the student participates in the course at the high school and the elementary student's enrollment in the course would not prevent a high school student from being able to enroll, or (2) the student participates in the course where the student attends school as long as the course is taught by a teacher who holds a professional educator license with an endorsement for the grade level and content area of the course.

A student who successfully completes a course required for a high school diploma while in grades 7 and 8 shall receive academic credit for the course. That academic credit shall satisfy the requirements of Section 27-22 of the School Code for purposes of receiving a high school diploma, unless evidence about the course's rigor and content show that the course did not address the relevant Illinois learning standard at the level appropriate for the high school grade during which the course is usually taken. The student's grade in the course shall also be included in the student's grade point average.

[*Elementary school districts only*]

If a program is available, students in grades 7 and 8 may enroll in a course required for a high school diploma. Students in grades 7 and 8 who successfully complete a course required for a high school diploma will receive academic credit if permitted by, and in accordance with, the policy of the district where the elementary student will attend high school.

LEGAL REF.: 105 ILCS 5/10-22.43 and 5/27-22.10.
23 Ill.Admin.Code §1.460.

CROSS REF.: 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:320 (High School Credit for Proficiency)

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Instruction

High School Credit for Proficiency

Proficiency Credits

Subject to the limitations in this policy and State law, the Superintendent or designee is authorized to establish and approve a program for granting credit for proficiency with the goal of allowing a student who would not benefit from a course because the student is proficient in the subject area to receive credit without having to take the course. A student who demonstrates competency under this program will receive course credit for the applicable course and be excused from any requirement to take the course as a graduation prerequisite. No letter grade will be given for purposes of the student's cumulative grade point average. The Superintendent or designee shall notify students of the availability of and requirements for receiving proficiency credit.

Proficiency credit will be offered in the following subject areas:

Foreign language - A student is eligible to receive one year of foreign language credit if the student has graduated from an accredited elementary school and can demonstrate proficiency, according to this District's academic criteria, in a language other than English. A student who demonstrates proficiency in American Sign Language is deemed proficient in a foreign language and will receive one year of foreign language credit. A student who studied a foreign language in an approved ethnic school program is eligible to receive appropriate credit according to the level of proficiency reached; the student may be required to take a proficiency examination.

Other proficiency testing - The program for granting credit for proficiency may allow, as the Superintendent deems appropriate, course credit to be awarded on the basis of a local examination to a student who has achieved the necessary proficiency through independent study or work taken in or through another institution. Proficiency testing may also 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, 5/10-22.43a, 5/27-22, and 5/27-24.3.
23 Ill.Admin.Code Part 680.

CROSS REF.: 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:315 (High School Credit for Students in Grade 7 or 8)

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Instruction

Achievement and Awards

[*High school and unit districts only*]

Grade Point Average, Class Rank, and Class Honor Roll

The Superintendent shall maintain a uniform process for secondary schools to calculate, on at least a yearly basis, each student's grade point average and class rank, as well as an honor roll for each class.

[*All districts*]

Awards and Honors

The Superintendent shall maintain a uniform process for presenting awards and honors for outstanding scholarship, achievement, and/or distinguished service in school activities in such a way as to minimize bias and promote fairness. The Superintendent shall supervise the selection of the recipient(s).

All donations for awards, honors, and scholarships must receive the School Board's prior approval.

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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 to students all standardized assessments required by the Ill. State Board of Education (ISBE) and/or 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.
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. All reliable assessments administered by the District and scored by entities outside of the District must be (1) reported to ISBE on its form by the 30th day of each school year, and (2) made publicly available to parents/guardians of students. Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues.

LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
105 ILCS 10/, Illinois School Student Records Act.
105 ILCS 5/2-3.63, 5/2-3.64a-5, 5/2-3.64a-10, 5/2-3.64a-15, 5/2-3.107, 5/2-3.153, 5/10-17a, 5/22-82, and 5/27-1.
23 Ill. Admin. Code §§1.30(b) and 375.10.

CROSS REF.: 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

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LA HARPE COMMUNITY SCHOOL DISTRICT 347

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Students

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, 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 School Board policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure*.

Sex Equity

No student shall, based on sex, sexual orientation, or gender identity 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 Board policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator, who also serves as the District's Title IX Coordinator. The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and related grievance procedures.

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LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).
Ill. Constitution, Art. I, §18.
105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60, 5/10-20.63, 5/10-22.5, and 5/27-1.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
775 ILCS 35/5, Religious Freedom Restoration Act.
23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:165 (School Uniforms), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

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the victim of protected sex-based harassment: unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity. 34 C.F.R. §106.30(a). Board policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, and its accompanying procedures are used to address sex-based harassment as defined in Title IX.

The School Code prohibits bullying on the basis of actual or perceived sexual orientation, gender-related identity or expression, and/or association with a person or group with one of the aforementioned actual or perceived characteristics. 105 ILCS 5/27-23.7(a). The Board policy on bullying and the District's suite of bullying prevention materials are used to address and resolve peer bullying and harassment of transgender or gender nonconforming students. See 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

Terminology and Definitions

The District uses the following terms and definitions when discussing accommodations for a transgender, nonbinary, or gender nonconforming student (from the *Arcadia Resolution Agreement*, 7-24-13, at: www.justice.gov/crt/about/edu/documents/arcadiaagree.pdf and ISBE Non-Regulatory Guidance, *Supporting Transgender, Nonbinary and Gender Nonconforming Students*, at: www.isbe.net/supportallstudents). **Note**: Definitions are not intended to label students, but rather to assist with understanding. *Gender identity*, *sex assigned at birth*, *transgender*, and *gender transition* are defined slightly differently in a *Dear Colleague Letter* issued jointly by the U.S. Depts. of Education and Justice on 5-13-16 (see **Resources** below).

Gender-based discrimination – a form of sex discrimination, refers to differential treatment or harassment of a student based on the student's sex, including gender identity, gender expression, and nonconformity with gender stereotypes, that results in the denial or limitation of education services, benefits, or opportunities. Conduct may constitute gender-based discrimination regardless of the actual or perceived sex, gender identity, or sexual orientation of the persons experiencing or engaging in the conduct.

Sex assigned at birth and assigned sex – a label a person is given at birth, often based on a medical professional's interpretation of the newborn's physical characteristics. Common examples may be *male* or *female*. This is typically the sex reflected on one's original birth certificate.

Gender expression – an individual's characteristics and behaviors such as appearance, dress, grooming, mannerisms, voice or speech patterns, activities, and social interactions that are perceived as masculine, feminine, both, or neither.

Gender identity – a person's internal, deeply held sense or psychological knowledge of their own gender that can include being female, male, another gender, nonbinary, gender nonconforming, or no gender, and is unrelated to the person's sex assigned at birth. Gender identity is an innate part of a person's identity, and the responsibility for determining an individual's gender identity rests with the individual. Unlike gender expression, gender identity is not visible to others.

Nonbinary – a term used to describe people whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

Transgender – an individual whose gender identity is different from the individual's assigned sex at birth. Being transgender is not dependent on appearance, body parts, or medical procedures. Transgender can also be used as an umbrella term that encompasses diversity of gender identities and expressions. For purposes of this procedure, a *transgender student* is a student who consistently and uniformly asserts a gender identity different from the student's assigned sex, or for whom there is documented legal or medical evidence that the gender identity is sincerely held as part of the student's core identity.

Intersex – a term used for a variety of conditions in which a person is born with a reproductive and/or sexual

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Students

Administrative Procedure - Accommodating Transgender, Nonbinary, or Gender Nonconforming Students

This procedure's accommodation and support guidelines advance the District's goals of: (1) providing all students equal access to a safe, non-hostile learning environment, and (2) implementing risk management controls in a developing and unsettled area of the law in which the federal Office of Civil Rights (OCR) and Dept. of Justice (DOJ) have issued guidance.

While there is no mandate requiring procedures for accommodating transgender, nonbinary, and gender nonconforming students, this procedure guides school officials through the: (1) application of State and federal anti-discrimination laws to this student population, and (2) common needs for which transgender, nonbinary, or gender nonconforming students may request accommodations and support at school. This procedure applies to all school activities, school-provided transportation, and school-sponsored events regardless of where they occur.

The Building Principal, Nondiscrimination Coordinator, and/or Complaint Manager, with input from others as appropriate, will implement this procedure. They will work with each transgender, nonbinary, or gender nonconforming student, and as appropriate with the student's parent(s)/guardian(s), to manage a student's accommodations and supports on a case-by-case basis. The Board Attorney will be consulted concerning legal compliance.

Gender-Based Discrimination Is Prohibited

School districts must provide equal educational opportunities to transgender, nonbinary, and gender nonconforming students. Under State law, *sex discrimination* extends to claims of discrimination based on *sexual orientation* and *gender identity*. 775 ILCS 5/5-101(11); 23 Ill.Admin.Code §1.240. The Ill. Human Rights Act defines *sexual orientation* as the "actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person's designated sex at birth." 775 ILCS 5/1-103(O-1). The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103.

Federal law prohibits exclusion and discrimination on the basis of *sex*. 20 U.S.C. §1681(a), Title IX of the Education Amendments of 1972. The U.S. Dept. of Education has taken varying positions on the application of Title IX to transgender or gender nonconforming students depending upon the administration in power. However, the Seventh Circuit U.S. Court of Appeals (which has jurisdiction over the State of Illinois) has ruled that a school's practice of denying a transgender student access to the bathroom that aligned with his gender identify violated Title IX because it was a sex-based classification. See Whitaker by Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ., 858 F.3d 1034 (7th Cir. 2017).

School Board policy 7:10, *Equal Educational Opportunities*, recognizes the legal requirements described above. This procedure's guidance on accommodating transgender, nonbinary, or gender nonconforming students is based on non-regulatory guidance from the Ill. State Board of Education (ISBE) and the Ill. Dept. of Human Rights (IDHR), as well as OCR pronouncements. See the last section, **Resources**.

Gender-Based Bullying and/or Harassment Prohibited

The laws prohibiting gender discrimination require the District to protect transgender, nonbinary, and gender nonconforming students from bullying and harassment by other students. Under Title IX of the Education Amendments of 1972 (Title IX), a school district is responsible for damages suffered by a student who was

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anatomy that does not seem to fit the typical, binary definitions of female or male. Intersex conditions are not always discernable at birth or the awareness of internal anatomy present at birth may not be known to the person until puberty, if it is known at all. A derogatory term previously used for intersex individuals is hermaphrodite.

Gender transition – the process whereby people may change their gender expression, bodies, and/or identity documents to match their gender identity. Transition can be social (changing gender expression, using facilities, using a different name/pronouns), medical (hormones and/or surgeries), and/or legal (changing name/gender marker on identity documents), and is different for every individual. It is common for gender transition to be an ongoing process and is unique to each person.

Gender stereotypes – stereotypical notions of masculinity and femininity, including expectations of how boys or girls represent or communicate one's gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

Gender nonconforming or gender expansive – one's gender expression or gender identity that does not conform to traditional, societal, or stereotyped expectations based on the sex assigned at birth. Gender expansive individuals may identify as male, female, some combination of both, or neither.

Gender pronouns – the set of words used to refer to someone without using their name. Common examples include, but are not limited to, "she/her/hers," "he/him/his," "they/them/theirs," and "ze/zir/zirs."

Gender support plan – a document that may be used to create a shared understanding about the way in which a student's gender identity will be accounted for and supported at school.

Facilities – refers to facilities and accommodations used by students at school or during school-sponsored activities and trips, and include, but are not limited to, restrooms, locker rooms, and overnight facilities.

Relevant Board Policies for Accommodations, Supports, and Inclusion of Transgender, Nonbinary, or Gender Nonconforming Students

- 2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably.
- 2:265, *Title IX Sexual Harassment Grievance Procedure*, contains the process for an individual to report or complain of sexual harassment in violation of Title IX. The District Nondiscrimination Coordinator shall address the report or complaint promptly and equitably.
- 6:60, *Curriculum Content,* requires the history curriculum to include a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois and, if offered by the District, requires the implementation of a comprehensive health education program in accordance with State law, which may include the National Sex Education Standards (NSES) sex education curriculum. If NSES is offered, it must be inclusive and sensitive to students' needs on many bases, including based on their status as intersex and based on their gender, gender identity, and gender expression. See 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.
- 6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District's curriculum and other educational programs.
- 7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.
- 7:20, *Harassment of Students Prohibited*, prohibits *any* person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.

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7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.
7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.
7:165, *Student Uniforms,* encourages students to wear school uniforms in order to maintain and promote orderly school functions, school safety, and a positive learning environment, if adopted.
7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District's bullying prevention program.
7:185, *Teen Dating Violence Prohibited*, prohibits students 13-19 years of age from using or threatening to use physical, mental, or emotional abuse to control an individual in the dating relationship, and from using or threatening to use sexual violence in the dating relationship.
7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students' social, emotional, or mental health needs that impact learning.
7:290, *Suicide and Depression Awareness and Prevention*, directs the Superintendent to develop, implement, and maintain a suicide and depression awareness and prevention program.
7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of school premises for their meetings, under specified conditions.
7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

Common Needs for Transgender, Nonbinary, or Gender Nonconforming Students; Accommodations and Supports

The goal of an accommodation is to allow a transgender, nonbinary, or gender nonconforming student to equally participate in educational and extracurricular opportunities. The right of transgender students to accommodations is generally found in legislation (Ill. Human Rights Act and Title IX) but has not been fully interpreted by the courts. Determining appropriate accommodations must be made on a case-by-case basis depending upon the needs expressed by the student.

The Superintendent may establish a gender support team that will identify accommodations for a specific student. Those accommodations may be documented in a gender support plan or other written document. The Board Attorney should be consulted and may be invited to be a member of the team.

This following list of possible accommodation considerations is not exhaustive, and each student's request must be managed on a case-by-case basis. A particular student may not be interested in an accommodation for each item listed. Seek the Board Attorney's advice concerning the scope and extent of accommodations.

1. Gender transition
2. Names and gender pronouns. See Kluge v. Brownsburg Cmty. Sch. Corp., 432 F.Supp.3d 823 (S.D.Ind. 2020) (upholding discipline of a teacher for violating written policy requiring employees to address students by their preferred names and genders).
3. School student records

   For managing demographic information in the ISBE Student Information System, see www.isbe.net/Documents/student_demographics.pdf.

   ISBE has postponed the collection of student sex and sexual orientation data, required by the Data Governance and Organization to Support Equity and Racial Justice Act (20 ILCS 65/20-15), until the 2023-24 school year. See www.isbe.net/Documents/Memorandum-Collection-of-Student-Sex-Sexual-Orientation.pdf.
4. Student privacy and confidentiality

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5. Access to gender-segregated areas, e.g., locker rooms and restrooms
6. Sports and physical education classes - participation in competitive athletic activities and contact sports is resolved pursuant to IHSA policy #34, *Policy and School Recommendations for Transgender Participation* at: www.ihsa.org/About-the-IHSA/Constitution-By-laws-Policies.
7. Dress codes
8. Gender segregation in other activities, e.g., class discussions and field trips (including any overnight school trips)
9. Communication with a new school about gender-specific accommodations upon transfer or graduation

Training for School Staff Members

Professional development for staff members should include regular opportunities to gain a better understanding of equal educational opportunity laws, gender identity, gender expression, and gender diversity; the development of gender identity in children and adolescents; developmentally appropriate strategies for communicating with students and parents/guardians about issues related to gender identity; gender-affirming approaches to ensuring the safety and support of transgender, nonbinary, and gender nonconforming students; developmentally appropriate strategies for preventing and intervening in bullying incidents; and Board policies regarding equal educational opportunities, bullying, discrimination, and student privacy.

Resources

IDHR, *Non-Regulatory Guidance Relating to Protection of Transgender, Nonbinary, and Gender Nonconforming Students Under the Ill. Human Rights Act* (December 2021), at: www2.illinois.gov/dhr/Publications/Pages/Guidance-Relating-to-Protection-of-Transgender-Nonbinary-and-Gender-Nonconforming-Students.aspx.

ISBE, *Supporting Transgender, Nonbinary, and Gender Nonconforming Students* (March 1, 2020), at: www.isbe.net/supportallstudents.

Gender Spectrum, an organization whose mission is to help create gender sensitive and inclusive environments for all children and teens, at: www.genderspectrum.org.

Mass. Dept. of Elementary and Secondary Education, *Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment Nondiscrimination on the Basis of Gender Identity* (undated), at: www.doe.mass.edu/sfs/lgbtq/GenderIdentity.html.

OCR Dear Colleague Letter, harassment and bullying (2010), at: www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html.

OCR and DOJ Consent Decrees and Resolution Agreements at:
www2.ed.gov/about/offices/list/ocr/docs/investigations/05115901.html (Anoka-Hennepin School District, MN, 3-5-12).
www2.ed.gov/about/offices/list/ocr/docs/investigations/09111031.html (Tehachapi Unified School District, CA, 7-7-11).
www.justice.gov/crt/about/edu/documents/arcadiaagree.pdf (Arcadia Unified School District, CA, 7-24-13).

OCR Resources for LGBTQI+ Students, at:

www2.ed.gov/about/offices/list/ocr/lgbt.html

Executive Order No. 11,246, 30 FR 12319, 12935, 3 CFR, 1964-1965 Comp., p. 339, (1965), as amended on 7-21-14, prohibits discrimination by the federal government or federal contractors on the basis of sexual

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orientation or gender identity. The Secretary of Labor was directed to prepare implementing regulations within 90 days (or by 10-19-14).

The School Leaders Risk Management Association. *District Transgender and Gender Non-conforming Student Practice and Policy*, May 2014 (Copyright - Chicago: Brokers Risk Placement Service, Inc., 2014).

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Students

Administrative Procedure - Accommodating Breastfeeding Students

The Superintendent or designee shall ensure that students who choose to breastfeed an infant after returning to school are provided reasonable accommodations. A student who is a nursing mother may take reasonable breaks during the school day to express breast milk or breastfeed an infant. The District's Title IX Coordinator, in consultation with the Building Principal, will implement reasonable accommodations for the nursing mother in a manner that minimizes disruption to the student's education.

Reasonable accommodations for breastfeeding students, include, but are not limited to:

1. Access to a private and secure room, other than a bathroom, to express breast milk or breastfeed an infant child.
2. Permission to bring onto the school campus a breast pump or other equipment used to express breast milk.
3. Access to a power source for a breast pump or any other equipment used to express breast milk.
4. Access to a place to store expressed breastmilk safely.
5. Reasonable breaks to accommodate the student's need to express breast milk or breastfeed an infant child.
6. The opportunity to make up work missed to due to the student's use of reasonable accommodations for breastfeeding.

Complaints

The District's Complaint Manager or Non-Discrimination Coordinator will process any complaints regarding reasonable accommodations for breastfeeding students in accordance with policy 2:260, *Uniform Grievance Procedure.* In those cases where a complainant appeals the Superintendent's decision to the Board, the Superintendent will inform the complainant that he or she may appeal the Board's decision to the Regional Superintendent and, thereafter, to the State Superintendent, in accordance with 23 Ill.Admin.Code §200.40.

LEGAL REF.: 34 C.F.R. §106.40.
105 ILCS 5/10-20.60.

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Students

Exhibit - Equal Educational Opportunities Within the School Community

The School District welcomes diversity in its schools. Policy 7:10, *Equal Educational Opportunities* cites the many civil rights laws that guarantee equal education opportunities to all students. In addition, the policies below address the equal educational opportunities, health, safety, and general welfare of students within the District. These policies are not a complete list, and depending on the factual context, another policy not specifically listed may apply:

1. 2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably.
2. 6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District's curriculum and other educational programs.
3. 7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.
4. 7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.
5. 7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.
6. 7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.
7. 7:165, *Student Uniforms*, encourages students to wear school uniforms in order to maintain and promote orderly school functions, school safety, and a positive learning environment, if adopted.
8. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District's bullying prevention program.
9. 7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students' social, emotional, or mental health needs that impact learning.
10. 7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of school premises for their meetings, under specified conditions.
11. 7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

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Students

Student and Family Privacy Rights

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 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 or who created the survey.

Surveys Created by a Third Party

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.

Surveys Requesting Personal Information

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.

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, and/or
2. Refuse to allow their child to participate in the activity described above. The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

Instructional Material

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of

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their child'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.

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, 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.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.).
3. Is administered pursuant to the District's extracurricular drug and alcohol testing program (see policy 7:240, *Conduct Code for Participants in Extracurricular Activities*).
4. Is otherwise authorized by Board policy.

Prohibition on Selling or Marketing Students' Personal Information

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 the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver's license number or State identification card.

Unless otherwise prohibited by law, 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:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. 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.
5. The sale by students of products or services to raise funds for school-related or education-related activities.
6. 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.

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Notification of Rights and Procedures

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 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.
4. How to request access to any survey or other material described in this policy.

This notification shall be given to parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

Transfer of Rights

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

LEGAL REF.: 20 U.S.C. §1232h, Protection of Pupil Rights Act.
105 ILCS 5/10-20.38.
325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics)

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Students

Exhibit - Notification to Parents of Family Privacy Rights

Date

Re: Student Survey Participation

Dear Parents:

Your child will be asked to complete a survey as described below:

Survey description:_____

Survey grade/participants:_____ Anticipated Survey date(s):_____

Parents/guardians may request that their child not participate in surveys that concern one or more of the following eight areas:

1. Political affiliations or beliefs of the student or student's parent/guardian;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom the student has close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent/guardian; or
8. Income other than as required by law to determine program eligibility.

The school will not penalize any student whose parent/guardian exercises this option. In addition, a parent/guardian may review surveys asking questions about the above areas as well as other instructional materials. School Board policy 7:15, *Student and Family Privacy Rights*, contains a more thorough explanation of these rights and may be obtained from the Building Principal.

Opt-Out Instructions (*Note: This notice and opt-out right transfers from parents/guardians to any student who is 18 years old.*)

If you do not want your child to participate in this activity, contact your child's Building Principal no later than _____. If we do not hear from you by this date, we will assume that you do not object to having your child participate in the surveys described above.

Request to Review

If you wish to review any survey instrument or instructional material, please submit your request to the Building Principal. You will be notified of the time and place where you may review these materials.

Building Principal contact information:_____

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Students

Harassment of Students Prohibited

No person, including a School 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 status 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 the 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

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's same gender.

Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX Sexual Harassment Grievance Procedure.* The Nondiscrimination Coordinator and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure. The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

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Nondiscrimination Coordinator:

Janet Gladu
Name
404 West Main, La Harpe, IL 61450
Address
jgladu@laharpeeagles.com
Email
217-659-7739
Telephone

Complaint Managers:

Janet Gladu	Ryan Hopper
Name	Name
404 West Main, La Harpe, IL 61450	404 West Main, La Harpe, IL 61450
Address	Address
jgladu@laharpeeagles.com	rhopper@laharpeeagles.com
Email	Email
217-659-7739	217-659-7739
Telephone	Telephone

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

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Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

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 third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. 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 behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Sexual Harassment Grievance Procedure*).

Students should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 5/10-22.5, 5/10-23.13, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).
West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 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 Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

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Students

Administrative Procedure - Harassment of Students Prohibited

This procedure informs: (1) the Building Principal of specific steps to prevent harassment of students, and (2) staff members of the appropriate response to allegations of harassment.

Actor	Action
Building Principal or Designee	Informs staff members and students that the District prohibits harassment of students. Distributes or references School Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 7:20, *Harassment of Students Prohibited*, using various methods. Takes measures to prevent harassment of students, which may include: 1. Conducts regular harassment awareness training for all school staff, including administrators, teachers, and school counselors, and ensures all new employees are trained. 2. Conducts regular age-appropriate harassment awareness training for students. 3. Provides a means for students to learn and discuss what constitutes harassment and how to respond to it in the school setting. 4. Surveys students to determine if harassment is occurring at school. 5. Conducts regular harassment awareness training for parents/guardians. 6. Works with parents/guardians and students to develop and implement age-appropriate, effective measures for addressing harassment. 7. Determines when extra supervision and precaution should be taken, such as when: two or more students seem to be in conflict with each other; there have been previous incidents of harassment, sexual assaults, threats, or bullying around perceived sexual orientation; or a specific student has had multiple disciplinary violations. 8. Has a process in place to: (1) inform a staff member when a student that he or she supervises has a history of violent or sexually inappropriate behavior, and (2) keep such a student constantly supervised. 9. Regularly trains staff members regarding: (1) their classroom and non-classroom supervisory responsibilities, e.g., during a school-sponsored event, before and after school, while students wait for the school bus, between classes, during lunch, and at recess, (2) behaviors that may be an indicator of sexual or physical violence against another student, and (3) what to do when they observe an unusual and disruptive student.

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	10. Identifies areas in the school building that are isolated, e.g., restrooms, locker rooms, hallways while classes are in session, stairwells, and empty rooms, and takes extra steps to make them safe. 11. Immediately notifies the police and relevant parents/guardians when an assault or attempted assault has occurred.
Nondiscrimination Coordinator and/or Complaint Manager(s)	Thoroughly and promptly investigates allegations of harassment by: 1. Distributing Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 7:20, *Harassment of Students Prohibited*, to any person upon request; 2. Following Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 7:20, *Harassment of Students Prohibited*; 3. Notifying a student's parents/guardians that they may attend any investigatory meetings in which their child is present; 4. Keeping the complaining parents/guardians informed of any investigation's progress; and 5. Keeping confidential all information about an investigation and the statements of students and other witnesses. The Superintendent shall be kept informed of an investigation's progress, unless the Superintendent is the subject of the complaint. If a complaint contains allegations involving the Superintendent, the Board President shall be kept informed of an investigation's progress.
All District Staff Members	Immediately reports to the Ill. Dept. of Children and Family Services any situation that provides you with reasonable cause to believe that a child may be an abused child or a neglected child. See Board policy 5:90, *Abused and Neglected Child Reporting*. Promptly notifies the Superintendent or Building Principal that you made a report. If a report contains allegations involving the Superintendent, only notifies the Building Principal who shall contact the Board President. If a report contains allegations involving the Building Principal, only notifies the Superintendent.

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Students

Student Assignment and Intra-District Transfer

Attendance Areas

The School District is divided into school attendance areas. The Superintendent will:

1. Review the boundary lines annually and recommend to the School Board any changes or revisions for existing units; or
2. Create new units using a lens that considers preventing segregation and the elimination of separating students in the District's schools because of color, race, or nationality.

The Superintendent or designee shall maintain a map of the District showing current school attendance areas. All records pertaining to the creation, alteration, or revision of attendance units are open to the public. Students living in a given school attendance area will be assigned to that school. Homeless children shall be assigned according to policy 6:140, *Education of Homeless Children*.

Transfers Within the District

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation. The provisions in this section have no applicability to transfers pursuant to the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

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), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

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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 regular education program on a space-available basis. Requests for part-time attendance must be submitted to the principal. All requests for attendance in the following school year must be submitted before May 1.

A student accepted for partial enrollment must comply with all discipline and attendance requirements established by the school. He or she may participate in any co-curricular activity associated with a District class in which he or she is enrolled. The parent(s)/guardian(s) of a student accepted for partial enrollment must pay all fees, pro-rated on the basis of a percentage of full-time fees. Transportation to and/or from school is provided on regular bus routes to or from a point on the route nearest or most easily accessible to the nonpublic 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 is the responsibility of the parent(s)/guardian(s).

Students with a Disability

The District accepts for part-time attendance those children for whom it has been determined that special education services are needed, are enrolled in nonpublic schools, and otherwise qualify for enrollment in the District. Requests must be submitted by the student's parent/guardian. 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

District resident fifth and sixth grade private school students who plan to enroll in seventh and eighth grades at LaHarpe CSD #347 may participate in LaHarpe CSD #347 fifth and sixth grade athletic programs.

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.

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Notwithstanding the above, 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), 7:30 (Student Assignment), 7:300 (Extracurricular Athletics)

Adopted: June 23, 2020

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 (High School Credit for Proficiency), 7:30 (Student Assignment and Intra-District Transfer), 7:300 (Extracurricular Athletics)

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Students

Administrative Procedure - Placement of Nonpublic School Students Transferring Into the District

Actor	Action
Parent(s)/guardian(s) of a nonpublic school student transferring into the District	Shall perform all school admission requirements contained in School Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, and administrative procedure 7:50-AP, *Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools*.
Building Principal or designee	Meets with parent(s)/guardian(s) to discuss appropriate placement. Inquires about the student's special interests, concerns, and goals. Administers a Student Home Language Survey. ISBE provides Sample Home Language Surveys that are available in English and twenty-nine other languages under the Home Language Surveys tab at: www.isbe.net/Pages/Screening-for-English-Language-Proficiency.aspx. Determines achievement level based on interviews, school records, achievement testing, and/or other appropriate means. Considers special circumstances, e.g., whether the student: is gifted, is accelerated, has a disability, is homeless, has limited English proficiency, is part of a migrant or refugee family, has special medical needs, or has other needs. Before making a placement decision, seeks input from appropriate school personnel. Awards credits and determines placement. Course credit awarded to students transferring from a non-graded school or a school that is not recognized by the state education agency, will be given the grade of "P" for passing with no letter or numerical designation for the level of proficiency. Completes other enrollment procedures.

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Students

School Admissions and Student Transfers To and From Non-District Schools

Age [*Elementary or Unit Districts only*]

To be eligible for admission, a child must be five years old on or before September 1 of that school term. A child entering first grade must be six years of age on or before September 1 of that school term. Based upon an assessment of a child's readiness to attend school, the District may permit him or her to attend school prior to these dates. A child will also be allowed to attend first grade based upon an assessment of his or her readiness if he or she attended a non-public preschool, continued his or her education at that school through kindergarten, was taught in kindergarten by an appropriately licensed teacher, and will be six years old on or before December 31. A child with exceptional needs who qualifies for special education services is eligible for admission at three years of age. Early entrance to kindergarten or first grade may also be available through Board policy 6:135, *Accelerated Placement Program.*

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. If a birth certificate is not presented, the Superintendent or designee 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. A student will be enrolled without a birth certificate. When a certified copy of the birth certificate is presented, the school shall promptly make a copy for its records, place the copy in the student's permanent record, and return the certified copy to the person enrolling the child. If a person enrolling a student fails to provide a certified copy of the student's birth certificate, the Superintendent 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 ten days, the case will be referred to the local law enforcement authority for investigation. If compliance is not obtained within that ten-day period, the Superintendent or designee shall so refer the case. The Superintendent 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, Eye, and Dental 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 completed.

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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 of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Foster Care Students

The Superintendent will appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services (DCFS) when enrolling in or changing schools. The District's liaison ensures that DCFS' Office of Education and Transition Services receives all written notices and records pertaining to students in the legal custody of DCFS as required by State law.

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.

Foreign Students [*High School or Unit Districts only*]

The District accepts foreign exchange students with a J-1 visa and who reside within the District as participants in an exchange program sponsored by organizations screened by administration. Exchange students on a J-1 visa are not required to pay tuition.

Privately sponsored exchange students on an F-1 visa may be enrolled if an adult resident of the District has temporary guardianship, and the student lives in the home of that guardian. Exchange students on an F-1 visa are required to pay tuition at the established District rate. F-1 visa student admission is limited to high schools, and attendance may not exceed 12 months.

The Board may limit the number of exchange students admitted in any given year. Exchange students must comply with District immunization requirements. Once admitted, exchange students become subject to all District policies and regulations governing students.

Re-enrollment [*High School or Unit Districts only*]

Re-enrollment shall be denied to any individual 19 years of age or above who has dropped out of school and who could not earn sufficient credits during the normal school year(s) to graduate before his or her 21st birthday. However, at the Superintendent's or designee's discretion and depending on program availability, the individual may be enrolled in a graduation incentives program established under 105 ILCS 5/26-16 or an alternative learning opportunities program established under 105 ILCS 5/13B-1 (see 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*). Before being denied re-enrollment, the District will offer the individual due process as required in cases of expulsion under policy 7:210, *Expulsion Procedures*. A person denied re-enrollment will be offered counseling and be directed to alternative educational programs, including adult education programs that lead to graduation or receipt of a GED diploma. This section does not apply to students eligible for special education under the Individuals with Disabilities Education Improvement Act or accommodation plans under the Rehabilitation Act, Section 504.

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LEGAL REF.: 8 U.S.C. §1101, Illegal Immigrant and Immigrant Responsibility Act of 1996.
20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act.
29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-20.59, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2, 5/27-8.1.
105 ILCS 10/8.1, Ill. School Student Records Act.
105 ILCS 45/, Education for Homeless Children Act.
105 ILCS 70/, Educational Opportunity for Military Children Act.
325 ILCS 50/, Missing Children Records Act.
325 ILCS 55/, Missing Children Registration Law.
410 ILCS 315/2, Communicable Disease Prevention Act.
20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School Registration.
23 Ill.Admin.Code Part 226, Special Education.
23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 4:110 (Transportation), 6:30 (Organization of Instruction), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:340 (Student Records)

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Students

Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools

Annual Review

The Superintendent or designee reviews this procedure to ensure it is consistent with applicable State and federal laws.

Legal Citations

The legal requirements contained in this procedure are followed by a citation to the controlling rule and/or statute. Citations in parenthesis indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Guidance Documents

The following non-regulatory guidance list provides more information:

1. Ill. State Board of Education's annual registration and enrollment guidance document titled *Residency & Enrollment, Immigrant Pupils, Homeless Pupils and School Fees & Waivers*, www.isbe.net/Documents/guidance_reg.pdf;
2. *Dear Colleague Letter: School Enrollment Procedures*, (OCR 05/08/14), www2.ed.gov/about/offices/list/ocr/letters/colleague-201405.pdf;
3. *Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents* (revised 05/08/14), www2.ed.gov/about/offices/list/ocr/docs/qa-201405.pdf; and
4. *Fact Sheet: Information on the Rights of All Children to Enroll in School*, www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201405.pdf.

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 Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.
Compliance with the Missing Children Records Act and Missing Children Registration Law	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). 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

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	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. The Building Principal or designee shall immediately report to the local law enforcement authority and the Ill. Dept. of State Police (ISP) any affidavit explaining the inability to produce a copy of the birth certificate that appears inaccurate or suspicious in form or content. 325 ILCS 50/5 and 55/5(b). 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 50/5(c).
Compliance with the Good Standing Requirement	The parent(s)/guardian(s) of a student who is transferring from an Illinois public school shall ensure that a completed *Good Standing Form* from that school arrives at the school into which the student is transferring. 105 ILCS 5/2-3.13a. The *Good Standing Form*, ISBE Form 33-78, available at: www.isbe.net/Documents/33-78_student_transfer.pdf, indicates whether the student's medical records are current and whether the student is currently being disciplined by a suspension or expulsion. 105 ILCS 5/2-3.13a(b). 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(b). 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(a). The Superintendent or designee may, upon the request of the parent(s)/guardian(s), place the student in an alternative school program established under the School Code. 105 ILCS 5/2-3.13a(a); 5/10-22.6. **Note:** Amend this paragraph as necessary to be consistent with board policy (see f/n 14, policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools* and policy 7:190, *Student Behavior*). 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*. 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

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	student is not currently serving a suspension or expulsion imposed by the school from which the student is transferring.
Compliance with the School Code and the Illinois School Student Records Act	If a request has not been made, the Building Principal shall request academic transcripts and medical records from the student's former school. The Building Principal or designee shall enroll a student whose former school transferred an unofficial record of grades in lieu of the student's official transcript of scholastic records pursuant to 105 ILCS 5/2-3.13a(a) and 23 Ill.Admin.Code §375.75(i). 105 ILCS 10/8.1. Out-of-state transfer students, including children of military personnel, may use unofficial transcripts for admission to a school until official transcripts are obtained from the student's last school district. 105 ILCS 10/8.1(d); 105 ILCS 70/32. Simultaneous with the enrollment of a child of active duty military personnel, the Building Principal or designee shall request the child's educational records from his or her former school. 105 ILCS 70/32.
Compliance with laws concerning education of homeless children	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 accordance with Board policy 6:140, *Education of Homeless Children*, and 6:140-AP; *Education of Homeless Children*. 42 U.S.C. §11432(g)(3)(C)(i) (McKinney-Vento Homeless Assistance Act); 105 ILCS 45/1-20. 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); 105 ILCS 45/1-10.
Other admission steps	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. When parent(s)/guardian(s) of a student eligible for special education present a copy of the student's current individualized education program (IEP) to a new school, the student must be placed in a program described in the IEP. 105 ILCS 10/8.1(c); 23 Ill.Admin.Code §226.50(a)(1). If the school does not receive a copy of the student's current IEP or a verbal or written confirmation of the requirements of that IEP from the previous school district when the student is presented for enrollment, the student must be placed in a setting that the District believes will meet the student's needs until a copy of the current IEP is obtained or a new IEP is developed. 23 Ill.Admin.Code §226.50(a)(2). The Building Principal or designee shall administer a Student Home Language Survey, to each student entering the District's schools for the first time. 23 Ill.Admin.Code §228.15(a). ISBE provides Sample Home Language Surveys that are available in English and twenty-nine other languages under the Home

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	Language Surveys tab at: www.isbe.net/Pages/Screening-for-English-Language-Proficiency.aspx. If the Building Principal or designee did not send a request for records to the student's former school or school district, he or she shall send a notification to the school or school district from which the student transferred documenting that the student has enrolled in the school. 105 ILCS 5/2-3.13a(c); 23 Ill.Admin.Code §375.75(e). 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. P.A. 99-30 repealed 105 ILCS 5/22-65; this language is not contained in 105 ILCS 70/. All course, program, extracurricular, graduation and other placements from the student's former school shall be initially honored if the District has those options, and spaces available. 105 ILCS 70/35. *For Districts that collect biometric information*: The Building Principal or designee shall notify the student and the student's parent(s)/guardian(s) of their rights with respect to the collection, distribution, and retention of biometric information in accordance with the **Student Biometric Information Collection** subhead in Board policy 7:340, *Student Records*. 105 ILCS 5/10-20.40; 23 Ill.AdminCode §375.30(a).

Transferring Out

Steps	Requirements and Action That Must Be Completed
Initial step	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.
Compliance with the Illinois School Student Records Act	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). The Building Principal or designee of the transferring school must, within 10 days of the notice of the student's transfer, forward a copy of the student's school record to the student's new school. 105 ILCS 10/8.1(b); 23 Ill.Admin.Code §375.75(c), (h). Each school must forward written information relative to the grade levels, subjects and record of academic grades achieved, current mathematics and language arts placement levels, health records, and a most current set of standardized test reports. However, if the student has unpaid fines or fees and is transferring to a public school located in Illinois or any other state, an official record of the

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	student's grades will be sent in lieu of the student's official transcript of scholastic records. 105 ILCS 5/2-3.13a(a); 23 Ill.Admin.Code §375.75(i). For children of active duty military personnel, if official educational records cannot be released to a student for the purpose of transferring, the Building Principal or designee shall prepare and furnish a complete set of unofficial educational records to the extent feasible. 105 ILCS 70/32(a). 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 §375.75(i). 105 ILCS 5/2-3.13a(a). The Building Principal shall notify the parent(s)/guardian(s) and the student of the destruction schedule for the student's permanent and temporary school records and of his or her right to request a copy of those records. 105 ILCS 10/4(h), amended by P.A. 101-161, eff. 1-1-20; 23 Ill.Admin.Code §375.40(c). 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. 105 ILCS 5/2-3.13a(c); 23 Ill.Admin.Code §375.75(e).
Compliance with requirements for destruction of biometric information (if applicable)	The Building Principal or designee of the transferring school shall, within 30 days, ensure the destruction of any biometric information collected in accordance with the **Student Biometric Information Collection** subhead in 7:340, *Student Records*. No biometric information shall be transferred to another school district in which a student has enrolled. 105 ILCS 5/10-20.40; 23 Ill.Admin.Code §375.70(a)(2). Destruction of a student's biometric information is not subject to authorization by the appropriate Local Record Commission (50 ILCS 205/7). 105 ILCS 5/10-20.40(d); 23 Ill.Admin.Code §375.40(c).
Compliance with the Missing Children Records Act and Missing Children Registration Law	The Building Principal or designee of the transferring school must send the student's records within 10 days of receipt of the request, unless the record has been flagged pursuant to the Missing Children Records Act and/or Missing Children Registration Law; if flagged, the copy shall not be forwarded and the requested school must notify the local law enforcement authority and ISP of the request. 325 ILCS 55/5 and 50/5. If ISP 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 ISP.

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Compliance with the Good Standing Requirement	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* (ISBE Form 33-78 available at: www.isbe.net/Documents/33-78_student_transfer.pdf) and, if a transferring student is currently suspended or expelled, indicate (105 ILCS 5/2-3.13a(a)): 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. §7961 et seq.), for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or for battering a staff member of the school.
Compliance with the Illinois Domestic Violence Act	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(f). The Building Principal or designee shall respond to the above request by providing, within 24 hours of the transfer or sooner if 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. 750 ILCS 60/222(f).
Compliance with requirements for tracking transfer	The Superintendent and Building Principal, or their designees, shall count a student as a dropout in the calculation of a school's and District's annual student dropout rate unless the school or district to which a student transferred sends notification that the student has enrolled in the transferee school or school district. 105 ILCS 5/2-3.13a(c); 23 Ill.Admin.Code §375.75(e).

LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
Plyler v. Doe, 457 U.S. 202 (1982).
105 ILCS 5/2-3.13a, and 5/10-20.40.
105 ILCS 10/, Ill. School Student Records Act.
105 ILCS 45/, Education for Homeless Children Act.
105 ILCS 70/, Educational Opportunity for Military Children Act.
325 ILCS 50/, Missing Children Records Act.
325 ILCS 55/, Missing Children Registration Law.
750 ILCS 60/222, Ill. Domestic Violence Act of 1986.
20 Ill.Admin.Code §1290.60(a).
23 Ill.Admin.Code Part 375, Student Records.

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Students

Residence

Resident Students

Only students who are residents of the District may attend a District school without a tuition charge, except as 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 affidavit 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.

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 six months 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.

Requests for Nonresident Student Admission

Nonresident students may attend District schools upon the approval of a request submitted by the student's parent(s)/guardian(s) for nonresident 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.
4. The student's parent(s)/guardian(s) will be responsible for transporting the student to and from school.

Admission of Nonresident Students Pursuant to an Agreement or Order

Nonresident students may attend District schools tuition-free pursuant to:

1. A written agreement with an adjacent school district to provide for tuition-free attendance by a

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student of that district, provided both the Superintendent or designee and the adjacent district determine that the student's health and safety will be served by such attendance.

2. A written agreement with cultural exchange organizations and institutions supported by charity to provide for tuition-free attendance by foreign exchange students and nonresident pupils of charitable institutions.
3. According to an intergovernmental agreement.
4. Whenever any State or federal law or a court order mandates the acceptance of a nonresident student.

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. School Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Challenging a Student's Residence Status

If the Superintendent or designee determines that a student attending school on a tuition-free basis is a nonresident of the District for whom tuition is required to be charged, he or she on behalf of the School Board shall notify the person who enrolled the student of the tuition amount that is due. The notice shall detail the specific reasons why the Board believes that the student is a nonresident of the District and shall be given by certified mail, return receipt requested. The person who enrolled the student may challenge this determination and request a hearing as provided by the School Code, 105 ILCS 5/1020.12b.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-20.12a, 5/10-20.12b, 5/10-22.5, and 5/10-22.5a.
105 ILCS 45/, Education for Homeless Children Act.
105 ILCS 70/, Educational Opportunity for Military Children Act.
23 Ill.Admin.Code §1.240.
Israel S. by Owens v. Bd. of Educ. of Oak Park and River Forest High Sch. Dist. 200, 235 Ill.App.3d 652 (5th Dist. 1992).
Joel R. v. Board of Education of Manheim School District 83, 292 Ill.App.3d 607 (1st Dist. 1997).
Kraut v. Rachford, 51 Ill.App.3d 206 (1st Dist. 1977).

CROSS REF.: 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:70 (Attendance and Truancy)

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Students

Administrative Procedure - Challenging a Student's Residence Status

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 nonresident student's attendance. The notice shall detail the specific reasons why the board believes that the student is a nonresident of the District and shall be sent by certified mail, return receipt requested. Consults the Board Attorney as needed throughout the challenge process.
Person Who Enrolled the Student	Within 10 calendar 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 Superintendent. **If a hearing is requested to review the Board's decision:** May request that the student continue attending 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 nonresident who must pay tuition.
Superintendent or Designee	On behalf of the Board and within 10 calendar 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 ten nor more than 20 calendar days after this hearing notice is given. The hearing notice shall notify the person requesting the hearing that any written evidence and testimony or witnesses not disclosed at least three calendar days prior to the hearing are barred at the hearing without the District's consent. At least three calendar days prior to the hearing, discloses to the person requesting the hearing all written evidence and testimony the District may submit during the hearing and a list of witnesses it may call to testify during the hearing.
Person Who Enrolled the Student	At least three calendar days prior to the hearing, discloses to the District all written evidence and testimony he/she may submit during the hearing and a list of witnesses he/she may call to testify during the hearing.
School Board or Hearing Officer Designated by the Board	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

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	forward with the evidence concerning the student's residency. **If the hearing is conducted by a hearing officer:** Within five calendar 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.
Person Who Enrolled the Student	**If the hearing is conducted by a hearing officer**: Within five calendar 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 requested, addressed to the Superintendent.
School Board	**Whether the hearing is conducted by the Board or a hearing officer:** Within 30 calendar 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. Within five calendar days of its decision sends a copy of its decision to the person who enrolled the student by certified mail, return receipt requested. The decision must inform the person who enrolled the student that: (1) he/she may, within five calendar days after receipt of the Board's decision, petition the Regional Superintendent or appropriate Intermediate Service Center of schools to review the decision; and (2) at his/her request, the student may continue attending the District's schools pending the Regional Superintendent or appropriate Intermediate Service Center's review of the Board's decision. Such attendance shall not relieve the person who enrolled the student of the obligation to pay the tuition for that attendance if the Regional Superintendent or appropriate Intermediate Service Center decides the student is a nonresident.
Person Who Enrolled the Student	Within five calendar days after receiving the Board's decision, may petition the Regional Superintendent or appropriate Intermediate Service Center to review the decision. The petition must include the basis for the request and be sent by certified mail, return receipt requested, to both the Regional Superintendent or appropriate Intermediate Service Center and the Superintendent.
School Board	Within five calendar days after receiving petition, delivers to the Regional Superintendent or appropriate Intermediate Service Center the Board's decision, any written evidence and testimony submitted by the parties during the hearing, a list of all witnesses that testified during the hearing, and any existing written minutes or transcript or verbatim record of the hearing. May also provide the Regional Superintendent or appropriate Intermediate Service Center and the person who enrolled the student with a written response to the petition.
Regional Superintendent of Schools or appropriate	Within 10 calendar days after receipt of documentation from the District, issues a written decision as to whether or not there is clear

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Intermediate Service Center	and convincing evidence the student is a resident of the District and eligible to attend the District's schools on a tuition-free basis. The decision shall be transmitted to the Board and the person who enrolled the student, and shall, with specificity, detail the decision's rationale.

LEGAL REF: 105 ILCS 5/10-20.12b.

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Students

Administrative Procedure - Establishing Student Residency

Actor	Requirements and Actions that Must Be Completed
Anyone Seeking to Enroll a Student	Must present a certified copy of the student's birth certificate. Must present proof of residency within the District by providing the required number of documents from each of the following categories: Category I (One document required) 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 from Landlord in Lieu of Lease*) Letter of residence to be used when the person seeking to enroll a student is living with a District resident (7:60-AP2, E2, *Letter of Residence to Be Used When the Person Seeking to Enroll a Student Is Living with a District Resident*) Category II (Two documents showing proper address are required) Driver's license Vehicle registration Voter registration Most recent cable television and/or credit card bill Current bank statement 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 Military Personnel Enrolling a Student for the First Time in the District. Must provide one of the following within six months after the date of student's initial enrollment) Postmarked mail addressed to military personnel Lease agreement for occupancy Proof of ownership of residence Military Personnel with Legal Custody of a Child Who Want to Keep the Child Enrolled in the District Despite Having Changed Residence Due to a Military Service Obligation.

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	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. Military Personnel Placing Nonresident Child with *Non-Custodial Parent* While on Active Military Duty. A student will not be charged tuition while he or she is placed with a *non-custodial parent* (a person who has temporary custody of a child of active duty military personnel and who is responsible for making decisions for the child). Must provide any "special power of attorney" created by the student's parent/guardian for the District to follow. A special power of attorney authorizes: (1) the student to enroll in a district of the non-custodial parent, and (2) the non-custodial parent to make decisions for the student. Any special power of attorney will be filed in the student's temporary record.

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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 *Evidence of Non-Parent's Custody, Control, and Responsibility of a Student* form, 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 nonresident tuition from the date the student began attending a District school as a nonresident.

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).

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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 _____ Phone _____

Relationship to the child _____ Email _____

Residence street address _____ City _____ Zip code _____

Landlord's name _____ Landlord's phone _____

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 _____

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 nonresident tuition from the date the student began attending a District school as a nonresident.

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).

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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 _____ Phone _____

Relationship to the child _____ Email _____

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 _____ Phone _____

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 (*attach an additional statement to this form if needed*):

_____

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 nonresident tuition from the date the student began attending a District school as a nonresident.

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

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tuition charge is guilty of a Class C misdemeanor. 105 ILCS 5/10-20.12b(f).

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Students

Exhibit - Evidence of Non-Parent's Custody, Control, and Responsibility of a Student

This form is used 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. The School District reserves the right to evaluate the evidence presented and require further documentation. Completing this form does not guarantee admission.

Student's name _____ School _____

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.

The child lives with me because:

The child will be living with me until:

I have assumed and exercise full legal responsibility for and control of the child regarding daily educational and medical decisions, including responsibility for: (*attach copies of any agreements, judgments, decrees or other documents giving you custody*):

medical decisions and costs
discipline and restitution for vandalism or other crimes
food and clothing
school fees (books, bus, etc.)

At my residence the child regularly: (*Please explain any unchecked boxes*)

Eats meals
Sleeps ___ nights/week (*explain if less than 7 nights per week*)
Spends weekends and summers/school breaks

IMPORTANT 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 nonresident tuition from the date the student began attending a District school as a nonresident.

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 (*attach copies of any agreements, judgments, decrees or other documents giving the person named below custody*):

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I have transferred custody and control of my child to the above-named person because:

Date	Signature of individual completing this form
Telephone	Address

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Students

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 of religious reasons, including to observe a religious holiday, for religious instruction, or because his or her religion forbids secular activity on a particular day(s) or time of 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 (including mental or behavioral health of the student), observance of a religious holiday, death in the immediate family, attendance at a civic event, family emergency, other situations beyond the control of the student as determined by the Board, voting pursuant to policy 7:90, *Release During School Hours* (10 ILCS 5/7-42 and 5/17-15), other circumstances that cause reasonable concern to the parent/guardian for the student's mental, emotional, or physical health or safety, or other reason as approved by the Superintendent or designee. Students absent for a valid cause may make up missed homework and classwork assignments in a reasonable timeframe.

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 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran.
3. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings.
4. 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.
5. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in 105 ILCS 5/26-2a.
6. 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

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members or other people who may have information about the reasons for the student's attendance problem.

7. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent 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.*
8. A process for the collection and review of chronic absence data and to:
    a. Determine what systems of support and resources are needed to engage chronically absent students and their families, and
    b. Encourage the habit of daily attendance and promote success.
9. Reasonable efforts to provide ongoing professional development to teachers, administrators, Board members, school resource officers, and staff on the appropriate and available supportive services for the promotion of student attendance and engagement.
10. 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.
11. 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.
12. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student.
13. 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.

[*For high school and unit districts only*]

14. A process for a 17-year-old resident to participate in the District's various programs and resources for truants. The student must provide documentation of his/her dropout status for the previous six months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.
15. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student.

Monitoring

Pursuant to State law and policy 2:240, *Board Policy Development*, the Board updates this policy at least once every two years. The Superintendent or designee shall assist the Board with its update.

LEGAL REF.: 105 ILCS 5/22-92 and 5/26-1 through 18.
705 ILCS 405/3-33.5, Juvenile Court Act of 1987.
23 Ill.Admin.Code §§1.242 and Part 207.

CROSS REF.: 5:100 (Staff Development Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational

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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), 7:90 (Release During School Hours), 7:190 (Student Behavior), 7:340 (Student Records)

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Students

Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, because of religious reasons, including to observe a religious holiday, for religious instruction, or because the student's religion forbids secular activity on a particular day(s) or time of day. The student's parent/guardian must give written notice to the Building Principal at least five calendar days before the student's anticipated absence(s).

The Superintendent or designee shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons, including how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement.

LEGAL REF.: 105 ILCS 5/26-1 and 5/26-2b.
775 ILCS 35/, Religious Freedom Restoration Act.

CROSS REF.: 7:70 (Attendance and Truancy)

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Students

Release During School Hours

For safety and security reasons, a prior written or oral consent of a student's custodial parent/guardian is required before a student is released during school hours: (1) at any time before the regular dismissal time or at any time before school is otherwise officially closed, and/or (2) to any person other than a custodial parent/guardian.

Early Dismissal Announcement

The Superintendent or designee shall make reasonable efforts to issue an announcement whenever it is necessary to close school early due to inclement weather or other reason.

[*For high school and unit districts only*]

Voting

The Superintendent or designee shall specify the hours during which students who are entitled to vote at a primary, general, or special election, or any election at which propositions are submitted to a popular vote in Illinois, may be absent from school for a period of two hours to vote. Students are entitled to be absent from school to vote beginning the 15th day before the primary, general, or special election, or any election at which propositions are submitted to a popular vote in Illinois, or on the day of such election.

LEGAL REF.: 10 ILCS 5/7-42(b) and 5/17-15(b), Election Code.

CROSS REF.: 4:170 (Safety)

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Students

Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students

Required Health Examinations and Immunizations

A student's parents/guardians 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 registered nurse, 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. 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 students entering sixth grade and their parents/guardians information about the link between human papillomavirus (HPV) and HPV-related cancers and the availability of the HPV vaccine.
6. The District will provide informational materials regarding influenza, influenza vaccinations, meningococcal disease, and meningococcal vaccinations developed, provided, or approved by the IDPH when it provides information on immunizations, infectious diseases, medications, or other school health issues to students' parents/guardians.

Unless an exemption or extension applies, the 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 after October 15 of the current school year 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

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a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice registered 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, sixth, and ninth 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 IDPH.

If a child in the second, sixth, or ninth 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 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 the examining physician, advanced practice registered nurse, or physician assistant provides written verification.

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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.
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. School Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/27-8.1 and 45/1-20.
410 ILCS 45/7.1, Lead Poisoning Prevention Act.
410 ILCS 315/2e, Communicable Disease Prevention Act.
23 Ill.Admin.Code §1.530.
77 Ill. Admin.Code Part 664, Socio-Emotional and Developmental Screening.
77 Ill.Admin.Code Part 665, Child and Student Health Examination and Immunization.
77 Ill.Admin.Code Part 690, Control of Communicable Diseases.

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)

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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 noninstructional 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. *Noninstructional 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.
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 Behavior)

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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 objective 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

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. School officials may not 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.

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2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

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, 169 Ill.2d 195 (1996), *cert. denied*, 116 S.Ct. 1692 (1996).
People v. Pruitt, 278 Ill.App.3d 194 (1st Dist. 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).
T.L.O. v. New Jersey, 469 U.S. 325 (1985).
Vernonia School Dist. 47J v. Acton, 515 U.S. 646 (1995).
Safford Unified School Dist. No. 1 v. Redding, 557 U.S. 364 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Behavior)

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Students

Administrative Procedure - Use of Metal Detectors and Searches for Student Safety

Nothing in this procedure shall limit the authority of school officials to search a student in accordance with 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 Board policy, shall be confiscated and the student disciplined in accordance with 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, (3) violence involving weapons has occurred at a school or on school property, at school functions, or in a school's vicinity, or (4) a mass search takes place according to the District's standards for when and how metal detector searches are to be conducted. 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 feel 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.

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Students

Exhibit - Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act

On District letterhead

Re: When may school officials require a student to share the content from his or her account or profile on a social networking website?

Dear Parents/Guardians:

State law requires the District to notify students and their parents/guardians of each of the following:

1. School officials may not request or require a student or his or her parents/guardians to provide a password or other related account information to gain access to the student's account or profile on a social networking website. Examples of *social networking websites and platforms* include Facebook, Instagram, Twitter, TikTok, and Snapchat.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school behavior rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

Please contact the school if you have any questions.

Sincerely,

Building Principal

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Students

Agency and Police Interviews

The Superintendent shall develop procedures to manage requests by agency officials or police officers to interview students at school. Procedures will:

1. Recognize individual student rights and privacy,
2. Recognize the potential impact an interview may have on an individual student,
3. Minimize potential disruption,
4. Foster a cooperative relationship with public agencies and law enforcement, and
5. Comply with State law including, but not limited to, ensuring that before a law enforcement officer, school resource officer, or other school security person detains and questions on school grounds a student under 18 years of age who is suspected of committing a criminal act, the Superintendent or designee will:

    a. Notify or attempt to notify the student's parent/guardian and document the time and manner in writing;

    b. Make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if they are not present, ensure that school employees (including, but not limited to, a school social worker, psychologist, nurse, counselor, or any other mental health professional) are present during the questioning; and

    c. If practicable, make reasonable efforts to ensure a trained law enforcement officer to promote safe interactions and communications with the student is present during questioning.

LEGAL REF.: 105 ILCS 5/10-20.64, 5/22-88.

55 ILCS 80/, Children's Advocacy Center Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/31-1 et seq., Interference with Public Officers Act.
725 ILCS 120/, Rights of Crime Victims and Witnesses Act.

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Behavior)

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Students

Administrative Procedure - Agency and Police Interviews

The Ill. Council of School Attorneys, with participation from the DuPage County State's Attorney's Office and Regional Superintendent of Schools, developed *Guidelines for Interviews of Students at School by Law Enforcement Authorities* to assist law enforcement authorities and school officials in determining when it is appropriate for law enforcement authorities or the Ill. Dept. of Children and Family Services to interview students while the students are at school or participating in school-related activities. The document is available on the Illinois Association of School Boards website: www.iasb.com/law/ICSAGuidelinesforInterviewsofStudents.pdf.

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Students

Student Appearance

A student's appearance, including dress and hygiene, must not disrupt the educational process or compromise standards of health and safety. The District does not prohibit hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists. Students who disrupt the educational process or compromise standards of health and safety must modify their appearance. Procedures for guiding student appearance will be developed by the Superintendent or designee and included in the *Student Handbook(s)*.

LEGAL REF.: 105 ILCS 5/2-3.25 and 5/10-22.25b.
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503 (1969).

CROSS REF.: 7:10 (Equal Educational Opportunities), 7:130 (Student Rights and Responsibilities), 7:165 (School Uniforms), 7:190 (Student Behavior)

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Students

Vandalism

The School 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/.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

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Students

Prevention 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 105 ILCS 5/27-23.7

Bullying includes *cyberbullying* 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.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence,

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theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

Cyberbullying 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. *Cyberbullying* 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*. *Cyberbullying* 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, (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, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Ill. Human Rights Act.

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 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 Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a 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 named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous

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reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

Nondiscrimination Coordinator:

Janet Gladu
Name
404 West Main, La Harpe, IL 61450
Address
jgladu@laharpeeagles.com
Email
217-569-7739
Telephone

Complaint Managers:

Janet Gladu	Ryan Hopper
Name	Name
404 West Main, La Harpe, IL 61450	404 West Main, La Harpe, IL 61450
Address	Address
jgladu@laharpeeagles.com	rhopper@laharpeeagles.com
Email	Email
217-659-7739	217-659-3173
Telephone	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.

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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**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.

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, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.

9. The District's bullying prevention and response plan is 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 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 be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.

11. Pursuant to State law and policy 2:240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. 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. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

    1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
    2) If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or

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3) A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Superintendent or designee must post the information developed as a result of the policy re-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. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

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. 2:265, *Title IX Sexual Harassment Grievance Procedure*. Any person may use this policy to complain about sexual harassment in violation of Title IX of the Education Amendments of 1972.

    c. 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.

    d. 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.

    e. 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.

    f. 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).

    g. 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.

    h. 7:190, *Student Behavior*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.

    i. 7:310, *Restrictions on Publications; Elementary Schools*, and 7:315, *Restrictions on Publications; High Schools*. These policies prohibit students from and provide 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.

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LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/24-24, and 5/27-23.7.
405 ILCS 49/, Children's Mental Health Act.
775 ILCS 5/1-103, Ill. Human Rights Act.
23 Ill.Admin.Code §§1.240, 1.280, and 1.295.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment 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 Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

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Students

Administrative Procedure - Prevention, Identification, Investigation, and Response to Bullying

The strategic components for integrating an anti-bullying program into the District's existing policies and procedures are listed below. Each component lists specific implementation steps along with resources and accompanying exhibits. The Superintendent or designee, at the District-level, or the Building Principal or designee, at the Building-level, is responsible for the integration of these components. Use the local conditions of the community and other available resources to determine the best implementation methods. At times, support from the School Violence Prevention Team (see4:190, *Targeted School Violence Prevention Program*) may be appropriate as bullying and threats of school violence often arise from the same behavior pattern(s), i.e., interpersonal aggression.

Preventing Bullying

1. Review 7:180-AP1, E1, *Resource Guide for Bullying Prevention*.
2. Assess the District's Conditions for Development and Learning. Below are resources that discuss and provide information about how to implement school climate measurement instruments:

   School Bullying Prevention Task Force Report, *Selection of School Climate Measures*, p. 19 at: www.isbe.net/Documents/sbptf_report_030111.pdf.

   Safe Supportive Learning's School Climate Measurement compendium at: https://safesupportivelearning.ed.gov/topic-research/school-climate-measurement.

Identifying Bullying

1. Post 7:180-AP1, E2, *Be a Hero by Reporting Bullying*, in school buildings, student handbooks, online, etc.
2. Train staff to recognize and accept reports of bullying, 7:180-AP1, E3, *Memo to Staff Regarding Bullying*.
3. Inform parents about the District's anti-bullying program, 7:180-AP1, E4, *Memo to Parents/Guardians Regarding Bullying*.
4. Inform students how to make a report, including an anonymous report, i.e., complete and submit 7:180-AP1, E5, *Report Form for Bullying*.

Investigating Reports of Bullying

1. Conduct a prompt, thorough and impartial investigation upon receiving a report.
2. Review the report, i.e., 7:180-AP1, E5, *Report Form for Bullying*.
3. Interview the listed aggressor(s), target(s) and witnesses using 7:180-AP1, E6, *Interview Form for Bullying Investigation*.

Responding to Bullying

1. Complete 7:180-AP1, E7, *Response to Bullying*.
2. Notify the District's Non-Discrimination Coordinator if the findings indicate that the behavior was based upon the protected statuses listed in 7:20, *Harassment of Students Prohibited*.

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3. Communicate and partner with the parents/guardians of the students involved. Ask parents/guardians, "How can we help you and your child?"
4. Stop the behavior(s).
5. Eliminate any hostile environment(s) and its effects (see **Preventing Bullying** #2, above).
6. Prevent the bullying from happening again.
7. Implement appropriate interventions for the target, aggressor, and District.
8. Address any findings of repeated inaccurate accusations against an alleged-aggressor that are beginning to impede his or her education, e.g., reverse bullying.
9. Follow-up with target, aggressor and their parent(s)/guardian(s) to ensure subsequent bullying has not occurred and no new concerns have arisen.

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Students

Exhibit - Resource Guide for Bullying Prevention

General Resources

Safe2Help Illinois:

www.safe2helpil.com/

Ill. State Board of Education *School Bullying Prevention Task Force Report*:

www.isbe.net/Documents_SBPTF/sbptf_report_030111.pdf

Resources section of the website managed by the U.S. Department of Health & Human Services:

www.stopbullying.gov

Bullying in Schools - Cops – U.S. Department of Justice:

https://cops.usdoj.gov/RIC/Publications/cops-w0018-pub.pdf

Restorative Discipline Resources

Positive Behavior Intervention & Supports (PBIS):

www.pbis.org/

Social and Emotional Learning Standards:

www.isbe.net/Documents/SEL-Standards.pdf

Dignity in Schools:

http://dignityinschools.org/take-action/model-school-code/

Illinois Balanced and Restorative Justice:

https://ibarj.org/

Conditions for Development and Learning; Data Collection Resources

Centers for Disease Control and Prevention (CDC)'s *Measuring Bullying Victimization, Perpetration, and Bystander Experiences: A Compendium of Assessment Tools*:

www.cdc.gov/violenceprevention/pdf/bullycompendium-a.pdf

Safe Supportive Learning's School Climate Survey Compendium:

https://safesupportivelearning.ed.gov/topic-research/school-climate-measurement/school-climate-survey-compendium

CDC's *Youth Violence: Measuring Violence-Related Attitudes, Behaviors, and Influences Among Youths: A Compendium of Assessment Tools - Second Edition*:

https://www.cdc.gov/violenceprevention/pdf/yv_compendium.pdf

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CDC's *Intimate Partner Violence and Sexual Violence Victimization Assessment Instruments for Use in Healthcare Settings, Version 1*:

https://www.cdc.gov/violenceprevention/pdf/ipv/ipvandsvscreening.pdf

World Health Organization's *Creating an environment for emotional and social well-being*: an important responsibility of a health promoting and child-friendly school.

https://apps.who.int/iris/handle/10665/42819

Rachel's Challenge:

https://rachelschallenge.org

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Students

Exhibit - Be a Hero by Reporting Bullying

Who reports?	YOU, if you have information about bullying, harassment, and/or a threat of one of these actions. It doesn't matter whether you are the target of bullying or think someone is being bullied, please report it!
What do I report?	Any activity that targets someone to be hurt in any way. Bullying, harassment, and threats take many forms. One thing they have in common – someone is targeted to be hurt. Examples of these hurtful behaviors include unwanted teasing, intimidation, physical violence, humiliation, spreading false rumors, social exclusion, or theft or destruction of property. Bullying, harassment, and threats may occur almost anywhere students go – in school buildings, on school grounds or buses, or at bus stops, for example. Bullying or harassing may also occur using social networking sites or cell phones.
When should I report?	As soon as possible.
Where or how do I report?	Tell any school staff member. You may do this in person, by phone, or by email. You may be asked to complete 7:180-AP1, E5, *Report Form for Bullying*. You may make an anonymous tip.
Why should I report?	Fear and abuse have no place in our school. Be a hero and report bullying. If you are being bullied, a report will help you and other students who may also be targeted for bullying.
What will happen after I report?	An Administrator will: 1. Acknowledge and review your report. 2. Treat your report with privacy and respect its sensitive nature. 3. Investigate your report. The school will not bring students who bully and those they bully into the same room to confront each other. All interviews will be private. 4. Take appropriate action that may include increased monitoring and supervision, restructuring schedules, additional resources, and disciplinary action for conduct code violations, among others. 5. Provide you with feedback, if appropriate.

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Students

Exhibit - Memo to Staff Regarding Bullying

On District or School Letterhead

Date

Re: Bullying

All staff members:

Please join me in stopping and preventing student bullying in our school. The purpose of this letter is to introduce you to our three-pronged approach that will help accomplish this goal.

First - If a student reports bullying to you, respond immediately and with compassion. Ask for the basic facts (who-what-when-where). Refer the report to my office. Give the student our form for reporting bullying, 7:180-AP1, E5, *Report Form for Bullying*.

Second - Provide me your feedback and concerns. Do you know of any bullying *hot spots* that need additional supervision or monitoring? Are there known bullies or targets of bullying?

Third - Intervene immediately to stop a bullying incident. When teachers or adults ignore bullying, students interpret it as acceptable behavior. Immediately contact administration and building security or law enforcement if the incident involves a weapon or other illegal activity.

Bullying is defined in School Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, as follows:

> Bullying 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:
>
> 5. Placing the student or students in reasonable fear of harm to the student's or students' person or property.
> 6. Causing a substantially detrimental effect on the student's or students' physical or mental health.
> 7. Substantially interfering with the student's or students' academic performance.
> 8. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.
>
> Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

The Board's entire policy may be found on the District's website. Please let me know if you have any questions or concerns.

Sincerely,

Building Principal

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Students

Exhibit - Memo to Parents/Guardians Regarding Bullying

On District or School Letterhead

Date

Re: Bullying

Dear Parents/Guardians:

At our school, bullying of any kind, by any person, is unacceptable. All students should be free from worries about being bullied. Students who bully others must be taught other, appropriate ways of interacting with peers. The purpose of this letter is to provide you with information concerning the School District's anti-bullying program and to encourage you to help us identify students who are being bullied.

The School Board policy on bullying begins with this goals statement:

> 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 is an important District goal.

Bullying is defined as follows:

> Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student that has or can be reasonably predicted to have the effect of one or more of the following:
>
> 1. Placing the student in reasonable fear of harm to the student's person or property.
> 2. Causing a substantially detrimental effect on the student's physical or mental health.
> 3. Substantially interfering with the student's academic performance.
> 4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.
>
> Bullying, intimidation, and/or harassment may take various forms, including without limitation: threats, stalking, physical violence, sexual harassment, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

I asked our school staff members to respond immediately and with compassion to a student who reports bullying or school violence. After evaluating the situation to determine if an immediate referral to my office is needed, a staff member will give the student our form for reporting bullying, 7:180-AP1, E5, *Report Form for Bullying*. I will inform you whenever your child is involved in a bullying report.

I also asked our staff members for their feedback and concerns specifically regarding locations that may be bullying *hot spots* needing additional supervision or monitoring or if there are any known bullies or targets of bullying in our building. I want to ask you to do the same thing. Please inform me if you know of any bullying *hot spots* in or around our school, or if you are aware of a known bully or target of bullying.

Finally, I requested our staff members to intervene immediately to stop a bullying incident. They will immediately contact building security and/- or law enforcement if the incident involves a weapon or other illegal activity.

Below are some of the signs that a young person is being bullied:

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- Does not want to go to school and refuses to explain the reason
- Talks about not having any friends
- Has unexplained bruises, cuts, scratches, or abrasions
- Has unexplained damage to clothing, possessions, books, etc.
- Frequently loses money or possessions
- Loses interest in school and/or has declining grades
- Becomes withdrawn and/or has stress or depression symptoms

These signs do not necessarily mean your child is being bullied, but if present, ask your child whether they are being bullied.

Please let me know if you have any questions or concerns.

Sincerely,

Building Principal

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Students

Exhibit - Report Form for Bullying

To be completed by the bullying target, witness, or person with information about an incident of bullying and submitted to the Building Principal's office. Make readily accessible via website(s) and other publicized designated areas in schools.

Please print and check appropriate boxes.

Name: _____ Date: _____

☐ Student ☐ Parent ☐ Staff ☐ Other _____

Indicate here if you prefer to remain anonymous: ☐ Yes ☐ No

Are you the target of the bullying that your are reporting: ☐ Yes ☐ No

Date of incident:_____Time of Incident:_____

Person(s) being reported as targets of bullying:

Name:_____ ☐ Student ☐ Staff

Name:_____ ☐ Student ☐ Staff

Name:_____ ☐ Student ☐ Staff

Person(s) being reported as aggressors engaged in bullying:

Name:_____ ☐ Student ☐ Staff ☐ Other

Name:_____ ☐ Student ☐ Staff ☐ Other

Name:_____ ☐ Student ☐ Staff ☐ Other

Person(s) who witnessed the bullying:

Name:_____ ☐ Student ☐ Staff ☐ Other

Name:_____ ☐ Student ☐ Staff ☐ Other

Name:_____ ☐ Student ☐ Staff ☐ Other

Was the incident based on any of these characteristics? (Check all that apply).

☐ Race	☐ Color	☐ Nationality
☐ Sex	☐ Sexual orientation	☐ Gender identity
☐ Pregnancy	☐ Gender-related expression	☐ Ancestry
☐ Age	☐ Religion	☐ Physical disability
☐ Mental disability	☐ Order of protection status	☐ Homeless status
☐ Marital status	☐ Parental status	

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☐ Associated with person/group with one or more of the above actual or perceived characteristics

☐ Other_____

☐ I do not know.

Student(s) were targeted for bullying in the following way(s): (Check all that apply.)

☐ Electronic devices (e.g., internet, social media platforms, text, email, cyberbullying, etc.)

☐ Written communication (e.g., handwritten notes, other written documents, email, etc.)

☐ Physical act or conduct (e.g., pushing, hitting, destruction of property, stalking, etc.)

☐ Verbal act or conduct (e.g., rumors, lies, name-calling, using derogatory slurs, etc.)

☐ Social (e.g., purposeful exclusion, causing psychological harm, etc.)

☐ Items depicting implied hatred or prejudice were worn, possessed or displayed

☐ Other (please explain):_____

Student(s) were targeted for bullying in the following place(s): (Check all that apply.)

☐ Classroom
☐ Locker room
☐ Hallway
☐ Extracurricular activity
☐ Cafeteria
☐ Bus
☐ Restroom
☐ Bus stop
☐ Gym
☐ School or related activity or event
☐ Other:_____

Please tell us about the incident in your own words. Use as much detail as possible - what time did the incident(s) take place, who witnessed it, what was said, what types of interactions occurred (physical, written, social, electronic, etc.)

☐ The above information is true and accurate to the best of my knowledge.

Signature: _____ Date: _____

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Students

Exhibit - Interview Form for Bullying Investigation

To be completed by the Building Principal or designee to obtain information about a bullying report. Use this form as a coversheet for each person interviewed during the investigation.

Name of person interviewed: _____ Date: _____

Name of interviewer: _____ Title: _____

Instructions for Interviewer

1. Protect the identity of the student who reports. Begin a prompt, thorough and impartial investigation by interviewing witnesses separately in a private location with a school colleague present (not the school resource officer). Use the **Questions** section below to guide your notes while you interview the person listed above. Attach to 7:180-AP1, E7, *Response to Bullying*.
2. Make your notes on a separate document and attach them to this form.
3. Review and preserve any videos, photos, screenshots or other physical evidence and label it.
4. File this form, notes, and any other evidence provided in a designated investigation and response folder.
5. Use this form to complete 7:180-AP1, E7, *Response to Bullying*.
6. Create a *Basic Facts* section, i.e., who, what, where, when, why and how.
7. Record the actions and behavior that were experienced or observed (follow-up with leading questions to complete the description of what happened and its consequences, if necessary).
8. Include open-ended questions. For example, ask "How are you feeling?" "How has what happened affected you?"

Questions

1. Has this happened before?
2. Do you fear for your safety? How? Where (at school, home, or both places)?
3. Do you fear that harm would come to any of your personal property? How?
4. In a developmentally appropriate manner, ask whether the target's health (physical, emotional, and/or mental) has been affected. How (seen by a doctor, missing school)?
5. Has your academic performance been affected? How (increase in tardiness/absences, grades going down, missed assignments)?
6. Have you quit or modified attendance in any extracurricular activities?
7. Have you changed any of your usual routines at school (using different hallway, skipping lunch in lunchroom or using different lunch period, taking different route to school, etc.)?
8. Why do you think this behavior is happening?
9. What will help make you feel safe?

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Students

Exhibit - Response to Bullying

To be completed by the Building Principal and attached as a coversheet for the school office's designated bullying report investigation and response folder. Place a copy of the completed coversheet only (not attachments) in each listed student's temporary school student record. Redact all student names other than the student's name for which the record pertains.

Investigator: _____ Title: _____

Investigation

File an interview form for each party interviewed in the designated investigation and response folder.

☐ Check here to indicate that all interview forms have been properly completed and filed.

Target: _____ Date: _____

Aggressor: _____ Date: _____

Witnesses: _____ Date: _____

_____ Date: _____

_____ Date: _____

Are there any prior documented incidents by the aggressor identified above? ☐ Yes ☐ No (Attach information)

If yes, have incidents involved target or target group previously? ☐ Yes ☐ No

Findings

☐ Bullying ☐ Other: _____

☐ Aggressor motivated by protected characteristics listed in policy 7:20, *Harassment of Students Prohibited.*

Bullying Investigation Response

Response and Plan for Target (Check all that apply and include descriptions.)

Contact parent/guardian: _____ Date: _____

Circle contact method: Phone Email Letter In-person Other: _____

☐ Safety plan: _____

☐ Increase staff supervision: _____

☐ Education: _____

☐ Minimize contact with aggressor: _____

☐ District resources: (Student Services/IDEA/504) _____

☐ Other: _____

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Target follow-up scheduled date: _____ Date and initial completed: _____

Parent/guardian follow-up date: _____ Date and initial completed: _____

Circle contact method: Phone Email Letter In-person Other: _____

☐ Provide parent/guardian with copies of Board policies 2:260 and 7:180. Date: _____

Response and Plan for Aggressor (Check all that apply and include descriptions.)

☐ Contact parent/guardian: _____ Date: _____

Circle contact method: Phone Email Letter In-person Other: _____

☐ 7:190-E1, *Aggressive Behavior Reporting Letter and Form* sent Date: _____

☐ Provide parent/guardian with copies of Board policies 2:260 and 7:180 Date: _____

Restorative Responses

☐ Safety plan: _____

☐ Increase staff supervision: _____

☐ Education: _____

☐ Non-District affiliated psychological services : _____

☐ Alternative school assignment: _____

☐ Minimize contact with target: _____

☐ District resources (Student Services/IDEA/504): _____

☐ Other: _____

Punitive Responses

☐ Loss of privileges: _____

☐ Detention: _____

☐ Suspension: _____

☐ Expulsion: _____

☐ Community agency service: _____

☐ Reciprocal Reporting Act utilized: ☐Yes ☐No _____

☐ Report to School Resource Officer/Law Enforcement: _____

☐ Other: _____

Aggressor follow-up date: _____ Date and initial completed: _____

Circle contact method: Phone Email Letter In-person Other: _____

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Parent/guardian follow-up date: _____ Date and initial completed: _____

Circle contact method: Phone Email Letter In-person Other: _____

☐ Contact District complaint manager: _____ Date: _____

☐ Target response implementation: _____

☐ Aggressor response implementation: _____

☐ Systemic culture/climate intervention: _____

☐ Referral to address needs for ideal conditions for developmental learning: _____

☐ Other: _____

Submit reports to: ☐ Building Principal (if not the investigator) Date: _____

☐ Superintendent Date: _____

Signature of investigator: _____ Date: _____

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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. 2:260, *Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the School Board, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
   b. 2:265, *Title IX Sexual Harassment Grievance Procedure*. This policy prohibits any person from engaging in sexual harassment in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
   c. 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).
   d. 7:180, *Prevention of and Response to 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,

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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)

LEGAL REF.: 105 ILCS 110/3.10.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities)

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Students

Exhibit - Memo to Parents/Guardians Regarding Teen Dating Violence

On District or School letterhead

Date

Re: Teen Dating Violence

Dear Parents/Guardians:

At our school, teen dating violence is unacceptable. We are committed to providing our students with a school environment where they can learn free from worries about school violence. The purpose of this letter is to inform you of School Board policy, 7:185, *Teen Dating Violence Prohibited*, which is a component of the District's anti-bullying program.

Research has shown that teen dating violence can form lifelong, unhealthy habits during young adults' formative years. Educating parents/guardians, students, and staff about teen dating violence can help us identify incidents of teen dating violence at school or school-related activities. The Board's policy states that *teen dating violence* occurs whenever a student 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.

Students in grades 7 through 12 will receive age-appropriate instruction on teen dating violence including its warning signs and prevention. School staff will also receive training on handling the signs and incidents of teen dating violence. I have asked our school staff members to respond immediately and with compassion to a student who reports teen dating violence. After evaluating the situation to determine if an immediate referral to my office is needed, a staff member will give the student our form for reporting bullying, 7:180-AP1, E5, *Report Form for Bullying*.

Finally, I have directed staff members to intervene immediately to stop incidents of teen dating violence occurring at school. They will proceed under our District's procedures for responding to incidences of bullying and school violence.

Below are some warning signs that your child may be involved in teen dating violence:

- Name-calling and *put-downs*. Does one individual in the relationship call the other person names? Do they use insults to put the other person down?
- Extreme Jealousy. Does one individual in the relationship act overly jealous when the other talks to peers? Does one individual accuse the other of flirting even when it's innocent conversation?
- Making Excuses. Does one individual in the relationship make excuses for the other? Do they have to apologize for the other person's behavior?
- Canceling or changing plans. Does one individual cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?
- Monitoring. Does one individual call, text message, or check up on the other constantly? Do they demand to know the other person's plans or with whom the other person was with?
- Uncontrolled Anger. Have you seen one individual lose his or her temper? Do they throw things – or break things – when angry? Does one individual in the relationship worry a lot about upsetting the other?
- Isolation. Has one individual in the relationship given up spending time with friends? Has that individual stopped doing activities that used to be important?

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- Dramatic Changes. Have either of the individuals in the relationship had appearance changes? Have they lost or gained weight? Have their grades dropped? Do they seem depressed?
- Injuries. Does one individual in the relationship have unexplained injuries, or do they give explanations that don't make sense?
- Quick Progression. Did the relationship get serious very quickly?

These signs do not necessarily mean that your child is involved in teen dating violence, but, if present, talk to your child about teen dating violence.

For more information about this issue, please see the Centers for Disease Control and Prevention's educational materials at:

www.cdc.gov/injury/features/dating-violence/index.html

Please let me know if you have any questions or concerns.

Sincerely,

Building Principal

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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 marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*).
    b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.

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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 unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*.

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 or silenced 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

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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

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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

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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 two 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.

Isolated Time Out, Time Out, and Physical Restraint

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the District's procedure(s).

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).

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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, Ill. State Police (ISP), 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 10 consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons.

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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.

Incorporated by Reference: 7:190-AP4 (Use of Isolated Time Out, Time Out, and Physical Restraint)

LEGAL REF.:
20 U.S.C. §6081, Pro-Children Act of 1994.
20 U.S.C. §7961 et seq., Gun Free Schools 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, 5/22-33, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.
105 ILCS 110/3.10, Critical Health Problems and Comprehensive Health Education Act.
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.
23 Ill.Admin.Code §§ 1.280, 1.285.

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), 7:315 (Restrictions on Publications; High Schools), 8:30 (Visitors to and Conduct on School Property)

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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 to or required of 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
2. Expulsion for the remainder of the school term.

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Students

Student Handbook - Gang Activity Prohibited

Students are prohibited from engaging in gang activity. A *gang* is any group of two 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 two calendar years

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Students

Administrative Procedure - Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students

State law requires a reciprocal reporting system between the School District and local law enforcement agencies regarding criminal offenses committed by students. 105 ILCS 5/10-20.14. The Juvenile Court Act of 1987 and the School Code set requirements for the management and sharing of law enforcement records and other information about students if they have contact with local law enforcement. Implementation of reciprocal reporting procedures relies heavily on the District's parent-teacher advisory committee and Building Principals, in cooperation with local law enforcement agencies. 105 ILCS 5/10-20.14. The parent-teacher advisory committee is a School Board committee and, thus, is subject to the Open Meetings Act. 5 ILCS 120/1.02. Local implementation of reciprocal reporting procedures may be modified based upon the District's and local law enforcement's specific implementation needs.

Guidelines for Reports from the District to Local Law Enforcement

When sharing information, school officials should be aware of State and federal laws regarding *school student records*. Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/; 23 Ill.Admin.Code Part 375. Information kept by law enforcement professionals working in a school is not considered a *school student record.* 105 ILCS 10/2. Also, law enforcement records maintained by law enforcement agencies are not considered a *school student record.* 105 ILCS 5/22-20. For more detailed information about *school student records* and its definition, see 7:340-AP1, *School Student Records*.

1. The Building Principal and/or the Police Department School Liaison Officer (Liaison Officer) will arrange meetings as needed between school officials and individuals representing law enforcement to share information. While not required by State law, meetings may enhance a cooperative relationship between the school and local law enforcement agencies. The following people should be invited to these meetings: dean, building principal, school counselor, State's Attorney, juvenile probation officer, and police department school liaison officer.
2. The Building Principal and the Liaison Officer will share information with the appropriate law enforcement agencies 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 listed in the Juvenile Court Act of 1987. 105 ILCS 5/10-20.14.
    a. The reporter should identify the student by name and describe the circumstances of the alleged criminal activity. If the information is a *school student record*, local law enforcement officials must certify in writing that they will not disclose it to any other party except as provided by State law without the prior written consent of the student's parent/guardian. See administrative procedure 7:340-AP1, *School Student Records*, Section H. The *written certification requirement* is at 105 ILCS 10/6(6.5) and 20 U.S.C. §1232g(b)(1)(E)(ii)(II).
    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.

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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.

Guidelines for Reporting from Local Law Enforcement to the District

The information shared with the District from law enforcement agencies and the confidentiality of shared juvenile law enforcement records are managed under 105 ILCS 5/22-20 and 705 ILCS 405/1-7. These laws require the Building Principal to maintain all information and records that the District receives from local law enforcement separate from a student's official *school student record.* Unless otherwise indicated, the information received from local law enforcement may only be used by school staff having a legitimate educational or safety interest in the information to support (1) the proper rehabilitation of the student, and/or (2) the protection and safety of students and employees in the school.

1. 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 following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012 (deadly weapon offenses). Access to this information is limited to only the Building Principal, the Superintendent, and any school counselor designated by either administrator. 705 ILCS 405/1-8(F), amended by P.A. 102-197.

2. Local law enforcement may disclose the identity of a victim of aggravated battery, battery, attempted first degree murder, or another non-sexual violent offense to appropriate school officials if the presiding judge of the juvenile court approves the disclosure to prevent foreseeable violence. 705 ILCS 405/5-905(2.5).

3. Local law enforcement may transmit juvenile law enforcement records relating to a minor who is arrested or taken into custody before his or her 17th birthday only if law enforcement believes that there is imminent threat of physical harm to students, school personnel, or others. 705 ILCS 405/1-7(A)(8), amended by P.A. 102-752, eff. 1-1-23, and 405/5-905(h). For an example of relevancy and implementation of this type of law enforcement information in a school building, see Board policy 4:190, *Targeted School Violence Prevention Program.*

4. Local law enforcement agencies and all courts must report to the Building Principal the fact that a student enrolled in the building has been detained for proceedings under the Juvenile Court Act of 1987 or for any crime or violation of a municipal or county ordinance. 105 ILCS 5/22-20.

5. Local law enforcement may allow the Building Principal or appropriate school official(s) to inspect and copy juvenile law enforcement records concerning a minor enrolled in the school who has been arrested or taken into custody for violating the following Ill. laws: Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012 (deadly weapons); Ill. Controlled Substances Act; Cannabis Control Act; forcible felonies defined at Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012; Methamphetamine Control and Community Protection Act; Section 1-2 of the Harassing and Obscene Communications Act; Hazing Act; or Section 12 of the Criminal Code of 1961 or the Criminal Code of 2012 (bodily harm); or Article 25 of the Criminal Code of 1961 or the Criminal Code of 2012 (mob action and related offenses). 705 ILCS 405/1-7(A)(8)(A), and 405/5-905(h)(A).

6. 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.

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7. Local law enforcement may disclose only *oral information* about a minor who is the subject of a current police investigation that is directly related to school safety. 705 ILCS 405/5-905(h). For an example of relevancy and implementation of this type of law enforcement information in a school building, see Board policy 4:190, *Targeted School Violence Prevention Program*.

8. Local law enforcement and the State's Attorney may share or disclose information or records relating or pertaining to juvenile's 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. 705 ILCS 405/1-8(G).

LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
105 ILCS 5/10-20.14 and 5/22-20.
5 ILCS 120/1.02, Open Meetings Act.
105 ILCS 10/, 10/2, 10/6(6.5), Ill. School Student Records Act.
705 ILCS 405/1-7, 1-8(F), 1-8(G), and 5-905, Juvenile Court Act of 1987.
23 Ill. Admin. Code, Part 375, Student Records.

CROSS REF.: 2:150 (Committees), 4:190 (Targeted School Violence Prevention Program), 7:150 (Agency and Police Interviews), 7:340 (Student Records)

ADMIN PROC.: 7:150-AP (Agency and Police Interviews), 7:340-AP1 (School Student Records)

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Students

Administrative Procedure - Use of Isolated Time Out, Time Out, and Physical Restraint

This administrative procedure applies to all students. Isolated time out, time out, and physical restraint shall only be used if the student's behavior presents an imminent danger of serious physical harm to the student or others, and other less restrictive and intrusive measures were tried and proven ineffective in stopping it. The District may not use isolated time out, time out, or physical restraint as discipline or punishment, convenience for staff, retaliation, a substitute for appropriate educational or behavioral support, a routine safety matter, or to prevent property damage in the absence of imminent danger of serious physical harm to the student or others. Any use of isolated time out, time out, or physical restraint by any staff member shall comply with the Ill. State Board of Education (ISBE) rules, Section 1.285, "Requirements for the Use of Isolated Time Out, Time Out, and Physical Restraint."

For further guidance, see ISBE's *Permanent Regulations for the Use of Time Out, Isolated Time Out, and Physical Restraint: Guidance and Frequently Asked Questions*, available at: www.isbe.net/Pages/restraint-time-out.aspx. **Note:** The special education committee of the Ill. Council of School Attorneys collaborated with ISBE on this guidance in its continuing commitment to help school boards and their districts comply with ISBE requirements.

A written record of each episode of isolated time out, time out, or physical restraint must be created by the Superintendent or designee using the ISBE *Physical Restraint and Time Out* form, available at: www.isbe.net/Pages/restraint-time-out.aspx. Additionally, ISBE's *Physical Restraint, Time Out, and Isolated Time Out Bill of Rights*, at: www.isbe.net/Documents/RTO-Bill-of-Rights.pdf, or a similar document can be provided to parents/guardians within one business day after each incident of isolated time out, time out, or physical restraint to meet notification requirements in 105 ILCS 5/10-22.33(g) and 23 Ill.Admin.Code §1.285(g)(3).

Isolated time out, time out, and physical restraint are defined as follows:

Isolated time out - the involuntary confinement of a student alone in a time out room or other enclosure outside the classroom without a supervising adult in the time out room or enclosure. Isolated time out does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment.

Time Out - a behavior management technique for the purposes of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with an adult trained under 23 Ill.Admin.Code §1.285(i) for part of the school day, only for a brief time, in a non-locked setting. Time out does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment.

Physical restraint - holding a student or otherwise restricting a student's movements using a specific, planned technique. A physical restraint shall not impair a student's ability to breathe or communicate normally, obstruct a student's airway, or interfere with a student's ability to speak.

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Prone physical restraint is a physical restraint in which a student is held face-down on the floor or other surface and physical pressure is applied to the student's body to keep the student in the prone position. Prone physical restraint is prohibited except in special education nonpublic facilities under 105 ILCS 5/14-7.02 when all of the criteria in 23 Ill.Admin.Code §1.285(d)(4) are met. Prone physical restraint is entirely prohibited after the 2021-2022 school year. 23 Ill.Admin.Code §1.285(d)(4)(F).

Supine physical restraint is a physical restraint in which a student is held face up on the floor or other surface and physical pressure is applied to the student's body to keep the student in the supine position. Supine physical restraint is prohibited unless all of the criteria in 23 Ill.Admin.Code §1.285(d)(5) are met.

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, time out, or physical restraint will be applied are limited to maintaining a safe and orderly learning environment, to the extent necessary to preserve the safety of the student and others. 23 Ill.Admin.Code §1.285(j)(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. 23 Ill.Admin.Code §1.285(j)(2).
3. Staff members shall inform the Building Principal whenever isolated time out, time out, or physical restraint is used, and the Building Principal shall maintain the documentation required according to Section 1.285(j)(3). 23 Ill.Admin.Code §1.285(j)(3).
4. The Building Principal shall investigate and evaluate any incident that results in an injury to the affected student, parent/guardian, staff member, or other individual. 23 Ill.Admin.Code §1.285(j)(4).
5. The Superintendent or designee shall compile an annual review of the use of isolated time out, time out, or physical restraint. The Building Principal shall report the following information to the Superintendent or designee in order to facilitate the report's compilation: 23 Ill.Admin.Code §1.285(j)(5).
    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 or guardian notification and timelines for agency notification and administrative review.

LEGAL REF.: 105 ILCS 5/10-20.33.
23 Ill.Admin.Code §§1.280 and 1.285.

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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 smartphones, 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, unless use is authorized by the teacher or for the reasons in number two, below.
2. They must be turned **off or silenced** during the regular school day unless: (a) the supervising teacher grants permission for them to be used; (b) use of the device is provided in a student's individualized education program (IEP); (c) the device is used during the student's lunch period; or (d) the device is 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.
4. They may not be used for creating, sending, sharing, viewing, receiving, or possessing *indecent visual depictions* or *non-consensual dissemination of private sexual images* as defined in State law, i.e., *sexting*. Possession is prohibited regardless of whether the depiction violates State law. Any cellular phone or electronic device may be searched upon reasonable suspicion of sexting or other violations of policy. All sexting violations will require school administrators to follow student discipline policies in addition to contacting the police and reporting suspected child abuse or neglect when appropriate.

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; e.g., Bring Your Own Technology (BYOT) programs.

Examples of electronic devices that are used as study aids include: devices with audio or video recording, MP3 players, some cellular phones, smartphones, laptop computers, Chromebooks®, and tablet computers or devices, e.g., iPads®.

Examples of electronic devices that are **not** used as study aids include: hand-held electronic games, MP3 players used for a purpose other than a study aid, global positioning systems (GPS), radios, and cellular and smartphones (with or without cameras) used for a purpose other than a study aid.

The use of technology as educational material in a curriculum-based program is not a necessity but a privilege, and a student does not have an absolute right to use his or her electronic device while at school. If applicable, using technology as a study aid must always follow the established rules for the BYOT program. Using technology at all other times must always follow the established rules for cellular and smartphones and other electronic devices at school.

The School District is not responsible for the loss or theft of any electronic device brought to school.

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Students

Administrative Procedure - Guidelines for Investigating Sexting Allegations

Establishing procedures with local law enforcement agencies and State's attorneys to investigate allegations of sexting protects the District, its staff and its students from the broad legal implications that sexting allegations present. This administrative procedure contains three sections:

1. Glossary of Terms
2. Preparation of Guidelines for Investigating Sexting Allegations
3. Investigation and Management of Sexting Allegations

Glossary of Terms

Electronic device: any type of electronic communication device, defined in the Juvenile Court Act of 1987 at 705 ILCS 405/3-40(a). It includes, but is not limited to, a wireless telephone, personal digital assistant, or a portable or mobile computer, that is capable of transmitting images or pictures. This includes cellular telephones (see www.thesaurus.com/, listing cellular and wireless telephones as synonyms). For more discussion, see f/n 3 in administrative procedure 7:190-AP5, *Student Handbook - Electronic Devices*.

Sexting: a portmanteau word of sex and texting with no clear definition. It is commonly explained as the act of sending sexually explicit photos, images, or messages electronically, primarily by mobile phone or the internet. For purposes of this procedure, it also includes:

1. Indecent visual depiction, which under the Juvenile Court Act of 1987 means a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the person (705 ILCS 405/3-40(a) (enacted to provide law enforcement officials an alternative to bringing child pornography charges against minors in possession of indecent visual depictions through placing them under the supervision of juvenile courts)), or
2. Non-consensual dissemination of private sexual images, which under the Criminal Code of 2012 is a crime that is committed when a person:
    a. intentionally disseminates an image of another person:
        i. who is at least 18 years of age; and
        ii. who is identifiable from the image itself or information displayed in connection with the image; and
        iii. who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; and
    b. obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and
    c. knows or should have known that the person in the image has not consented to the dissemination (720 ILCS 5/11-23.5(b)).

Preparation of Guidelines for Investigating Sexting Allegations

This section identifies best practices to create guidelines for investigating sexting allegations at the District-wide level. The Superintendent should discuss this procedure with local law enforcement agencies and State's attorneys to minimize the potential legal implications for students and

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administrators that managing sexting in school presents. Customize the procedure to each District's specific needs.

Actor	Action
Superintendent or designee	Convene a meeting with the Board Attorney, local law enforcement agencies, and State's attorney to determine best practices and procedures for investigating sexting in the District. Use the **Investigation and Management of Sexting Allegations** section (see below) as a template for discussion at the meeting and customize it to meet local considerations as necessary. Ask the Board Attorney to provide direction about searching student owned electronic devices in Step 2: Isolate Evidence / Confiscate Device in the **Investigation and Management of Sexting Allegations** section (see below). Searching electronic devices involves Fourth Amendment search and seizure and the federal Stored Communication Act (SCA) (18 U.S.C. §2701) issues. Generally asking for permission, calling the parents to come and look through the phone, or getting a warrant solves this issue. **Note**: See *Searching and Seizing Computers and Obtaining Electronic Evidence Manual* (Sept. 2009), Chapter 3, The Stored Communication Act, at: https://www.justice.gov/file/442111/download and Orin S. Kerr, *A User's Guide to the Stored Communications Act, and a Legislator's Guide to Amending It*, George Washington Law Review (Aug. 2004), at: courses.ischool.berkeley.edu/i205/s10/readings/week10/kerr-storedcomm.pdf. Identify and list all State's attorneys and local law enforcement agencies with jurisdiction over the District's boundaries. Provide this list to all Building Principals in the District. Provide the local State's attorney offices and law enforcement agencies with an annual list of school buildings and the names of each building's administrators that are located within their jurisdictions. Invite local State's attorney offices and law enforcement agencies to meet with District school officials to provide input on how the District should manage sexting. Add an agenda item about sexting to a Parent Teacher Advisory Committee meeting (see policy 2:150, *Committees*). Include information from discussions with State's attorneys and local law enforcement about the issue. Discuss local considerations for: 1. Disciplinary actions and consequences in response to sexting; and 2. Sexting education and prevention efforts. Consider adding information about the negative consequences of sexting to the District's sex education curriculum. See, U.S. Dept. of Justice (DOJ) Guide titled *Citizen's Guide to United States Federal Child Exploitation*

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Actor	Action
	and Obscenity Laws, at: www.justice.gov/criminal-ceos/citizens-guide-us-federal-child-exploitation-and-obscenity-laws; MTV's four-part series titled *Sexting in America: When Privates Go Public*, available at: www.mtv.com/news/1631123/mtv-news-sexting-in-america-when-privates-go-public-premieres-on-valentines-day/. Consider adding the above resources to 4:170-AP2, E4, *Exhibit-Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting*. Convene a meeting with Building Principals to inform them of the District's Investigation and Management of Sexting Allegations procedures (see below). Raise awareness of and increase educational opportunities about sexting as necessary. Follow the Parent Teacher Advisory Committee's recommendations for providing sexting education and prevention efforts. Invite the local State's attorney and local law enforcement to participate in the District's education and prevention efforts.
Building Principals	Educate building staff members about the procedures for **Investigation and Management of Sexting Allegations** (see below). Follow the Investigation and Management of Sexting Allegations.

Investigation and Management of Sexting Allegations

This section relies upon the Building Principal or designee to manage several practical and legal implications when conducting sexting allegation investigations.

Actor	Action
Building Principal or designee	**Step 1: Investigate** Determine where actions took place. Contact parents/guardians of all students involved. Contact the Superintendent and request permission to contact the Board Attorney. **Step 2: Isolate Evidence / Confiscate Device** NEVER transfer or store depictions on personal or school electronic devices to minimize accusations of possession of child pornography. (See 720 ILCS 5/11-20.1 et seq., 720 ILCS 5/11-23.5(c) (provides an exception on transfer of an image for a lawful purpose), and 18 U.S.C. §§2251, 2252, and 2252A). Also see the DOJ's Child Exploitation and Obscenity Section discussing child pornography issues, available at: www.justice.gov/criminal-ceos. Contact the Board Attorney for guidance to determine whether to involve local law enforcement or manage the situation within the District's disciplinary policy. See Joshua D. Herman, *Criminal Law. Sexting: It's No Joke, It's a Crime*. Illinois Bar Journal, Volume 98, No. 4, P. 192 at f/n 42 (published April 2010), at: www.isba.org/ibj/2010/04/criminallaw,

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Actor	Action
	(quoting an attorney in the Ill. Attorney General's High Tech Crimes Bureau who advises school administrators to immediately confiscate devices with such material on them and report the incident to law enforcement immediately, stating that possession of a sext message that is child pornography is no different than possessing a "kilo of cocaine.") Follow Board policy 7:140, *Search and Seizure* and 7:150-AP, *Agency and Police Interviews*. Follow the Board Attorney's direction regarding searches of student owned technological devices. See Preparation of Guidelines for Investigating Sexting Allegations (above). **Step 3: Follow the reporting requirements of Board policy 5:90, *Abused and Neglected Child Reporting*, when applicable** A *sexted* image may constitute child abuse depending upon the visual depiction or image, the ages of the individuals involved, and other circumstances. See 325 ILCS 5/3 and 705 ILCS 405/2-3(2) which includes sex offenses defined at 720 ILCS 5/1-1 et seq. School personnel are granted broad immunities against civil and criminal claims for filing reports in good faith, even if the report is unfounded. In contrast, school personnel who willfully fail to report may be guilty of a Class A misdemeanor (325 ILCS 5/4(m)) and face suspension or revocation of their licenses, endorsements, or approvals (105 ILCS 5/21B-75, amended by P.A.s 102-552 and 102-702, eff. 7-1-23). **Step 4: Determine appropriate disciplinary actions for all students involved in the incident** Evaluate disciplinary options. Remember that a student who forwards sexts of himself or herself likely expected the depiction to remain private. As a result, consider the social stigma, bullying, harassment, and severe embarrassment issues involved in the issue. Provide an equivalent discipline to all students involved in the creation, dissemination and storage of the sexted image, whenever possible. See Sorenen, Vitale, and Haase, *Sexting at School: Lessons Learned the Hard Way*. National School Board Association, Council of School Attorney's Inquiry & Analysis, f/n 40 (published February 2010), and available at: http://kycss.org/ns/wp-content/uploads/2020/11/SSI-Sexting-Handout-NSBA-Sexting-at-School-Lessons-Learned-the-Hard-Way.pdf. It discusses several sex equality claims against school districts for punishing students differently when they are involved in the same incident. For situations that may require unequal punishment, contact the Superintendent so that he or she may consult the Board Attorney.

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Actor	Action
	Step 5: Prepare a plan to prevent harassment and bullying of involved students Remind the students and their parents/guardians of the Board policies 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying Intimidation and Harassment*; and 7:185, *Teen Dating Violence Prohibited.* Instruct involved students not to harass anyone involved in the sexting incident and keep the issues confidential. Consider involving the social worker or school counselor, if available, in the process to assist students. Follow 7:180, *Prevention of and Response to Bullying Intimidation and Harassment*, for students who violate the policy.

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Students

Administrative Procedure - Student Discipline Guidelines

The intent of these guidelines is to enhance school climate, improve school discipline practices, and ensure that students are disciplined without discrimination on the basis of race, color, national origin, gender, disability, or other protected status. Data collected from Ill. school districts on student discipline is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

Recordkeeping

1. Develop and implement a District-wide uniform discipline referral form that documents each of the following:
   a. Student name
   b. Identity of staff member making referral
   c. Date and time of incident
   d. Location of incident
   e. Description of incident
   f. Description of interventions attempted prior to incident
   g. Description of the incident's effect on other students and/or the learning environment
   h. Parent/guardian contact made (when, how, and by whom)
2. Maintain each of the following data related to student discipline referrals:
   a. Race of the student referred for discipline
   b. Gender of the student referred for discipline
   c. Disability status of the student referred for discipline
   d. Basis for the referral
   e. Identity of the staff member making referral
   f. Race of the staff member making referral
   g. Gender of the staff member making referral
   h. Basis for imposing or not imposing discipline
   i. Description of discipline imposed, if any, and the rationale for its selection
   j. Whether the referral was made to the school resource officer (SRO) or law enforcement
   k. Basis for making the referral to the SRO or law enforcement (if applicable)
   l. Whether there were any criminal charges filed as a result of the student's misconduct
   m. If the student received an exclusionary consequence (out-of-school suspension or expulsion) for his/her misconduct, whether the student was offered any academic or behavior support services and, if so, which support services

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Periodic Review and Self-Monitoring

Review the following on a periodic basis and at least annually:

1. Discipline-related District policies and procedures
   a. Such policies may include:
      7:20, *Harassment of Students Prohibited*
      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*
      7:165, *School Uniforms*
      7:170, *Vandalism*
      7:180, *Prevention and Response to Bullying, Intimidation, and Harassment*
      7:185, *Teen Dating Violence Prohibited*
      7:190, *Student Behavior*
      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*
      7:250, *Student Support Services*
      7:310, *Restrictions on Publications; Elementary Schools*
   b. This review should:
      1) Include input from all members of the school community (administrators, staff, students, parents/guardians, volunteers and community members). Such input may be obtained through school climate surveys, school forums, and the District's parent-teacher advisory committee (established per 105 ILCS 5/10-20.14) and the behavior interventions committee for students with disabilities (established per 105 ILCS 5/14-8.05).
      2) Ensure policies and procedures (e.g., an individual school's conduct code) have clear definitions of prohibited student conduct, especially those entailing the subjective exercise of discretion.
      3) Attempt to incorporate alternative disciplinary measures into Board policies and procedures.
      4) Implement a system of Positive Behavioral Interventions and Support (PBIS) or, if PBIS has been implemented, analyze and monitor its effectiveness and ways to improve it.
2. Discipline data
   a. Data review should analyze each of the following:
      1) Number of referrals by teacher/staff member.
      2) Race/gender/disability status of referred students by teacher/staff member.
      3) Overall percentage of student disciplinary referrals by race, gender, and disability status versus

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classroom management.

f. The role that school-based law enforcement is expected to play in the discipline process, including when it is or is not appropriate to refer a student to school-based law enforcement.

2. Provide ongoing professional development on the adverse consequences of exclusion and justice system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates to administrators, teachers, staff, school board members, and SROs.

Notice

Annually notify students and parents/guardians of the District's discipline-related policies and procedures.

1. Use varied communication methods, such as student handbooks, District or school websites, posters, classroom instruction, assemblies, etc.
2. Ensure such notice is provided in an age-appropriate, easily understood manner.
3. Ensure such notice is provided in multiple languages.
4. Explain to students:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct.
   b. Their particular school's discipline-related procedures and conduct codes, including which behaviors fall into categories of misconduct.
   c. Behavior expectations.
   d. Resources and support services available to students.

Collaboration with Law Enforcement

1. Annually train SROs on the District's discipline-related policies and procedures (if applicable).
2. Review the District's reciprocal reporting agreement with local law enforcement agencies to determine if revisions are necessary.
3. Develop and enter into a memorandum of understanding (MOU) with local law enforcement agencies. The MOU should clearly define law enforcement's role in the District's schools. Follow an existing MOU and suggest modifications as the need arises.

Resources

Dear Colleague letter, issued by the Civil Rights Division of the U.S. Dept. of Justice and the Office for Civil Rights of the U.S. Dept. of Education at: www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.pdf.

Note: These guidance documents were rescinded by a joint *Dear Colleague* letter dated 12-21-18, at: www2.ed.gov/about/offices/list/ocr/letters/colleague-201812.pdf.

Civil Rights Data Collection at: www2.ed.gov/about/offices/list/ocr/data.html?src=rt .

ISBE Data Analysis of Expulsions, Suspensions, and Truants by District at: www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx .

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Students

Administrative Procedure - Student Re-Engagement Guidelines

Actor	Action
Building Principal and/or Dean of Students or designee(s), student's teacher	Determine on a case-by-case basis whether a *re-engagement conference* and/or a *re-engagement plan* is/are appropriate. School boards must adopt a policy on the re-engagement of students who are returning from an exclusionary discipline or an alternative school. 105 ILCS 5/10-22.6(b-25). See 7:190, *Student Behavior*. While neither a *re-engagement conference* nor a *re-engagement plan* is mandatory, one or both will advance "supporting the student's ability to be successful in school following a period of exclusionary discipline," from Board policy 7:190, *Student Behavior*. As appropriate: 1. Initiate and schedule a *re-engagement conference* with the suspended or expelled student and the student's parent(s)/guardian(s) for a time soon after the student is excluded. If the student is expelled, a second re-engagement conference may be needed before the student's scheduled return date. 2. Develop a *re-engagement plan* for each student who is returning from an exclusionary discipline. The plan may address each of the following, as determined on a case-by-case basis: a. Appropriate and available support services, if any, during the period of exclusionary discipline. For students who are suspended out-of-school for longer than 4 days (5-10 days), districts are required to: (1) provide "appropriate and available support services" during the period of their suspension, (2) determine what are the "appropriate and available support services," and (3) document whether such services are to be provided or whether there are no "appropriate and available support services." 105 ILCS 5/10-22.6(b-25). Districts may refer students who are expelled to "appropriate and available support services." 105 ILCS 5/10-22.6(b-25). b. Provisions for a suspended student to continue work during an out-of-school suspension or makeup academic credit, such as completing academic work; taking tests or exams; or enrolling in an alternative education program. Districts are required to do this for students who are suspended; it is optional whether to give expelled students this opportunity. 105 ILCS 5/10-22.6(b-30). c. Academic and behavioral re-engagement strategies and interventions, such as the following: 1) A plan for the student to receive tutoring (during school, after

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	school, at an alternative site, etc.). 1) Regularly scheduled and/or impromptu meetings with counseling, guidance, or other staff members. 2) Steps to prevent future misconduct, such as avoiding certain other students and/or situations. 3) Ways to develop the social and emotional skills to cope with adversity. 4) An altered schedule. 5) A communication plan between the school and the student and his or her parent(s)/guardian(s). 6) Completion of identified behavioral assessments, with the consent of the parent/guardian, and/or a safety plan where appropriate. 3. Identify community resources that may help the student, such as mental health and behavioral support services and academic supports. **Note**: 20 ILCS 1705/76, added by P.A. 101-45, requires the Ill. Dept. of Public Health to create and maintain an online database and resource page on its website that contains mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel. See the database at: www.dhs.state.il.us. Also, the Ill. Public Aid Code, 305 ILCS 5/5-5.23(g), amended by P.A. 101-461, eff 7-1-20, requires the Ill. Dept. of Healthcare and Family Services to restructure the Family Support Program (formerly known as the Individual Care Grant program) to enable early treatment of youth, emerging adults, and transition-age adults with a serious mental illness or serious emotional disturbance.
Parent(s)/Guardian(s), Student, and Building Principal or Dean of Students, or designee(s)	If scheduled, attend the re-engagement conference during which the following occurs: 1. Help the student understand why he or she was suspended or expelled. 2. Review the re-engagement plan, if any, and make adjustments as needed. 3. Engage in identified community resources that may help the student, such as mental health and behavioral support services and academic supports.

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Students

Exhibit - Aggressive Behavior Reporting Letter and Form

Dear Parent(s)/Guardian(s):

Please be advised that your child engaged in behavior that, if repeated, could escalate into aggressive behavior, such as bullying. Illinois law requires school districts to notify the parent or guardian of a child who demonstrated behaviors that put him or her at risk for aggressive behavior.

The School Board policy on student behavior prohibits a student while at school or a school-related activity from: (1) engaging in any kind of bullying or aggressive behavior that causes physical or psychological harm to someone else, and/or (2) urging other students to engage in such 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

Description of the behavior: (*Reporters, be specific. Describe what happened, what harm resulted, the child's explanation, and any known or suspected causes for what happened.*)

_____

_____

_____

_____

_____

Follow-up conference: I or someone from my office will telephone you to schedule an in-person meeting or telephone conference to discuss what occurred and ways to help your child, (1) be aware of how others were affected by the behavior, and (2) to understand boundaries and manage conflict.

The following consequence(s) or intervention(s) is/are recommended:

Counseling or other support services for your child.

Providing opportunities for all individuals involved in an incident to reach a resolution.

Enabling your child to make amends for the harm caused.

Suggesting your child receive non-District affiliated services.

[*Insert other*]

The District is committed to helping those involved learn from this experience.

_____ _____

Building Principal Date

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Students

Exhibit - Student Handbook Checklist

The Checklist contains mandatory and recommended notices that schools should give to their students and the students' parents/guardians. *Mandatory* means the notices are legally required. *Recommended* means including the notices are a best practice. The Checklist is in the IASB Policy Reference Manual (PRM) format, and it lists corresponding policies, procedures, and exhibits in numerical order within each sub-headed category. A corresponding citation to the Illinois Principals Association **Online Model Student Handbook (MSH)** is also listed, if one exists. 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 PRM	IPA MSH
Transportation	4:110, *Transportation*	4.10, *Bus Transportation*
Transportation reimbursement eligibility and dispute resolution **Note**: this program has been withdrawn due to lack of funding	4:110, *Transportation*	4.10, *Bus Transportation*
Eligibility criteria for free and reduced lunch	4:130, *Free and Reduced-Price Food Services* 4:130-E, *Free and Reduced-Price Food Services; Meal Charge Notifications*	3.10, *Fees, Fines & Charges; Waiver of Student Fees*
Waiver of school fees along with the fee waiver application form	4:140, *Waiver of Student Fees* 4:140-AP, *Fines, Fees, and Charges - Waiver of Student Fees* 4:140-E1, *Application for Fee Waiver* 4:140-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal*	3.10, *Fees, Fines & Charges; Waiver of Student Fees* 3.10-E1, *Application for Fee Waiver*
School Wellness (required if the District participates in the National School Lunch Program or Breakfast Program)	6:50, *School Wellness*	
Alternative learning opportunities	6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School*	2.90, *Credit for Proficiency, Non-District*

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Mandatory Topics	IASB PRM	IPA MSH
	and Graduation Incentives Program	*Experiences, Couse Substitutions and Accelerated Placement*
Notification to parents/guardians of English Learners regarding their child's placement in, and information about, the District's English Learners programs	6:160, *English Learners*	12.60, *English Learners*
Parental involvement under Title I (only when the district receives Title I funds)	6:170, *Title 1 Programs* 6:170-AP1, *Checklist of Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs* 6:170-AP1, E1, *District-Level Parent and Family Engagement Compact* 6:170-AP1, E2, *School-Level Parent and Family Engagement Compact* 6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance , and Protection of Pupil Rights Laws*	12.130, *Parent Notices Required by the Every Student Succeeds Act*
Notice to parents required by the Elementary and Secondary Education Act	6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*	12.130, *Parent Notices Required by the Every Student Succeeds Act*
Surveys that request personal information from students	7:15, *Student and Family Privacy Rights*	11.10, *Student Privacy Protections*
Birth certificate requirements for enrollment	7:50, *School Admissions and Student Transfers To and From Non-District Schools* 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*	
Dental examinations	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Eye examinations (K and students	7:100, *Health, Eye, and Dental*	5.10, *Immunization,*

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Mandatory Topics	IASB PRM	IPA MSH
enrolling in public school for the first time only)	*Examinations; Immunizations; and Exclusion of Students*	*Health, Eye & Dental Examination*
Vaccinations (influenza and meningococcal)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Administration of medications (includes asthma inhalers and epinephrine injectors, opioid antagonists, and glucagon)	7:270, *Administering Medicines to Students* 7:270-AP1, *Dispensing Medication* 7:270-E1, *School Medication Authorization Form*	5.20, *Student Medication* 5.20-E1, *Student Medication Authorization Form*

Student Programs

Mandatory Topics	IASB PRM	IPA MSH
Notice of instruction in recognizing and avoiding sexual abuse	6:60-AP1, *Comprehensive Health Education Program* 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*	12.40, *Sex Education Instruction* 12.40-E1, *Notice to Parents on Sex Education Instruction*
Free appropriate public education to students with disabilities Special education services to eligible children whether or not enrolled in the District	6:120, *Education of Children with Disabilities* 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities* (downloadable from IASB website, www.iasb.com) 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*	10.10, *Education of Children with Disabilities*
Counseling options for students who are affected by sexual abuse and grooming behavior, along with options for victims of sexual abuse and grooming behavior to obtain assistance and intervention	7:250, *Student Support Services* 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*	5.30, *Guidance and Counseling*

Student Responsibilities

Mandatory Topics	IASB PRM	IPA MSH
IHSA policy on banned substances	6:190, *Extracurricular and Co-*	9.10, *Extracurricular*

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Mandatory Topics	IASB PRM	IPA MSH
(required only for IHSA schools)	*Curricular Activities* 6:190-AP, *Academic Eligibility for Participation in Extracurricular Activities* 7:240, *Conduct Code for Participants in Extracurricular Activities* 7:240-AP1, *Code of Conduct for Extracurricular Activities*	*and Athletic Activities Code of Conduct*
Absenteeism and truancy	7:70, *Attendance and Truancy*	2.10, *Attendance* 2.50, *Truancy*
Statement of district ownership of and right to search student lockers	7:140, *Search and Seizure*	8.10, *Search and Seizure*
Search procedures for school grounds and lockers	7:140, *Search and Seizure*	8.10, *Search and Seizure*
Notification regarding access to student accounts or profiles on social networking websites	7:140, *Search and Seizure* 7:140-E, *Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*	8.10, *Search and Seizure*
Bullying prohibited and reporting encouraged	7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*	6.40, *Prevention of and Response to Bullying, Intimidation, & Harassment* 6.40-E1, *Aggressive Behavior Reporting Form*
Teen dating violence prohibited and reporting encouraged	7:185, *Teen Dating Violence Prohibited*	6.45, *Harassment and Teen Dating Violence Prohibited*
Prohibition of electronic paging devices and making threat by Internet	7:190, *Student Behavior*	6.30, *Student Behavior*
All prohibited conduct in the school discipline code, including, but not limited to: 1. Controlled substances 2. Firearms and other weapons 3. E-cigarettes 4. Gangs and gang-related activity 5. Sexting prohibited	4:170-AP2, E4, *Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting* 7:190, *Student Behavior* 7:190-AP5, *Student Handbook - Electronic Devices* 7:190-AP6, *Guidelines for Investigating Sexting Allegations*	6.30, *Student Behavior*

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Mandatory Topics	IASB PRM	IPA MSH
Inform parents/guardians when their child engaged in aggressive behavior along with the school's early intervention procedures	7:190-E1, *Aggressive Behavior Reporting Letter and Form*	6.40-E1, *Aggressive Behavior Reporting Form*
Suspension and expulsion, and due process requirements	7:200, *Suspension Procedures* 7:210, *Expulsion Procedures*	6.30-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* 6.30-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form*
School bus safety	7:220, *Bus Conduct* 4:110-AP3, *School Bus Safety Rules*	4.10, *Bus Transportation*
Videotape surveillance of buses (if applicable)	7:220, *Bus Conduct* 7:220-AP, *Electronic Recordings on School Buses*	4.10, *Bus Transportation*
Behavior interventions (these may be developed through the Spec. Ed. Coop if the district belongs to one)	7:230, *Misconduct by Students With Disabilities*	10.20, *Discipline of Students with Disabilities*
Dress code	7:160, *Student Appearance*	1.170, Student Appearance 6.20, *School Dress Code*
All other conduct prohibited by Board policy - school discipline code	7:190, *Student Behavior*	6.30, *Student Behavior*

Student Rights

Mandatory Topics	IASB PRM	IPA MSH
Notice of contact information for nondiscrimination and Title IX coordinator(s) and making reports or complaint of discrimination or sexual harassment	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Sexual Harassment Grievance Procedure*	6.40, *Prevention of and Response to Bullying, Intimidation & Harassment*
Prohibition of 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	7:10, *Equal Educational Opportunities* 2:265, *Title IX Sexual Harassment Grievance Procedure*	1.50, *Equal Opportunity & Sex Equity*

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Mandatory Topics	IASB PRM	IPA MSH
pregnancy		
Sex equity and grievance procedures	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Sexual Harassment Grievance Procedure* 7:10, *Equal Educational Opportunities* 7:20, *Harassment of Students Prohibited*	1.50, *Equal Opportunity & Sex Equity*
Sexual harassment prohibited and grievance procedures and age-appropriate information about the sexual harassment policy	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Sexual Harassment Grievance Procedure* 7:20, *Harassment of Students Prohibited* 7:185, *Teen Dating Violence Prohibited*	6.45, *Sexual Harassment & Teen Dating Violence Prohibited*
Notify parents of their right to request their child's classroom teachers' qualifications	5:190-E1, *Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications*	12.130, *Parent Notices Required by the Every Student Succeeds Act*
Educational rights of homeless students in the location where homeless children receive services	6:140, *Education of Homeless Children* 6:140-AP, *Education of Homeless Children*	12.30, *Homeless Child's Right to Education*
Notice of parent and student rights under the Children's Privacy Protection and Parental Empowerment Act	7:15, *Student and Family Privacy Rights* 7:15-E, *Notification to Parents of Family Privacy Rights*	11.10, *Student Privacy Protections*
Notice to parents/guardians about social network passwords	7:140, *Search and Seizure* 7:140- E, *Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*	6.70, *Access to Student Social Networking Passwords & Websites*
Notice concerning privacy and access rights to school student records	7:340, *Student Records* 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records* 7:340-AP1, E2, *Using a Photograph or Video Recording of a Student*	11.20, *Student Records*
Disclosure of directory information	7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a*	11.20, *Student Records*

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Mandatory Topics	IASB PRM	IPA MSH
	Student's School Records 7:340-AP1, E2, *Using a Photograph or Video Recording of a Student*	
Information classified as directory information and for objecting to disclosure of information	7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*	11.20, *Student Records*
Military recruiting	7:340-AP1, E3, *Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information* 7:340-AP1, E4, *Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information*	11.20, *Student Records*
Student biometric information (when applicable)	7:340, *Student Records* 7:340-AP1, E5, *Biometric Information Collection Authorization*	11.30, *Student Biometric Information*
Notice to parents/guardians concerning student data collected by schools and operators under the Student Online Personal Protection Act	7:345-AP, E2, *Student Data Privacy; Notice to Parents About Educational Technology Vendors*	7.40, *Annual Notice to Parents about Educational Technology Vendors Under the Student Online Personal Protection Act*
Notice of disability accommodation	8:70, *Accommodating Individuals with Disabilities*	1.110, *Accommodating Individuals with Disabilities*

General Information

Mandatory Topics	IASB PRM	IPA MSH
Notice before a pesticide application	4:160, *Environmental Quality of Buildings and Grounds* 4:160-AP, *Environmental Quality of Buildings and Grounds*	12.80, *Pesticide Application Notice*
Availability of information concerning sex offenders	4:175-AP1, *Criminal Offender Notification Laws; Screening* 4:175-AP1, E1, *Informing Parents/Guardians About*	12.120, *Violent Offender Community Notification*

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Mandatory Topics	IASB PRM	IPA MSH
	Offender Community Notification Laws	
School bus safety	4:110-AP3, *School Bus Safety Rules*	4.10, *Bus Transportation*
Asbestos management plan, notice of availability		
Notice to parents/guardians and staff of IHSA's online training video about hands-only CPR and AED	4:170, *Safety* 4:170-AP6, E1, *School Staff AED Notification Letter*	
Evidence-informed educational information for parents/guardians on the warning signs of child sexual abuse and grooming, and assistance, referral, or resource information	4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*	1.180, *Awareness and Prevention of Child Sexual Abuse, Grooming Behaviors, and Boundary Violations*
Contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and either the Safe2Help Illinois helpline and/or a local suicide prevention hotline	7:290, *Suicide and Depression Awareness and Prevention* 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*	
Notice that a student athlete and his/her parent must sign acknowledgement of receiving the concussion policy (required only for IHSA schools)	7:305, *Student Athlete Concussions and Head Injuries* 7:305-AP, *Program for Managing Student Athlete Concussions and Head Injuries*	9.30, *Student Athlete Concussions and Head Injuries*
School visitation rights notice	8:95-E1, *Letter Notifying Parents/Guardians of School Visitation Rights* 8:95-E2, *Verification of School Visitation*	12.70, *School Visitation Rights*
Ill. State Board of Elections one-page document explaining voter registration process, available at www.elections.il.gov/ (high schools only)		
Employee code of professional conduct	5:120, *Employee Ethics; Code of Professional Conduct; Conflict of Interest*	1.185, *Faith's Law Notifications*

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Recommended Notices

Student Services

Recommended Topics	IASB PRM	IPA MSH
Information regarding waiver of student fees	4:140, *Waiver of Student Fees*	3.10, *Fees, Fines and Charges; Waiver of Student Fees*
Fire drill program, building specific plan	4:170, *Safety* 4:170-AP1, *Comprehensive Safety and Security Plan*	5.40, *Safety Drill Procedures and Conduct*
School safety plans, including severe weather and injury or sudden illness	4:170, *Safety* 4:170-AP1, *Comprehensive Safety and Security Plan* 4:170-AP1, E1, *Accident or Injury Form*	2.100, *Home and Hospital Instruction*
Targeted school violence prevention program, including threat assessment teams	4:190, *Targeted School Violence Prevention Program* 4:190-AP2, *Threat Assessment Team (TAT)*	
Home and hospital instruction	6:150, *Home and Hospital Instruction*	2.100, *Home and Hospital Instruction*
Student residency and tuition	7:60, *Residence* 7:60-AP1, *Challenging a Student's Residence Status* 7:60-AP2, *Establishing Student Residency* 7:60-AP2, E1, *Letter of Residence from Landlord in Lieu of Lease* 7:60-AP2, E2, *Letter of Residence to be Used When the Person Seeking to Enroll a Student is Living with a District Resident* 7:60-AP2, E3, *Evidence of Non-Parent's Custody, Control and Responsibility of a Student*	
Parking, building specific	7:140, *Search and Seizure*	4.20, *Parking*
Health and school counselor and social work access	7:250, *Student Support Services*	5.30, *Guidance & Counseling*
Communicable and infectious disease	7:280, *Communicable and Chronic Infectious Disease* 7:280-AP, *Managing Students with Communicable and Infectious Diseases*	5.50, *Communicable Disease* 5.60, *Head Lice*
Students with diabetes	6:120-AP4, *Care of Students with*	1.130, *Care of*

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Recommended Topics	IASB PRM	IPA MSH
	Diabetes	*Students with Diabetes* 1.130-E1, *Authorization to Provide Diabetic Care*
Medical cannabis administration	7:270-E2, *School Medication Authorization Form - Medical Cannabis*	5.20, *Student Medication*
Anaphylaxis prevention and response	7:285, *Anaphylaxis Prevention, Response, and Management Program* 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*	1.190, *Prevention of Anaphylaxis*
Telephone use, building specific		

Student Programs

Recommended Topics	IASB PRM	IPA MSH
Weighted grades	6:280-AP, *Evaluating and Reporting Student Achievement*	
District philosophy and goals	1:30, *School District Philosophy* 3:10, *Goals and Objectives* 6:10, *Educational Philosophy and Objectives*	
Remote Learning and/or e-learning program(s)	6:20, *School Year Calendar and Day* 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)* 6:185, *Remote Educational Program*	
Anti-bias curriculum	6:60, *Curriculum Content*	
Driver education eligibility and requirements (high schools only)	6:60, *Curriculum Content*	
Parental objections to sex education, family life instruction, and sexually transmitted diseases	6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and /or Opt-outs*	12.40, *Sex Education Instruction* 12.40-E1, *Notice to Parents on Sex Education Instruction*
Biking and Walking Safety Education	6:60-AP1, E2, *Resources for Biking and Walking Safety Education*	

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Recommended Topics	IASB PRM	IPA MSH
Accelerated placement availability	6:135, *Accelerated Placement Program*	2:90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*
Adaptive physical education program exemption	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.80, *Exemption from PE Requirement* (Regular Education)
Bilingual education availability	6:160, *English Learners*	12.60, *English Learners*
Co-curricular activities	6:190, *Extracurricular and Co-Curricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
"No Pass, No Play"	6:190, *Extracurricular and Co-Curricular Activities* 6:190-AP, *Academic Eligibility for Participation in Extracurricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
Parental right to review instructional materials	6:210, *Instructional Materials*	11.10, *Student Privacy Protections*
Acceptable use and Internet safety	6:235, *Access to Electronic Networks* 6:235-AP1, *Acceptable Use of the District's Electronic Networks* 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks* 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*	7.10, *Internet Acceptable Use* 7.10-E1, *Internet Acceptable Use Sign-Off*
Social promotion	6:280, *Grading and Promotion* 6:280-AP, *Evaluating and Reporting Student Achievement*	2.60, *Grading and Promotion*
High school graduation requirements (high schools only)	6:300, *Graduation Requirements*	2.120, *Graduation Requirements*
Right of students with IEP to participate in graduation ceremony (high schools only)	6:300, *Graduation Requirements*	10.40, *Certificate of High School Completion*
Physical education, including	6:310, *High School Credit for Non-*	2.80, *Exemption from*

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Recommended Topics	IASB PRM	IPA MSH
waiver of required classes	*District Experiences; Course Substitutions; Re-Entering Students*	*PE Requirement* (Regular Education) 10.30, *Exemption from PE Requirement* (Special Education)
Class schedules, building specific		
Schedule of testing programs, building specific	6:340, *Student Testing and Assessment Program*	
Student distribution of non-curricular material	7:310, *Restrictions on Publications; Elementary Schools* 7:310-AP, *Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools* 7:315, *Restrictions on Publications; High Schools* 7:315-AP, *Guidelines for Student Distribution of Non-School Sponsored Publications; High Schools*	7.20, *Guidelines for Student Distribution of Non-School Sponsored Publications* 7.27, *Access to Non-School Sponsored Publications*

General Information

Recommended Topics	IASB PRM	IPA MSH
School calendar	6:20, *School Year Calendar and Day*	
Field trip	6:240, *Field Trips* 6:240-AP, *Field Trip Guidelines*	6.60, *Field Trips*
Release time for religious instruction/observance	7:80, *Release Time for Religious Instruction/Observance*	2.30, *Release Time for Religious Instruction and Observance*
Release time for students voting in elections	7:90, *Release During School Hours*	
Extra-curricular drug and alcohol testing (if applicable)	7:240-AP2, *Extracurricular Drug and Alcohol Testing Program* 7:240-AP2, E1, *Consent to Participate in Extracurricular Drug and Alcohol Testing Program*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
Eligibility to remove college entrance exams from student transcripts	7:340, *Student Records*	11.20, *Student Records*
Equal access to school facilities	8:20, *Community Use of School*	

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Recommended Topics	IASB PRM	IPA MSH
	Facilities	
Identification and registration of persons entering the school building	8:30, *Visitors to and Conduct on School Property*	1.40, *Visitors*
Statement that the handbook is: 1. Only a summary of board policies governing the district; board policies are available to the public at the district office 2. A document that may be amended during the year without notice 3. Is a communication tool of all policies to persons expected to execute and comply with them	2:240, *Board Policy Development*	1.20, *Student Handbook Acknowledgement* 1.30, *General School Information*
Address of District offices, list of administrators, and contact information	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*
Board members' names	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*
List of District school addresses	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*

Special Circumstance Notifications

Special Circumstance Topics	IASB PRM	IPA MSH
Notification for unsafe school transfer choice	4:170, *Safety* 4:170-AP5, *Unsafe School Choice Option*	12.100, *Unsafe School - Transfer*
Notification of right to review teachers' qualifications	5:190, *Teacher Qualifications* 5:190-E1, *Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications* 5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a*	12.130, *Parent Notices Required by the Every Student Succeeds Act*

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the overall percentage of said student groups in the school and District.

4) Overall percentage of student disciplinary referrals for a specific offense (i.e., tardy, dress code violation) by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

5) Overall percentage of student disciplinary referrals resulting in an exclusionary consequence by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

6) Overall percentage of student disciplinary referrals resulting in a referral to law enforcement by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

7) Comparison of discipline imposed for the same or similar offense for students of different races, gender, and disability statuses.

b. Compare the District's student discipline data with the data from other school districts. As required by 105 ILCS 5/2-3.162, by Oct. 31 annually, ISBE prepares a report on student discipline from data collected from all Ill. school districts. The report includes data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action, disaggregated by race and ethnicity, gender, age, grade level, whether a student is an English learner, incident type, and discipline duration. It is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

c. According to 105 ILCS 5/2-3.162:

1) School districts that are identified in the top 20% of any of the metrics for three consecutive years must submit a plan identifying its strategies to reduce the use of exclusionary disciplinary practices or racial disproportionality or both, if applicable.

2) The plan must be approved by the school board and posted on the district's website. Within one year after being identified, the school district must submit to ISBE and post on the district's website a progress report describing the plan's implementation and the results achieved.

d. If there are any *red flags* resulting from the data analysis, the discipline committee should meet to determine if there are comparably effective alternative practices or policies that would meet the school's stated educational goal with less of a burden or adverse impact on the disproportionately affected group.

Training

1. Annually train all District staff and school-based law enforcement on each of the following:

a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct defined therein so that there is consistency in application.

b. How to apply school discipline policies, procedures, and practices in a fair and equitable manner so as not to disproportionately impact students of color, students of a particular gender, students with disabilities, or at-risk students.

c. Effective classroom management strategies, recognizing that the removal of students from the classroom is to be used as a last resort.

d. How to engage students and support positive behavior, including through any PBIS program implemented in the District.

e. Classroom management techniques and resources available to staff who are having difficulty with

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Special Circumstance Topics	IASB PRM	IPA MSH
	Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements 5:190-E3, *Letter to Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment*	
Notice when: 1. Student is being taught by a teacher who is not highly qualified, 2. School identified as in need of improvement, 3. Schools are identified for corrective action, 4. Schools are identified for restructuring, 5. There is eligibility for supplemental educational services, and 6. The district offers voluntary school choice, if applicable.	5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements* 6:15, *School Accountability*	
Credit for proficiency	6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*	2.90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*

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Students

Exhibit - Memorandum of Understanding

Memoranda of Understanding (MOUs) vary by community. This exhibit contains two sample MOUs in two subheads: **General Law Enforcement Memorandum of Understanding (MOU)** and **School Resource Officer (SRO) Memorandum of Understanding (MOU)**. Depending upon the needs in the District, each MOU is designed to stand alone or be combined into one MOU.

Use these sample MOUs to develop the District's MOU with (1) assistance from the Board Attorney, (2) careful attention to the footnotes, which provide instructions, information, best practice considerations, and other resources, (3) alignment of their sample language to the District's or its individual school building's local conditions and student discipline needs, (4) careful attention to [INSERT] the requested information and fill boxes and blanks with the information indicated in the final MOU, (5) deletions of all sample language not used from the final MOU, (6) deletions of all footnotes from the final MOU.

General Law Enforcement Memorandum of Understanding (MOU)

Table of Contents:

- **A. Introduction**
- **B. Definitions/Acronyms**
- **C. MOU Leadership Team**
- **D. District Authority over the Educational Environment**
- **E. Identified Needs for Services to Maintain the Educational Environment**
- **F. Annual Evaluation of MOU; Renewal; Termination**
- **G. Record Sharing**
- **H. Reciprocal Reporting of Criminal Offenses Committed by Students**
- **I. Live Feeds**
- **J. Cell Phone/ Electronic Device Searches**
- **K. Agency and Police Interviews**
- **L. Body-Worn Cameras (BWCs)**
- **M. General Provisions**
  - **1. Scope of Agreement**
  - **2. Amendment**
  - **3. Assignment**
  - **4. Notices**
  - **5. Governing Law**
  - **6. Non-Waiver of Breach**
  - **7. Severability**
  - **8. Enforcement**

A. Introduction

In consideration of the mutual promises, terms, and conditions set forth in the sections below, and for other good and valuable consideration, the receipt and sufficiency of which is hereby expressly acknowledged, this Memorandum of Understanding (MOU) is entered into by [INSERT District's name] (District) and [INSERT Local Law Enforcement Agency's name] (LLEA)on the [INSERT DATES _____ day of _____, 20__].

The District and LLEA agree that they may enter into and participate in joint programs and intergovernmental agreements with units of local government and other school districts to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance (Ill. Constitution, Art. VII, Sec. 10, 5 ILCS 220/1 et seq., and Board Policy 1:20, *District Organization, Operations, and Cooperative Agreements*).

The District is organized and operates as follows:

The LLEA is organized and operates as follows:

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The District and LLEA further agree to the following sections:

B. Definitions/Acronyms

Memorandum of Understanding (MOU) - Defines a local law enforcement agency's role in schools and describes the respective duties of a school district and local law enforcement agencies (105 ILCS 5/10-20.14(b) encourages school districts to create memoranda of understanding (MOU) with law enforcement agencies). Its purpose is to prevent confusion, decrease conflict, and promote school safety.

Leadership Team (Team) - A group of designated key staff members from each party. These individuals will be responsible for the implementation of the MOU. They will communicate directly with each other about MOU issues.

Local Law Enforcement Agency (LLEA) - A police department or State's Attorney's Office within the District's boundaries.

Police Officer - A police officer employed by the LLEA but who is not specifically assigned to the District or any of its buildings.

School Resource Officer (SRO) - A police officer who is assigned to the District or any of its buildings through an intergovernmental agreement or a memorandum of understanding with the LLEA.

C. MOU Leadership Team (Team)

The following individuals are designated for the MOU Team as described in Section B, above.

District Staff:

LLEA Staff:

D. District Authority Over the Educational Environment

The District has identified the need for a partnership with LLEA. LLEA will partner with District school officials to manage substantially disruptive student behavior and discipline issues. Collaboration between the District and LLEA and respect for the important role each party holds in connection with our community's youth are essential to the success of the mission of both parties. Where it is necessary for LLEA to be present on school property, its employees will conduct themselves according to the District's principles of schooling and interactions with minors, will not knowingly communicate false facts or lie to minors, and will always recognize the responsibility and authority of the District's officials to manage the educational environment and work with them to minimize any impact its actions might have upon that environment. The District's management authority includes the ability to order the LLEA to leave District property immediately.

Both parties recognize that disciplining students is better left for District officials to manage, especially in light of 105 ILCS 5/10-20.14(b). If a student in the District is recommended for prosecution in a court of law, the Team conferences about the most appropriate form of discipline for the student. Final discretion regarding discipline lies with the District. Final discretion regarding whether to charge an individual with an ordinance, criminal, or traffic violation lies with the LLEA.

E. Identified Needs for Services to Maintain the Educational Environment

LLEA's activities shall align to the District's identified needs for creating and maintaining its educational environment. All services rendered by LLEA for the District shall seek to implement a partnership that creates effective and positive school student discipline that (a) functions in concert with efforts to address school safety and climate; (b) utilizes all appropriate and available behavioral and disciplinary interventions, including restorative measures as defined in 105 ILCS 5/27-23.7(b); (c) is clear, consistent, and equitable; and (d) reinforces positive behaviors.

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1. The District's identified needs for services from LLEA are each of the following:
    a. When requested, assistance with conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the District for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search produces evidence that the student has violated or is violating either the law, local ordinance, or the District's policies or rules, such evidence may be seized by school authorities and turned over to law enforcement authorities, and disciplinary action may be taken. 105 ILCS 5/10-22.6(e) and 10-22.10a.

    b. Utilization by Building Principals of proper law enforcement agency resources when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal possession or use of weapons, or by illegal gang activity. 105 ILCS 5/10-21.4a.

    c. Cooperation with the parent-teacher advisory committee to develop policy guideline procedures that establish and maintain a reciprocal reporting system between the District applicable local law enforcement agencies regarding criminal offenses committed by students. 105 ILCS 5/10-20.14 and see Board Policy 2:150, *Committees.*

    d. Immediate required reporting to local law enforcement authorities by the superintendent of batteries committed against teachers, teacher personnel, administrative personnel, or educational support personnel. 105 ILCS 5/10-21.7, amended by P.A. 102-894.

    e. Immediate required notification by the Building Principal or his or her designee to a local law enforcement agency upon receiving a report that any person has been observed in possession of a firearm on school grounds, other than a law enforcement official engaged in the conduct of his or her official duties. 105 ILCS 5/10-27.1A.

    f. Upon receipt of a report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, immediate required notification by the Superintendent or designee to the local law enforcement authorities of all such firearm-related incidents occurring in a school or on school property. 105 ILCS 5/10-27.1A.

    g. Upon receipt of a report from any school personnel regarding a verified incident involving prohibited drugs in a school or on school owned or leased property, immediate required reporting by the Superintendent or designee to the local law enforcement authorities of all such drug-related incidents occurring in a school or on school property. 105 ILCS 5/10-27.1B.

    h. Implementation of other sections of the School Code that authorize the District to work with LLEA for the purposes of keeping schools safe and providing education or training.

    i. Based upon locally based District outcomes, the District has identified these additional needs:

2. The LLEA has identified partnership needs from the District, which include each of the following:
    a. Sharing required reports to applicable Building Principals whenever a child enrolled in the District is detained for proceedings under the Juvenile Court Act of 1987 (705 ILCS 405/), or for any criminal offense or any violation of a municipal or county ordinance (105 ILCS 5/22-20). The report shall include the basis for detaining the child, circumstances surrounding the events that led to the child's detention, and status of proceedings. The report shall be updated as appropriate to notify the Building Principal of developments and the disposition of the matter. Building Principals shall keep this information separate from the official school record of the student and ensure that it does not become part of the official school record of the student. Such information shall not be a public record and will be used solely by the appropriate school official or officials that the Building Principal determines have a legitimate educational or safety interest to aid in the

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proper rehabilitation of the child and to protect the safety of students and employees in the school. 105 ILCS 5/22-20.

b. In accordance with administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students*, transmitting juvenile law enforcement records concerning a minor enrolled in any District school who has been arrested or taken into custody for certain offenses. 705 ILCS 405/1-7(A)(8)(A) and 405/5-905(1)(h)(A) and see *Section H., Reciprocal Reporting of Criminal Offenses Committed by Students*, below.

c. Based upon locally-based LLEA outcomes, the LLEA has identified these additional needs:

F. Annual Evaluation of MOU; Renewal; Termination

The parties will periodically review the MOU for relevancy, monitor its terms for effectiveness, and consider whether any modifications are required. This review may align with the School Board's annual policy review and monitoring calendar. The MOU will remain in effect and automatically renew from year to year unless terminated. Any party may terminate its participation in this MOU upon thirty (30) days prior written notice to the other(s).

G. Record Sharing

Both parties recognize the privacy protections of federal and State law in the disclosure of student records. When sharing information, State and federal laws regarding *school student records* apply. See the Family Educational Rights and Privacy Act (20 U.S.C. §1232g; 34 C.F.R. Part 99) and the Illinois School Student Records Act (105 ILCS 10/; 23 Ill.Admin.Code Part 375). The applicable federal and/or State law shall control, and the District may refuse disclosure requests by LLEA without a warrant or subpoena/court order. The SRO and LLEA's officers shall at all times recognize and comply with the confidentiality of student and education records and may only seek such records in accordance with the requirements of the District's Policy 7:340, *Student Records*.

School student records may only be released to the LLEA by the Building Principal. Information kept by law enforcement professionals working in a school is not considered a *school student record.* See 105 ILCS 10/2. Information derived from reports of law enforcement to principals regarding students detained for proceedings are not considered a *school student record.* 105 ILCS 5/22-20. The *school student records* definition and 7:340-AP1, *School Student Records* are incorporated into this agreement.

Within its standard operating procedures, the LLEA will include training for its officers about these laws, along with information about how to access the District's policies and procedures for school student records. For general guidance both parties will refer to *Answers to FAQs Responding to a Subpoena* (Illinois Council of School Attorneys, Revised October 2021) at: www.iasb.com/IASB/media/School-Law/FAQ_Responding_to_Subpoena.pdf.

H. Reciprocal Reporting of Criminal Offenses Committed by Students

As outlined in Section E.2.b., above, the District and LLEA's officers shall at all times recognize and comply with (a) the School Code requirements for a reciprocal reporting system regarding criminal offenses committed by students (105 ILCS 5/10-20.14), and (b) the Juvenile Court Act of 1987 and the School Code's requirements for the management and sharing of law enforcement records and other information about students who have contact with LLEA.

The District's administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students* is incorporated into this MOU.

Nothing in this MOU is intended to impose upon any party a duty to report information to any other party that is not otherwise required by law. This MOU shall not be interpreted as making an obligation of a party mandatory that is otherwise discretionary under the law or vice versa. No party to this MOU waives any defenses or immunities it otherwise has under the law, including without limitation any immunities under the Sections 2-204 or 2-205 of the Local Governmental and Governmental Employees Tort Immunity Act or the State Employee Indemnification Act. 5 ILCS 350/.

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I. Live Feeds

The District will provide access to its live feeds to one or more of its buildings in the event of a health or safety emergency. Access is strictly to allow LLEA tactical forces to become familiar with current conditions that underlie the health or safety emergency in the District's building(s).

J. Cell Phone/Electronic Device Searches

The established procedures between the parties for searching cell phones/electronic devices must be followed. Both parties agree that cell phone/electronic device searches involve Fourth Amendment search and seizure issues and the federal Stored Communication Act (SCA) (18 U.S.C. §2701) issues. Generally asking for permission, calling the parents to come and search the phone, or getting a warrant solves this issue. Investigations of sexting allegations shall follow administrative procedure, 7:190-AP6, *Guidelines for Investigating Sexting Allegations*, which is incorporated into this agreement.

K. Agency and Police Interviews

Board Policy 7:150, *Agency and Police Interviews*, and administrative procedure 7:150-AP, *Agency and Police Interviews*, are incorporated into this MOU and must be followed at all times.

Within its standard operating procedures, LLEA will include training for its officers about this policy and procedure, along with information about how to access the District's policies and procedures.

Before a student under 18 years of age who is suspected of committing a criminal act is detained and questioned on school grounds, a law enforcement officer, school resource officer, or other school security personnel will (a) notify or attempt to notify the student's parent/guardian, (b) document the time and manner of the notification or attempted notification, (c) make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if not present, ensure that school personnel (including, but not limited to, a school social worker, school psychologist, school nurse, school counselor, or any other mental health professional) are present during the questioning, and (d) if practicable, make reasonable efforts to ensure a law enforcement officer trained in promoting safe interactions and communications with youth is present during questioning.

L. Body-Worn Cameras (BWCs)

All parties agree that any use of BWCs by officers must be subject to and in compliance with federal, state, and local regulations regarding the use and operation of them. The LLEA shall notify the District at least two weeks before its officers assigned to the District are to begin use of BWCs, and it will provide written information and training to the Building Principals and assistant principals of the schools in which the officers may enter. Training shall include the objectives and procedures for the use of BWCs in public and in schools. Every officer equipped with a BWC shall be trained in the operation of the equipment prior to its use. To maximize the effectiveness of the BWC and the integrity of the video documentation, officers shall adhere to the objectives and procedures outlined in this MOU and the LLEA's General Operations Orders or similar policies when they utilize BWCs. LLEA shall, if not otherwise prohibited by law, provide to the District copies of any such filming of students, parents, employees, or others upon school property, upon request for such copies by the District, as a law enforcement record. In the event that the LLEA receives advice that providing a copy of such videos is prohibited, the LLEA agrees to facilitate the availability of its officer(s) that made the video to testify, upon request by the District, in any school disciplinary hearing concerning his/her/their knowledge of the facts and circumstances of the videoed incident. Any such film or video taken by and kept in the possession of LLEA's officers may be considered *law enforcement records* under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g and 34 C.F.R. §99.8) and Ill. School Student Records Act (ISSRA) (105 ILCS 10/2(d)). Any copy of such film or video, if permitted by law to be provided to the District, may become an *educational record* of the District. The LLEA's officers shall at all times recognize and comply with the confidentiality of student and education records and may only seek such records in accordance with the requirements of Board Policy 7:340, *Student Records*, which is incorporated into the terms of this MOU.

M. General Provisions

1. Scope of Agreement

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Students

Exhibit - Short Term Out-of-School Suspension (1-3 Days) Reporting Form

Dear Parent(s)/Guardian(s):

Illinois law requires a School District to provide the following information to a parent/guardian of a child who is suspended from school due to an act of gross disobedience or misconduct.

_____ _____
Student Incident Date

Student handbook rule(s) and/or Board policy violated: _____

Date and time of pre-suspension conference with student: _____

(If this conference was not held because the student's conduct posed an immediate danger to persons or property, list the date and time the pre-suspension conference will be conducted.)

Date(s) of suspension: _____

Date student is eligible to return to school: _____

Description of incident: *(List all pertinent information (date, time, location) regarding the specific act(s) of gross disobedience or misconduct resulting in the decision to suspend.)*

_____

_____

_____

Rationale for the specific duration of the suspension:

_____

_____

_____

It has been further determined that: *(At least one of the following must be completed.)*

I. **Your child's continued presence at school poses a threat to school safety.** Due to the egregious nature of your child's conduct (i.e., physical harm, violence, threat) and/or the history or record of your child's past conduct, school officials have determined that your child is likely to engage in similar conduct in the future. These determinations include, but are not limited to, one or more of the following additional reasons: (*List explanation below.*)

_____

_____

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II. **Your child's continued presence at school poses a disruption to other students' learning opportunities.** Due to the egregious nature of your child's conduct (i.e., physical harm, violence, threat) and/or the history or record of your child's past conduct school, officials have determined that (a) your child is likely to engage in similar conduct in the future, and/or (b) the presence of your child at school will foster a culture that his or her behavior(s) at school is/are acceptable or tolerated. These determinations include, but are not limited to, or more of the following: (*List explanation below.*)

The school is required to make all reasonable efforts to resolve threats or disruptions and minimize the length of out-of-school suspensions. The following behavioral and disciplinary interventions have been exhausted. (*List all behavioral and disciplinary interventions and resources previously utilized to address the student's behavior or indicate if there are no appropriate and available interventions and resources; e.g., any previous correspondence with parents or guardians about the behavior, check-in/check-out, functional behavioral analysis (FBA), behavioral improvement plan (BIP), social academic instructional group (SAIG), in-school suspension, out-of-school suspension and/or other interventions and resources.*)

During the period of suspension, your child may not be present at school, on grounds owned or controlled by the School District or at any School District activity. Failure to comply with this directive constitutes a trespass and will be dealt with accordingly.

Upon returning to school, your child will be given an opportunity to make up work missed during the suspension for equivalent academic credit.

To discuss this matter, you may contact the Building Principal. Alternatively, you have the right to have the suspension reviewed by the School Board or a hearing officer acting on the Board's behalf. To schedule a Board hearing, please send a written request within ten (10) calendar days to (*insert name and address of the Superintendent).*

Building Principal Date

cc: School Board

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Students

Exhibit - Long Term Out-of-School Suspension (4-10 Days) Reporting Form

Dear Parent(s)/Guardian(s):

Illinois law requires a School District to provide the following information to a parent/guardian of a child who is suspended from school due to an act of gross disobedience or misconduct.

_____ _____
Student Incident Date

Student handbook rule(s) and/or Board policy violated: _____

Date and time of pre-suspension conference with student: _____

(If this conference was not held because the student's conduct posed an immediate danger to persons or property, list the date and time the pre-suspension conference will be conducted.)

Date(s) of suspension: _____

Date student is eligible to return to school: _____

Description of incident: (List all pertinent information (date, time, location) regarding the specific act(s) of gross disobedience or misconduct resulting in the decision to suspend.)

_____

_____

_____

Rationale for the specific duration of the suspension:

_____

_____

_____

It has been further determined that: (At least one of the following must be completed.)

I. **Your child's continued presence at school poses a threat to school safety of other students, staff, or members of the school community**. Due to the egregious nature of your child's conduct (i.e., physical harm, violence, threat) and/or the history or record of your child's past conduct, school officials have determined that your child is likely to engage in similar conduct in the future. These determinations include, but are not limited to, one or more of the following additional reasons: (List explanation below.)

_____

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II. **Your child's continued presence at school substantially disrupts, impedes, or interferes with the operation of the school.** Due to the egregious nature of your child's conduct (i.e., physical harm, violence, threat) and/or the history or record of your child's past conduct school, officials have determined that (a) your child is likely to engage in similar conduct in the future, and/or (b) the presence of your child at school will foster a culture that his or her behavior(s) at school is/are acceptable or tolerated. These determinations include, but are not limited to, or more of the following: (List explanation below.)

The school is required to make all reasonable efforts to resolve threats or disruptions and minimize the length of out-of-school suspensions. The following behavioral and disciplinary interventions have been exhausted *(List all behavioral and disciplinary interventions and resources previously utilized to address the student's behavior or indicate if there are no appropriate and available interventions and resources; e.g., any previous correspondence with parents or guardians about the behavior, check-in/check-out, functional behavioral analysis (FBA), behavioral improvement plan (BIP), social academic instructional group (SAIG), in-school suspension, out-of-school suspension and/or other interventions and resources.)*

During the period of suspension, your child may not be present at school, on grounds owned or controlled by the School District or at any School District activity. Failure to comply with this directive constitutes a trespass and will be dealt with accordingly.

Your child will be given an opportunity to complete missed assignments or work missed during the suspension for equivalent academic credit.

Students that are suspended out-of-school for longer than four (4) days must be provided with appropriate and available support services during the period of suspension. The following support services are available to your child: (*Note that this requirement only applies to students who are suspended out-of-school for 5 through 10 school days. List all support services or indicate if no support services are appropriate and available.)*

To discuss this matter, you may contact the Building Principal.

Alternatively, you have the right to have the suspension reviewed by the School Board or a hearing officer acting on the Board's behalf. To schedule a Board hearing, please send a written request within ten (10) calendar days to (*insert name and address of the Superintendent).*

Building Principal Date

cc: School Board

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Students

Expulsion Procedures

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

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. The request 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 a local mental health agency 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

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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.: Goss v. Lopez, 419 U.S. 565 (1975).
105 ILCS 5/10-20.14, 5/10-22.6.

CROSS REF.: 5:100 (Staff Development Program), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities)

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Students

Exhibit - Notice of Expulsion Hearing

Dear Parent(s)/Guardian(s):

Due to the act(s) of gross disobedience or misconduct described herein, a recommendation has been made to the School Board to expel your child from school. The School Code allows the School Board to expel a student for a definite time period not to exceed two (2) calendar years, as determined on a case-by-case basis.

_____ _____

Student Incident Date

Student handbook rule(s) and/or Board policy violated: _____

_____

Length of the proposed expulsion: _____

_____

Description of the incident and a justification for a recommendation of expulsion: This information is contained in the *Long Term Out-of-School Suspension (4-10 days) Reporting Form* attached to this letter. If there was no long term suspension, the specific acts of gross disobedience or misconduct resulting in recommendation to expel are described in the attached sheet.

The following additional efforts to resolve threats or disruptions and minimize the length of out-of-school suspensions were also provided: _____

_____

_____

_____

_____

Evidence will be presented and the Board will decide:

1. Whether removing your child from his or her learning environment is in the best interest of the school;
2. What the rationale is for the specific duration of the recommended expulsion;
3. Whether all appropriate and available behavioral and disciplinary interventions were exhausted; and
4. Whether your child's continuing presence in school would either: (a) pose a threat to the safety of other students, staff, or members of the school community, or (b) substantially disrupt, impede, or interfere with the operation of the school.

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You are requested to appear at a hearing before the School Board or a hearing officer acting on the Board's behalf to determine if your child should be expelled from school.

Hearing Date	**Time**	**Location**

At the expulsion hearing, the Board or hearing officer will consider evidence concerning whether your child is guilty of gross disobedience or misconduct as charged and should be expelled from school. The hearing will be held in closed session. At this hearing you have each of the following rights:

1. To be present.
2. To be represented by counsel. You must inform the District if your child will be represented by an attorney and, if so, the attorney's name.
3. To offer evidence.
4. To present witnesses and cross-examine witnesses who testify.
5. To present other reasons why your child should not be expelled.

After presentation of evidence or receipt of the hearing officer's report, the Board will decide the issue of guilt and take such actions as it finds appropriate.

Superintendent _____ Date _____

cc: School Board

enclosure: Copy of 7:200-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form,* or a list of the specific acts of gross disobedience or misconduct

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Students

Bus Conduct

All students must follow the District's *School Bus Safety Rules*.

School Bus Suspensions

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 School Board policy 7:190, *Student Behavior*.
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 a directive from a bus driver or other supervisor.
6. Such other behavior as the Superintendent or designee 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.

Academic Credit for Missed Classes During School Bus Suspension

A student suspended from riding the bus who does not have alternate transportation to school shall have the opportunity to complete or make up work for equivalent academic credit. It shall be the responsibility of the student's parent or guardian to notify the school that the student does not have alternate transportation.

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 5/10-20.14, 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 Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities), 7:340 (Student Records)

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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, law enforcement officer working in the District, 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 law enforcement officers working in the District and District personnel. These individuals must have, (1) a law enforcement, security, or safety reason, or (2) a need to investigate and/or monitor student or driver conduct. A written log will be kept of those individuals viewing a video recording stating the time, name of individual viewing it, and date the video recording was viewed.

If the content of an electronic recording becomes the subject of a student disciplinary hearing, it will be treated like other evidence in the proceeding.

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 720 ILCS 5/14-3(m).

The Eavesdropping Act exempts electronic recordings on school buses from its coverage when transportation is provided for a school activity, provided the School Board adopted a policy authorizing their use. 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.

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Students

Misconduct by Students with Disabilities

Behavioral Interventions

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The School Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children 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 special education 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.

LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.
Gun-Free Schools Act, 20 U.S.C. §7151 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 §226.400.
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 Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct)

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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 School 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 discipline, up to and including removal from the activity. Participants who violate the conduct code will be allowed to give an explanation before being progressively disciplined. The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the Board.

Participants in extracurricular activities must abide by the conduct code for the activity and Board policy 7:190, *Student Behavior*. All coaches and sponsors of extracurricular activities shall annually review the conduct code 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.

Extracurricular Drug and Alcohol Testing Program

The District maintains an extracurricular drug and alcohol testing program in order to foster the health, safety, and welfare of its students. Participation in extracurricular activities is a privilege and participants need to be exemplars. The program promotes healthy and drug-free participation.

Each student and his or her parents/guardians must consent to having the student submit to random drug and alcohol testing in order to participate in any extracurricular activity. Failure to sign the District's *Consent to Participate in Extracurricular Drug and Alcohol Testing Program* form will result in non-participation.

If a test is *positive*, the student will not participate in extracurricular activities until after a *follow-up* test is requested by the Building Principal or designee and the results are reported. The Building Principal or designee will request a *follow-up* test after such an interval of time that the substance previously found would normally be eliminated from the body. If this *follow-up* test is negative, the student will be allowed to resume extracurricular activities. If a *positive* result is obtained from the *follow-up* test, or any later test, the same previous procedure shall be followed.

The Superintendent or designee shall develop procedures to implement this policy. No student shall be expelled or suspended from school as a result of any verified positive test conducted under this program other than when independent reasonable suspicion of drug and/or alcohol usage exists. This program does not affect the District policies, practices, or rights to search or test any student who at the time exhibits cause for reasonable suspicion of drug and/or alcohol use.

Performance Enhancing Drug Testing of High School Student Athletes

The Illinois High School Association (IHSA) prohibits participants in an athletic activity sponsored or sanctioned by IHSA from ingesting or otherwise using any performance enhancing substance on its banned substance list, without a written prescription and medical documentation provided by a licensed physician who evaluated the student-athlete for a legitimate medical condition. IHSA administers a performance-enhancing substance testing program. Under this program, student athletes are subject to random drug testing for the presence in their bodies of performance-enhancing substances on the IHSA's banned substance list. In

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addition to being penalized by IHSA, a student may be disciplined according to Board policy 7:190, *Student Behavior*.

LEGAL REF.: Mahanoy Area Sch. Dist. v. B.L., 141 S.Ct. 2038 (2021).
Bd. of Educ. of Independent Sch. Dist. No. 92 v. Earls, 536 U.S. 822 (2002).
Vernonia Sch. Dist. 475 v. Acton, 515 U.S. 646 (1995).
Clements v. Bd. of Educ. of Decatur, 133 Ill.App.3d 531 (4th Dist. 1985).
Kevin Jordan v. O'Fallon THSD 203, 302 Ill.App.3d 1070 (5th Dist. 1999).
Todd v. Rush County Schs., 133 F.3d 984 (7th Cir. 1998).

105 ILCS 5/24-24, 5/27-23.3, and 25/2.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Extracurricular and Co-Curricular Activities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:300 (Extracurricular Athletics)

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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 per year, 24 hours per 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 behavior;
2. Use, possess, buy, sell, barter, or distribute a beverage containing alcohol (except for religious purposes);
3. Use, possess, buy, sell, barter, or distribute tobacco or nicotine materials in any form, including without limitation, electronic cigarettes;
4. Use, possess, buy, sell, barter, or distribute cannabis in any form, unless exempted under *Ashley's Law*.
5. Use, possess, buy, sell, barter, or distribute any illegal substance (including mood-altering and performance enhancing drugs or chemicals) or paraphernalia;
6. 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;

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7. Attend a party or other gathering and/or ride in a vehicle where alcohol, cannabis, and/or controlled substances are being consumed by minors;

8. Act in an unsportsmanlike manner;

9. Vandalize or steal;

10. Haze or bully other students;

11. Violate the written rules for the activity or sport;

12. Behave in a manner that disrupts or adversely affects the group or school;

13. Be insubordinate or disrespectful toward the activity's sponsors or team's coaching staff;

14. Falsify any information contained on any permit or permission form required by the activity or sport.

Hazing and bullying activities are strictly forbidden at any time and in any location. *Hazing* is any humiliating or dangerous activity expected of a student to belong to a team or group, regardless of his or her willingness to participate. (Adapted from the definition of *hazing* adopted by the National Federation of State High School Associations.) *Bullying* includes cyberbullying 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 place a student in reasonable fear of harm; cause a substantially detrimental effect on a student's physical or mental health; substantially interfere with a student's academic performance; or substantially interfere with a student's ability to participate in or benefit from school services, activities, or privileges. (Adapted from the definition of *bullying* included in the Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment.*)

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 shall 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 for one of the time periods described below:

        * A specified period of time or percentage of events, competitions, or practices
        * The remainder of the season or for the next season
        * The remainder of the student's high school career

    b. Sanctions for drug and alcohol violations will be based on the following:

        First violation

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* 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 alcohol, cannabis, and/or controlled substances are being consumed by minors: 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 one 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 alcohol, cannabis, and/or controlled substances are being consumed by minors: 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 alcohol, cannabis, and/or controlled substances are being consumed by minors: 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 behavior policy and/or the school's student handbook and the disciplinary measures listed in them.

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Students

Administrative Procedure - Extracurricular Drug and Alcohol Testing Program

Testing Procedures

1. The Building Principal or designee shall, from time-to-time throughout the school year, randomly select extracurricular participants for drug and alcohol testing. Testing may occur on any day, Monday through Saturday. Names will be drawn from a pool of all student participants. Each student participant may be tested at any time during the year.
2. No student will be given advance notice or early warning of the testing.
3. Drug and/or alcohol testing may be performed by breath alcohol testing and/or urinalysis. Upon being selected for breath alcohol testing, a student must provide an adequate amount of breath so that the measuring device can measure any alcohol concentration in the breath. Upon being selected for a urinalysis test, the student shall provide a sample of "fresh" urine according to the quality control standards and policy of the laboratory conducting the urinalysis.
4. A staff member will accompany the student until he or she produces an adequate urine specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If unable to produce a specimen within two hours, the student will be taken to the Building Principal's office and told he or she is ineligible for participation in any extracurricular activity. In addition, the student's parent(s)/guardian(s) will be telephoned and informed the student is unable to produce a sample for the testing procedure and he or she must be tested at a later date in order to be eligible.
5. All specimens registering below 90.5 degrees or above 99.8 degrees Fahrenheit will be invalid. The head strip on each specimen bottle indicates the validity of the urine specimen by temperature. If a specimen is invalid, the student must provide another specimen.
6. A student will be ineligible for all extracurricular activities for the remainder of the school year if he or she tampers with or cheats during the collection. This will be reported to the student's parent(s)/guardian(s).
7. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he or she left the collection site.
8. Each specimen is given to the laboratory for testing for alcohol, controlled substances (that may include all drugs listed as controlled substances under Illinois law), and "performance enhancing" drugs, such as steroids.

Chain of Custody

1. The laboratory will provide training and direction to appropriate staff members, set up the collection environment, guarantee specimens, and supervise the chain of custody. To maintain anonymity, the student will be assigned a number.
2. The Building Principal or designee will escort students to the collection site. No student is allowed to go to his or her locker before being escorted to the collection site. The Building Principal or designee should minimize classroom interruptions. Student participants may be summoned after school, perhaps during practice time.
3. Before a student's urine is tested by the laboratory, he or she must sign any form that may be required by

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the testing laboratory. If a student chooses, he or she may notify the administrator that he or she is taking a prescription medication.

4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle and the student signs that the specimen is sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. Students will be instructed to remove all outerwear and wash their hands in the presence of the supervisor before entering the restroom stall. The stall door will be closed while the student provides a urine specimen. The supervisor will wait outside the restroom stall. The student will have two minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be shut off.
7. After it is sealed, the specimen will be transported to the testing laboratory by laboratory personnel. The testing laboratory will report the results to the Building Principal or designee.
8. In order to maintain confidentiality, the student's name will not be on the urine specimen container. Instead, the student's random identification number will appear on the container.

Test Results

1. The Building Principal or designee will be notified of a student testing "positive" (i.e., if the test shows that drug residues are in the student's system after using at least two different types of analyses). The Building Principal or designee will notify the student and his or her parent(s)/guardian(s). The student or his or her parent(s)/guardian(s) may submit any documented prescription or explanation of a "positive" test result.
2. In addition, the student or parent(s)/guardian(s) may request that the urine specimen be tested again by a certified laboratory at their cost.
3. If the test is verified "positive," the Building Principal or designee will meet with the student and his or her parent(s)/guardian(s). The student and parent(s)/guardian(s) will be given the names of counseling and assistance agencies. The student may not participate in extracurricular activities until a "follow-up" test is requested by the Building Principal or designee and the results are "negative."
4. A "follow up" test will be requested by the Building Principal or designee after such an interval of time that the substance previously found would normally be eliminated from the body. If this "follow up" test is negative, the student will be allowed to resume extracurricular activities. If a "positive" result is obtained from the "follow up" test, or any later test, the previous procedure shall be repeated. In addition, the School District reserves the right to continue testing at any time during the remaining school year any participating student who had a verified "positive" test.
5. Information on a verified "positive" test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of "negative" tests will be kept confidential.
6. Drug testing result sheets will be returned to the Building Principal or designee identifying students by number and not by name. Names will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the Building Principal or designee has access.

Financial Responsibility

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1. Under this policy, the District will pay for all initial random drug tests and all initial "follow up" drug tests. Once a student has a verified "positive" test result and has subsequently tested negative from a "follow up" test, any future "follow up" drug test that must be conducted will be paid for by the student's parent(s)/guardian(s).
2. A request for another test of a "positive" urine specimen is the financial responsibility of the student's parent(s)/guardian(s).
3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student's parent(s)/guardian(s).

Confidentiality

Under this drug and alcohol testing program, no staff, coach, or sponsor shall divulge any information to anyone about a particular student or disposition of the student involved, other than in response to a legal subpoena.

Other Rules

Apart from this drug and alcohol testing program, the Ill. High School Association as well as each activity's coaching staff or sponsor may have their own training rules and requirements. Coaches and sponsors have the necessary authority to enforce those rules. Any student-participant who violates a team or activity rule or requirement is subject to the consequences as defined in those rules and requirements.

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Students

Exhibit - Consent to Participate in Extracurricular Drug and Alcohol Testing Program

To be returned to the Building Principal. Please print.

Student **School year**

To be read and signed by the student-participant and his/her parent/guardian:

We have received, and have read, and understand, the District Extracurricular Drug and Alcohol Testing Program. We voluntarily agree that our child shall be subject to its terms for his or her entire high school career (grades 9-12). We accept the method of obtaining breath and urine specimens, the testing and analyses of such specimens, and all other aspects of the program. The student-participant agrees to cooperate in furnishing urine specimens upon request.

We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program. This consent is given pursuant to all State and federal privacy statutes, and it is a waiver of nondisclosure rights only to the extent of the disclosures required in the program.

We understand that there is more information available on the following websites:
www.ihsa.org/documents/sportsMedicine/Resource_Exchange_Center_Flyer.pdf and
www.ihsa.org/Resources/Sports-Medicine/Performance-Enhancing-Drugs-Steroid-Education .

Parent/Guardian name *(please print)* Date

Parent/Guardian signature Student signature

To be read and signed by student who is not participating:

I have decided **not to participate** in any extracurricular activities sponsored by the School District for the remainder of this school year. In order for me to participate in the extracurricular activity program at a later date, I understand that I must submit to a urinalysis.

Student signature Date

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Students

Student Support Services

The District provides a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services when enrolling in or changing schools.

The following student support services may be provided by the School District:

1. Health services supervised by a qualified school 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 school 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 school social worker. A student's parent/guardian must consent to regular or continuing services from a social worker.
4. Guidance and school counseling services.

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health needs that impact learning ability. The District, however, assumes no liability for preventing, identifying, or treating such needs.

Erin's Law Counseling Options, Assistance, and Intervention

The Superintendent or designee will ensure that each school building's Student Support Committee identifies counseling options for students who are affected by sexual abuse and grooming behaviors, along with District and community-based options for victims of sexual abuse and grooming behaviors to obtain assistance and intervention. Community-based options must include a Children's Advocacy Center and sexual assault crisis center(s) that serve the District, if any.

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.: 105 ILCS 5/10-23.13(b), 5/10-20.59, and 5/21B-25(G).
405 ILCS 49/, Children's Mental Health Act.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.

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 Disease), 7:340 (Student Records)

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Students

Administrative Procedure - Measures to Control the Spread of Head Lice at School

Actor	Action
School Nurse	Involves parent organization in the development and implementation of programs regarding prevention and treatment. Provides information regarding control to staff, students, and parents/guardians. Information provided to parents/guardians may include that set forth in row 2, below. Provides information material and/or in-service to school personnel on: 1. Confidentiality requirements 2. Identification 3. Preventing transmission in classrooms 4. Precautions against self-contamination and cross-contamination, e.g., a. Carpets should be vacuumed frequently b. Cloth-covered stuffed animals, sleeping mats, pillows, sofas, and other stuffed furniture should be discouraged 5. Treatment and resources for treatment 6. Readmission requirements 7. Respect for sensitivity of students and parents/guardians regarding this condition
Parent/Guardian	Assists in preventing and managing head lice outbreaks by regularly checking their children's hair and providing immediate treatment if lice are detected. * Check your child's hair and scalp regularly for eggs. * Do not allow your child to use other children's combs, brushes, hats, etc. * If you find your child does have head lice and you decide to keep him or her out of school, please follow the school's student absence procedures. * Follow your family's chosen protocol for treatment of the entire family. Both over-the-counter and prescription medications are available for treatment of lice. * 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. * Review information from the Center for Disease Control (CDC) about Prevention and Control at: www.cdc.gov/parasites/lice/head/prevent.html and Treatment FAQ at www.cdc.gov/parasites/lice/head/gen_info/faqs_treat.html.
Staff	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.
School Nurse	Inspects the head of any student reasonably suspected of having head lice as soon as possible. Checks the siblings of any student with head lice and notifies other schools where siblings attend.

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	Checks any of the student's contacts for the presence of lice. Provides the student's parent(s)/guardian(s) with information regarding head lice treatment. If more than one student is affected in any class, determines whether to examine all students in the class and/or provides information about head lice to all parents/guardians of students in the class.
Building Principal	If eggs (nits) or lice are found, determines whether to exclude the student from attendance or limit the student's head to head contact in the school building (especially in lower grades). Contacts the Board Attorney before beginning the process to exclude any student. Informs the student's parent(s)/guardian(s) about recommended treatment procedures and sources of further information.
Staff	Maintains the privacy of students identified as having head lice and excluded from attendance.
Parent/Guardian	Brings a note to school verifying treatment.
School Nurse	Examines any excluded student and verifies to the Building Principal that all eggs (nits) and lice are gone so that the student may return. **Note**: Delete this row and/or the re-inspection (nit-free) requirement if the administration determines the requirement is (a) unnecessary to successfully manage head lice and/or (b) results in unnecessary absences. Many nit-free requirements may unnecessarily exclude students from school. School nurses should discuss the following pros and cons of *No Nit Policies* with their Building Principals and/or Superintendents: Pros: A nit-free requirement simply eliminates any subjective call for school personnel as to whether the nit is dead or alive. The National Pediculosis Association recommends the *No Nit Policy* as the public health standard intended to keep children lice free, nit free, and in school, www.headlice.org/downloads/nonitpolicy.htm. Cons: The National Association of School Nurses takes the position that the management of head lice should not disrupt the educational process. No disease is associated with head lice, and in-school transmission is considered to be rare. Further, when transmission occurs, it is generally found among younger-age children with increased head-to-head contact: www.nasn.org/nasn/advocacy/professional-practice-documents/position-statements/ps-head-lice.
Building Principal	Notifies parent(s)/guardian(s) whose excluded student has not returned to school within five days of the following: School attendance laws Action that may be taken if absence continues Resources for treatment information

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Students

Administrative Procedure - Protocol for Responding to Students with Social, Emotional, or Mental Health Needs

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 needs. 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) develops and updates 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. By Dec. 30 of each year, the ICMHP must submit an annual progress report to the Governor for approval. The Student Support Committee will monitor the annual ICMHP progress report, available at: www.icmhp.org/our-work/our-annual-reports. The CMH Plan is available at: www.dhs.state.il.us/page.aspx?item=68168. After reviewing both websites, the Student Support Committee will 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 needs 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, student assistance services, and/or a case study evaluation, 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-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities.*

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School Counseling, School Social Work, School Psychological, and School Nursing Services

The Student Support Committee may request school counselors, school social workers, school psychologists, and school nurses to provide support and consultation to teachers and school 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 needs.

School counselors, school social workers, school psychologists, and school nurses 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 five 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.)

Erin's Law Counseling Options, Assistance, and Intervention

The Student Support Committee shall identify District and community-based counseling options for students who are affected by sexual abuse and grooming behaviors, along with options for victims of sexual abuse to obtain assistance and intervention. Community-based options must include a Children's Advocacy Center and sexual assault crisis center(s) that serve the District, if any.

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.: 105 ILCS 5/10-23.13.
405 ILCS 49/, Children's Mental Health Act.

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Students

Exemption from Physical Education

In order to be excused from participation in physical education, a student must present an appropriate 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. Upon written notice from a student's parent/guardian, a student will be excused from engaging in the physical activity components of physical education during a period of religious fasting.

Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical education course.

State law prohibits 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.

A student who is eligible for special education may be excused from physical education courses in either of the following situations:

1. He or she (a) is in grades 3-12, (b) his or her IEP requires that special education support and services be provided during physical education time, and (c) the parent/guardian agrees or the IEP team makes the determination; or
2. He or she (a) has an IEP, (b) is participating in an adaptive athletic program outside of the school setting, and (c) the parent/guardian documents the student's participation as required by the Superintendent or designee.

A student requiring adapted physical education must receive that service in accordance with his or her Individualized Educational Program/Plan (IEP).

A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated in 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*.

Students in grades 7 and 8 may submit a written request to the Building Principal to be excused from physical education courses because of his or her ongoing participation in an interscholastic or extracurricular athletic program. The Building Principal will evaluate requests on a case-by-case basis.

The Superintendent or designee shall maintain records showing that the criteria set forth in this policy were applied to the student's individual circumstances, as appropriate.

Students who have been excused from physical education shall return to the course as soon as practical. The following considerations will be used to determine when a student shall return to a physical education course:

1. The time of year when the student's participation ceases;
2. The student's class schedule; and
3. The student's future or planned additional participation in activities qualifying for substitutions for physical education as outlined in policy 6:310, *High School Credit for Non-District Experiences;*

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Course Substitutions; Re-Entering Students.

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).

CROSS REF.: 6:60 (Curriculum Content), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students)

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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* (*SMA 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.

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.

Self-Administration of Medication

A student may possess and self-administer an epinephrine 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 an *SMA Form*. The Superintendent or designee will ensure an Emergency Action Plan is developed for each self-administering student.

A student may self-administer medication required under a *qualifying plan*, provided the student's parent/guardian has completed and signed an *SMA Form*. A qualifying plan means: (1) an asthma action plan, (2) an Individual Health Care Action Plan, (3) an Ill. Food Allergy Emergency Action Plan and Treatment Authorization Form, (4) a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or (5) a plan pursuant to the federal Individuals with Disabilities Education Act.

The 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, including asthma medication or epinephrine injectors, or medication required under a qualifying plan. A student's parent/guardian must indemnify and hold harmless the 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 injector, asthma medication, and/or a medication required under a qualifying plan.

School District Supply of Undesignated Asthma Medication

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated asthma medication in the name of the District and provide or administer them as necessary according to State law. *Undesignated asthma medication* means an asthma medication 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 asthma medication to a person when they, in good faith, believe a person is having *respiratory distress*. Respiratory distress may be characterized as *mild-to-moderate* or *severe*. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received

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a statement of certification pursuant to State law.

School District Supply of Undesignated Epinephrine Injectors

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated epinephrine injectors in the name of the District and provide or administer them as necessary according to State law. *Undesignated epinephrine injector* means an epinephrine 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 injector to a person when they, in good faith, believe a person is having an anaphylactic reaction. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

School District Supply of Undesignated Opioid Antagonists

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated opioid antagonists in the name of the District and provide or administer them as necessary according to State law. *Opioid antagonist* means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration. *Undesignated opioid antagonist* is not defined by the School Code; for purposes of this policy it means an opioid antagonist 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 opioid antagonist to a person when they, in good faith, believe a person is having an opioid overdose. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law. See the website for the Ill. Dept. of Human Services for information about opioid prevention, abuse, public awareness, and a toll-free number to provide information and referral services for persons with questions concerning substance abuse treatment.

School District Supply of Undesignated Glucagon

The Superintendent or designee shall implement 105 ILCS 145/27 and maintain a supply of undesignated glucagon in the name of the District in accordance with manufacturer's instructions.

When a student's prescribed glucagon is not available or has expired, a school nurse or delegated care aide may administer undesignated glucagon only if he or she is authorized to do so by a student's diabetes care plan.

Administration of Medical Cannabis

The Compassionate Use of Medical Cannabis Program Act allows a *medical cannabis infused product* to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a *designated caregiver* to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old and is allowed to administer a *medical cannabis infused product* to a child who is a student on the premises of his or her school or on his or her school bus if:
    a. Both the student and the designated caregiver possess valid registry identification cards issued by IDPH;
    b. Copies of the registry identification cards are provided to the District;

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c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and

d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.

2. A properly trained school nurse or administrator, who shall be allowed to administer the *medical cannabis infused product* to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus.

3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator.

Medical cannabis infused product (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the District or school, would create a disruption to the educational environment or cause exposure of the product to other students. A school employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. The District may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

Void Policy

The **School District Supply of Undesignated Asthma Medication** 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 asthma medication 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 asthma medication.

The **School District Supply of Undesignated Epinephrine Injectors** 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 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 injectors.

The **School District Supply of Undesignated Opioid Antagonists** 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 opioid antagonists from a health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Substance Use Disorder Act, or (2) fill the District's prescription for undesignated school opioid antagonists.

The **School District Supply of Undesignated Glucagon** 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 glucagon from a qualifying prescriber, or (2) fill the District's prescription for undesignated school glucagon.

The **Administration of Medical Cannabis** section of the policy is void and the District reserves the right not to implement it if the District or school is in danger of losing federal funding.

Administration of Undesignated Medication

Upon any administration of an undesignated medication permitted by State law, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

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Undesignated Medication Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply.

No one, including without limitation, parents/guardians of students, should rely on the District for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, 5/22-30, and 5/22-33.
105 ILCS 145/, Care of Students with Diabetes Act.
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.
720 ILCS 550/, Cannabis Control Act.
23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Anaphylaxis Prevention, Response, and Management Program)

ADMIN. PROC.: 7:270-AP1 (Dispensing Medication), 7:270-AP2 (Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon), 7:270-E1 (School Medication Authorization Form), 7:270-E2 (School Medication Authorization Form - Medical Cannabis)

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Students

Administrative Procedure - Dispensing Medication

Actor	Action
Parents/Guardians	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. *Medication* includes an epinephrine injector, e.g., *EpiPen®,* asthma medication (105 ILCS 5/22-30(a)), medical cannabis (105 ILCS 5/22-33(g)), glucagon (105 ILCS 145/27, added by P.A. 101-428), and any medication required under a plan listed in 105 ILCS 5/10-22.21b(c), added by P.A. 101-205, for a student's self-administration of medication. **For a student using medical cannabis**: The parent/guardian is responsible for providing the school with copies of the valid registry identification cards issued to their child and the child's designated caregiver as required by the Ill. Dept. of Public Health. The student's parent/guardian must also ask the student's health care provider to complete a *School Medication Authorization Form – Medical Cannabis*. 105 ILCS 5/22-33(b-5), added by P.A. 101-370. The designated caregiver shall be allowed to administer a *medical cannabis infused product* (product) to the student on the premises of the child's school or on the child's school bus. The product must be immediately removed from school premises or the school bus after administration. 105 ILCS 5/22-33(b), amended by P.A.s 101-363 and 101-370. **Note:** State law does not require school personnel to administer medical cannabis to students. The school nurse or an administrator is allowed to administer a product to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student attends before-school or after-school care on school-operated property or while being transported on a school bus. 105 ILCS 5/22-33(b-5), added by P.A. 101-370. The District may also allow a qualifying student to self-administer product if the self-administration takes place under the direct supervision of a school nurse or administrator. Id. A product administered by a school nurse or administrator, or self-administered under the supervision of a school nurse or administrator, must be stored at school with the school nurse at all times in a manner consistent with storage of other student medication at the school and may be accessible only by the school nurse or an administrator. 105 ILCS 5/22-33(b-10), added by P.A. 101-370. **For a student with diabetes**: The parent/guardian is responsible for

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sharing the health care provider's instructions. When the student is at school, the student's diabetes will be managed according to a diabetes care plan, if one exists. To the extent there is any conflict between the diabetes care plan and this Procedure, the diabetes care plan shall control. See Care of Students with Diabetes Act, 105 ILCS 145/. Last, the Public Self-Care of Diabetes Act allows a person with diabetes (or a parent/guardian of a person with diabetes) to self-administer insulin (or administer insulin) in any location, public or private, where the person is authorized to be irrespective of whether the injection site is uncovered during or incidental to the administration of insulin (410 ILCS 135/).

For a student with epilepsy: The parent/guardian is responsible for sharing the health care provider's instructions. When the student is at school, the student's epilepsy will be managed according to a seizure action plan, if one exists. To the extent there is any conflict between the seizure action plan and this Procedure, the seizure action plan shall control. See Seizure Smart School Act, 105 ILCS 150/, added by P.A. 101-50.

For a student with asthma: The parent/guardian is responsible for sharing the student's asthma action plan. When the student is at school, the student's asthma will be managed according to an asthma action plan, if one exists. To the extent there is any conflict between the student's asthma action plan and this Procedure, the asthma action plan shall control. See 105 ILCS 5/22-30(j-5). Asthma emergencies shall be managed pursuant to the District's asthma emergency response protocol. 105 ILCS 5/22-30(j-10).

Note: The Ill. State Board of Education (ISBE)'s model asthma episode emergency response protocol required by 105 ILCS 5/22-30(j-10), that must be incorporated in the District's procedure is available at: www.isbe.net/Documents/asthma_response_protocol.pdf.

When developing the District's model protocol, consider that a district may be liable for injury to an asthmatic student during a medical emergency if the district does not respond by immediately calling 911. See In re Estate of Stewart, 406 Ill.Dec. 345 (2nd Dist. 2016); In re Estate of Stewart, 412 Ill.Dec. 914 (Ill. 2017)(school district's appeal denied). Consult the board attorney about: (1) whether all asthma action plans should require immediate 911 calls based upon Stewart; and (2) the duties and responsibilities of a district when it asks for, but does not receive, an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon Stewart.

A student with asthma is allowed to self-administer and self-carry asthma medication if the student's parents/guardians provides the school with: (1) written authorization for the self-administration and/or self-care of asthma medication; and (2) the prescription label containing the name of the asthma medication, the prescribed dosage, and the time at which or circumstances under which the asthma medication is to be

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	administered. 105 ILCS 5/22-30(b). **For a student self-administering medication:** A student with an asthma action plan, an Individual Health Care Action Plan, an Illinois Food Allergy Emergency Action and Treatment Authorization Form, a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or a plan pursuant to the federal Individuals with Disabilities Education Act is allowed to self-administer medication if the student's parent/guardian provides the school with: (1) written permission for the student's self-administration of medication; (2) written authorization from the student's physician, physician assistant, or advanced practice registered nurse for the student to self-administer the medication; and (3) the prescription label containing the name of the medication, the prescribed dosage, and the time(s) or circumstances under with the medication is to be administered. 105 ILCS 5/10-22.1b(c), added by P.A. 101-205. If the child's physician, physician assistant, advanced practice registered nurse, dentist, or other health care provider who has authority to prescribe medications authorizes a child to self-administer medication, then ask the health care provider to complete a *School Medicine Authorization Form* (*SMA Form*). **This form must be completed and given to the school before the school will store or dispense any medication, before a child may possess asthma medication or an epinephrine injector, and before a child will be allowed to self-administer any medication.** If a student is on a medication on an indefinite or long-term basis, file a new *SMA Form* every year. Bring the medication to the school office. If the medicine is for asthma or is an epinephrine injector, a student may keep possession of it for immediate use at the student's discretion: (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. 105 ILCS 5/22-30(e). Bring other prescription medications to the school in the original package or appropriately labeled container. The container shall display: Student's name Prescription number Medication name and dosage Administration route and/or other direction Date(s) and Time(s) to be taken Licensed prescriber's name Pharmacy name, address, and phone number Bring non-prescription medications to school in the manufacturer's original container with the label indicating the ingredients and the student's name affixed. At the end of the treatment regime, remove any unused medication from the school.

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	If the student is at risk of anaphylaxis, follow the procedures for Individual Allergy Management in 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*.
School Office Personnel	Provide a copy of these procedures, as well as an *SMA Form*, to inquiring parents/guardians. If the building has no school nurse and a student is identified as having asthma, request the student's parent/guardian to share their child's asthma action plan. If the plan is provided, keep it on file in the school nurse's office or, in the absence of a school nurse, the Building Principal's or designee's office. Tell the school nurse or Building Principal or designee of the receipt of the plan as soon as possible so that he/she may provide copies of it to appropriate school staff interacting with the student on a regular basis and, if applicable, attach it to the student's Section 504 plan or Individualized Education Program (IEP). 105 ILCS 5/22-30(j-5). Whenever a parent/guardian brings medication for a student to the office, summon the school nurse. If the school nurse is unavailable, accept the medication, provided the parent/guardian submits a completed *SMA Form* and the medication is packaged in the appropriate container. Put the medication in the appropriate locked drawer or cabinet. Tell the school nurse about the medication as soon as possible.
School Nurse (certificated school nurse or non-certificated registered professional nurse)	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. If a student is identified as having asthma, request the student's parent/guardian to share their child's asthma action plan. If the plan is provided, keep it on file in the school nurse's office. Provide copies of it to appropriate school staff who interact with the student on a regular basis and, if applicable, attach it to the student's Section 504 plan or IEP. 105 ILCS 5/22-30(j-5). 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 self-administer medication in accordance with 105 ILCS 5/10-22.1b(c), added by P.A. 101-205. A student may be permitted to self-administer a medical cannabis infused product in accordance with 105 ILCS 5/22-33(b-5), added by P.A. 101-370. A student will be permitted to carry and self-administer medication for asthma or an epinephrine injector. Develop an emergency action plan for a student who self-administers medication in accordance with 105 ILCS 5/10-22.21b(c), added by P.A. 101-205. The plan must include (105 ILCS 5/10-22.21b(d), added by P.A. 101-205): 1. A plan of action in the event a student is unable to self-administer medication, and

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	2. The situations in which a school must call 911. For students at risk of anaphylaxis, follow the procedures for Individual Allergy Management in 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*, which include the development of an emergency action plan. Prior to administering a medical cannabis infused product in accordance with 105 ILCS 5/22-33(b-5), added by P.A. 101-370, annually complete the medical cannabis infused product administration training curriculum developed by ISBE. 105 ILCS 5/22-33(f-5), added by P.A. 101-370. See training resources at: www.isbe.net/Pages/Health.aspx. Store the medication in a locked drawer or cabinet. A student may keep possession of medication for asthma or an epinephrine injector. Medications requiring refrigeration should be refrigerated in a secure area. Plan with the student the time(s) the student should come to the nurse's office to receive medications. 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. 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. Document whenever the medication is not administered as ordered along with the reasons. 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.
Building Principal	Supervise the use of these procedures. Perform any duties described for school office personnel, as needed. 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. 105 ILCS 5/10-22.21b(b), amended by P.A. 101-205. 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. For students at risk of anaphylaxis, follow the procedures for Individual Allergy Management in 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*.

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LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, 5/22-30, and 5/22-33.
105 ILCS 145/, Care of Students with Diabetes Act.
105 ILCS 150/, Seizure Smart School Act.
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.
23 Ill.Admin.Code §1.540.
In re Estate of Stewart, 406 Ill.Dec. 345 (2nd Dist. 2016).
In re Estate of Stewart, 412 Ill.Dec. 914 (Ill. 2017).

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Students

Administrative Procedure - Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon

The District maintains and administers the undesignated medication(s) identified below in accordance with State and federal law (*check all that apply*):

☐ Undesignated Glucagon (UG)

☐ Undesignated Asthma Medication (UAM)

☐ Undesignated Epinephrine Injector(s) (UEIs)

☐ Undesignated Opioid Antagonist(s) (UOAs)

☐ The Superintendent, school nurse, and/or other necessary school officials should consult the Board Attorney to develop a plan to implement 105 ILCS 5/22-30, amended by P.A. 102-413, and 105 ILCS 145/27, added by P.A. 101-428.

☐ Obtain a prescription to maintain a supply of one or all of the following: undesignated asthma medication (UAM), epinephrine injector(s) (UEIs), opioid antagonist(s) (UOAs), and/or undesignated glucagon (UG) in the District's name pursuant to 105 ILCS 5/22-30(f) and 105 ILCS 145/27, added by P.A. 101-428.

☐ Designate a secure location(s) to store undesignated medication. For UAM, UEIs, and/or UOAs, this is where persons needing these medications are most at risk. 105 ILCS 5/22-30(f). For UEIs, this includes but is not limited to locations accessible before, during, and after school, such as classrooms and lunchrooms. Id. For additional storage procedures for UEIs, see 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*. For UAM, this includes but is not limited to, a classroom or the nurse's office. Id. For UG, this is where it is immediately accessible to a school nurse or delegated care aide. 105 ILCS 145/27, added by P.A. 101-428.

☐ Develop a method for maintaining an inventory of UAM, UEIs, UOAs, and UG. The inventory should list the expiration dates of the UAM, UEIs, UOAs, and UG.

☐ Identify procedures for a log or other recordkeeping of provisions, or administrations of UAM, UEIs, UOAs, and UG.

☐ Maintain a list in each building administrator and/or his or her corresponding school nurse's office that includes the names of *trained personnel* who have received a statement of certification pursuant to State law.

☐ Develop procedures to implement the prescribed standing protocol for the provision, or administration of UAM, UEIs UOAs, and/or UG, including calling 911 and noting any instructions given by Emergency Management Services (EMS). 105 ILCS 5/22-30, amended by P.A. 102-413, and 23 Ill.Admin.Code §1.540(d). Follow 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*, for UEI administration procedures. Upon any administration of *any* epinephrine injector, or opioid antagonist, procedures must include:

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1. Immediate activation of the EMS system. 105 ILCS 5/22-30(f-5). 105 ILCS 5/22-30(f-5) does not address contacting EMS upon the administration of *any* asthma medication (so asthma medication is excluded from introductory clause above). This may mean that the Ill. General Assembly did not intend for school personnel to notify EMS when administering a student's *prescribed* asthma medication (as opposed to UAM). However, 105 ILCS 5/22-30(j-5) requires asthma action plans and 105 ILCS 5/22-30(j-15) requires school personnel who work with students to complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting every two years. Some attorneys advise that all asthma action plans mandate an immediate 911 call based upon In re Estate of Stewart, 406 Ill.Dec. 345 (2nd Dist. 2016); In re Estate of Stewart, 412 Ill.Dec. 914 (Ill. 2017) (school district's appeal denied) (holding that a teacher's failure to dial 911 immediately upon a student's asthma attack was willful and wanton conduct, subjecting the school district to liability and barring immunity protections under the Local Governmental and Governmental Employees Tort Immunity Act). Consult the Board Attorney about whether to contact EMS when *any* asthma medication is administered.
2. Notification to the student's parent, guardian, or emergency contact, if known. Id. 105 ILCS 5/22-30(f-5) does not address contacting the student's parent, guardian, or emergency contact upon the administration of *any* asthma medication. See the discussion in number 1, above, about asthma action plans pursuant to 105 ILCS 5/22-30(j-15), and consult the Board Attorney.

The following reports and/or notifications by the school nurse (unless otherwise specified) when a(n):

UEI was administered:	**UOA was administered:**	**UAM was administered:**	**UG was administered:**
a. Physician, physician assistant, or advance practice registered nurse who provided the standing protocol or prescription for the UEI **within 24 hours**. 105 ILCS 5/22-30(f-10). b. Ill. State Board of Education (ISBE) **within three (3) days**. 105 ILCS 5/22-30(i). Notification will be on an ISBE-prescribed form (www.isbe.net/Documents/34-20-undesignated-epinephrine-rptg.pdf), and will	a. The health care professional (20 ILCS 301/5-23(d)(4)) who provided the prescription for the opioid antagonist **within 24 hours**. 105 ILCS 5/22-30(f-10). b. ISBE **within three (3) days**. 105 ILCS 5/22-30(i-5). Notification will be on an ISBE-prescribed form (www.isbe.net/Documents/34-20A-opioid-rptg.pdf), and will include: i. Age and type of person receiving the opioid antagonist (student, staff, or	a. Physician, physician assistant, or advanced practice registered nurse who provided the standing protocol and a prescription for the UAM **within 24 hours**. 105 ILCS 5/22-30(f-10). b. ISBE **within three (3) days**. 105 ILCS 5/22-30(i-10). Notification will be on an ISBE-prescribed form (www.isbe.net/Documents/34-22-Undesignated-Asthma-	Immediately after administering UG to a student, notify the school nurse (if school nurse did not administer the UG to the student). The delegated care aide or school nurse then notifies the student's parent or guardian or emergency contact (if known) and health care provider of its use. 105 ILCS 145/27, added by P.A. 101-428.

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UEI was administered:	UOA was administered:	UAM was administered:	UG was administered:
include: i. Age and type of person receiving epinephrine (student, staff, visitor); ii. Any previously known diagnosis of a severe allergy; iii. Trigger that precipitated allergic episode; iv. Location where symptoms developed; v. Number of doses administered; vi. Type of person administering epinephrine (school nurse, *trained personnel*, student); and vii. Any other information required by ISBE on the form.	visitor); ii. Location where symptoms developed; iii. Type of person administering the opioid antagonist (school nurse or *trained personnel*); and iv. Any other information required by ISBE on the form.	Medication.pdf), and will include: i. Age and type of person receiving asthma medication (student, staff, visitor); ii. Any previously known diagnosis of asthma; iii. Trigger that precipitated respiratory distress, if identifiable; iv. Location where symptoms developed; v. Number of doses administered; vi. Type of person administering the asthma medication (school nurse, *trained personnel* or student); vii. Outcome of the asthma medication administration; and viii. Any other information required by ISBE on the form.	

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☐ Determine how the District will identify the student populations whose parents/guardians:

1. Have not completed and signed an *SMA Form*, or
2. Have not provided asthma medication, an epinephrine injector, opioid antagonist, and/or glucagon, as applicable to the student, for a student for use at school, even though they have completed the *SMA Form*.

☐ Determine when the school nurse will provide or administer the UAM, UEIs, UOAs, and/or UG, as applicable, to students.

The school nurse or *trained personnel* may:

1. Provide an UAM or UEI, as applicable to the situation, that meets the prescription on file in the *SMA Form* to:

   a. Any student for his or her self-administration only. 105 ILCS 5/22-30(a); 105 ILCS 5/22-30 (b-10)(i) and(v); 105 ILCS 5/10-22.21b, amended by P.A. 101-205.

   b. Any personnel authorized under a student's specific Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, Section 504 plan, or individualized education program plan (IEP). 105 ILCS 5/22-30(b-5) and (b-10).

2. Administer a UEI to any student that the school nurse or *trained personnel* in good faith believes is having an anaphylactic reaction even though the parent/guardian has not completed and signed an *SMA Form* or otherwise granted permission to administer the epinephrine injector. 105 ILCS 5/22-30(b-10)(iii). Follow the procedures for administration of UEIs in 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*. **Note:** *Trained personnel* are different than *any personnel authorized* in 1.b., above. 105 ILCS 5/22-30(a). *Trained personnel* means any school employees or volunteer personnel who are (a) authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of the School Code, (b) annually trained online or in person to recognize and respond to anaphylaxis, an opioid overdose, or respiratory distress through a training curriculum developed by ISBE, and (c) submitting proof to their school's administration that they have completed: (i) the annual training, and (ii) a cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) certification. 105 ILCS 5/22-30(a) and (g); 23 Ill.Admin.Code §1.540(e). For training resources, see the *Allergies & Undesignated Epinephrine* drop down menu at: www.isbe.net/Pages/School-Nursing.aspx.

3. Administer a UOA to any student that the school nurse or *trained personnel* in good faith believes is having an opioid overdose even though the parent/guardian has not completed and signed an *SMA Form* or otherwise granted permission to administer the opioid antagonist. 105 ILCS 5/22-30(b-10)(iv). **Note:** *Trained personnel* are different than *any personnel authorized*. See number 2, directly above. 105 ILCS 5/22-30(a). *Trained personnel* means any school employees or volunteer personnel who are (a) authorized in 105 ILCS 10-22.34, 10-22.34a, and 10-22.34b, (b) annually trained online or in person to recognize and respond to opioid overdoses through a training curriculum that complies with the Alcoholism and Other Drug Abuse and Dependency Act, 20 ILCS 301/5-23, and (c) who have submitted proof to their school's administration that they have completed: (i) the annual training, and (ii) a cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) certification. 105 ILCS 5/22-30(g); 23 Ill.Admin.Code §1.540(e). The law does not provide a deadline for a training curriculum, but it did require ISBE and the

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Ill. Dept. of Human Services to develop a three-year heroin and opioid prevention pilot program by 1-1-17. 105 ILCS 5/22-81.

4. Administer UAM to any student that the school nurse or *trained personnel* in good faith believes is having respiratory distress even though the parent/guardian has not completed and signed an *SMA Form* or otherwise granted permission to administer the asthma medication. 105 ILCS 5/22-30(b-10)(vii). See numbers 2 and 3, directly above for discussions between *any personnel authorized* and *trained personnel*. For training resources, see www.isbe.net/Pages/School-Nursing.aspx.

5. Administer UG, as applicable to the situation, for a student with a completed *SMA Form* granting permission for UG use that matches the prescription listed on the form and is also consistent with the student's diabetes care plan, if the student's prescribed glucagon is not available on-site or has expired. For training resources, see www.isbe.net/Pages/School-Nursing.aspx.

☐ Assess how to manage requests from parents/guardians who wish to *opt-out* of the UAM, UEIs, UOAs, or UG being available to their child.

The School Code does not provide a mechanism for a student or his or her parent/guardian to *opt-out* of the administration of the District's supply of UAM, UEIs, or UOAs when a nurse and/or *trained personnel* in good faith professionally believe a student is experiencing respiratory distress, having an anaphylactic reaction, or having an opioid overdose, respectively. While there may be religious, health, or other reasons that a student's parent/guardian may wish to *opt-out* of the administration of UAM, UEI, or UOA to their child, the law does not provide a way for parents/guardians to do so. Management of this issue should be discussed with the Board Attorney. For additional guidance on this issue, see Board policy 7:275, *Orders to Forgo Life-Sustaining Treatment*.

☐ Determine how to notify all parents/guardians about how UAM, UEIs, and/or UOAs may be provided or administered to students.

If the District maintains a supply of UAM, UEIs, and/or UOAs, it must notify parents/guardians of the protections from liability granted to it and the prescribing physician by 105 ILCS 5/22-30(c) and (c-5). There are two groups of parents/guardians that the District must notify: (1) parents/guardians of students who have previously signed a *SMA Form*, and (2) parents/guardians of all students.

For parents/guardians who have previously signed the *SMA Form*, 105 ILCS 5/22-30(c),, requires the District to provide additional notice that the physician(s)/individual(s) with prescriptive authority providing the standing protocol and prescription for the District's supply of UAM, UEIs, and UOAs are protected from liability, except for willful or wanton conduct arising from the use of UAM, UEI, or UOA regardless of whether authorization was given by the student, parent/guardian, or student's physician. Discuss with the Board Attorney whether to amend the District's form(s) to include this language.

For parents/guardians of all students, 105 ILCS 5/22-30(c), requires parents/guardians to be informed that: (1) the District maintains a supply of UAM, UEIs, and/or UOAs, and (2) the District and the prescribing physician(s)/physician assistant(s)/advanced practice registered nurse(s) are protected from liability when the school nurse and/or *trained personnel* administer UAM, UEI, and/or UOA to any student when these individuals in good faith professionally believe that the student is experiencing respiratory distress, having an anaphylactic reaction, or having an opioid overdose, respectively. There are several methods to inform parent/guardians of this information, e.g., receipt of handbook signature, or see

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exhibit 7:270-E1, *School Medication Authorization Form*. Discuss with the Board Attorney the method that works best for the District.

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Students

Exhibit - School Medication Authorization Form

To be completed by the child's parent(s)/guardian(s).

This form is to be used for medication other than medical cannabis. (See 7:270-E2, School Medication Authorization Form - Medical Cannabis.) A new form must be completed every school year for each medication. 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: _____ Cell Phone: _____ Emergency Phone: _____

School: _____ Grade: _____ Teacher: _____

To be completed by the student's physician, physician assistant with prescriptive authority, or advanced practice RN with prescriptive authority:

Prescriber'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: _____

_____

Prescriber's Signature Date

For only Parents/Guardians of students requiring asthma inhalers and/or epinephrine injectors:

Is the asthma inhaler and/or epinephrine injector required under a qualifying plan pursuant to 105 ILCS 5/10-22.21b, amended by P.A. 101-205?

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Yes No

Parents/Guardians please attach prescription label (asthma inhaler) and/or written statement (epinephrine injector) here:

For asthma inhalers, attach the prescription label with the name of the asthma medication, the prescribed dosage, and the time at which or circumstances under which the asthma medication is to be administered. 105 ILCS 5/22-30(b)(2)(i).

For an epinephrine injector, attach a written statement from the student's physician, physician assistant, or advanced practice registered nurse containing the name and purpose of the epinephrine, injector; the prescribed dosage; and the time or times at which or the special circumstances that the epinephrine injector should be administered. 105 ILCS 5/22-30(b)(2)(ii)(A)-(C).

For only parents/guardians of students who need to self-administer medication required under a qualifying plan:

I grant permission for my child to self-administer his or her medication required under an asthma action plan, an Individual Health Care Action Plan, an Illinois Food Allergy Emergency Action and Treatment Authorization Form, a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or a plan pursuant to the federal Individuals with Disabilities Education Act. 105 ILCS 5/10-22.21b, amended by P.A. 101-205.

Medication(s) other than asthma inhalers and/or epinephrine injectors (complete section above) required under a qualifying plan that student is permitted to self-administer:

_____

Prescription date: _____ Order date: _____ Discontinuation date: _____

Diagnosis requiring medication: _____

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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:

Prescriber's Signature Date

If the medication is an asthma inhaler or epinephrine injector, be also sure to complete the section above and attach the required label and/or written statement as required above.

Please initial to indicate (1) receipt of this information, and (2) authorization for your child to self-administer medication under a qualifying plan.

Parent/Guardian Initials

For only parents/guardians of students who need to carry and use their asthma medication or an epinephrine injector:

I authorize the School District and its employees and agents, to allow my child to self-carry and self-administer his or her asthma medication and/or epinephrine 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 parents/guardians 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-carry and self-administration of asthma medication or epinephrine injector. 105 ILCS 5/22-30, amended by P.A 102-413.

Please initial to indicate (1) receipt of this information, and (2) authorization for your child to carry and use his or her asthma medication or epinephrine injector.

Parent/Guardian Initials

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, on my behalf, to administer or to attempt to administer to my child (or to allow my child to *self-administer* pursuant to State law, while under the supervision of the employees and agents of the School District), lawfully prescribed medication in the manner described above. This includes administration of undesignated epinephrine injectors, opioid antagonists, or asthma medication, to the extent the School District maintains such undesignated supplies, to my child when there is a good faith belief that my child is having an anaphylactic reaction, opioid overdose, or asthma episode, whether such reactions are known to me or not, and if applicable, undesignated glucagon when authorized by my child's diabetes care plan and if my child's glucagon is not available on-site of has expired. 105 ILCS 5/22-30, amended by P.A 102-413.; 105 ILCS 145/27, added by P.A. 101-428. **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

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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

Address (if different from Student's above): _____

Home Phone: _____ Cell Phone: _____ Emergency Phone: _____

_____ _____

Parent/Guardian Signature Date

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Students

Exhibit - School Medication Authorization Form - Medical Cannabis

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: _____ Cell Phone: _____ Emergency Phone: _____

School: _____ Grade: _____ Teacher: _____

To be completed by the student's physician, physician assistant with prescriptive authority, or advanced practice RN with prescriptive authority.

Prescriber's Printed Name: _____

Office Address:

Office Phone: _____ Emergency Phone: _____

Medication name: _____

Purpose: _____

Dosage: _____ Frequency: _____

IDPH registry ID card for student is valid [insert dates]: _____

IDPH registry ID card for designated caregiver is valid [insert dates]: _____

Attach copies of both registry identification cards

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: _____

_____

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Prescriber's Signature Date

For only parents/guardians of students who want to grant their child permission to self-administer a medical cannabis infused product under direct supervision by a school nurse or administrator:

I grant permission for my child to self-administer his or her medical cannabis infused product required under an asthma action plan, an Individual Health Care Action Plan, an Illinois Food Allergy Emergency Action and Treatment Authorization Form, a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or a plan pursuant to the federal Individuals with Disabilities Education Act. 105 ILCS 5/10-22.21b, amended by P.A. 101-205, eff. 1-1-20. I understand that my child's self-administration will only occur under direct supervision by a school nurse or school administrator. 105 ILCS 5/22-33(b-5), amended by P.A. 101-370, eff. 1-1-20.

Medical cannabis infused product child is permitted to self-administer:

_____

Please initial to indicate (1) receipt of this information, and (2) authorization for your child to self-administer a medical cannabis infused product.

Parent/Guardian Initials

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By signing below, I acknowledge, understand and agree as follows:

1. The only individual(s) who may possess and administer medical cannabis to my child at school or on the school bus is: a) his/her registered designated caregiver as identified by the Ill. Dept. of Public Health (IDPH); or b) a school nurse or school administrator.
2. Both my child and his/her registered designated caregiver possess valid registry identification cards issued by the IDPH, copies of which I have provided/will provide to the District.
3. After administering the medical cannabis to my child, the designated caregiver shall immediately remove the product from school premises or the school bus.
4. The designated caregiver may not administer a medical cannabis infused product in a manner that, in the opinion of the District or school, would create a disruption to the school's educational environment or would cause exposure of the product to other students.
5. Children under age 18 cannot smoke or vape medical cannabis. Medical cannabis-infused products include oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped.
6. The District reserves the right to restrict or otherwise stop allowing the administration of medical cannabis to my child if the District or school would lose federal funding as a result.
7. 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 of medical cannabis that I authorize by my signature below.

_____

Parent/Guardian Printed Name

Address (if different from Student's above): _____

Home Phone: _____ Cell Phone: _____ Emergency Phone: _____

_____ _____

Parent/Guardian Signature Date

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Students

Orders to Forgo Life-Sustaining Treatment

Written orders from parents/guardians to forgo life-sustaining treatment for their child must be signed by the student's physician and given to the Superintendent. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act. 755 ILCS 40/.

Whenever an order to forgo life-sustaining treatment is received, the Superintendent shall convene a multi-disciplinary team that includes:

1. The student, when appropriate;
2. The student's parents/guardians;
3. Other medical professionals, e.g., licensed physician, physician's assistant, or nurse practitioner;
4. Local first responders for the building in which the student is assigned to attend school;
5. The school nurse;
6. Clergy, if requested by the student or his or her parents/guardians;
7. Other individuals to provide support to the student or his or her parents/guardians; and
8. School personnel designated by the Superintendent.

The team shall determine guidelines to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event.

District personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

LEGAL REF.: Health Care Surrogate Act, 755 ILCS 40/.
Cruzan v. Director, Missouri Dept. of Health, 497 U.S. 261 (1990).
In re C.A., a minor, 236 Ill.App.3d 594 (1st Dist. 1992).

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Students

Communicable and Chronic Infectious Disease

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the School Board's policies. The Superintendent will develop procedures to safeguard these rights while managing health and safety concerns.

LEGAL REF.: 105 ILCS 5/10-21.11.
23 Ill.Admin.Code §§ 1.610 and 226.300.
77 Ill.Admin.Code Part 690.
20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.
29 U.S.C. §794(a), Rehabilitation Act of 1973, Section 504.

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Students

Administrative Procedure - Managing Students with Communicable or Infectious Diseases

If a student's communicable or infectious disease affects his or her ability to participate in the District's educational programs, he or she shall be treated as a *disabled person* under Section 504 of the Rehabilitation Act of 1973, unless the student has already qualified for and is receiving services through an IEP under the Individuals with Disabilities in Education Act. For students with an IEP, the District's Administrative Procedure, 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*, must also be followed and it will control whenever there is a conflict with these procedures.

Rules and guidance from the Ill. State Board of Education (ISBE) and Ill. Dept. of Public Health (IDPH) should be consulted and supersede these procedures. Guidance documents and important information include:

1. *Communicable Disease Guide*, revised 2002, available at www.idph.state.il.us/health/infect/comm_disease_guide.pdf.
2. *Management of Chronic Infectious Diseases in Schoolchildren*, revised in 2003 by ISBE and IDPH, available at www.isbe.net/Documents/chronic_diseases.pdf.
3. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois (20 ILCS 2310/) and the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/) both expanded the statutory authority of the governor and IDPH to respond to significant threats to the public health.

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 communicable or infectious disease. See Exhibit 7:280-E2, *Reporting and Exclusion Requirements for Common Communicable Diseases*, for a list of communicable or infectious diseases.
Building Principal or designee	Upon having knowledge of a known or suspected case or carrier of a communicable disease: **a.** Notifies the *local health authority* as required by 77 Ill.Admin.Code §690.200. The *local health authority* is a full-time official health department, as recognized by IDPH, having jurisdiction over a particular area, including city, village, township, and county boards of health. If there is not a local health authority recognized by IDPH, the local health authority is IDPH. 77 Ill.Admin.Code §690.10. See also Exhibit 7:280-E2, *Reporting and Exclusion Requirements for Common Communicable Diseases*, identifying the diseases for which there is mandatory reporting. **Note**: The Communicable Disease Report Act, 745 ILCS 45/, grants immunity from slander or libel to persons who in good faith make such reports. b. Follows directions for temporarily excluding a student from school according to the local health authority direction and 77 Ill.Admin.Code

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	Part 690. Keeps the school open where a student with a communicable disease attends, except in the event of an emergency. 77 Ill.Admin.Code §690.30(c)(1).
District staff	Observes all rules of IDPH regarding communicable and chronic infectious disease. See the Legal References below for a list of these rules. 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.
Superintendent or designee	Confirms that all required and appropriate notices are made. 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, *Superintendent Committees*).
Communicable and Chronic Infectious Disease Review Team	Arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of the meeting is to: 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 admittance while acute symptoms are present. 77 Ill.Admin.Code §690.30(c)(2). b. Perform a pre-placement evaluation. 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. 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 District personnel, the student'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. Reports the meeting results to the Superintendent.
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(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the student's education placement and

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	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 Building Principal if a student with a communicable or infectious disease shows a lack of control of bodily secretions, has open sores that cannot be covered, 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 designee	Upon being notified that a student is demonstrating behavior that could spread his or her disease, convenes the Communicable and Chronic Infectious Disease Review Team. 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.
Communicable and Chronic Infectious Disease Review Team	Arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of this meeting is to: 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 §690.30(c)(2). 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. Reports the meeting's results to the Superintendent.
Superintendent or Designee	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 Individualized Education Program (IEP) will control. State regulations and school policy regarding homebound instruction apply.
Communicable and Chronic Infectious Disease Review Team	At least once a month while a student is removed from normal school attendance, arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with

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Nothing in this MOU is intended to impose upon any party a duty to report information to any other party that is not otherwise required by law. This MOU shall not be interpreted as making an obligation of a party mandatory that is otherwise discretionary under the law or vice versa. No party to this MOU waives any defenses or immunities it otherwise has under the law, including without limitation any immunities under Sections 2-204 and/or 2-205 of the Local Governmental and Governmental Employees Tort Immunity Act or the State Employee Indemnification Act. 5 ILCS 350/.

2. **Amendment**

   No change or modification of this MOU shall be valid unless it is in writing and is signed by all parties.

3. **Assignment**

   No party to this MOU may assign it or its rights or obligations.

4. **Notices**

   All notices required pursuant to this MOU shall be in writing and sent by U.S. certified mail, postage prepaid, return receipt requested or by overnight express delivery to the address of the party set forth below or as otherwise directed in writing by such party or as provided under applicable state law. Notice is deemed given three (3) days after being deposited in the U.S. Mail for certified mail delivery or one (1) day after being deposited with an overnight express delivery courier for delivery to the correct address.

5. **Governing Law**

   This MOU shall be construed in accordance with and pursuant to the laws of the State of Illinois.

6. **Non-Waiver of Breach**

   The failure of any party to insist upon strict performance of any of the terms or conditions of this MOU shall not be construed to be a waiver of such term or condition or any subsequent breach of it.

7. **Severability**

   The invalidity or unenforceability of any particular provision of this MOU shall not affect the other provisions of it, and it shall be construed in all respects as if such invalid or unenforceable provision were omitted.

8. **Enforcement**

   No party to this MOU shall be liable for any negligent or wrongful acts, either by omission or commission, chargeable to the other party. This MOU shall not be construed to create a duty owed by any party to any third party. The District and LLEA agree that the exclusive claims or remedies for breach of this MOU are limited to an action for specific performance or mandamus action or termination of the MOU. Each party waives any and all other claims and remedies, direct or indirect, by way of subrogation or otherwise, that it may have against the other party arising out of the performance or non-performance of any provision of this MOU.

_____ _____

Board President Date

_____ _____

Authorized Signatory for LLEA Date

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A. Introduction

*[INSERT **Section A** from **General MOU** here.]*

B. Definitions/Acronyms

*[INSERT **Section B** from **General MOU** here.]*

C. MOU Leadership Team

*[INSERT **Section C** from **General MOU** here.]*

D. District Authority Over the Educational Environment

*[INSERT **Section D** from **General MOU**, above. End Section D with this sentence: "The LLEA recognizes that assigning SROs to District buildings is not a substitute for effective student discipline policies."]*

E. Funding; Payment for SROs; Chain of Command

1. **Funding.** Members of the Leadership Team (Team) will negotiate the terms for funding including any grant funding that is available. Any terms tied to grant funding, such as data collection include:

2. **Payment for SROs.** The Team has agreed that the District shall compensate LLEA for the SROs in 10 equal installments commencing on August 15th of each fiscal year in the following amounts:

3. **Chain of Command.** The Team shall develop a local, District-specific chain of command for the placement of SROs in school buildings. Each District administrator responsible for supervising and evaluating the SRO in his/her/their assigned building(s) shall be included in an individual SRO's District-specific chain of command.

F. Ongoing Training of SROs

Both parties agree that training is critical to the success of this partnership. The LLEA's assigned SROs (as defined in Section H below) will receive minimum in-service training and certification requirements as would normally apply to all other certified officers of LLEA through LLEA and/or local State's attorney offices. In addition, an ongoing District training calendar shall be developed for assigned SROs and District officials.

Trainings will consist of updates from the District's School Board Attorney on current laws and difficult issues such as search and seizure, questioning, and requests for student records. In addition, trainings will delineate legal authority for when assigned SROs will be acting at the direction of a District official (reasonableness) or at the direction of LLEA (probable cause).

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Other LLEA employees that are not SROs but have frequent contact with District buildings will be encouraged to attend any of these trainings.

All trainings, when possible, must occur during school breaks or at times that would least impact the District and should include: (1) emerging education issues, (2) state law training requirements, (3) mental health awareness training, (4) restorative justice (if applicable), and (5) record sharing.

G. SRO Selection Process; Qualifications & Certification

1. **Selection Process.** The Team shall develop formal screening criteria based upon the following *Office of Community Oriented Policing Services (COPS)* characteristics: (1) likes kids – wants to, and is able to, work with kids; (2) has the right demeanor and people skills, including being calm, patient, approachable, and "able to put up gracefully with guff from kids;" (3) has experience as a patrol officer or road deputy; (4) has above-average integrity; (5) demonstrated willingness to work hard, be dependable and on time, be self-directed, and has the ability to teach. Other formal screening criteria shall include:

In addition, the Team shall designate the appropriate school officials in buildings to be assigned an SRO to provide input to LLEA on SRO applicants for open SRO positions, such as reviewing applications and memoranda of interest provided by candidates, sitting in on interviews of candidates and/or rating of applicants.

2. **SRO Qualifications & Certification.** The LLEA must ensure that the SRO has either of the following qualifications issued by the Ill. Law Enforcement Training Standards Board under Section 10.22 of the Ill. Police Training Act (50 ILCS 705/10.22): (1) a certificate of completion for the required course of instruction or (2) an approved waiver (prior experience and training only). The certificate of completion or waiver of it must be obtained within one year of assignment to the District. The SRO must possess, at minimum, 48 hours of National Association of School Resource Officer (NASRO) training, along with the following other qualifications:

H. SRO Employer; Assignments; Mentoring & Outreach; Supervision; Performance Evaluations; Conflict Resolution; Termination/Replacement; Extra Duties/Projects

1. **Employer.** SROs are employed by LLEA. The District does not employ any SROs that are assigned in any of its buildings. The District is not considered a joint employer of SROs for purposes of the Fair Labor Standards Act (FLSA). The SRO remains covered by the LLEA's insurance and continues to enjoy the immunities specific to his or her employment with LLEA. Section D, *District Authority Over the Educational Environment*, above shall apply to the District's specific responsibilities for supervision and performance evaluations of assigned SROs while in District school buildings as their duties pertain to fulfilling the identified needs and goals of a District building.
2. **Assignments.** For purposes of this section, SRO means a sworn police officer of LLEA who has been assigned to a District building pursuant to this MOU. SROs shall be assigned to District buildings by the LLEA with input from the MOU Leadership Team. Staffing issues at LLEA may take precedence to the assignment of an SRO to the District.
    a. **SRO Work Hours, Uniform, and Visibility on Campus.** The SRO shall remain on school grounds during normal school hours, except when necessary to attend a law enforcement emergency, to attend any meetings or trainings described in this MOU, or on limited occasions to attend to official law enforcement business off campus. With the exception of emergency situations out of the SRO's control, the SRO shall give the SRO Supervisor and Building Principal(s) reasonable advanced notice of any times when the SRO is not expected to be on campus during normal school hours, and LLEA may provide a replacement SRO to the extent possible.

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The SRO shall wear the official law enforcement uniform or other apparel issued by the LLEA at all times while serving on District property. The SRO shall make best efforts to maintain high visibility at all times when practical and safe to do so, especially in areas where incidents of crime or violence are most likely to occur.

The SRO shall, whenever possible and in accordance with guidance from the Building Principal or designee, participate in or attend school functions during the SRO's regular duty hours in order to assure the peaceful operation of school-related programs.

b. **Student Search Assistance.** When requested, assistance with conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the District for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search produces evidence that the student has violated or is violating the law, local ordinance, or the District's policies or rules, such evidence may be seized by school authorities and/or turned over to law enforcement authorities, and disciplinary action may be taken. 105 ILCS 5/10-22.6 and 10-22.10a.

c. **Administrative Hearings.** Contingent upon pre-approval by the LLEA, the SROs will attend suspension review and/or expulsion hearings upon the request of school officials or the Superintendent. The SRO will be prepared to provide testimony on any actions that were taken by the SRO and any personally observed conduct witnessed by the SRO.

d. **Goal Setting for Services in District.**

3. **Mentoring & Outreach.** The SRO shall conduct himself or herself as a role model at all times and in all facets of the job; shall seek to establish a strong rapport with staff, faculty, students, parents, and other members of the school community; and shall encourage students to develop positive attitudes toward the school, education, law enforcement officers, and good citizenship in general.

4. **Supervision.** With input from the LLEA and/or the MOU Team, the District will assign school officials to supervise SROs in District buildings based upon the individual SRO's needs, School Board policies, available local resources, specific school building needs, and geographical realities. Both parties expect excellence from SROs and commit to frequent communication between supervising school officials and the SROs assigned to their buildings. The SRO and his or her supervising District official shall meet both formally and informally on a regular basis to discuss issues, duties, and responsibilities.

5. **Performance Evaluations.** An instrument for SRO performance evaluations in the school setting shall be agreed upon by the assigned SRO and the District's official supervising the SRO. Both parties recognize that a performance evaluation instrument for an SRO should incorporate data results from the District's school climate assessments, if available.

6. **Conflict Resolution.** If the District's expectation of excellence is not being met by an SRO, the supervising District official will report unresolved concerns to the SRO's direct law enforcement supervisor at LLEA sooner rather than later. Addressing issues promptly helps increase understanding and minimize potential negative impact on the school environment. If that method of communication does not solve the conflict, the Team has agreed to the following formal conflict resolution process between the District and LLEA:

7. **Termination/Replacement of SROs.** When paragraph 6, *Conflict Resolution*, above, has not been successful, the District may request that the SRO be removed from his or her assignment and replaced with another SRO from LLEA. If a replacement is not immediately available, the District reserves the right to terminate the SRO's assignment in a specific building until a replacement is available.

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8. **Extra Duties/Projects.** The Team has negotiated the below terms for special projects and/or extra duties:

Board President _____ Date _____

Authorized Signatory for LLEA _____ Date _____

Incorporated by reference: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:150 (Committees), 7:150-AP (Agency and Police Interviews), 7:190 (Student Behavior), 7:190-AP3 (Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students), 7:190-AP6 (Guidelines for Investigating Sexting Allegations), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:340 (Student Records), 7:340-AP1 (School Student Records)

LEGAL REF.: 105 ILCS 5/10-20.14(b), 5/10-20.68, 5/22-20, and 5/22-85.
50 ILCS 705/10.22, Ill. Police Training Act.
705 ILCS 405/1-7, 1-8(F), 1-8(G), and 5-905, Juvenile Court Act of 1987.

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Students

Exhibit - Acknowledgement of Receiving Student Behavior Policy and Student Conduct Code

Board policy 7:190, *Student Behavior,* and the *Student Conduct Code* were developed to help all students receive quality instruction in a safe and positive educational environment. Board policy 7:190, *Student Behavior*, is contained in the *Student Conduct Code.*

Please review and discuss the Board policy on *Student Behavior* and the *Student Conduct Code* with your child, sign this sheet, and return it to your child's school. Should you have any questions, please contact your child's Building Principal.

You may access electronic copies of the Board policy on *Student Behavior* and the *Student Conduct Code* on the District website:

Failure to return this acknowledgement and pledge will not relieve a student or the parent/guardian from being responsible for knowing and complying with the rules contained within the Board policy on *Student Behavior* and the S*tudent Conduct Code.*

Acknowledgement

I acknowledge receiving the Board policy on *Student Behavior* and the *Student Conduct Code,* and I have reviewed them and understand the responsibilities contained in them.

Parent/Guardian: Date:

I acknowledge receiving the Board policy on *Student Behavior* and the *Student Conduct Code*. I pledge to follow the *Student Behavior* policy and *Student Conduct Code* and to help maintain a safe and positive school environment.

Student: Date:

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Students

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.
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:

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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 a local mental health agency 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.: Goss v. Lopez, 419 U.S. 565 (1975).
105 ILCS 5/10-20.14, 5/10-22.6.
23 Ill.Admin.Code §1.280.

CROSS REF.: 5:100 (Staff Development Program), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

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	knowledge of the placement options available, to review the removal and to determine whether the condition precipitating the removal has changed.

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 IDPH that regulate periods of incubation, communicability, quarantine, and reporting.

LEGAL REF.: 105 ILCS 5/10-21.11.
20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
29 U.S.C. §701 et seq., Rehabilitation Act of 1973.
42 U.S.C. §12101 et seq., Americans with Disabilities Act of 1990.
34 C.F.R. §§104.34 and 104.35.
410 ILCS 315/, Communicable Disease Prevention Act.
23 Ill.Admin.Code Part 226.
77 Ill.Admin.Code Parts 665, 690, 693, 695, 696, and 697.

CROSS REF.: 2:150 (Committees), 5:40 (Communicable and Chronic Infectious Disease)

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Students

Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases

The following chart contains requirements from rules adopted by the Ill. Dept. of Public Health (IDPH). They provide routine measures for the control of communicable diseases by establishing progressive initiatives for implementing disease-reporting and exclusions measures. School personnel must notify the local health authority if they have knowledge of a known or suspected case or carrier of communicable disease, and such reports must be kept confidential. 77 Ill.Admin.Code §690.200.

Diseases and Conditions, 77 Ill.Admin.Code §690.100

The following are declared to be contagious, infectious, or communicable and may be dangerous to the public health. The Section number associated with the listed diseases indicates the Section of the rules explaining the reportable disease. Diseases and conditions are listed alphabetically by class. Every class has a different timeframe for mandatory reporting to IDPH.

Standard precautions refers to infection prevention and control measures for healthcare settings that apply to all patients regardless of diagnosis or presumed infection status. 77 Ill.Admin.Code §690.10.

Contact precautions refers to infection control measures for healthcare settings designed to reduce the risk of transmission of infectious agents that can be spread through direct contact with the patient or indirect contact with potentially infectious items or surfaces. 77 Ill.Admin.Code §690.10.

Droplet precautions refers to infection control measures for healthcare settings designed to reduce the risk of transmission of infectious agents via large particle droplets that do not remain suspended in the air and are usually generated by coughing, sneezing, or talking. 77 Ill.Admin.Code §690.10.

Case refers to any living or deceased person having a recent illness due to a communicable disease. 77 Ill.Admin.Code §690.10.

Class I(a) Diseases

The following diseases shall be reported by telephone immediately (within three hours) upon initial clinical suspicion of the disease to the local health authority, who shall then report to IDPH immediately (within three hours).

Disease	Precaution and Exclusion Rules
Any unusual case of a disease or condition caused by an infectious agent not listed in IDPH regulations that is of urgent public health significance (including, but not limited to, cowpox, Reye's syndrome, glanders, amoebic meningoencephalitis, orf, monkeypox, hemorrhagic fever viruses, infection from a laboratory-acquired recombinant organism, or any disease non-indigenous to the United States), §690.295	Contacts shall be evaluated to determine the need for quarantine. The local health authority shall implement appropriate control measures.

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Anthrax, §690.320	Standard precautions shall be followed. Contact precautions shall be followed for care of persons with cutaneous anthrax when dressing does not adequately contain drainage. No restrictions if exposure is from infected animals or animal products. If there is a suspected bioterrorist threat or event, contacts will be evaluated to determine need for quarantine.
Botulism, Foodborne, Intestinal, §690.327	Standard precautions shall be followed. No restrictions.
Brucellosis (if suspected to be a bioterrorist event or part of an outbreak), §690.330	Standard precautions shall be followed. Contact precautions shall be followed when dressing does not adequately contain drainage.
Coronavirus, Novel, including Coronavirus Disease 19 (COVID-19), Severe Acute Respiratory Syndrome (SARS), and Middle Eastern Respiratory Syndrome (MERS) §690.361	Standard Precautions, Contact Precautions, Droplet Precautions including eye protection, and Airborne Infection Isolation Precautions shall be followed for cases or suspect cases in a *health care facility* (includes any public or private building or portion of a building used, operated, or designed to provide health services, medical treatment or nursing, rehabilitative or preventative care. 77 Ill. Admin. Code §690.10). All cases, including suspect cases, should be isolated at home or in an alternative setting for housing. Contacts shall be placed under surveillance and may be quarantined, with close observation for fever and COVID-like respiratory symptoms in consultation with IDPH or the local health department. **IDPH has frequently updated its school exclusion guidance and rules for COVID-19 during the COVID-19 pandemic; school personnel should monitor them regularly:** Guidance - www.dph.illinois.gov/covid19/community-guidance/school-guidance Rules - www.dph.illinois.gov/covid19/governor-pritzkers-executive-orders-and-rules
Diphtheria, §690.380	Standard precautions shall be followed until two successive cultures from both throat and nose (and skin lesions in cutaneous diphtheria) are negative for diphtheria bacilli or when a virulence test proves the bacilli to be avirulent. The first culture shall be taken not less than 24 hours after completion of antibiotic therapy and the second culture shall be taken not less than 24 hours after the first.
Influenza A, Novel Virus, §690.469	Standard precautions, including routine use of eye protection, and droplet precautions shall be followed for patients in health care settings, e.g., hospitals, long-term care facilities, outpatient offices, emergency transport vehicles.

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	Control of contacts is based on transmissibility and severity of the illness that caused the influenza strain. (See the f/ns of policy 4:180, *Pandemic Preparedness; Management; and Recovery*, for information and resources regarding influenza epidemics in schools; 4:180-AP1, *School Action Steps for Pandemic Influenza or Other Virus/Disease*; and 4:180-AP2, *Pandemic Influenza Surveillance and Reporting*.)
Plague, §690.570	Standard precautions shall be followed. For all patients, droplet precautions shall be followed until pneumonia has been determined not to be present. For patients with pneumonic plague, droplet precautions shall be followed until 48 hours after initiation of effective antimicrobial therapy and the patient has a favorable clinical response. Antimicrobial susceptibility testing is recommended. A strict, seven day quarantine is required for contacts to pneumonic plague who refuse chemoprophylaxis.
Poliomyelitis, §690.580	Occurrence of a single case of poliomyelitis due to wild polio virus shall be recognized as a public health emergency, prompting immediate investigation and response. Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks for the duration of hospitalization.
Q-fever (if suspected to be a bioterrorist event or part of an outbreak), §690.595	Standard precautions shall be followed. No restrictions on contacts.
Smallpox, §690.650	Post-exposure immunization, within three to four days after exposure, provides some protection against disease and significant protection against a fatal outcome. Any person with significant exposure to a person with probable or confirmed smallpox during the infectious stage of illness requires immunization as soon after exposure as possible, but within the first four days after exposure.
Tularemia (if suspected to be a bioterrorist event or part of an outbreak), §690.725	Standard precautions shall be followed.
Any suspected bioterrorist threat or event, §690.800	Cases and contacts shall be evaluated to determine need for isolation.

Class I(b) Diseases

The following diseases shall be reported as soon as possible during normal business hours by telephone (some rules state that facsimile or electronic reporting are also acceptable, the Disease column indicates "F" for facsimile or "E" for electronic in those instances), but within 24 hours, i.e., within eight regularly scheduled business hours after identifying the case, to the local health authority, who shall then report to IDPH as soon as possible, but within 24 hours.

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Disease	Precaution and Exclusion Rules
Botulism (intestinal, wound and other), §690.327	Standard precautions shall be followed. No restrictions.
Brucellosis (not part of suspected bioterrorist event or part of an outbreak), §690.330	Standard precautions shall be followed. Contact precautions shall be followed when dressing does not adequately contain drainage. No restrictions on contacts.
Chickenpox (Varicella), §690.350 (F or E)	Children shall be excluded from school or child care facilities for a minimum of five days after the appearance of eruption or until vesicles become dry. Standard precautions, contact precautions and airborne infection isolation precautions shall be followed for patients in a health care facility until all lesions are dry and crusted.
Cholera, §690.360 (F)	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.
Escherichia coli infections (E. coli O157:H7 and other Shiga toxin-producing E. coli), §690.400 (F)	Cases shall avoid public swimming pools while symptomatic and for two weeks after the date diarrhea has ceased. Specific precautions for food handlers must be followed.
Haemophilus influenzae, meningitis and other invasive disease, §690.441 (F)	Standard precautions and droplet precautions shall be followed. Droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Hantavirus pulmonary syndrome, §690.442 (F)	Standard precautions shall be followed. No restrictions on contacts.
Hemolytic uremic syndrome, post-diarrheal, §690.444 (F)	See requirements for the applicable disease that preceded the HUS (when preceding cases are either E.Coli (Section §690.400) or Shigellosis (Section §690.640) standard precautions shall be followed and contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours).
Hepatitis A, §690.450 (F)	Standard precautions shall be followed. In diapered or incontinent persons, the following contact precautions shall be followed: * Infants and children less than three years of age for duration of hospitalization; * Children 3 to 14 years of age, until two weeks after onset of symptoms; and * Those greater than 14 years of age, for one week after onset of symptoms.
Influenza admissions into intensive care unit, §690.468 (F or E)	Standard and droplet precautions shall be followed. IDPH may distribute additional recommendations in conjunction

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	with CDC guidance.
Measles, §690.520	Children with measles shall be kept out of school or child care facilities for at least four days after appearance of the rash.
Mumps, §690.550 (F or E)	Cases shall be excluded from school, child care facilities or workplace until five days after onset of symptoms (parotitis). Susceptible contacts should be excluded from school or the workplace from days 12 through 25 after exposure.
Neisseria meningitidis, meningitis and invasive disease, §690.555 (F)	Standard precautions shall be followed. Droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Outbreaks for public health significance (including but not limited to, foodborne and waterborne outbreaks), §690.565 (E)	Make a report to local health authority within 24 hours for investigation. If outbreak has occurred, the local health authority makes a final report to IDPH. Cases are evaluated to determine need for isolation.
Pertussis (whooping cough), §690.750	Standard precautions shall be followed. Droplet precautions shall be followed for known cases until the patient has received at least five days of a course of appropriate antibiotics. Case shall be excluded from school until five days of appropriate antibiotic therapy is complete. Suspected cases who do not receive antibiotics should be isolated for three weeks after onset of paroxysmal cough or until the end of the cough, whichever comes first.
Q-fever (not suspected in bioterrorist attack or part of an outbreak), §690.595	Standard precautions shall be followed. No restrictions for contacts.
Rabies, human, §690.600 (F)	Standard precautions shall be followed.
Rabies, potential human exposure, §690.601 (F) Definition of exposed person to be reported is lengthy and available in §690.601.	The local health authority determines whether rabies post-exposure prophylaxis for the exposed person is needed.
Rubella, §690.620 (F or E)	Cases shall be excluded from school, child care facilities or the workplace for seven days after rash onset. Susceptible contacts should be excluded from school from days seven through 23 following rash onset after last exposure.
Smallpox vaccination, complications of §690.655 (E)	Precautions for individuals with vaccination complications vary depending upon the type of complication. See Smallpox, §690.650 above.
Staphylococcus aureus infections with intermediate or high level resistance to	The Department will issue specific recommendations on a case-by-case basis.

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Vancomycin, §690.661 (F)	
Streptococcal infections, Group A, invasive and sequelae to Group A streptococcal infections, §690.670 (F)	Standard Precautions shall be followed. Droplet Precautions shall be followed for persons with necrotizing fasciitis or toxic shock syndrome until 24 hours after initiation of effective antimicrobial therapy. In cases of necrotizing fasciitis, when dressing does not adequately contain drainage, contact precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Tularemia (not suspected to be bioterrorist event or part of an outbreak), §690.725	Standard precautions shall be followed. No restrictions on contacts.
Typhoid fever, §690.730 (F)	All persons living in the household of a newly identified chronic carrier and other contacts living outside the home must submit two consecutive negative specimens of feces. If persons required to be tested refuse to comply within one week after notification, they shall be restricted from their occupations, school attendance or day care (adult or child) attendance until compliance is achieved.
Typhus, §690.740 (F)	Standard precautions shall be followed. Proper delousing for louse-borne typhus is required. The local health authority shall monitor all immediate contacts for clinical signs for two weeks.

Class II Diseases

The following diseases shall be reported as soon as possible by mail, telephone, facsimile or electronically during normal business hours, but within seven days, to the local health authority which shall then report to the IDPH within seven days.

Disease	Precaution and Exclusion Rules
Arboviral Infection (including, but not limited to, California encephalitis, St. Louis encephalitis and West Nile virus), §690.322	Standard precautions shall be followed. No restrictions on contacts.
Campylobacteriosis, §690.335	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea is absent for 24 hours.
Cryptosporidiosis, §690.365	Standard precautions shall be followed. Cases shall avoid swimming in public recreational water venues (e.g., swimming pools, whirlpool spas, wading pools, water parks, interactive fountains, lakes) while symptomatic and for 2 weeks after cessation of diarrhea.
Cyclosporiasis, §690.368	Standard precautions shall be followed.
Hepatitis B and Hepatitis D, §690.451	Standard precautions shall be followed. No restrictions on

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	contacts.
Hepatitis C, §690.452	Standard precautions shall be followed. No restrictions on contacts.
Histoplasmosis, §690.460	Standard precautions shall be followed. No restrictions on contacts.
Influenza, Deaths in persons less than 18 years of age (lab confirmed and no recovery between illness and death), §690.465	N/A
Legionellosis, §690.475	Standard precautions shall be followed. No restrictions on contacts.
Leptospirosis, §690.490	Standard precautions shall be followed. No restrictions on contacts.
Listeriosis (when both mother and newborn are positive, report mother only), §690.495	Standard precautions shall be followed. No restrictions on contacts.
Malaria, §690.510	Standard precautions shall be followed. No restrictions on contacts.
Psittacosis due to chlamydia psittaci, §690.590	Standard precautions shall be followed. No restrictions on contacts.
Salmonellosis (other than typhoid fever), §690.630	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.
Shigellosis, §690.640	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea is absent for 24 hours.
Toxic shock syndrome due to Staphylococcus aureus infection, §690.695	Standard precautions shall be followed. No restrictions on contacts.
Streptococcus pneumoniae, invasive disease in children less than five years, §690.678	Standard precautions shall be followed. No restrictions on contacts.
Tetanus, §690.690	Standard precautions shall be followed and post-injury patients at risk should receive human tetanus immune globulin and/or toxoid. No restrictions on contacts.
Tickborne Disease, including ehrlichiosis, anaplasmosis, Lyme disease, and Rocky Mountain spotted fever, §690.698	Standard precautions shall be followed. No restrictions on contacts.

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Trichinosis, §690.710	Standard precautions shall be followed. No restrictions on contacts.
Tuberculosis, §696.170	Reporting requirement is limited to health care professionals (includes nurses and health coordinators or health care settings). Report electronically or by facsimile, followed up with a phone call to local TB authority, or if none, to IDPH. Exclude case if considered to be infectious according to IDPH's rules and regulations for the control of TB or as recommended by the local health authority.
Vibriosis (Non-cholera Vibrio infections), §690.745	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea ceases.

Reporting of Sexually Transmissible Infections, 77 Ill.Admin.Code 693.30

The following sexually transmitted infections are reportable by health care professionals only (which includes advanced practice nurses, licensed nurses (including school nurses), or other persons licensed or certified to provide health care services of any kind to the local health department, or if none exists, to IDPH. Reports are strictly confidential and must be made within seven days after the diagnosis or treatment.

Infection	Exclusion Rules
Acquired Immunodeficiency Syndrome (AIDS)	A person may only be isolated with that person's consent or upon order of a court in those cases there the public's health and welfare are significantly endangered and where all other reasonable means have been exhausted and no less restrictive alternative exists. 77 Ill.Admin.Code §693.60(b).
HIV Infection	See above.
Syphilis	See above.
Gonorrhea	See above.
Chlamydia	See above.
Chancroid	See above.

Exclusion Criteria for Non-Reportable Diseases and Illnesses

There are a number of diseases and illnesses that have either never been reportable or no longer need to be reported under IDPH rules. However, some of these conditions may still pose a health risk and require exclusion from school. IDPH has published a chart which includes diseases and illnesses that do not require reporting of individual cases (as well as more common diseases those that do need to be reported), but may still require exclusion from school. Please refer to the following link for further guidance at:

http://dph.illinois.gov/sites/default/files/publications/commchartschool-032817.pdf.

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Instruction

Exhibit - Prevention of Staphylococcal Infections for Schools

The following resources from the Ill. Dept. of Public Health (IDPH) and Centers for Disease Control and Prevention (CDC) may be distributed to students and their parents/guardians and staff to inform them about what staphylococcus aureus is, how it spreads, and how staph infections can be prevented:

- https://dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/mrsa.html
- www.cdc.gov/mrsa/community/
- Additional factsheets for parents, athletes and staff are available at: www.cdc.gov/mrsa/community/posters/index.html.

The local health department may also have more information specific to the District's jurisdiction.

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Students

Anaphylaxis Prevention, Response, and Management Program

School attendance may increase a student's risk of exposure to allergens that could trigger anaphylaxis. Students at risk for anaphylaxis benefit from a School Board policy that coordinates a planned response in the event of an anaphylactic emergency. Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat. A severe allergic reaction usually occurs quickly; death has been reported to occur within minutes. An anaphylactic reaction can also occur up to one to two hours after exposure to the allergen.

While it is not possible for the District to completely eliminate the risks of an anaphylactic emergency when a student is at school, an Anaphylaxis Prevention, Response, and Management Program using a cooperative effort among students' families, staff members, students, health care providers, emergency medical services, and the community helps the District reduce these risks and provide accommodations and proper treatment for anaphylactic reactions.

The Superintendent or designee shall develop and implement an Anaphylaxis Prevention, Response, and Management Program for the prevention and treatment of anaphylaxis that:

1. Fully implements the Ill. State Board of Education (ISBE)'s model policy required by the School Code that: (a) relates to the care and response to a person having an anaphylaxis reaction, (b) addresses the use of epinephrine in a school setting, (c) provides a full food allergy and prevention of allergen exposure plan, and (d) aligns with 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
2. Ensures staff members receive appropriate training, including: (a) an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management, and (b) training required by law for those staff members acting as *trained personnel*, as provided in 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
3. Implements and maintains a supply of undesignated epinephrine in the name of the District, in accordance with policy 7:270, *Administering Medicines to Students*.
4. Follows and references the applicable best practices specific to the District's needs in the Centers for Disease Control and Prevention's *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs* and the *National Association of School Nurses Allergies and Anaphylaxis Resources/Checklists*.
5. Provides annual notice to the parents/guardians of all students to make them aware of this policy.
6. Complies with State and federal law and is in alignment with Board policies.

Monitoring

Pursuant to State law and policy 2:240, *Board Policy Development*, the Board reviews and makes any necessary updates to this policy at least once every three years. The Superintendent or designee shall assist the Board with its review and any necessary updates.

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LEGAL REF.: 105 ILCS 5/2-3.190, 5/10-22.39(e), and 5/22-30.
23 Ill.Admin.Code §1.540.
Anaphylaxis Response Policy for Illinois Schools, published by ISBE.

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), 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100 (Relations with Other Organizations and Agencies)

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Students

Administrative Procedure - Anaphylaxis Prevention, Response, and Management Program

The following procedure implements policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, which is based upon the Ill. State Board of Education's (ISBE) *Anaphylaxis Response Policy for Schools* (*ISBE Model*), available at: www.isbe.net/Documents/Anaphylactic-policy.pdf (105 ILCS 5/2-3.190, added by P.A. 102-413 and renumbered by P.A. 102-813). The District's Anaphylaxis Prevention, Response, and Management Program is developed and collectively implemented by local school officials, District staff, students and their families, and the community. This administrative procedure contains three sections as follows:

1. Glossary of Terms
2. Anaphylaxis Prevention, Response, and Management Program
3. Individual Allergy Management (Three Phases)
   - Phase One: Identification of Students with Allergies
   - Phase Two: Plan to Reduce Risk of Allergic Reactions
   - Phase Three: Response to Allergic Reactions

Glossary of Terms

The Terms Related to This Model Anaphylaxis Response Policy of the *ISBE Model* (p. 4) is incorporated here by reference. In this procedure, the term **epinephrine injector** is used in lieu of **epinephrine auto-injector** (*ISBE Model*, p. 4) because that is the term used in the School Code, but they have the same meaning.

Anaphylaxis - A severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. An anaphylactic reaction can occur up to one to two hours after exposure to the allergen. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat.

Anaphylaxis Prevention, Response, and Management Program (Program) - The overall process that the Superintendent and other District-level administrators use to implement policy 7:285, *Anaphylaxis Prevention, Response and Management Program*, which is based upon the *ISBE Model*.

Anaphylaxis Prevention, Response, and Management Committee (Committee) - A District-level team that the Superintendent creates to develop an Anaphylaxis Prevention, Response, and Management Program. It monitors the District's Anaphylaxis Prevention, Response, and Management Program for effectiveness and establishes a schedule for the Superintendent to report information back to the Board once every three years.

CDC Guidelines - The *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs*, published by the Centers for Disease Control and Prevention (2013) and available at: www.cdc.gov/healthyschools/foodallergies/pdf/20_316712-A_FA_guide_508tag.pdf. The CDC Guidelines are referred to in the *ISBE Model* as "a full food allergy and prevention of allergen exposure plan." The CDC Guidelines are focused on the management of food allergies, but they also mention other allergens that may result in anaphylaxis (p. 21).

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Individual Allergy Management - The process at the building level used to manage and prevent anaphylaxis. The process identifies: (a) students with allergies, (b) procedures to prevent exposure to known allergens, and (c) appropriate responses to allergic reactions. It is synonymous with the third section in this sample administrative procedure.

Individualized Educational Program/Plan (IEP) - A plan or program developed to ensure that a child who has a disability identified under the law and is attending a public elementary or secondary school receives specialized instruction and related services.

Individual Health Care Plan (IHCP) - A document that outlines an allergic student's needs, and at minimum, includes the precautions necessary for allergen avoidance and emergency procedures and treatments. Its function is similar to a 504 Plan (see below). **Important**: Consult the Board Attorney about whether the Program should implement a 504 Plan or IHCP. This Program's procedures implement 504 Plans only. Insert IHCP in place of or in addition to 504 Plan in this document if the District will also implement IHCPs.

504 Plan - A document that outlines an allergic student's needs, necessary accommodations, and individual staff member responsibilities. Its function is identical to an IHCP while also including procedural protections (see above). This Program's procedures implement 504 Plans only. **Important**: Consult the Board Attorney about whether implementing only 504 Plans is the best method. Many attorneys agree that a 504 Plan is the best (although not universal) practice for a student with a diagnosis of an allergy.

504 Team - A building-level team that implements the phases of Individual Allergy Management in a student's 504 Plan. Insert "IHCP Team" in place of or in addition to "504 Team" if the district will also implement IHCPs. **Note**: If the District implements IHCPs, gathering information, identifying methods to prevent exposure, and assigning staff responsibilities will rely heavily on the Nurse/Designated School Personnel (DSP), not a 504 Team.

Anaphylaxis Prevention, Response and Management Program

This section relies heavily upon District-level administrators to implement the Program even if the District has no students with food or other allergies. 105 ILCS 5/2-3.190, added by P.A. 102-413 and renumbered by P.A. 102-813. This is because identification of students at risk of anaphylaxis cannot be predicted, and it is possible that a student who has not been identified could have his or her first reaction at school. CDC Guidelines, p. 9. This section references the *ISBE Model* and aligns with governance principles so that District-level administrators can: (a) integrate the Program into the District's existing policies and procedures, (b) engage in ongoing monitoring of the Program, (c) assess the Program's effectiveness, and (d) inform the Board about the Program along with recommendations to enhance its effectiveness.

Note: Modify this section based upon the District's specific implementation needs. The only mandate in 105 ILCS 5/2-3.190 was that school boards implement a policy based upon the ISBE Model by 8-17-22. Implementation methods are many; this Program provides one method.

Actor	Action
Superintendent or designee	Establish a District-wide Anaphylaxis Prevention, Response, and Management Committee (Committee) to operate as a Superintendent committee. Consider including: District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Program) District Safety Coordinator (see 4:170-AP1, Comprehensive Safety and Security Plan,

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Actor	Action
	Part C, District Safety Coordinator and Safety Team; Responsibilities) District 504 Coordinator (see 6:120, Education of Children with Disabilities and 6:120, AP1, E1 Notice to Parents/Guardians Regarding Section 504 Rights) Staff members, e.g., school nurse/health aide, teachers, paraprofessionals, food service staff, bus drivers, athletic coaches Parents/Guardians Community members, e.g., individuals with expertise in allergens and anaphylaxis Students Chair and convene Committee meetings for the purpose of implementing the Program. **Note:** The Committee is not required by State law. However, establishing it provides a best practice for aligning with governance principles and examining implementation issues specific to each individual school district. While smaller school districts, i.e., one-building districts, may be able to implement a Program through one meeting, larger school districts will likely require the uniform coordination that this Committee provides. Some school districts may choose to use the ISBE Model document, available at: www.isbe.net/Documents/Anaphylactic-policy.pdf, or create a document that is consistent with the requirements of the ISBE Model, but also reflects the specific needs of the school district. Inform the School Board of the Committee's progress and needs by adding information items to the Board's agendas at least once every three years.
Anaphylaxis Prevention, Response, and Management Committee	Identify existing policies, procedures, and exhibits that affect implementation of the Program, including, but not limited to: 1:20, *District Organization, Operations, and Cooperative Agreements* 2:20, *Powers and Duties of the School Board; Indemnification* 2:240, *Board Policy Development* 4:110, *Transportation* 4:120, *Food Services* 5:100, *Staff Development Program* 5:100-AP, Staff Development Program 6:65, *Student Social and Emotional Development* 6:120, *Education of Children with Disabilities* 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities* 6:240, *Field Trips* 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:250, *Student Support Services* 7:270, *Administering Medicines to Students* 7:270-AP1, *Dispensing Medication* 7:270-AP2, *Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon* 7:270-E1, *School Medication Authorization Form* 7:285-AP, E, *Allergy and Anaphylaxis Emergency Plan* 8:100, *Relations with Other Organizations and Agencies* At least once every three years, recommend to the Superintendent any necessary policy changes that must be brought to the School Board for consideration. See policy 2:240, *Board Policy Development.*

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Actor	Action
	Recommend to the Superintendent any amendments to administrative procedures. Note: The Committee may want to utilize 7:285-AP, E, Allergy and Anaphylaxis Emergency Plan (AAEP), for allergy management purposes. The sample exhibit is an adaptation of the American Academy of Pediatrics' sample emergency action plan form, Allergy and Anaphylaxis Emergency Plan available at: https://downloads.aap.org/AAP/PDF/AAP_Allergy_and_Anaphylaxis_Emergency_Plan.pdf; it includes the parent/guardian acknowledgment of district immunity and the hold harmless/indemnification agreement required by 105 ILCS 5/22-30 and 5/22.21b. See 7:270, Administering Medicines to Students, at f/n 7, for more information. The Committee should also assess the feasibility of adding staff training during a Periodic Emergency Response Drill (CDC Guidelines, p. 50) to the District's School Safety Drill Plan (see 4:170-AP1, *Comprehensive Safety and Security Pl*an, paragraph F., **School Safety Drill Plan**). Adding this suggested drill is not required and exceeds the mandate contained in 105 ILCS 128/. If added, revise paragraph **E., Annual Safety Review** of 4:170-AP1, *Comprehensive Safety and Security Plan* to include the applicable bolded items (a)-(f) listed in the CDC Guidelines on preparation for food allergy emergencies (p. 31-34). Convene a District-wide meeting with all Building Principals, other appropriate administrative and special education staff, and the Board Attorney to discuss this Program and the ISBE Model, and to prepare each individual Building Principal to implement it in his or her building. **Note:** The Board Attorney will be a necessary participant in the District's efforts to manage anaphylaxis management issues. The Superintendent may want to authorize individual Building Principals to consult with the Board Attorney in some circumstances. If so, the Superintendent should outline this process during this meeting. Educate and train all staff by coordinating, through the Superintendent or Building Principals, the required annual in-service training program(s) for staff working with students. The in-service must be conducted by a person with expertise in anaphylactic reaction management and include administration of medication with an injector (105 ILCS 5/10-22.39(e)). This training will also be incorporated into new school employee training. **Note:** State law requires the in-service training to be conducted every two years, but the ISBE Model states that schoolwide training be conducted annually, when new employees are onboarded, and when an individual is identified as being at risk. Person with expertise is not defined, but the use of the word expertise suggests that using a lay person to provide training is not appropriate. Consider the list of training resources in the CDC Guidelines (p. 100-101). This training should include (CDC Guidelines, p. 36): • A review of policies and building procedures • An overview of food allergies • Definitions of key terms, including food allergy, major allergens, epinephrine, and anaphylaxis • The difference between a potentially life-threatening food allergy and other food-related problems • Signs and symptoms of a food allergy reaction and anaphylaxis (see *ISBE Model*, p. 5) and information on common emergency medications • General strategies for reducing and preventing exposure to allergens (in food and non-food items)

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Actor	Action
	• Policies on bullying and harassment and how they apply to children with food allergies • The District's emergency plans, including who will be contacted in the case of an emergency, how staff will communicate during a medical emergency, and what essential information they will communicate Consider implementing the above issues by informing staff of the goals established in each of the following Board policies: 6:65, *Student Social and Emotional Development*. This policy requires the District's educational program to incorporate student social and emotional development into its educational program and be consistent with the social and emotional development standards in the Ill. Learning Standards. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment, which diminish a student's ability to learn and a school's ability to educate. It states that preventing students from engaging in these disruptive behaviors is an important District goal. **Note:** Including bullying and sensitivity awareness in the required in-service exceeds State law requirements. Because State law requires districts to have policies addressing bullying (105 ILCS 5/27-23.7) and social and emotional development (405 ILCS 49/) and the CDC Guidelines highlight that increasing awareness of these issues is a best practice consideration, the required in-service is a logical place to include this education. Be sure locally adopted board policies contain the referenced policy language. Provide developmentally appropriate allergy education for students as part of a curriculum topic, e.g., health, physical education, general science, consumer science, character education, so that students can: (1) identify signs and symptoms of anaphylaxis, (2) know and understand why it is wrong to tease or bully others, including people with allergies, (3) know and understand the importance of finding a staff member who can help respond to suspected anaphylaxis, and (4) understand rules on hand washing, food sharing, allergen-safe zones, and personal conduct. Provide community outreach through Building Principals by providing information to students and their parents/guardians about the Program. A successful Program needs support and participation from parents of children with and without allergies. Parents and families need to learn about the District's food allergy policy and practices through communications from administrators, school health staff, classroom teachers, and food service staff. See CDC Guidelines, p. 38 and p. 100-102 (National Nongovernmental Resources, including resources for Parent Education). Monitor the Program by assessing its effectiveness at least once every three years. Incorporate updated medical best practices into all areas of the Program. Establish a schedule for the Superintendent to report any recommendations to enhance the Program's effectiveness to the Board for consideration.

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Actor	Action
Building Principal	Inform the school community of the Program by providing the information to students and their parents/guardians. For an outline of a sample letter, see www.stlouischildrens.org/sites/default/files/pdfs/FAMEToolkit2017-section3-admin.pdf, p. 14. Inform the school community of the opportunities to better understand food allergy management issues. Implement the Program in the building by meeting with the Nurse or, if a nurse is not available, other designated school personnel (DSP) and special education staff in the building to examine the *ISBE Model*. Identify and follow: All best practices that apply to the conditions in the school building, including classrooms and the cafeteria, as well as on school transportation, at school-sponsored events (including activities before and after school, and field trips), and during physical education/recess to reduce exposure to allergens. See *ISBE Model*, p.3, and CDC Guidelines, p. 43-45. All items from the actions for School Administrators and Registered School Nurses that apply to the working conditions in the school settings listed immediately above. CDC Guidance, p. 59-64. Educate staff members about the Program and their likely involvement with the daily management of food (or non-food) allergies for individual students (Individual Allergy Management). CDC Guidelines, p. 27-31. Inform staff members about healthy and active non-food rewards, see: www.actionforhealthykids.org/activity/healthy-active-non-food-rewards/ Identify at least two employees in the building, in addition to the Nurse/DSP, to be trained in the administration of epinephrine by auto-injection. Only *trained personnel* may administer epinephrine to a student believed to be having an anaphylactic reaction. (*ISBE Model*, p. 6). For training requirements, see 7:270-AP2, *Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon*. **Note:** Although 105 ILCS 5/22-30 permits any "personnel authorized" under a student's specific individual plan to administer an undesignated epinephrine injector, the ISBE Model makes no such distinction and requires all personnel administering epinephrine (whether prescribed to a student or undesignated) to a student to complete the training required of trained personnel. Annually notify parents/guardians in the student handbook(s) of policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, and include the contact information of a staff member who parents/guardians can contact if they have questions about how the policy applies to their child. To increase awareness of the bullying issues faced by students with allergies, consider including information for students and their parents/guardians about the goals established in Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment.*
School Board	Monitor policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, at least once every three years, and consider changes recommended by the Committee. See policy 2:240, *Board Policy Development*. Consider all policy changes recommended by the Superintendent. Provide the appropriate resources for the Superintendent to successfully implement the Program.

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Individual Allergy Management

This section's procedures are implemented each time the school identifies a student with an allergy. It follows policy 6:120, *Education of Children with Disabilities*, and references additional considerations based upon the *ISBE Model*. It relies heavily upon Building Principals and the Nurse/DSP to identify the necessary accommodations for each student and determine which staff members are responsible to provide them. Accommodations are impacted by a number of factors, e.g., the student's age, the allergen(s) involved, the facilities at each school building, etc.

Phase One: Identification of Students with Allergies

Actor	Action
Parent/Guardian	Inform the Building Principal of the student's food allergy. Complete an Allergy History Form, (for a sample, see the *Family Allergy History Form*, available at: www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis and AAEP. Return them to the Building Principal or Nurse/DSP. If the District participates in the U.S. Dept. of Agriculture's Child Nutrition Programs and the student has a disability that requires meal modifications, complete a medical statement signed by a licensed healthcare provider. CDC Guidelines, p. 28. See www.isbe.net/Documents/2017-ACCOM-MANUAL-SP40.pdf for information and the *Medical Authority Modified Meal Request Form* at: www.isbe.net/_layouts/Download.aspx?SourceUrl=/Documents/Medical-Authority-Modified-Meal-Request-Form.docx. Cooperate with school staff to provide the medical information necessary directly from the student's health care provider to develop plans for managing individual care and emergency actions. CDC Guidelines, p. 27. Participate in all meetings to assess and manage the individual student's health needs.
Building Principal and/or Nurse/DSP	Follow the District's procedural safeguards for convening a meeting to assess the individual student's allergy management needs.
IEP or 504 Team	Modify this section if the District implements IHCPs. See **Glossary** above for more information. For a student who is not already identified as a student with a disability, determine whether a referral for an evaluation is warranted using 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*). For a student with an existing IEP or Section 504 plan, or who qualifies for one on the basis of his or her allergy, determine: 1. Whether the student's allergy requires *related services* to ensure the provision of a "free appropriate public education" (FAPE), and/or 2. Whether the student's allergy requires appropriate *reasonable*

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Actor	Action
	accommodations for the student's disability. If the answer to either of the above questions is negative, notify the parent/guardian in writing of the reasons for the denial and the right to appeal. Provides any required procedural safeguard notices. See 23 Ill.Admin.Code §226.510; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*. **If the answer to either of the above questions is positive:** 1. Gather appropriate health information by using the completed *Allergy History Form* and AAEP. 2. Identify all necessary accommodations and complete a 504 Plan (use the District's established forms). For meal substitutions, the parent/guardian must submit a medical statement signed by a licensed healthcare provider. 3. Determine which staff provides the identified accommodations. Remember that accidental exposures are more likely to happen when an unplanned event or non-routine event occurs, and special care should be taken to address procedures for staff members who provide transportation, substitute teaching, coaching or other activities, field trips, and classroom celebrations. For staff members to consider, see CDC Guidelines, Sec. 3, *Putting Guidelines into Practice: Actions for School Administrators and Staff*, p. 59-80. 4. Assign responsibilities to individual staff members for providing the identified accommodations. Inform staff members absent during the creation of the 504 Plan of their responsibilities. 5. Identify willing 504 Team members trained in emergency response to respond to any allergic reactions the student may have. Only *trained personnel* may administer epinephrine to a student believed to be having an anaphylactic reaction. *ISBE Model*, p. 6. **Note**: Consult the Board Attorney if options are limited or the classroom teacher is not willing to administer epinephrine. While classroom teachers are a logical choice to provide emergency response due to their continual close proximity to students, such an assignment may: (1) impact terms and conditions of employment and may trigger collective bargaining rights, and/or (2) violate 105 ILCS 5/10-22.21b, which states that under no circumstances shall teachers or other non-administrative school employees, except certified school nurses and non-certificated registered professional nurses, be required to administer medication to students. 6. Provide the required procedural safeguard notices. See 23 Ill.Admin.Code §226.510; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and 6:120-AP1, E1,

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Actor	Action
	Notice to Parents/Guardians Regarding Section 504 Rights.

Phase Two: Plan to Reduce Risk of Allergic Reactions

Actor	Action
Building Principal and/or Nurse/DSP	Convene a meeting to educate all the staff members who will provide the identified 504 Plan accommodations about their responsibilities. Ensure individual staff members are properly trained and perform their responsibilities and provide the necessary accommodations for the student's individual health needs. Facilitate the dissemination of accurate information in the building about the student's allergy while respecting privacy rights. **Note**: Request permission from the Superintendent to consult the Board Attorney about best practices for disclosures to volunteers (e.g., field trip chaperones or room parents) of confidential medical information without parental consent. Generally Building Principals have discretion, but these situations are fact-specific. Ideally the District should attempt to get parental permission to disclose the information about the allergy, but practically this cannot always occur. Many agree that safety trumps confidentiality in these situations, especially when volunteers have a legitimate educational interest if knowledge of the information is related to their ability to perform their duties (See, *Letter to Anonymous*, 107 LRP 28330 (FPCO 2007)). Provide a medical alert to parents/guardians that does not name the student. See CDC Guidelines, p. 71, #5. The communication should inform other students and their parents/guardians about the importance of keeping their educational setting free of the food allergen. For a sample letter, see *Notification of a Food Allergy in the Classroom – Parent Letter*, available at: www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis. **Note**: Request permission from the Superintendent to consult the Board Attorney about disclosures and providing joint communications from the Building Principal and the parent/guardian of the food allergic student. While joint communications allow the school to exchange the information needed to protect the food allergic student and balance competing educational interests without violating federal or State laws that govern student records, they can also present other risks (i.e., re-disclosure of the confidential information). See 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

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Actor	Action
	information from students' education records without the consent of a parent or eligible student, unless an exception applies. See policy 7:340, *Student Records*. Prepare a list of answers to anticipated questions about managing the student's health needs. Check with the Nurse/DSP regarding any known competing educational interests with the student's health needs among other students attending the school (i.e., diabetes, service animals, etc.). Manage identified students' competing educational interests by: 1. Consulting the Board Attorney. 2. Creating a method to monitor identified competing educational interests between students. 3. Responding to future unidentified competing educational interests and managing them immediately. 4. Modifying any other conditions as the facts of the situation require.
IEP or 504 Team	Implement and follow all identified responsibilities in the 504 Plan. Understand that accidental exposures are more likely to occur when an unplanned event occurs, which makes is critical to follow the exact accommodations in the student's 504 Plan. Practice emergency procedures outlined in the student's AAEP and be prepared to follow them. *ISBE Model*, p. 5.
Parent/Guardian	Implement and follow the applicable items at: www.foodallergy.org/resources/getting-started-school, to assist the District in managing food allergies in the school setting.
Student	Implement and follow developmentally appropriate steps for allergy self-management, such as reading labels, asking questions about foods in the school meal and snack programs, avoiding unlabeled or unknown foods, using epinephrine injectors when needed, and recognizing and reporting an allergic reaction to an adult. CDC Guidelines, p. 31.

Phase Three: Response to Allergic Reactions

Actor	Action
IEP or 504 Team	Follow the student's 504 Plan and AAEP.
Nurse/DSP or any Staff Member trained in the District's emergency response procedures (if a Nurse is not immediately available)	If the student does not have an AAEP and there is a suspected case of anaphylaxis, and the District does not maintain an undesignated supply of epinephrine (*ISBE Model*, p. 5-6): 1. Instruct another staff member to call 911 immediately. 2. Stay with the person until emergency medical services (EMS) arrive.

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Actor	Action
	3. Monitor the person's airway and breathing. 4. If school nurse or other *trained personnel* are not at the scene, implement local emergency notification to activate the nurse or *trained personnel* to respond. 5. Direct a staff member to call parent/guardian (if applicable). 6. Administer CPR, if needed. 7. EMS transports individual to the emergency room. Document the individual's name, date, time of onset of symptoms, and possible allergen. **Even if symptoms subside, EMS must still respond, and the individual must be evaluated in the emergency department or by the individual's health care provider. A delayed or secondary reaction may occur, which can be more severe than the first-phase symptoms.** 8. Do not allow a student to remain at school or return to school on the day epinephrine is administered.
Anyone implements item #1 of the first numbered list Nurse/DSP or other *Trained Personnel* implements the remaining items	If the Nurse or *trained personnel* have a good faith belief that a person is having an anaphylactic reaction, and the District needs to use its undesignated (not student-specific) supply of epinephrine to respond (*ISBE Model,* p. 5-6): 1. Call the Nurse or front office personnel and advise of the emergency situation so that *trained personnel* can be activated to respond with undesignated epinephrine dose(s). 2. Instruct someone to call 911 immediately. 3. Implement the District's undesignated epinephrine standing protocol. See 7:270-AP2, *Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon.* 4. Select the appropriate dose according to the standing protocol and administer epinephrine. Note the time. **Act quickly. It is safer to give epinephrine than to delay treatment. This is a life-and-death decision.** 5. Stay with the person until EMS arrives. 6. Monitor the person's airway and breathing. 7. Reassure and attempt to calm the person, as needed. 8. Direct another staff member to call the parent/guardian, or emergency contact (if known). 9. If symptoms continue and EMS is not on the scene, administer a second dose of epinephrine five to 15 minutes after the initial injection. Note the time. 10. Administer CPR, if needed.

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Actor	Action
	11. EMS transports the individual to the emergency room. Document the individual's name, date, and time the epinephrine was administered on the epinephrine injector that was used and give to EMS to accompany individual to the emergency room. **Even if symptoms subside, EMS must still respond, and the individual must be evaluated in the emergency department or by the individual's health care provider. A delayed or secondary reaction may occur, which can be more severe than the first-phase symptoms.** Post-Event Actions 1. Document the incident and complete all reporting requirements. See 7:270-AP2, *Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon*. 2. Replace epinephrine stock medication, according to the District's standing protocol. Reorder epinephrine stock medication, as necessary.
Nurse/DSP	If a student has no AAEP and 504 Plan, provide the parent/guardian with the AAEP and *Allergy History* forms and refer them to the process outlined in the **Identification of Students with Allergies** phase above. After each allergy emergency, review how it was handled with the Building Principal, health aides/assistants (if applicable), parents/guardians, staff members involved in the response, and the student to identify ways to prevent future emergencies and improve emergency response. CDC Guidelines, p. 63. Assist students with allergies with transitioning back to school after an emergency. CDC Guidelines, p. 63. Storage, Access, and Maintenance of Undesignated Supply of Epinephrine (105 ILCS 5/22-30(f); *ISBE Model*, p. 6-7) 1. Store, access, and maintain the stock of undesignated epinephrine injectors as provided in the District's standing protocol. 2. Maintain the supply of undesignated epinephrine in accordance with the manufacturer's instructions. Epinephrine should be stored in a safe, unlocked, and accessible location in a dark place at room temperature (between 59-86 degrees F). Epinephrine should not be maintained in a locked cabinet or behind locked doors. Trained staff should be made aware of the storage location in each school. It should be protected from exposure to hot, cold, or freezing temperatures. Exposure to sunlight will hasten deterioration of epinephrine more rapidly than exposure to room temperatures. The expiration date of epinephrine

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Actor	Action
	solutions should be periodically checked; the drug should be replaced if it is approaching the expiration date. The contents should periodically be inspected through the clear window of the injector. The solution should be clear; if it is discolored or contains solid particles, replace the unit. 3. Regularly (e.g., monthly) check stock epinephrine to ensure proper storage, expiration date, and medication stability. Maintain documentation when checks are conducted. Expired injectors or those with discolored solutions or solid particles should not be used. 4. Dispose of epinephrine injectors in a sharps container.

LEGAL REF: 105 ILCS 5/2-3.190, 5/10-22.21b, 5/10-22.39(e), and 5/22-30.
23 Ill.Admin.Code §1.540
Anaphylaxis Response Policy for Illinois Schools, published by the Ill. State Board of Education.

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Students

Exhibit – Allergy and Anaphylaxis Emergency Plan

This form has been adapted with the permission of the American Academy of Pediatrics (AAP), see: www.publications.aap.org/pediatrics/article/139/3/e20164005/53741/Guidance-on-Completing-a-Written-Allergy-and. A district may include its information on this form, but the AAP copyright notice that appears at the bottom of each page must be retained. Any district or school logos added should appear smaller than the AAP logo that appears at the top of page 1. The italicized language on this form does not appear on the original American Academy of Pediatrics Allergy and Anaphylaxis Emergency Plan.

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American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN™

Attach child's photo

Child's Name: _____ **Date of Plan:** _____

Date of Birth: _____ **Age** _____ **Weight:** _____ kg.

Child has allergy to: _____

Child has asthma.	☐ Yes	☐ No (If yes, higher chance severe reaction)
Child has had anaphylaxis.	☐ Yes	☐ No
Child may carry medicine.	☐ Yes	☐ No
Child may give him/herself medicine.	☐ Yes	☐ No (If child refuses / is unable to self-treat an adult must give medicine

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IMPORTANT REMINDER

Anaphylaxis is a potentially life threatening, severe allergic reaction. If in doubt, give epinephrine.

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For Severe Allergy and Anaphylaxis **What to look for** If child has ANY of these severe symptoms after eating the food or having a sting, **give epinephrine**. • Shortness of breath, wheezing, or cough • Skin color is pale or has bluish color • Weak pulse • Fainting or dizziness • Tight or hoarse throat • Trouble breathing or swallowing • Swelling of lips or tongue that bother breathing • Vomiting or diarrhea (if severe or combined with other symptoms) • Many hives or redness over body • Feeling of "doom," confusion altered consciousness, or agitation ☐**SPECIAL SITUATION**: If this box is checked, child has an extremely severe allergy to an insect sting or the following food(s)_____. Even if child has MILD symptoms after a sting or eating these foods, **give epinephrine.**	**Give epinephrine!** **What to do** 1. Inject epinephrine right away! Note time when epinephrine was given. 2. Call 911. • Ask for ambulance with epinephrine. • Tell rescue squad when epinephrine was given. 3. Stay with child and: • Call parents and child's doctor • Give a second dose of epinephrine, if symptoms get worse, continue, or do not get better in 5 minutes. • Keep child lying on back. If the child vomits or has trouble breathing, keep child lying on his or her side. 4. Give other medicine, if prescribed. Do not use other medicine in place of epinephrine. • Antihistamine • Inhaler/bronchodilator
For Mild Allergic Reaction **What to look for** If a child has had any mild symptoms, **monitor child.** **Symptoms may include:** • Itchy nose, sneezing, itchy mouth • A few hives • Mild stomach nausea or discomfort	**Monitor Child** **What to do** Stay with child and: • Watch child closely • Give antihistamine (if prescribed). • Call parents and child's doctor. If more than 1 symptom or symptoms of severe allergy/anaphylaxis develop, use epinephrine. (See "For Severe Allergy and Anaphylaxis.")

Medicines/Doses

Epinephrine, Intramuscular (list type): _____ Dose: ☐ 0.10 mg (7.5 kg to less than 13 kg)*
☐ 0.15 mg (13 kg to less than 25 kg)
☐ 0.30 mg (25 kg or more)

Antihistamine, by mouth (type and dose): _____ (*Use 0.15mg, if 0.10 mg is not available)

Other (for example, inhaler/bronchodilator if child as asthma): _____

_____ _____

Physician/HCP Authorization Signature **Date**

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In the event of a medical emergency, I hereby authorize the School District and its employees and agents to administer or to attempt to administer to my child (or to allow my child to self-administer pursuant to State law, while under the supervision of the employees and agents of the School District), lawfully prescribed medication in the manner described above. This includes administration of undesignated epinephrine injectors and/or asthma medication, to the extent the School District maintains such undesignated supplies.

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 by signing below, 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.

The following is applicable only to parents/guardians of students who need to carry and use their epinephrine injector and/or asthma medication: *I authorize the School District and its employees and agents, to allow my child to self-carry and self-administer his or her epinephrine injector and/or asthma medication: (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 parents/guardians 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-carry and self-administration of an epinephrine injector or asthma medication.*

_____ _____

Parent/Guardian Authorization Signature Date

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Child's Name:_____ **Date of Plan:**_____

Additional Instructions:

Contacts

Call 911 / Rescue Squad:

Doctor: Phone:

Parent / Guardian: Phone:

Parent / Guardian: Phone:

Other Emergency Contacts

Name / Relationship: Phone:

Name / Relationship: Phone:

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Students

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 5/2-3.166(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 Program*, 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. Implementation will incorporate:
    a. The training required by 105 ILCS 5/10-22.39 for licensed school personnel and administrators who work with students to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide; and
    b. Ill. 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 including those students who: (A) suffer from a mental health disorder; (B) suffer from a substance abuse disorder; (C) engage in self-harm or have previously attempted suicide; (D) reside in an out-of-home placement; (E) are experiencing homelessness; (F) are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); (G) are bereaved by suicide; or (H) have a medical condition or certain types of disabilities. Implementation will incorporate paragraph number 2, above, along with Board policies:

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a. 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);

b. 6:120, *Education of Children with Disabilities*, implementing special education requirements for the District;

c. 6:140, *Education of Homeless Children*, implementing provision of District services to students who are homeless;

d. 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;

e. 7:10, *Equal Educational Opportunities*, and its implementing administrative procedure and exhibit, implementing supports for equal educational opportunities for students who are LGBTQ;

f. 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, implementing State law requirements related to students who are in foster care;

g. 7:250, *Student Support Services*, implementing the Children's Mental Health Act, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and

h. 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-recommended 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*.

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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. Student identification (ID) cards, the District's website, and student handbooks and planners will contain the support information as required by State law.

Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Student Confidential Reporting Act, 5 ILCS 860/, Children's Mental Health Act, 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 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.: 42 U.S.C. § 12101 et seq. Individuals with Disabilities Education Act.
105 ILCS 5/2-3.166, 105 ILCS 5/2-3.139, 5/3-14.8, 5/10-20.76, 5/10-20.81, 5/10-22.24a, 5/10-22.24b, 5/10-22.39, 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b, 5/27-7.
5 ILCS 860/, Student Confidential Reporting Act.
405 ILCS 49/, Children's Mental Health Act.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.
745 ILCS 10/, Local Governmental and Governmental Tort Immunity Act.

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)

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Students

Administrative Procedure - Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program

The Superintendent or designee, at the District level, and the Building Principal or designee, at the building level, are responsible for implementing the Board's goals of increasing awareness and prevention of depression and suicide in Policy 7:290, *Suicide and Depression Awareness and Prevention*. The Superintendent and/or Building Principal(s) may want to assign Student Support Committees as established under 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs,* to assist them with the implementation of these goals. Use other locally available resources, including, but not limited to those listed below to determine the best implementation methods.

Listed below are the six policy implementation components of *Ann Marie's Law*, 105 ILCS 5/2-3.166(c), in Board policy 7:290, *Suicide and Depression Awareness and Prevention*. Each component lists specific implementation steps, along with any applicable sample **PRESS** policies, administrative procedures and/or exhibits, available State and/or federal resources, and examples if available. The Ill. State Board of Education (ISBE) has created the *Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers, and Staff*, at: www.isbe.net/Pages/Suicide-Prevention.aspx, and provides other resources at the same website to guide the District in the implementation of policy 7:290, *Suicide and Depression Awareness and Prevention*.

Confirm the resources listed in this procedure, and any information provided in the hyperlinks, with the Board Attorney before the Superintendent, Building Principal, and/or Student Support Committees apply them to a specific situation in the District.

Policy Implementation Components of *Ann Marie's Law*

1. Awareness and Prevention Education Protocols for Students and Staff (105 ILCS 5/2-3.166(c)(2)).

    a. For students, (i) review policy 6:60, *Curriculum Content*(requiring health education for developing a sound mind and a healthy body); (ii) review policy 7:250, *Student Support Services* (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); (iii) if the District issues identification (ID) cards to its students, insert the contact information for the National Suicide Prevention Lifeline (NSPL) and for the Crisis Text Line (CTL) on the back of each student ID card (105 ILCS 5/10-20.76, added by P.A. 102-134 and renumbered by P.A. 102-813); (iv) publish NSPL and CTL information on the District's website (see 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*) (105 ILCS 5/10-20.73, added by P.A. 102-134); (v) insert either the Safe2Help Illinois helpline or a local suicide prevention hotline or both on the ID card and identify each helpline that may be contacted through text messaging (105 ILCS 5/10-20.81, added by P.A. 102-416 and renumbered by P.A. 102-813); and (vi) include Safe2Help or local suicide prevention hotline or both in student handbooks and student planners (if a student planner is custom printed by the District or its schools for distribution to students in any of grades 6 through 12) (105 ILCS 5/10-20.81, added by P.A. 102-416 and renumbered by P.A. 102-813)). *Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors,*

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Teachers and Staff, Module 1: Prevention - Engaging and Educating Students, pp. 20-21, at: www.isbe.net/Pages/Suicide-Prevention.aspx. See also Illinois' Safe2Help Illinois program at: www.safe2helpil.com/ (designed to offer students a safe, confidential way to share information that might help prevent suicides and other school safety-related information).

b. For staff, review policy 5:100, *Staff Development Program*, discussing in-service training and citing required teacher institute training concerning the warning signs of suicidal behavior, and assess incorporating information from the following resources:

Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 1: Prevention – Professional Learning Opportunities for Staff and Choosing a Preventative Training Program for Staff, pp. 18-19, at: www.isbe.net/Pages/Suicide-Prevention.aspx

Preventing Suicide: A Toolkit for High Schools (*SAMHSA Toolkit*), Chapter 4: Staff Education and Training including Tools, pp. 111 through 123 at: www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669.

2. Methods of Prevention, Early Identification, and Referral (105 ILCS 5/2-3.166(c)(3)).

a. For staff, review: policy 5:100, *Staff Development Program*, discussing required behavioral training for school personnel; policy 6:60, *Curriculum Content* (see above for description); 7:250, *Student Support Services* (see above for description); and administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, establishing Student Support Committees to identify, prevent, and refer students with mental health challenges for services.

b. For staff, assess incorporating information from the following resources:

Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Intervention, Procedure: Students at Risk, pp. 26-27, at: www.isbe.net/Pages/Suicide-Prevention.aspx.

SAMHSA Toolkit at: www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669.

Chapter 1: Getting Started pp. 15-22; Tool 1.A, Suicide Prevention: Facts for Schools, p. 24; and Tools 1.D-1.H, pp. 32-51 (includes various youth suicide prevention topics).

Chapter 4: Staff Education and Training including Tools, pp. 111-123.

Chapter 7: Screening, and Resources: Staff Education and Screening including Tools, pp. 157-171.

ISBE *Suicide Prevention* at: www.isbe.net/Pages/Suicide-Prevention.aspx.

Illinois Suicide Prevention Strategic Plan at: www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.

Sample policy (procedures) on youth suicide prevention are available from The Trevor Project at: www.thetrevorproject.org/pages/modelschoolpolicy

Risk and Protective Factors for Suicide available at: www.isbe.net/Pages/Suicide-Prevention.aspx. sprc.org/about-suicide/risk-protective-factors.

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c. Review and train staff on appropriate identification procedures (see example below):

Identification of the At-Risk Student

Note: A more detailed procedure may be developed with the aid of the resources in 2.b., above.

1) 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.

2) The social worker/counselor or Building Principal will meet with the student.

3) The social worker/counselor will call the student's parent(s)/guardian(s) and arrange a meeting. 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).

4) 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). A student should never be left alone if an employee reasonably believes the student is in imminent risk of suicide. An employee should immediately contact the student's parent(s)/guardian(s).

3. Methods of Intervention; Emotional or Mental Health Safety Plans for At-Risk Students, including those students who suffer from a mental health disorder; suffer from a substance abuse disorder; engage in self-harm or have previously attempted suicide; reside in an out-of-home placement; are experiencing homelessness; are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); are bereaved by suicide; or have a medical condition or certain types of disabilities. 105 ILCS 5/2-3.166(c)(4), amended by P.A. 102-267.

a. Review policies 6:65, *Student Social and Emotional Development*, incorporating student social and emotional development into the District's educational program as required by the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b); policy 6:270, *Guidance and Counseling Program*, requiring the District to have guidance counseling available to implement the protocols directed in 7:250, *Student Support Services;* and administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, requiring protocols for responding to students with social, emotional, or mental health needs that impact learning ability as required by the Children's Mental Health Act, 405 ILCS 49/, amended by P.A. 102-899, eff. 1-1-23.

b. Train staff pursuant to 105 ILCS 5/10-22.24b, which allows school counseling services to be used for suicide issues and intervention.

c. Assess incorporating information from the following resources:

Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Intervention - Procedure: Responding to a Student Displaying Warning Signs or Student Suicide Attempt, pp. 27-29, and *Guidelines: Modifying Intervention Protocols - Crafting a Protocol for Helping Students at Risk*, pp. 30-31, at: www.isbe.net/Pages/Suicide-Prevention.aspx.

SAMHSA Toolkit at: www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669.

Chapter 2: Protocols for Helping Students at Risk of Suicide, pp. 57-66 and Tools 2.A-2.B.2, pp. 68-72.

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Chapter 6: Student Programs including Tools, pp. 139-156.

Resources: Getting Started, pp. 177-182; Staff Education and Training, pp. 186-192; and Student Education and Skill-Building, pp. 194-204.

Illinois Suicide Prevention Strategic Plan at:

www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.

Cyberbullying Research Center, available at:

https://cyberbullying.org/.

U.S. School Safety Clearinghouse website at:

www.schoolsafety.gov/, discussed in f/n 1, para. 3 of policy 4:170, *Safety*.

4. Methods of Responding to a Suicide Attempt (105 ILCS 5/2-3.166(c)(5)).

   a. Review policies listed above in number 3.a.

   b. Assess incorporating information from the following resources:

      Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Guidelines: Modifying Intervention Protocols - Crafting a Protocol for Helping Students at Risk, pp. 30-31, and *Module 3: Postvention, Procedure: Responding to a Completed Student Suicide*, pp. 36-39, at: www.isbe.net/Pages/Suicide-Prevention.aspx.

      SAMHSA Toolkit at: www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669.

      Chapter 3: After a Suicide including Tools, pp. 92-109. (some material adaptable to a suicide attempt)

      Resources: Crisis Response Postvention, pp. 182-185.

      After a Suicide: A Toolkit for Schools (ISBE Toolkit) at: www.sprc.org/sites/default/files/migrate/library/AfteraSuicideToolkitforSchools.pdf. (some material adaptable to a suicide attempt)

5. Reporting Procedures (105 ILCS 5/2-3.166(c)(6)).

   a. Review policy 6:270, *Guidance and Counseling Program*, providing a counseling program that the Superintendent may designate as responsible for development of the District's depression awareness and suicide prevention program procedures; policy 7:250, *Student Support Services*, identifying District support services that will be ultimately responsible for properly implementing the reporting procedures; and administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, establishing Student Support Committees for purposes of identifying, preventing and referring for services students with mental health needs.

   b. Assess incorporating information from the following resources:

      Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Guidelines: Modifying Intervention Protocols - Crafting a Procedure for Students Exhibiting Warning Signs and for a Student Suicide, pp. 31-34, at: www.isbe.net/Pages/Suicide-Prevention.aspx.

      SAMHSA Toolkit at: www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669.

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Chapter 2: Protocols for Helping Students at Risk of Suicide: Tools 2.B.3-6 (pp. 70-72), 2.C (p. 79) and 2.D (pp. 70-81).

c. Review appropriate identification procedures (see example below):

Documentation Regarding the At-Risk Student

Note: A more detailed procedure may be developed with the aid of the resources in 5.b., above.

1) District employees shall take notes on any conversations that involve or relate to the at-risk student. The notes shall become a part of a written report to the Building Principal.

2) Conversations that involve or relate to the at-risk student shall be confirmed in writing with the other party(s).

3) The Superintendent shall receive a copy of all reports and documentation regarding the at-risk student.

4) The social worker/counselor shall prepare a report of the situation for the student's records.

d. Provide training for staff regarding identification procedures that the District will implement.

6. Resources and Contact Information (105 ILCS 5/2-3.166(c)(7)).

a. Illinois suicide prevention organizations and State contacts at: www.sprc.org/states/illinois:

Jennifer L. Martin, Injury Prevention Coordinator (at time of publication)
535 West Jefferson, 2nd Floor
Springfield, IL 62761
Jennifer.L.Martin@illinois.gov
(217) 558-4081

Steve Moore, J.D., Co-Chair, Illinois Suicide Prevention Alliance Board member (at time of publication)
Smoore200400@yahoo.com
(312) 391-8056

b. Primary implementation resources for 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*:

Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, at: www.isbe.net/Pages/Suicide-Prevention.aspx.

SAMHSA Toolkit: Chapter 1: Getting Started; Tools 1.I and 1.J., pp. 52-53.

Resources: Screening Program, p. 205; and National Organization and Federal Agencies with Resource and Information on Adolescent Suicide Prevention, pp. 206-208.

ISBE *Toolkit* at:
www.sprc.org/sites/default/files/migrate/library/AfteraSuicideToolkitforSchools.pdf.

ISBE *Suicide Prevention* at: www.isbe.net/Pages/Suicide-Prevention.aspx.

ISBE recommended guidelines and educational materials for training and professional development and ISBE-recommended resources containing age-appropriate educational materials on youth suicide and awareness, if available on ISBE's website pursuant to Ann Marie's Law (105 ILCS 5/2-3.166(b)(2)(B)).

Illinois Suicide Prevention Strategic Plan at:

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www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.

c. Other available resources:

American Foundation for Suicide Prevention, Illinois Chapter at: www.afsp.org/chapter/afsp-illinois/.

The Ill. Department of Human Services is required by 20 ILCS 1705/76 to develop an online database of mental health resources geared toward school counselors, parents, and teachers at: www.dhs.state.il.us/page.aspx?item=29751.

National Suicide Prevention Lifeline at: www.suicidepreventionlifeline.org/.

Sexual Orientation, Gender Identity and Youth Suicide at: www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.html#resources.

The Suicide Prevention Resource Center (SPRC) (www.sprc.org/) has an Illinois-specific site at: www.sprc.org/states/illinois.

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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 registered 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/guardian 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 parents/guardians 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 parents/guardians 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), 7:20 (Harassment of Students Prohibited), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:305 (Student Athlete Concussions and Head Injuries), 7:340 (Student Records)

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Students

Exhibit - Agreement to Participate

On District letterhead

Each student and his or her parent/guardian must read and sign this *Agreement to Participate* each year before being allowed to participate in interscholastic athletics or intramural athletics. The completed *Agreement* should be returned to the Coach.

Student Name (*printed*)

1. I wish to participate in the interscholastic athletics or intramural athletics that are circled: baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, ice hockey, lacrosse, marching band, rugby, soccer, skating, softball, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, wrestling, other (identify sports) _____. (Another *Agreement* must be signed if the student later decides to participate in a sport not circled above).

2. I acknowledge reading the eligibility rules of any group or association sponsoring any athletic activity in which I want to participate, and I agree to abide by them.

3. Before I am allowed to participate, I must: (a) provide the School District with a certificate of physical fitness (the ***Pre-Participation Physical Examination Form*** from the Illinois High School Association (IHSA), Illinois Elementary School Association (IESA), or Southern Illinois Junior High School Athletic Association (SIJHSAA) serves this purpose), (b) show proof of accident insurance coverage, and (c) complete all forms required by any association sponsoring the interscholastic athletic activity, including when applicable and without limitation, ***IHSA Sports Medicine Acknowledgment & Consent Form, Acknowledgement and Consent***.

4. I agree to abide by all conduct rules and will behave in a sportsmanlike manner. I agree to follow the coaches' instructions, playing techniques, and training schedule as well as all safety rules.

5. I understand that Board policy 7:305, *Student Athlete Concussions and Head Injuries*, requires, among other things, that a student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion or head injury must be removed from practice or competition at that time and that the student will not be allowed to return to play or practice until he or she has successfully completed return-to-play and return-to-learn protocols, including having been cleared to return by the treating physician licensed to practice medicine in all its branches, physician assistant, treating advanced practice registered nurse, or a certified athletic trainer working under the supervision of a physician.

6. I am aware that with participation in sports comes the risk of injury, and I understand that the degree of danger and seriousness of risk vary significantly from one sport to another with contact sports carrying the highest risk. I am aware that participating in sports involves travel with the team. I acknowledge and accept the risks inherent in the sport(s) or athletics in which I will be participating and in all travel involved.

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Student Signature, if under age 18 **Date**

To be read and signed by the parent/guardian of the student and the student, if 18 years or older:

1. [*circle which applies*] **I give permission for my child/I agree** to participate in the interscholastic sport(s) or intramural athletics indicated. I have read the above *Agreement to Participate* and understand its terms.
2. I understand that all sports can involve many risks of injury, and I understand that the degree of danger and seriousness of risk vary significantly from one sport to another with contact sports carrying the higher risk. I am aware that participating in sports involves travel with the team. In consideration of the School District permitting my child/me to participate, I agree to hold the Board, its members, employees, agents, coaches, and volunteers harmless from any and all liability, actions, claims or demands of any kind and nature whatsoever that may arise by or in connection with my/my child's participation in the sport(s) or athletics. I assume all responsibility and certify that my child is/I am in good physical health and is capable of participation in the above indicated sport or athletics.

Parent/Guardian Signature **Date**

Student Signature, if 18 years or older **Date**

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Emergency Contact Information

Name: _____ Relationship to student: _____

Day phone number: _____ Evening phone number: _____

Cell phone number: _____ Other: _____

Name: _____ Relationship to student: _____

Day phone number: _____ Evening phone number: _____

Cell phone number: _____ Other: _____

Name: _____ Relationship to student: _____

Day phone number: _____ Evening phone number: _____

Cell phone number: _____ Other: _____

Name: _____ Relationship to student: _____

Day phone number: _____ Evening phone number: _____

Cell phone number: _____ Other: _____

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Students

Exhibit - Certificate of Physical Fitness for Participation in Athletics

To be submitted to the Building Principal. (please print)

Student	Sport/Activity
Parent/Guardian	Home phone
Home address	Cell phone
Emergency contact *(relationship to student)*	Contact phone
Physician	Physician phone

Medical History: Date of Birth:__ Height:_____ Weight:_____

☐ Heart condition ☐ Diabetes ☐ Asthma: ☐ Requires child to self-administer medication
☐ Epilepsy ☐ Allergies: ☐ Requires student to carry EpiPen®
☐ Other_____

List all medications *(prescribed and over the counter)*

Injuries *(brief description and dates)*

Surgeries *(brief description and dates)*

Physical activity restrictions *(brief description and duration)*

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I certify that:

1. My child is in good health and is capable of participating in the above sport or activity. No need exists to limit my child's participation. I assume full responsibility for my child's physical condition and participation, and will notify you of any changes.
2. I have completed and submitted the *Authorization for Medical Treatment* form allowing the school to seek medical treatment for my child in the event of a medical emergency when reasonable attempts to contact me are unsuccessful.
3. If my child requires or may need medication while participating in athletics, I have completed and submitted the *School Medication Authorization Form*.

Parent/Guardian signature

Date

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Students

Exhibit - Authorization for Medical Treatment

To be submitted to the Superintendent. (please print)

Student	Sport/Activity
Parent/Guardian	Home phone
Home address	Cell phone
Physician	Physician phone

Medical Information: *(list allergies, medications, conditions and any known restrictions)*

In the event of a medical emergency and if reasonable attempts to contact me using the telephone numbers listed above are unsuccessful:

I, as parent or legal guardian of the above student, do hereby authorize treatment by a licensed medical physician of my child in the event of a medical emergency that, in the opinion of the attending physician, may endanger his/her life, cause disfigurement, physical impairment, or undue discomfort if delayed. I understand that transfer of my child to any hospital reasonably accessible will be at my expense.

Parent/Guardian Signature	Date

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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 (YSCSA), that provides, without limitation, each of the following:
    a. The Board must appoint or approve member(s) 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 YSCSA: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses, licensed healthcare professionals or non-licensed healthcare professionals who serve on the Concussion Oversight Team (whether or not they serve on a volunteer basis); 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.

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2. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association (IHSA), including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussions, 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, advanced practice registered nurse, physician assistant 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 IHSA video about concussions.
5. Inform student athletes and their parent(s)/guardian(s) 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 parent(s)/guardian(s) with educational materials from the IHSA 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 staff members to distribute the Ill. Dept. of Public Health concussion brochure to any student or the parent/guardian of a student who may have sustained a concussion, regardless of whether or not the concussion occurred while the student was participating in an interscholastic athletic activity, if available.

[For high school districts that belong to the IHSA and have certified athletic trainers.]

9. Include a requirement for certified athletic trainers to complete and submit a monthly report to the IHSA 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.

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LEGAL REF.: 105 ILCS 5/22-80.
105 ILCS 25/1.15, Interscholastic Athletic Organization Act.
20 ILCS 2310/2310-307, Civil Administrative Code of Illinois.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 7:300 (Extracurricular Athletics)

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Students

Administrative Procedure - Program for Managing Student Athlete Concussions and Head Injuries

State Law

10. The Youth Sports Concussion Safety Act (YSCSA) contains concussion safety directives for School Boards and certain identified staff members. 105 ILCS 5/22-80. A School District must implement 105 ILCS 5/22-80 if it offers interscholastic athletic activities or interscholastic athletics under the direction of a coach (volunteer or school employee), athletic director, or band leader. An *interscholastic athletic activity* "means any organized school-sponsored or school-sanctioned activity for students, generally outside of school instructional hours, under the direction of a coach, athletic director, or band leader, including, but not limited to, baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, ice hockey, lacrosse, marching band, rugby, soccer, skating, softball, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be interscholastic activities." 105 ILCS 5/22-80(b).
    A School District may need to implement its return-to-learn protocol for a student's return to the classroom after he or she is believed to have experienced a concussion, "whether or not the concussion took place while the student was participating in an interscholastic activity." 105 ILCS 5/22-80(d). For a comprehensive discussion of this Act, see the IASB publication, *Checklist for Youth Sports Concussion Safety Act*, at: www.iasb.com/iasb/media/documents/checklistconcussionsafetyact.pdf. Helpful guidance for implementing this law plus training modules are available from the Lurie Children's Hospital's *A Guide for Teachers and School Professionals*, also available using the above link.
11. 105 ILCS 25/1.15 requires: (a) all high school coaching personnel to complete online concussion awareness training, and (b) all student athletes to view the IHSA video about concussions.
12. 105 ILCS 25/1.20, requires the IHSA to require all member districts that have certified athletic trainers to have those trainers complete and submit a monthly report 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. **Concussion** - A complex pathophysiological process affecting the brain caused by a traumatic physical force or impact to the head or body, which may include temporary or prolonged altered brain function resulting in physical, cognitive, or emotional symptoms or altered sleep patterns and which may or may not involve a loss of consciousness. 105 ILCS 5/22-80. See also: *Returning to School After a Concussion: A Fact Sheet for School Professionals*, www.cdc.gov/headsup/pdfs/schools/tbi_returning_to_school-a.pdf.
13. 20 ILCS 2310/2310-207 requires: (a) the Ill. Dept. of Public Health (IDPH), subject to appropriation, to develop, publish, and disseminate a brochure to educate the general public on the effects of concussions in children and discuss how to look for concussion warning signs in children, and (b) schools to distribute this brochure, free of charge, to any child or parent/guardian of a child who may have sustained a concussion, regardless of whether or not the concussion occurred while the child was participating in an interscholastic athletic activity, if available. The IDPH has adopted as its brochure the CDC's *Heads Up* campaign brochures which include concussion fact sheets for athletes, parents, coaches, and school professionals, see https://dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/concussion.html.

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Actor	Action
School Board	Adopt a Board policy on concussions. See policy 7:305, *Student Athlete Concussions and Head Injuries*. Approve members of the Concussion Oversight Team. 105 ILCS 5/22-80(d). Approve school-specific emergency action plan(s) for interscholastic athletic activities to address serious injuries and acute medical conditions that may cause a student's condition to deteriorate rapidly. 105 ILCS 5/22-80(i). Monitor the effectiveness of Board policy 7:305, *Student Athlete Concussions and Head Injuries*, by discussing with the Superintendent or designee the type of data the Board needs to monitor the policy, establishing a monitoring calendar, and reviewing the data provided by the Superintendent or designee.
Superintendent or designee	Identify individuals to serve on the Concussion Oversight Team; request Board approval. 105 ILCS 5/22-80(d). A physician, to the extent possible, must be on the Team. If the school employs an athletic trainer and/or nurse, he or she must be on the Team to the extent practicable. The Team must include, at a minimum, one person who is responsible for implementing and complying with the return-to-play and return-to-learn protocols adopted by the Team. Other licensed health care professionals may be appointed to serve on the Team. The Team may be composed of only one person who need not be a licensed healthcare professional, but may not be a coach. **Note**: As this is administrative/staff work rather than governance work, the best practice is to have the Concussion Oversight Team be an *administrative* committee, but consult the Board Attorney for guidance. If it is a Board committee, it must comply with the Open Meetings Act, 5 ILCS 120/1.02. For a discussion of the Open Meetings Act's treatment of committees, see the footnotes in Board policy 2:150, *Committees*. Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain an online concussion certification in accordance with 105 ILCS 25/1.15. Coaching personnel and athletic directors hired on or after 8-19-14 must be certified before their position's starting date. Require that the following individuals complete concussion training as specified in the YSCSA: coaches or assistant coaches (whether volunteer or a District employee) of interscholastic athletic activities; nurses, physicians, other licensed health professionals and non-licensed health care professionals who serve on the Concussion Oversight Team; athletic trainers; and game officials of interscholastic athletic activities. 105 ILCS 5/22-80(h). Individuals covered by this training mandate must initially have

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Actor	Action
	completed the training prior to serving on the Concussion Oversight Team and at least once every two years (or if not on the Team, at least once every two years). See the footnotes in policies 5:100, *Staff Development Program*, and 7:305, *Student Athlete Concussions and Head Injuries*. Identify the staff members who are responsible for student athletes, including Building Principals, and require that they comply with IHSA concussion protocols, policies, and by-laws, including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussions*, at: www.ihsa.org/documents/sportsmedicine/ihsa_protocols_for_nfhs_concussion_playing_rule.pdf. Along with the Building Principal(s), develop and maintain school-specific emergency action plan(s) for interscholastic athletic activities to address serious injuries and acute medical conditions that may cause a student's condition to deteriorate rapidly; present it/them to the Board for approval. 105 ILCS 22-80(i). Hold the staff members responsible for implementing this procedure.
Concussion Oversight Team	Establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention (CDC). 105 ILCS 5/22-80(d). See www.cdc.gov/headsup/index.html. 14. A *return-to-play protocol* governing a student's return to interscholastic athletic practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee (not a coach) must supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol. 105 ILCS 5/22-80(g). The student's treating physician or an athletic trainer working under a physician's supervision must evaluate and find that it is safe for the student to return to play. The student's parent/guardian must sign a consent form that complies with statutory prerequisites. IHSA's website contains a form for this, *Post-concussion Consent Form (RTP/RTL)*, at: http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources. It is an open question whether the return-to-play protocol is limited to when the concussion occurred during an interscholastic athletic activity, because the statute does not state "whether or not the concussion took place while the student was participating in an interscholastic athletic activity." It makes sense, however, to apply the return-to-play protocol whenever a student suffers a concussion before allowing him or her to participate in an interscholastic

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Actor	Action
	athletic activity. 15. 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 (not a coach) must supervise the person responsible for compliance with the return-to-learn protocol. 105 ILCS 5/22-80(g). The return-to-learn protocol governs a student's return to the classroom after a concussion, whether or not the concussion took place while the student was participating in an interscholastic athletic activity. Guidance from Lurie Children's Hospital explains that recovery from a concussion must be an individualized process, because no two concussions are the same. See *Return to Learn after a Concussion: A Guide for Teachers and School Professionals*, Lurie Children's Hospital, at: www.luriechildrens.org/globalassets/media/pages/specialties--conditions/programs/concussion-program/documents/lurie-return-to-learn-guide-2017-updated.pdf. This Guide explains that a student's full recovery depends on both cognitive and physical rest. It suggests using a multidisciplinary team to facilitate a student's return to the classroom and provides examples of accommodations and interventions. It also stresses the importance of identifying a school staff member who will function as a case manager or concussion management leader, e.g., a school nurse, athletic trainer, or school counselor.
Building Principals or designees	Along with the Superintendent, develop and maintain school-specific *emergency action plan(s) (EAP)* for interscholastic athletic activities to address serious injuries and acute medical conditions that may cause a student's condition to deteriorate rapidly; present the plan(s) to the Superintendent who will present it/them to the Board for approval. 105 ILCS 22-80(i). A template is available on the IHSA website under Emergency Action Plan (EAP) Resources, at: http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources. Ensure the EAP is distributed to all appropriate personnel and conspicuously posted at all venues utilized by the school. Id. at (4) & (5). Ensure the EAP is reviewed annually by all athletic trainers, first responders (including, but not limited to, emergency medical dispatchers), coaches, school nurses, athletic directors and volunteers for interscholastic athletic activities. Id. at (6), amended by P.A. 102-1006. Require coaches and assistant coaches, trainers, and other staff

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Actor	Action
	members who are responsible for student athletes to: 16. Review and abide by the IHSA protocols, polices, and by-laws regarding concussions and head injuries, at: www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Stakeholder-Responibilities. 17. Provide information to student athletes and their parents/guardians each school year about concussions and otherwise perform all duties identified by law or described in this procedure. School districts must include information about concussions in the student athlete agreement, contract, code, or written instrument that a student athlete and his or her parent/guardian are required to sign before participating in a practice or interscholastic competition. IHSA drafted a sample *Concussion Information Sheet*, which is included within the *IHSA Sports Medicine Acknowledgement & Consent Form* at: http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources. It has been incorporated into 7:300-E1, *Agreement to Participate*. 18. Distribute the IDPH concussion brochure, if available, to any student or the parent/guardian of a student who may have sustained a concussion, regardless of whether or not the concussion occurred while the student was participating in an interscholastic athletic activity. 20 ILCS 2310/2310-307. The IDPH has adopted as its brochure the CDC's *Heads Up* campaign brochures which include concussion fact sheets for athletes, parents, coaches, and school professionals, see https://dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/concussion.html. Maintain appropriate school student records for student athletes. Although a *concussion policy acknowledgment* is no longer required, an ISBE rule defines *health-related information* to include a *concussion policy acknowledgment*. 23 Ill. Admin. Code §375.10. The acknowledgment must be kept with the student's school student records as a temporary record. 23 Ill. Admin. Code §375.40. All written information concerning an injury to a student athlete, including without limitation, a return-to-play clearance, must be kept with the student's school student records as a temporary record. 23 Ill. Admin. Code §§375.10 and 375.40. An ISBE rule defines *health-related information* to include "other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports." 23 Ill. Admin. Code §375.10.

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Actor	Action
Each student participant in an interscholastic athletic activity and his or her parent/guardian	Each school year, sign a concussion information receipt form before participating in an interscholastic athletic activity. 105 ILCS 5/22-80(e). *Interscholastic athletic activity* is defined on the first page of this procedure. 105 ILCS 5/22-80(b). The form must be approved by IHSA. See http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources, for IHSA Concussion Protocols and IHSA Sports Medicine Acknowledgement & Consent Form. Annually view IHSA's video about concussions (applicable to only high school student athletes). 105 ILCS 25/1.15(e). Become knowledgeable about the concussion symptoms and ask questions of any athletic staff member. Inform the coach or other supervisor about any trauma to the student's head and/or any symptoms of a concussion or confirmed concussion regardless of where and when it occurred. Follow the District's return-to-play and/or return-to-learn protocol(s), as applicable, whenever the student suffers a concussion.
Coaches or Assistant Coaches (whether volunteer or a District employee) of *interscholastic athletic activities*; Nurses and Physicians who serve on the Concussion Oversight Team; Athletic Trainers; and Game Officials of *interscholastic athletic activities*	Complete concussion training as specified in the YSCSA. 105 ILCS 5/22-80(h). *Interscholastic athletic activity* is defined on the first page of this procedure. 105 ILCS 5/22-80(b). Individuals covered by this training mandate must complete the training prior to serving on the Concussion Oversight Team and at least once every two years (or if not on the Team, at least once every two years). See the footnotes in policy 5:100, *Staff Development Program*. Complete IHSA's online concussion certification program (required only of high school coaching personnel including, without limitation, athletic directors). 105 ILCS 25/1.15. Learn concussion symptoms and danger signs. See http://ihsa.org/documents/sportsMedicine/current/Sports%20Medicine%20Consent%20and%20Acknowledgement.pdf and www.cdc.gov/headsup/youthsports/officials.html.
Coaches and Assistant Coaches of *interscholastic athletic activities* Athletic Trainers Other staff members who are responsible for student athletes	Each school year, have student athletes and their parents/guardians, or another person with legal authority to make medical decisions for the student, sign a form "that acknowledges receiving and reading written information that explains concussion prevention, symptoms, treatment, and oversight and that includes guidelines for safely resuming participation in an athletic activity following a concussion." The form must be approved by IHSA. 105 ILCS 5/22-80(e). Each school year, inform student athletes and their parents/guardians

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Actor	Action
	about concussions and head injuries by: 19. Giving them a copy of the IHSA's *Concussion Information Sheet* at the time they sign exhibit 7:300-E1, *Agreement to Participate*, or other agreement, contract, code, or written instrument that a student athlete and his or her parent/guardian are required to sign before the student is allowed to participate in a practice or interscholastic competition. *The Concussion Information Sheet*, is included within the ***IHSA Sports Medicine Acknowledgement & Consent Form at***: www.ihsa.org/Resources/DownloadCenter.aspx. 20. Using educational material provided by IHSA to educate student athletes and parents/guardians about the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury. See www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources. The CDC offers free printed educational materials on concussions that can be ordered or downloaded and distributed to parents, students, and coaches. See www.cdc.gov/headsup/index.html. Each school year, participate in the review of the EAP, as directed by the Building Principal or designee. Remove a student 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. 105 ILCS 5/22-80(f). Comply with the IHSA concussion management guidelines, including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussion*, which includes its *Return to Play (RTP) Policy*, at: www.ihsa.org/documents/sportsmedicine/ihsa_protocols_for_nfhs_concussion_playing_rule.pdf. These guidelines, in summary, require that: 21. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion (e.g., loss of consciousness, headache, dizziness, confusion, or balance problems) in a practice or game shall be removed from participation or competition at that time. 22. 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. 23. If not cleared to return to that contest, a student athlete may

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Actor	Action
	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, advanced practice registered nurse, physician assistant or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois, and has completed the return-to-play protocol in compliance with the YSCSA, 105 ILCS 5/22-80(g). Inform the student athlete's parent/guardian about a possible concussion and give the parent/guardian a fact sheet on concussion, at: www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources. Allow a student who was removed from interscholastic athletic practice or competition to return only after all statutory prerequisites are completed, including without limitation, completing 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. 105 ILCS 5/22-80(g). Most students with a concussion will not need a formal 504 plan or individualized education program; contact the Board Attorney whenever one is requested or the student's symptoms are prolonged.
Athletic trainers [*high school only*]	Complete a monthly report 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. Do not identify student names in the monthly report. 105 ILCS 25/1.20. Submit this monthly report to the interscholastic athletic organization to which the school belongs.

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Students

Restrictions on Publications; Elementary Schools

[*For elementary or unit districts only*]

School-Sponsored Publications and Web Sites

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 Accessed or Distributed On-Campus

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, digital files flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, digital files, 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., text or voice messages delivered by cell phones, tablets, and other hand-held devices).

Creating, distributing, and/or accessing non-school sponsored publications 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 publication is endorsed by the School District.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. 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. Is socially inappropriate or inappropriate due to maturity level of the students, 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;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.

Accessing or distributing *on-campus* 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

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or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

Non-School Sponsored Publications Accessed or Distributed Off-Campus

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

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, 484 U.S. 260 (1988).
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

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Students

Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools

A student or group of students seeking to distribute more than 10 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/or 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

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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.: Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988).
Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

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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 (Student Activity and Fiduciary Funds), 4:120 (Food Services), 8:80 (Gifts to the District), 8:90 (Parent Organizations and Booster Clubs)

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Students

Exhibit - Application and Procedures to Involve Students in Fundraising Activities

To be submitted to the Building Principal

Organization Name _____ School _____

Activity _____ Activity Dates _____

This application must be approved before involving students in a fundraising activity. Only the following organizations are permitted to involve students in fundraising activities while they are on school grounds during school hours or during any school activity: *(check at least one box)*

☐ School-sponsored student organization; **or**

☐ Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs.*

Describe how students will be involved in the fundraising activity, including whether they will be asked to buy or sell items:

_____

Will the proposed activity involve selling food or beverage items to students on campus during the school day?

☐ Yes - An approval may be contingent on the availability of an *exempted fundraising day*; please attach an exact description of what you propose to sell including the nutritional analysis.

☐ No - Food and beverage items will not be sold to students on campus during the school day.

Fundraising efforts must not conflict with instructional activities or programs. Sales booths during a school activity or lunch are permissible.

What, if any, activity will be done while students are on school premises?

_____

Student participation must be voluntary. Penalties for failure to participate are prohibited.

Describe student incentives for participation: _____

Fundraising efforts should not burden students, their families, citizens, or merchants by being too frequent.

When and what was the last fundraising activity done by this organization or club?

_____

Local ordinances must be followed, merchants must approve of any activities on their property, and students must conduct themselves as ambassadors for their School.

How will students be informed? _____

Student safety must be paramount.

How will students be kept safe if fundraising activities occur away from school?

_____

☐ Not applicable - all student involvement occurs at school.

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Sales or service campaigns to raise money should offer appropriate merchandise or services.
Describe the merchandise or services students will be asked to sell or perform:

_____

For school-sponsored student organizations, a school staff member must supervise the fundraising activities in addition to any other adult volunteers.
List all of the adult sponsors, including staff members and non-staff adult volunteers:

_____

☐ Not applicable - activity is not being proposed by a school-sponsored student organization.

For school-sponsored student organizations, the student activity funds treasurer must safeguard the financial accounts.

Is this agreeable? ☐ Yes ☐ No
☐ Not applicable - activity is not being proposed by a school-sponsored student organization.

Parent organizations and booster clubs are governed by School 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 parent organization or booster club.

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.

Describe how funds raised through the proposed activity will be used:

_____

If the activity will help fund a trip or overnight excursion, describe the travel plans:

_____

The funds must be used to the maximum extent possible for the designated purpose.
Is this agreeable? ☐ Yes ☐ No

Fundraising efforts that solicit donor messages for placement on school property must follow the District's viewpoint neutral guidelines for the creation of messages.

Is this agreeable? ☐ Yes ☐ No
☐ Not applicable - activity being proposed will not solicit donor messages.

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*)	Telephone number
Address	Email address
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

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Students

Student Use of Buildings - Equal Access

[For high school and unit districts]

Student groups or clubs that are not school sponsored are granted free use of school premises for a meeting or series of meetings under the following conditions:

1. The meeting is held during those non-instructional times identified by the Superintendent or designee for non-curricular student groups, clubs, or organizations to meet. *Non-instructional time* means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. *Non-curricular student groups* are those student groups, clubs, or organizations that do not directly relate to the curriculum.
2. All non-curriculum related student groups that are not District sponsored receive substantially the same treatment.
3. The meeting is student-initiated, meaning that the request is made by a student.
4. Attendance at the meeting is voluntary.
5. The school will not sponsor the meeting.
6. School employees are present at religious meetings only in a non-participatory capacity.
7. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings.
9. The school retains its authority to maintain order and discipline.
10. A school staff member or other responsible adult is present in a supervisory capacity.
11. The Superintendent or designee approves the meeting or series of meetings.

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.: 20 U.S.C. §4071 et seq., Equal Access Act.
Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990).
Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

CROSS REF.: 7:10 (Equal Educational Opportunities), 8:20 (Community Use of School Facilities)

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Students

Exhibit - Application for Student Groups that Are Not School Sponsored to Request Free Use of School Premises for Meetings

[*For high school and unit districts*]

A student must complete this form to request the free use of school premises for a meeting of a student group that is not school-sponsored. Only one student needs to complete the application. Submit the completed application to the Building Principal at least one week before the first meeting. When a copy of this form is returned to the student with the necessary approval signature, the group may use the designated school premises, at the identified time, for its meetings.

Student applicant	Student contact number
Student group	Requested premise
Program/Meeting	Program/Activity date(s) and time(s)

Materials to be brought into facility, if any

The following rules apply to the free use of school premises by non-school-sponsored student groups:

1. The meeting(s) must be student-initiated, meaning that a request to use school premises is being made by a student.
2. The meeting(s) must occur during non-instructional time identified by the Building Principal. This time is typically before classroom instruction begins or after it ends.
3. In scheduling the use of school premises, activities associated with the District's 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 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.
5. Before any meeting, a member of the non-school-sponsored student group must give the office the names of anyone attending the meeting who is neither a student nor a school staff member. All visitors must register at the school office before proceeding to any scheduled student meeting. Non-school individuals may not regularly attend meetings. Any visitors to school property are also expected to follow Board policy 8:30, *Visitors to and Conduct on School Property*.

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6. The following mediums are available on request to announce group meetings:
    - Office bulletin board containing announcements
    - Public address system
    - Student newspaper
    - School or District website
7. 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.
8. A school staff member or other responsible adult must be present in a supervisory capacity.
9. The Equal Access Act, 20 U.S.C. §4071 et seq., controls the free use of school premises by non-school-sponsored student groups. The use of school facilities by non-school-sponsored groups is governed by Board policy 8:20, *Community Use of School Facilities*.

I agree to follow the rules stated in this application and all Board policies and administrative procedures related to the student group's use of the school's facilities.

_____ _____

Student applicant signature Date

Note to office: after the Building Principal acts on this application, return a copy of it to the student making the request and keep the original in the office.

☐ **Approved** ☐ **Denied**

This non-school-sponsored student group may meet in the following location at the identified times:

_____ _____

Location Time

_____ _____

Building Principal or designee Date

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Students

Student Records

School student records are confidential. 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 at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 18 years who has been arrested or taken into custody.

State and federal law grants students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, certain rights, including the right to inspect, copy, and/or 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 a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child. The District will comply with State or federal law with regard to release of a student's school records, including, where applicable, without notice to, or the consent of, the student's parent/guardian or eligible student. Upon request, the District discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

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, and inform students and their parents/guardians of their rights regarding school student records.

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.

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Before collecting student biometric information, the District shall obtain written permission from the person having legal custody/parental responsibility 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/parental responsibility 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.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
50 ILCS 205/7, Local Records Act.
105 ILCS 5/10-20.12b, 5/10-20.40, and 5/14-1.01 et seq.
105 ILCS 10/, Ill. School Student Records Act.
105 ILCS 85/, Student Online Personal Protection Act.
325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.
750 ILCS 5/602.11, Ill. Marriage and Dissolution of Marriage Act.
23 Ill.Admin.Code Parts 226 and 375.
Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).
Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

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 and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information), 7:340-AP1, E4 (Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information, 7:340-AP1, E5 (Biometric Information Collection Authorization), 7:340-AP2 (Storage and Destruction of School Student Records), 7:340-AP2, E1 (Letter Containing Schedule for Destruction of School Student Records)

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Students

Administrative Procedure - School Student Records

This procedure implements policy 7:340, *Student Records*. It contains a **Table of Contents** and lettered **Sections**.

Table of Contents

A. Legal Citations and Definitions
B. School Student Records Defined
C. Eligible Students Accorded the Rights of Parent/Guardian
D. Official Records Custodians
E. Maintenance of School Student Records
F. Retention and Destruction of School Student Records
G. Social Security Numbers
H. Access to School Student Records
I. Record of Release
J. Orders of Protection
K. Parenting Plans
L. Transmission of Records for Transfer Students
M. Directory Information
N. Student Record Challenges

Sections

A. Legal Citations and Definitions

The legal requirements contained in this procedure are followed by a citation to the controlling rule and/or statute. Citations in parenthesis indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Definitions are found in the Ill. School Student Records Act and the Ill. State Board of Education (ISBE) rules. 105 ILCS 10/2; 23 Ill.Admin.Code §375.10. For easy reference, some definitions are re-printed in this procedure.

The release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, is not included in these procedures but is governed by the Mental Health and Developmental Disabilities Confidentiality Act (MHDDCA). 740 ILCS 110/.

B. School Student Records Defined

School Student Record means any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. 105 ILCS 10/2(d).

Special Education Records means school records that relate to identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.) and Article 14 of the School Code. These records include the report of the multidisciplinary staffing conference on which placement or nonplacement was based and all records and audio recordings in any format relating to special education placement hearings and appeals. 23 Ill.Admin.Code §375.10.

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A school student record does not include any of the following:

1. Writings or other recorded information kept in a school staff member's sole possession that is destroyed not later than the student's graduation or permanent withdrawal, and is not accessible or revealed to any other person except a temporary substitute teacher. 105 ILCS 10/2(d).
2. Information maintained by law enforcement professionals working in the school. 105 ILCS 10/2(d).
3. Video or other electronic recordings created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes, provided the information was created at least in part for law enforcement or security or safety reasons or purposes. This includes, without limitation, electronic recordings made on school buses, as described in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3(m). The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials for disciplinary or special education purposes regarding a particular student. 23 Ill.Admin.Code §375.10. **Note:** For districts and schools that do not have a designated law enforcement unit, consult the Board Attorney regarding designating an employee to serve as the *law enforcement unit* in order to maintain the security camera and determine the appropriate circumstances in which the school would disclose recorded images.
4. Any information, either written or oral, received from law enforcement officials pursuant to 105 ILCS 5/22-20 concerning a student less than the age of 18 years who has been arrested or taken into custody. 23 Ill.Admin.Code §375.10.

C. Eligible Students Accorded the Rights of Parent/Guardian

All rights and privileges concerning school student records that are accorded to parents/guardians become exclusively those of the student when the student reaches 18 years of age, graduates from high school, marries, or enters military service, whichever occurs first. 105 ILCS 10/2(g). Such students are called *eligible students* in this procedure.

D. Official Records Custodians

Each Building Principal is designated the Official Records Custodian for his or her respective school and has the duties, without limitation, listed below.

1. Is responsible for the maintenance, care, and security of all school student records, whether or not the records are in his or her personal custody or control, and shall take all reasonable measures to protect school student records through administrative, technical, and security safeguards against risks, such as unauthorized access, release, or use. 105 ILCS 10/4(a) and (b); 23 Ill.Admin.Code §375.40(g).
2. Reviews student temporary records at least every four years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and to eliminate or correct all out-of-date, misleading, inaccurate, unnecessary, or irrelevant information. The records review is required in any given school year at the time a student first changes attendance centers within the District, but it does not need to be conducted if the student enrolls in a different attendance center later in that same school year. 23 Ill.Admin.Code §375.40(b).

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3. When notified by the Ill. Dept. of Children and Family Services (DCFS), purges DCFS's final finding report from the student's record and returns the report to DCFS. If a school has transferred the report to another school as part of the transfer of the student's records, the sending school shall forward a copy of the DCFS's request to the receiving school. 325 ILCS 5/8.6.
4. Manages requests to access school student records.
5. Transfers a certified copy of the records of students transferring to another school and retains the original records.
6. Provides all required notices to parents/guardians and students, including without limitation, each of the following:
    a. Upon initial enrollment or transfer to the school, notification of rights concerning school student records; the notification may be delivered by any means likely to reach parents, including direct mail or email, delivery by the student to the parent, or incorporation into a student handbook. 23 Ill.Admin.Code §375.30.
    b. Annual notification of information that is considered to be *directory information* and of the procedures to be used by parents/guardians to request that specific information not be released. 23 Ill.Admin.Code §375.80.
    c. Notification to secondary students and their parents/guardians that they may opt out of the disclosure of students' names, addresses, and telephone listings to military recruiters and institutions of higher learning by submitting a written request that such information not be released without the prior written consent of the parent/guardian. 20 U.S.C. §7908.
    d. Notification of their right to a hearing to challenge any entry in the school student records (except for academic grades) and Official Records Custodian's name and contact information. 23 Ill.Admin.Code §375.90.
    e. Upon a student's graduation, transfer, or permanent withdrawal, notification to the parents/guardians, and if the student is in the legal custody of DCFS, DCFS' Office of Education and Transition Services, of the destruction schedule for the student's permanent and temporary school student records and of their right to request a copy. Notice to parents/guardians or the student may be provided through: (1) the school's parent or student handbook, (2) publication in a newspaper published in the District or, if no newspaper is published in the District, in a newspaper of general circulation within the district, (3) U.S. mail delivered to the last known address of the parent/guardian or student, or (4) other means provided notice is confirmed to have been received, e.g., hand delivery, return receipt, or read receipt email. 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199; 23 Ill.Admin.Code §375.40(c).
7. Takes all action necessary to ensure that school personnel are informed of the provisions of the School Student Records Act. 105 ILCS 10/3(c).
8. Performs all actions required of the District described in this procedure and the laws governing school student records.

The Building Principal may delegate any of these duties to an appropriate staff member but shall remain responsible for the duty's execution.

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E. Maintenance of School Student Records 105 ILCS 10/2; 23 Ill.Admin.Code §375.10.

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *student permanent record* shall consist of the following:

1. 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).
2. Evidence required by the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved; as applicable, and if allowed by District policy, scores received on college entrance examinations if that inclusion is requested in writing by an eligible student or the student's parent/guardian; the unique student identifier assigned and used by ISBE's Student Information System (23 Ill.Admin.Code §1.75); as applicable, designation of an Advanced Placement computer science course as a mathematics-based, quantitative course for purposes of meeting State graduation requirements set forth in 105 ILCS 5/27-22, amended by P.A. 101-643; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159 and 23 Ill.Admin.Code Part 680; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy, awarded in accordance with 23 Ill.Admin.Code §680.20(c); and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169 and 23 Ill.Admin.Code §1.443.
4. Attendance record.
5. Health record, defined by ISBE rule as "medical documentation necessary for enrollment and proof of having certain examinations, as may be required under Section 27-8.1 of the [School] Code."
6. Record of release of permanent record information that contains the information listed in Section I, **Record of Release**, below.
7. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5, amended by P.A. 101-643.

If not maintained in the temporary record, the *permanent record* may include:

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

No other information shall be placed in the permanent record.

The *student temporary record* contains all information not required to be kept in the student permanent record and must include:

1. Record of release of temporary record information that contains the information listed in Section I, **Record of Release**, below.
2. Scores received on the State assessment tests administered in the elementary grade levels (kindergarten through grade 8).
3. Completed home language survey. 23 Ill.Admin.Code §228.15(d).
4. Information regarding serious disciplinary infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction.

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5. Any final finding report received from DCFS provided to the school under the Abused and Neglected Child Reporting Act; no report other than what is required under Section 8.6 of that Act (325 ILCS 5/8.6) shall be placed in the student record. 23 Ill.Admin.Code §375.40(f).
6. Any biometric information that is collected in accordance with 105 ILCS 5/10-20.40.
7. Health-related information, defined by ISBE rule as "current documentation of a student's health information, not otherwise governed by the MHDDCA or other privacy laws, that includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs, e.g., glucose readings, long-term medications administered during school hours, documentation regarding a student athlete's and his or her parents' acknowledgment of the District's concussion policy adopted under Section 22-80 of the [School] Code, and other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports."
8. Accident report, defined by ISBE rule as "documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or if the school nurse has referred the student for a medical evaluation, regardless of whether the parent or guardian, student (if 18 years or older), or an unaccompanied youth has followed through on that request."
9. Any documentation of a student's transfer, including records indicating the school or school district to which the student transferred. 23 Ill.Admin.Code §375.75(e).
10. Completed course substitution form for any student who, when under the age of 18, is enrolled in vocational and technical course as a substitute for a high school or graduation requirement. 105 ILCS 10/4; 23 Ill.Admin.Code §1.445.
11. Information contained in related service logs maintained by the District for a student with an individualized education program under 105 ILCS 5/14-8.02f(d), amended by P.A. 101-643, including for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.

The *temporary record* may also consist of:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews
5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information

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10. Special education records
11. Records associated with plans developed under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §701 et seq.)
12. Verified reports or information from non-educational persons, agencies, or organizations of clear relevance to the student's education

F. Retention and Destruction of School Student Records

The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. 105 ILCS 10/4(e). The temporary record is maintained for at least five years after the student transfers, graduates, or permanently withdraws. 105 ILCS 10/4(f). Individuals adding information to a student's temporary record must include their name, signature, and position and the date the information was added. 105 ILCS 10/4(d). Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after five years, be transferred to the parent(s)/guardian(s) or to the eligible student. Appropriate District personnel shall explain to the student and the parent/guardian the future usefulness of these records. 23 Ill.Admin.Code §375.40(d). Be sure to provide notice of destruction of school student records pursuant to 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199, as noted in D(6)(e), above.

G. Social Security Numbers

School officials, with limited exceptions, may not require students or their parents/guardians to provide social security numbers. 5 ILCS 179/, Identity Protection Act. The collection and retention of social security numbers shall be in accordance with Board policy 4:15, *Identity Protection*.

H. Access to School Student Records

1. The phrase "access to a school student record" means any release or disclosure of information from a student's school record, whether or not any record is copied. Access in all cases is limited to the designated portion of the record to which the consent or statutory authority applies.

2. Neither the District nor any of its employees shall release, disclose, or grant access to information found in any school student record except under the conditions set forth in the Ill. School Student Records Act. 105 ILCS 10/6. Absent a court order, school officials do not provide educational records to the Immigration Customs Enforcement.

The Building Principal shall grant access to school student records as detailed below. The Building Principal shall consult with the Superintendent and, if authorized, the Board Attorney concerning any questions.

3. Access to Parent/Guardian, Eligible Student, or DCFS

1. A student's parent(s)/guardian(s) or eligible student, or designee, or DCFS' Office of Education and Transition Services, when a student is in the legal custody of DCFS, are entitled to inspect and copy information in the student's school record; a student less than 18 years old may inspect or copy information in his or her permanent school record. 105 ILCS 10/5. A request to inspect or copy school student records shall be made in writing and directed to the Building Principal. Access to the records shall be granted within 10 business days after the receipt of such a request. 105 ILCS 10/5(c). The District may extend this timeline by up to five additional business days if one or more of these six reasons applies:

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a. The requested records are stored in whole or in part at other locations than the office having charge of the requested records;

b. The request required the collection of a substantial number of specified records;

c. The request is couched in categorical terms and requires an extensive search for the records responsive to it;

d. The requested records have not been located in the course of routine search and additional efforts are being made to locate them;

e. The request for records cannot be complied with by the school district within the time limits prescribed by subsection (c) without unduly burdening or interfering with the operations of the school district; or

f. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or school district among two or more components of a public body or school district having a substantial interest in the determination or in the subject matter of the request.

4. 105 ILCS 10/5(c-5).

5. The District and the person making the request may also agree in writing to extend the timeline for response. Id. The response to an access request for a special education student's records shall include those school student records located in the special education office.

2. The parent(s)/guardian(s), DCFS, if applicable, or the District may request a qualified professional to be present to interpret the student's records. 105 ILCS 10/5(b), amended by P.A. 102-199. If the District makes the request, it is responsible for securing and bearing the cost of the professional's presence.

3. Unless the District has actual notice of a court order or a notice of a *parenting plan* under the Ill. Marriage and Dissolution of Marriage Act, indicating otherwise:

   a. Divorced or separated parents/guardians with and without *parental responsibility* (formerly custody) are both permitted to inspect and copy the student's school student records. 750 ILCS 5/602.11.

   b. The Building Principal shall send copies of the documents listed below to both divorced or separated parents/guardians at either's request. 105 ILCS 5/10-21.8.

      1) Academic progress reports or records

      2) Emotional and physical health reports

      3) Notices of school-initiated parent-teacher conferences

      4) School calendar regarding the student

      5) Notices about open houses, graduations, and other major school-sponsored events including student-parent/guardian interaction

4. The school will deny access to a student's school records to a parent against whom an *order of protection* (OP) was issued if the OP prohibits the parent from inspecting or obtaining such records pursuant to the Domestic Violence Act of 1986 or the Code of Criminal Procedure of 1963. See the Ill. Marriage and Dissolution of Marriage Act, 750 ILCS

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5/602.11(a), and 750 ILCS 60/214(b)(15), and 222(f). Also see **Orders of Protection**, below.

5. Parent(s)/guardian(s) or the student, or if applicable, DCFS' Office of Education and Transition Services, shall not be granted access 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 1-1-75, 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. 105 ILCS 10/5(e), amended by P.A. 102-199.

6. Access With Consent of Parent/Guardian or Eligible Student

1. Access will be granted 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. 105 ILCS 10/6(a)(8); 23 Ill.Admin.Code §375.70(e). Whenever the District requests the consent to release records, the Building Principal shall inform the parent(s)/guardian(s) or eligible student in writing of the right to inspect, copy, and challenge their contents and to limit such consent to designated portions of the records. 105 ILCS 10/6(a)(8).

2. Access to any record that is protected by the MHDDCA, specifically that of a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services to a student, will be granted according to the consent requirements contained in MHDDCA. 740 ILCS 110/4 and 5.

7. Access Without Notification to or Consent of Parent/Guardian or Eligible Student

1. District employees or officials of the ISBE will be granted access, without parental/guardian consent or notification, when a current, demonstrable, educational, or administrative need is shown. Access in such cases is limited to the satisfaction of that need. 105 ILCS 10/6(a)(2). Individual board members do not have a right to see student records merely by virtue of their office unless they have a current demonstrable educational or administrative interest in the student and seeing his or her record(s) would be in furtherance of the interest. 105 ILCS 10/6(a)(2).

2. Access will be granted, without parental/guardian consent or notification, to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent/guardian can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. 105 ILCS 10/6(a)(4).

3. Access will be granted, without parental/guardian consent or notification, to another school district that overlaps attendance boundaries with the District, if the District has entered into an intergovernmental agreement that allows for sharing of student records and information between them. 105 ILCS 10/6(a)(13), added by P.A. 102-557.

4. 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). 20 U.S.C. §1232(g)(j), as added

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by the Sec. 507 of the U.S.A. Patriot Act of 2001. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to an adverse party.

5. A Serious Habitual Offender Comprehensive Action Program (SHOCAP) committee member will be granted access, but only to the extent that the release, transfer, disclosure, or dissemination is consistent with the Family Educational Rights and Privacy Act (FERPA). 105 ILCS 10/6(a)(10) allows disclosure to SHOCAP committee members who are "state and local officials and authorities" as those terms are used in FERPA. This federal law does not define "state and local officials and authorities;" rather, it limits when disclosure may be made to such officials and authorities.

6. Juvenile authorities will be granted access 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. 105 ILCS 10/6(a)(6.5).

7. Military recruiters and institutions of higher learning will be granted access to secondary students' names, addresses, and telephone listings, unless the student's parent/guardian submits a written request that such information not be released without the prior written consent of the parent/guardian or eligible student. Only this written consent process may be used, no other processes, such as an opt-in process, etc., may be used. Military recruiters and institutions of higher learning have access to students' names, addresses, and phone numbers even if the District does not release directory information. 20 U.S.C. §7908. For more information, see 7:340-AP1, E3, *Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information;* 7:340-AP1, E4, *Frequently Asked Questions Regarding Military Recruiters Access to Students and Student Information;* ISBE Military Recruitment Access Reminder, announced in State Superintendent Smith's *Weekly Message*, 11-27-18, at: www.isbe.net/Documents/Military-Access-Reminder.pdf. The requirements in this paragraph apply only if the District receives funds under the Elementary and Secondary Education Act. Id.

8. DCFS' Office of Education and Transition Services will be granted access if the student is in the legal custody of DCFS. 105 ILCS 10/6(a)(12.5), added by P.A. 102-199 and renumbered by P.A. 102-813.

8. Access Without Consent of, but With Notification to, Parent/Guardian or Eligible Student

1. In accordance with the procedures described in Section L below (Transmission of Records for Transfer Students), access will be granted, without parental/guardian consent, to the official records custodian of another school within Illinois or an official

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Actor	Action
	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, advanced practice registered nurse, physician assistant or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois, and has completed the return-to-play protocol in compliance with the YSCSA, 105 ILCS 5/22-80(g). Inform the student athlete's parent/guardian about a possible concussion and give the parent/guardian a fact sheet on concussion, at: www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources. Allow a student who was removed from interscholastic athletic practice or competition to return only after all statutory prerequisites are completed, including without limitation, completing 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. 105 ILCS 5/22-80(g). Most students with a concussion will not need a formal 504 plan or individualized education program; contact the Board Attorney whenever one is requested or the student's symptoms are prolonged.
Athletic trainers [*high school only*]	Complete a monthly report 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. Do not identify student names in the monthly report. 105 ILCS 25/1.20. Submit this monthly report to the interscholastic athletic organization to which the school belongs.

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Students

Restrictions on Publications; Elementary Schools

[*For elementary or unit districts only*]

School-Sponsored Publications and Web Sites

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 Accessed or Distributed On-Campus

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, digital files flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, digital files, 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., text or voice messages delivered by cell phones, tablets, and other hand-held devices).

Creating, distributing, and/or accessing non-school sponsored publications 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 publication is endorsed by the School District.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. 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. Is socially inappropriate or inappropriate due to maturity level of the students, 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;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.

Accessing or distributing *on-campus* 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

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or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

Non-School Sponsored Publications Accessed or Distributed Off-Campus

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

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, 484 U.S. 260 (1988).
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

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Students

Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools

A student or group of students seeking to distribute more than 10 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/or 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

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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.: Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988).
Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

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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 (Student Activity and Fiduciary Funds), 4:120 (Food Services), 8:80 (Gifts to the District), 8:90 (Parent Organizations and Booster Clubs)

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Students

Exhibit - Application and Procedures to Involve Students in Fundraising Activities

To be submitted to the Building Principal

Organization Name _____ School _____

Activity _____ Activity Dates _____

This application must be approved before involving students in a fundraising activity. Only the following organizations are permitted to involve students in fundraising activities while they are on school grounds during school hours or during any school activity: *(check at least one box)*

- ☐ School-sponsored student organization; **or**
- ☐ Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs.*

Describe how students will be involved in the fundraising activity, including whether they will be asked to buy or sell items:

_____

Will the proposed activity involve selling food or beverage items to students on campus during the school day?

- ☐ Yes - An approval may be contingent on the availability of an *exempted fundraising day*; please attach an exact description of what you propose to sell including the nutritional analysis.
- ☐ No - Food and beverage items will not be sold to students on campus during the school day.

Fundraising efforts must not conflict with instructional activities or programs. Sales booths during a school activity or lunch are permissible.

What, if any, activity will be done while students are on school premises?

_____

Student participation must be voluntary. Penalties for failure to participate are prohibited.

Describe student incentives for participation: _____

Fundraising efforts should not burden students, their families, citizens, or merchants by being too frequent.

When and what was the last fundraising activity done by this organization or club?

_____

Local ordinances must be followed, merchants must approve of any activities on their property, and students must conduct themselves as ambassadors for their School.

How will students be informed? _____

Student safety must be paramount.

How will students be kept safe if fundraising activities occur away from school?

_____

- ☐ Not applicable - all student involvement occurs at school.

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Sales or service campaigns to raise money should offer appropriate merchandise or services.
Describe the merchandise or services students will be asked to sell or perform:

_____

For school-sponsored student organizations, a school staff member must supervise the fundraising activities in addition to any other adult volunteers.
List all of the adult sponsors, including staff members and non-staff adult volunteers:

_____

☐ Not applicable - activity is not being proposed by a school-sponsored student organization.

For school-sponsored student organizations, the student activity funds treasurer must safeguard the financial accounts.

Is this agreeable? ☐ Yes ☐ No
☐ Not applicable - activity is not being proposed by a school-sponsored student organization.

Parent organizations and booster clubs are governed by School 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 parent organization or booster club.

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.

Describe how funds raised through the proposed activity will be used:

_____

If the activity will help fund a trip or overnight excursion, describe the travel plans:

_____

The funds must be used to the maximum extent possible for the designated purpose.
Is this agreeable? ☐ Yes ☐ No

Fundraising efforts that solicit donor messages for placement on school property must follow the District's viewpoint neutral guidelines for the creation of messages.

Is this agreeable? ☐ Yes ☐ No
☐ Not applicable - activity being proposed will not solicit donor messages.

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*)	Telephone number
Address	Email address
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

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Students

Student Use of Buildings - Equal Access

[For high school and unit districts]

Student groups or clubs that are not school sponsored are granted free use of school premises for a meeting or series of meetings under the following conditions:

1. The meeting is held during those non-instructional times identified by the Superintendent or designee for non-curricular student groups, clubs, or organizations to meet. *Non-instructional time* means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. *Non-curricular student groups* are those student groups, clubs, or organizations that do not directly relate to the curriculum.
2. All non-curriculum related student groups that are not District sponsored receive substantially the same treatment.
3. The meeting is student-initiated, meaning that the request is made by a student.
4. Attendance at the meeting is voluntary.
5. The school will not sponsor the meeting.
6. School employees are present at religious meetings only in a non-participatory capacity.
7. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings.
9. The school retains its authority to maintain order and discipline.
10. A school staff member or other responsible adult is present in a supervisory capacity.
11. The Superintendent or designee approves the meeting or series of meetings.

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.: 20 U.S.C. §4071 et seq., Equal Access Act.
Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990).
Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

CROSS REF.: 7:10 (Equal Educational Opportunities), 8:20 (Community Use of School Facilities)

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Students

Exhibit - Application for Student Groups that Are Not School Sponsored to Request Free Use of School Premises for Meetings

[*For high school and unit districts*]

A student must complete this form to request the free use of school premises for a meeting of a student group that is not school-sponsored. Only one student needs to complete the application. Submit the completed application to the Building Principal at least one week before the first meeting. When a copy of this form is returned to the student with the necessary approval signature, the group may use the designated school premises, at the identified time, for its meetings.

Student applicant	Student contact number
Student group	Requested premise
Program/Meeting	Program/Activity date(s) and time(s)

Materials to be brought into facility, if any

The following rules apply to the free use of school premises by non-school-sponsored student groups:

1. The meeting(s) must be student-initiated, meaning that a request to use school premises is being made by a student.
2. The meeting(s) must occur during non-instructional time identified by the Building Principal. This time is typically before classroom instruction begins or after it ends.
3. In scheduling the use of school premises, activities associated with the District's 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 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.
5. Before any meeting, a member of the non-school-sponsored student group must give the office the names of anyone attending the meeting who is neither a student nor a school staff member. All visitors must register at the school office before proceeding to any scheduled student meeting. Non-school individuals may not regularly attend meetings. Any visitors to school property are also expected to follow Board policy 8:30, *Visitors to and Conduct on School Property*.

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6. The following mediums are available on request to announce group meetings:
    - Office bulletin board containing announcements
    - Public address system
    - Student newspaper
    - School or District website
7. 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.
8. A school staff member or other responsible adult must be present in a supervisory capacity.
9. The Equal Access Act, 20 U.S.C. §4071 et seq., controls the free use of school premises by non-school-sponsored student groups. The use of school facilities by non-school-sponsored groups is governed by Board policy 8:20, *Community Use of School Facilities*.

I agree to follow the rules stated in this application and all Board policies and administrative procedures related to the student group's use of the school's facilities.

_____ _____

Student applicant signature Date

Note to office: after the Building Principal acts on this application, return a copy of it to the student making the request and keep the original in the office.

☐ **Approved** ☐ **Denied**

This non-school-sponsored student group may meet in the following location at the identified times:

_____ _____

Location Time

_____ _____

Building Principal or designee Date

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Students

Student Records

School student records are confidential. 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 at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 18 years who has been arrested or taken into custody.

State and federal law grants students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, certain rights, including the right to inspect, copy, and/or 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 a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child. The District will comply with State or federal law with regard to release of a student's school records, including, where applicable, without notice to, or the consent of, the student's parent/guardian or eligible student. Upon request, the District discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

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, and inform students and their parents/guardians of their rights regarding school student records.

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.

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Before collecting student biometric information, the District shall obtain written permission from the person having legal custody/parental responsibility 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/parental responsibility 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.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
50 ILCS 205/7, Local Records Act.
105 ILCS 5/10-20.12b, 5/10-20.40, and 5/14-1.01 et seq.
105 ILCS 10/, Ill. School Student Records Act.
105 ILCS 85/, Student Online Personal Protection Act.
325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.
750 ILCS 5/602.11, Ill. Marriage and Dissolution of Marriage Act.
23 Ill.Admin.Code Parts 226 and 375.
Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).
Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

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 and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information), 7:340-AP1, E4 (Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information, 7:340-AP1, E5 (Biometric Information Collection Authorization), 7:340-AP2 (Storage and Destruction of School Student Records), 7:340-AP2, E1 (Letter Containing Schedule for Destruction of School Student Records)

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Students

Administrative Procedure - School Student Records

This procedure implements policy 7:340, *Student Records*. It contains a **Table of Contents** and lettered **Sections**.

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Sections

A. Legal Citations and Definitions

The legal requirements contained in this procedure are followed by a citation to the controlling rule and/or statute. Citations in parenthesis indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Definitions are found in the Ill. School Student Records Act and the Ill. State Board of Education (ISBE) rules. 105 ILCS 10/2; 23 Ill.Admin.Code §375.10. For easy reference, some definitions are re-printed in this procedure.

The release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, is not included in these procedures but is governed by the Mental Health and Developmental Disabilities Confidentiality Act (MHDDCA). 740 ILCS 110/.

B. School Student Records Defined

School Student Record means any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. 105 ILCS 10/2(d).

Special Education Records means school records that relate to identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.) and Article 14 of the School Code. These records include the report of the multidisciplinary staffing conference on which placement or nonplacement was based and all records and audio recordings in any format relating to special education placement hearings and appeals. 23 Ill.Admin.Code §375.10.

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A school student record does not include any of the following:

1. Writings or other recorded information kept in a school staff member's sole possession that is destroyed not later than the student's graduation or permanent withdrawal, and is not accessible or revealed to any other person except a temporary substitute teacher. 105 ILCS 10/2(d).
2. Information maintained by law enforcement professionals working in the school. 105 ILCS 10/2(d).
3. Video or other electronic recordings created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes, provided the information was created at least in part for law enforcement or security or safety reasons or purposes. This includes, without limitation, electronic recordings made on school buses, as described in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3(m). The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials for disciplinary or special education purposes regarding a particular student. 23 Ill.Admin.Code §375.10. **Note:** For districts and schools that do not have a designated law enforcement unit, consult the Board Attorney regarding designating an employee to serve as the *law enforcement unit* in order to maintain the security camera and determine the appropriate circumstances in which the school would disclose recorded images.
4. Any information, either written or oral, received from law enforcement officials pursuant to 105 ILCS 5/22-20 concerning a student less than the age of 18 years who has been arrested or taken into custody. 23 Ill.Admin.Code §375.10.

C. Eligible Students Accorded the Rights of Parent/Guardian

All rights and privileges concerning school student records that are accorded to parents/guardians become exclusively those of the student when the student reaches 18 years of age, graduates from high school, marries, or enters military service, whichever occurs first. 105 ILCS 10/2(g). Such students are called *eligible students* in this procedure.

D. Official Records Custodians

Each Building Principal is designated the Official Records Custodian for his or her respective school and has the duties, without limitation, listed below.

1. Is responsible for the maintenance, care, and security of all school student records, whether or not the records are in his or her personal custody or control, and shall take all reasonable measures to protect school student records through administrative, technical, and security safeguards against risks, such as unauthorized access, release, or use. 105 ILCS 10/4(a) and (b); 23 Ill.Admin.Code §375.40(g).
2. Reviews student temporary records at least every four years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and to eliminate or correct all out-of-date, misleading, inaccurate, unnecessary, or irrelevant information. The records review is required in any given school year at the time a student first changes attendance centers within the District, but it does not need to be conducted if the student enrolls in a different attendance center later in that same school year. 23 Ill.Admin.Code §375.40(b).

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3. When notified by the Ill. Dept. of Children and Family Services (DCFS), purges DCFS's final finding report from the student's record and returns the report to DCFS. If a school has transferred the report to another school as part of the transfer of the student's records, the sending school shall forward a copy of the DCFS's request to the receiving school. 325 ILCS 5/8.6.
4. Manages requests to access school student records.
5. Transfers a certified copy of the records of students transferring to another school and retains the original records.
6. Provides all required notices to parents/guardians and students, including without limitation, each of the following:
    a. Upon initial enrollment or transfer to the school, notification of rights concerning school student records; the notification may be delivered by any means likely to reach parents, including direct mail or email, delivery by the student to the parent, or incorporation into a student handbook. 23 Ill.Admin.Code §375.30.
    b. Annual notification of information that is considered to be *directory information* and of the procedures to be used by parents/guardians to request that specific information not be released. 23 Ill.Admin.Code §375.80.
    c. Notification to secondary students and their parents/guardians that they may opt out of the disclosure of students' names, addresses, and telephone listings to military recruiters and institutions of higher learning by submitting a written request that such information not be released without the prior written consent of the parent/guardian. 20 U.S.C. §7908.
    d. Notification of their right to a hearing to challenge any entry in the school student records (except for academic grades) and Official Records Custodian's name and contact information. 23 Ill.Admin.Code §375.90.
    e. Upon a student's graduation, transfer, or permanent withdrawal, notification to the parents/guardians, and if the student is in the legal custody of DCFS, DCFS' Office of Education and Transition Services, of the destruction schedule for the student's permanent and temporary school student records and of their right to request a copy. Notice to parents/guardians or the student may be provided through: (1) the school's parent or student handbook, (2) publication in a newspaper published in the District or, if no newspaper is published in the District, in a newspaper of general circulation within the district, (3) U.S. mail delivered to the last known address of the parent/guardian or student, or (4) other means provided notice is confirmed to have been received, e.g., hand delivery, return receipt, or read receipt email. 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199; 23 Ill.Admin.Code §375.40(c).
7. Takes all action necessary to ensure that school personnel are informed of the provisions of the School Student Records Act. 105 ILCS 10/3(c).
8. Performs all actions required of the District described in this procedure and the laws governing school student records.

The Building Principal may delegate any of these duties to an appropriate staff member but shall remain responsible for the duty's execution.

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E. Maintenance of School Student Records 105 ILCS 10/2; 23 Ill.Admin.Code §375.10.

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *student permanent record* shall consist of the following:

1. 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).
2. Evidence required by the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved; as applicable, and if allowed by District policy, scores received on college entrance examinations if that inclusion is requested in writing by an eligible student or the student's parent/guardian; the unique student identifier assigned and used by ISBE's Student Information System (23 Ill.Admin.Code §1.75); as applicable, designation of an Advanced Placement computer science course as a mathematics-based, quantitative course for purposes of meeting State graduation requirements set forth in 105 ILCS 5/27-22, amended by P.A. 101-643; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159 and 23 Ill.Admin.Code Part 680; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy, awarded in accordance with 23 Ill.Admin.Code §680.20(c); and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169 and 23 Ill.Admin.Code §1.443.
4. Attendance record.
5. Health record, defined by ISBE rule as "medical documentation necessary for enrollment and proof of having certain examinations, as may be required under Section 27-8.1 of the [School] Code."
6. Record of release of permanent record information that contains the information listed in Section I, **Record of Release**, below.
7. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5, amended by P.A. 101-643.

If not maintained in the temporary record, the *permanent record* may include:

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

No other information shall be placed in the permanent record.

The *student temporary record* contains all information not required to be kept in the student permanent record and must include:

1. Record of release of temporary record information that contains the information listed in Section I, **Record of Release**, below.
2. Scores received on the State assessment tests administered in the elementary grade levels (kindergarten through grade 8).
3. Completed home language survey. 23 Ill.Admin.Code §228.15(d).
4. Information regarding serious disciplinary infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction.

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5. Any final finding report received from DCFS provided to the school under the Abused and Neglected Child Reporting Act; no report other than what is required under Section 8.6 of that Act (325 ILCS 5/8.6) shall be placed in the student record. 23 Ill.Admin.Code §375.40(f).
6. Any biometric information that is collected in accordance with 105 ILCS 5/10-20.40.
7. Health-related information, defined by ISBE rule as "current documentation of a student's health information, not otherwise governed by the MHDDCA or other privacy laws, that includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs, e.g., glucose readings, long-term medications administered during school hours, documentation regarding a student athlete's and his or her parents' acknowledgment of the District's concussion policy adopted under Section 22-80 of the [School] Code, and other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports."
8. Accident report, defined by ISBE rule as "documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or if the school nurse has referred the student for a medical evaluation, regardless of whether the parent or guardian, student (if 18 years or older), or an unaccompanied youth has followed through on that request."
9. Any documentation of a student's transfer, including records indicating the school or school district to which the student transferred. 23 Ill.Admin.Code §375.75(e).
10. Completed course substitution form for any student who, when under the age of 18, is enrolled in vocational and technical course as a substitute for a high school or graduation requirement. 105 ILCS 10/4; 23 Ill.Admin.Code §1.445.
11. Information contained in related service logs maintained by the District for a student with an individualized education program under 105 ILCS 5/14-8.02f(d), amended by P.A. 101-643, including for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.

The *temporary record* may also consist of:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews
5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information

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with similar responsibilities of a school outside Illinois, in which the student has enrolled or intends to enroll, upon the request of such official or student. 105 ILCS 10/6(a)(3).

2. Access will be granted 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. 105 ILCS 10/6(a)(5). Parents of students who are named in a court order or parenting plan shall be deemed to have received the required written notice. The Building Principal shall respond to the order no earlier than five school days after its receipt in order to afford parents/guardians the opportunity to review, inspect, and challenge the records if the parents choose to do so. 23 Ill.Admin.Code §375.70(d).

   9. For the purposes of these procedures, a court order is a document signed by a judge. A subpoena signed by a court clerk, an attorney, or an administrative agency official shall not be considered a court order unless signed by a judge. 23 Ill.Admin.Code §375.40(a).

3. Information may be released without parental consent, in connection with an articulable and significant threat to the health or safety of a student or other individuals, to appropriate persons if the knowledge of the requested information is necessary to protect the health or safety of the student or other individuals. The Building Principal shall make this decision taking into consideration the seriousness of the threat to the health or safety of the student or other individuals, the need for such records to meet the emergency, whether the persons to whom such records are released are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. 105 ILCS 10/6(a)(7); 23 Ill.Admin.Code §375.60. The Building Principal shall notify the parent(s)/guardian(s) or eligible student, no later than the next school day after the date that the information is released, of the date of the release, the person, agency, or organization to whom the release was made, and the purpose of the release.

4. The District will grant access as specifically required by federal or State statute, provided the individual complies with the requirements in 23 Ill.Admin.Code §375.70(b). 105 ILCS 10/6(a)(6). Prior to granting access, the Building Principal shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action. 105 ILCS 10/6(b); 23 Ill.Admin.Code §375.70. 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 relates to more than 25 students, a notice published in the newspaper is sufficient.

   The District charges $.35 per page for copying information from a student's records. No parent/guardian or student shall be precluded from copying information because of financial hardship. 23 Ill.Admin.Code §375.50. **Note:** The ISBE rule allows a school to "charge the actual cost for providing a copy of school student records or any portion of such records to parents and students upon request for such copies, provided that such costs shall not exceed $.35 per page." 23 Ill.Admin.Code §375.50.

I. Record of Release

10. Except as provided below, a record of all releases of information from school student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. 105 ILCS 10/6(c). This record shall be maintained for the life of the school student record and shall be accessible only to the parent(s)/guardian(s) or eligible

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student, Building Principal, or other authorized person. The record of release shall include each of the following:

1. The nature and substance of the information released;
2. The name and signature of the official records custodian releasing such information;
3. The name of the person requesting the information, in what capacity the request was made, and the purpose for the request;
4. The date of release; and
5. A copy of any consent to a release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order. 20 U.S.C. §1232g(j)(4).

J. Orders of Protection

Upon receipt of a court OP that prohibits a Respondent's access to records, the Building Principal shall file it in the temporary record of a student who is the *protected person* under the OP. No information or records shall be released to the Respondent named in the OP. 750 ILCS 60/222(f).

K. Parenting Plans

Upon receipt of a parenting plan under the Ill. Marriage and Dissolution of Marriage Act (750 ILCS 5/), the Building Principal shall file it in the temporary record of a student who is the subject of the parenting plan.

L. Transmission of Records for Transfer Students 105 ILCS 10/6(a)(3); 23 Ill.Admin.Code §§375.70 and 375.75.

The Building Principal shall:

1. Within 14 calendar days after enrolling a transfer student, request directly from the student's previous school a certified copy of the student's record. The District shall exercise due diligence in obtaining the copy of the record requested.

2. Upon the student's request or that of the official records custodian of another school in which the student has enrolled or intends to enroll, within 10 calendar days, transfer a certified copy of the student's record (that is, the student's permanent and temporary record) to the official records custodian of the appropriate school and retain the original records. The records transfer is subject to prior notice to the student's parent(s)/guardian(s) as described above in Section H (Access to School Student Records). See policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.

3. Determine if the school or special education office has any record that is protected by the MHDDCA concerning the transferring student, specifically a record or report made by a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services. If so, ask the appropriate person as identified in 740 ILCS 110/4 whether to send the record protected by MHDDCA to the new school and, if *yes*, obtain a written consent for disclosure as provided in 740 ILCS 110/5.

   This requirement does not apply to special education records and reports that are related to the identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities. 23 Ill.Admin.Code §375.10.

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4. Provide the parent/guardian or eligible student prior written notice of the nature and substance of the information to be transferred and opportunity to inspect, copy, and challenge it. If the parent's/guardian's address is unknown, notice may be served upon the official records custodian of the requesting school for transmittal to the parent/guardian. This service is deemed conclusive, and 10 calendar days after this service, if the parents/guardians make no objection, the records may be transferred to the requesting school.
5. Destroy any biometric information collected and do not transfer it to another school district.
6. Refrain from transferring the records if a student's record has been flagged as a "missing child" as provided in Section 5 of the Missing Children Records Act and Section 5 of the Missing Children Registration Law. The District shall notify the Ill. State Police or the local law enforcement authority of the request.
7. Retain the original records in accordance with the requirements of 105 ILCS 10/4.
8. Include information about whether or not the student is *in good standi*ng and whether or not the student's medical records are up-to-date and complete. 105 ILCS 5/2-3.13a.
9. Maintain any documentation of the student's transfer, including records indicating the school or school district to which the student transferred, in that student's temporary record.

If the student has unpaid fines, fees, or tuition charged pursuant to 105 ILCS 5/10-20.12a and is transferring to a public school located in Illinois or any other state, the Building Principal shall, unless otherwise prohibited by State law (23 Ill.Admin.Code §375.75(i)):

1. Transfer the student's *unofficial record of student grades* in lieu of the student's official transcript of scholastic records. The *unofficial record of student grades* means written information relative to the grade levels and subjects in which a student was enrolled and the record of academic grades achieved by that student prior to transfer. These records shall also include the school's name and address, the student's name, the name and title of the school official transmitting the records, and the transmittal date.
2. Within 10 calendar days after the student has paid all of his or her unpaid fines or fees and at this District's own expense, forward the student's official transcript of scholastic records to the student's new school.

The Principal shall include the following information with the transferred records if the student is transferring to another public school located in Illinois or any other state and at the time of the transfer is currently serving a term of suspension or expulsion for any reason: 105 ILCS 5/2-3.13a; 23 Ill.Admin.Code §375.75(j).

1. The date and duration of the period of any current suspension or expulsion; and
2. Whether the suspension or expulsion is for: (a) knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act (20 U.S.C. §7961 et seq.); (b) knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or (c) battering a school staff member.

M. Directory Information 23 Ill.Admin.Code §375.80

The District may release certain directory information regarding students as permitted by law, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to:

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1. Student's Name
2. Student's Address
3. Student's Grade level
4. Student's Birth date and place
5. Parent(s)/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
6. Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
7. Academic awards, degrees, and honors
8. Information in relation to school-sponsored activities, organizations, and athletics
9. Major field of study
10. Period of attendance in school

No photograph highlighting individual faces shall be used for commercial purposes, including solicitation, advertising, promotion, or fundraising, without the prior, specific, dated, and written consent of the parent or eligible student (see 765 ILCS 1075/30). 23 Ill.Admin.Code §375.80. The following shall not be designated as directory information: (a) an image on a school security video, or (b) student social security number or student identification or unique student identifier. Id.

The notification to parents/guardians and students concerning school student records will inform them of their right to opt out of the release of directory information. See 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*.

N. Student Record Challenges

Parents/guardians have the right to a hearing to challenge the accuracy, relevancy, or propriety of any entry in their student's school records, exclusive of academic grades and references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring. 105 ILCS 10/7; 23 Ill.Admin.Code §375.90. A request for a hearing should be submitted to the Superintendent and shall contain notice of the specific entry or entries to be challenged and the basis of the challenge. The following procedures apply to a challenge: Id.

1. The Superintendent or designee will invite the parent(s)/guardian(s) to an initial informal conference, within 15 school days of receipt of the request for a hearing.
2. If the challenge is not resolved by the informal conference, formal procedures shall be initiated. The Superintendent will appoint a hearing officer, who is not employed in the attendance center in which the student is enrolled.
3. The hearing officer will conduct a hearing within a reasonable time, but no later than 15 days after the informal conference, unless an extension of time is agreed upon by the parent(s)/guardian(s) and school officials. The hearing officer shall notify parents and school officials of the time and place of the hearing.
4. At the hearing, each party shall have the right to:
    a. Present evidence and to call witnesses;
    b. Cross-examine witnesses;
    c. Counsel;

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d. A written statement of any decision and the reasons therefore; and

e. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.

5. A verbatim record of the hearing shall be made by a tape recorder or a court reporter. A transcript may be prepared by either party in the event of an appeal of the hearing officer's decision. However, a transcript is not required in an appeal.

6. The written decision of the hearing officer shall, no later than 10 school days after the conclusion of the hearing, be transmitted to the parent(s)/guardian(s) and the School District. It shall be based solely on the information presented at the hearing and shall be one of the following:

   a. To retain the challenged contents of the school student record;

   b. To remove the challenged contents of the school student record; or

   c. To change, clarify, or add to the challenged contents of the school student record.

7. Any party has the right to appeal the decision of the local hearing officer to the Regional Superintendent or appropriate Intermediate Service Center, within 20 school days after the decision is transmitted to the parties. The parent(s)/guardian(s), if they appeal, shall so inform the District and within 10 school days the school shall forward a transcript of the hearing, a copy of the record entry in question, and any other pertinent materials to the Regional Superintendent or appropriate Intermediate Service Center. The District may initiate an appeal by the same procedures.

8. The final decision of the Regional Superintendent or appropriate Intermediate Service Center may be appealed to the circuit court of the county in which the District is located.

9. The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The District will include a copy of the statement in any release of the information in dispute. 105 ILCS 10/7(d).

LEGAL REF.: 20 U.S.C. §1232g, Family Education Rights and Privacy Act; 34 C.F.R. Part 99.
105 ILCS 10/, Illinois School Student Records Act; 23 Ill.Admin.Code Part 375.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.
750 ILCS 5/, Illinois Marriage and Dissolution of Marriage Act.

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Students

Exhibit - Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records

Upon the initial enrollment or transfer of a student to the school, the school must notify the student and the student's parents/guardians of their rights concerning school student records. This notification may be distributed by any means likely to reach parents/guardians.

The contact information for each School's Official Records Custodian follows:

Superintendent Janet Gladu

404 West Main Street

La Harpe, Illinois 61450

217-659-7739

jgladu@laharpeeagles.com

This notice contains a description of your and your child's rights concerning school student records.

A *school student record* is any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by a school employee, regardless of how or where the information is stored, except for certain records kept in a staff member's sole possession; records maintained by law enforcement officers working in the school; video and other electronic recordings that are created in part for law enforcement, security, or safety reasons or purposes; and electronic recordings made on school buses. The District maintains two types of school records for each student: *permanent* record and *temporary* record.

The *permanent record* includes:

1. Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parents/guardians.
2. Evidence required under the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved; the unique student identifier assigned and used by the Ill. State Board of Education Student Information System (SIS); as applicable, designation of an Advanced Placement computer science course as a mathematics-based, quantitative course for purposes of meeting State graduation requirements set forth in 105 ILCS 5/27-22; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy; and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169.
4. Attendance record.
5. Health record defined by the Ill. State Board of Education (ISBE) as "medical documentation necessary for enrollment and proof of dental examinations, as may be required under Section 27-8.1 of the School Code."
6. Record of release of permanent record information that includes each of the following:
    a. The nature and substance of the information released;
    b. The name and signature of the official records custodian releasing such information;
    c. The name and capacity of the requesting person and the purpose for the request;

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d. The date of release; and
e. A copy of any consent to a release.

7. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5.

If not maintained in the *temporary record*, the *permanent record* may include:

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

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include:

1. Record of release of temporary record information that includes the same information as listed above for the record of release of permanent records.
2. Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8).
3. Completed home language survey.
4. Information regarding serious disciplinary infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction.
5. Any final finding report received from a Child Protective Service Unit provided to the school under the Abused and Neglected Child Reporting Act; no report other than what is required under Section 8.6 of that Act (325 ILCS 5/8.6) shall be placed in the student record.
6. Health-related information, defined by the ISBE as "current documentation of a student's health information, not otherwise governed by the Mental Health and Developmental Disabilities Confidentiality Act or other privacy laws, that includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs, e.g., glucose readings, long-term medications administered during school hours, documentation regarding a student athlete and his or her parent/guardian's acknowledgment of the District's concussion policy adopted under 105 ILCS 5/22-80 and other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports."
7. Accident report, defined by the ISBE as "documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event, or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or if the school nurse has referred the student for a medical evaluation, regardless of whether the parent or guardian, student (if 18 years or older), or an unaccompanied homeless youth … has followed through on that request."
8. Any documentation of a student's transfer, including records indicating the school or school district to which the student transferred.
9. Completed course substitution form for any student who, when under the age of 18, is enrolled in vocational and technical course as a substitute for a high school or graduation requirement.

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10. Information contained in related service logs maintained by the District for a student with an individualized education program under 105 ILCS 5/14-8.02f(d), amended by P.A. 101-643, including for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.

The temporary record may include:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews
5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information
10. Special education records
11. Records associated with plans developed under section 504 of the Rehabilitation Act of 1973
12. Verified reports or information from non-educational persons, agencies, or organizations of clear relevance to the student's education

The Family Educational Rights and Privacy Act (FERPA) and the Ill. School Student Records Act (ISSRA) afford parents/guardians and students over 18 years of age (*eligible students*) certain rights with respect to the student's school records. They are:

1. **The right to inspect and copy the student's education records within 10 business days after the date 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 shall make the records available to inspect and copy within 10 business days, unless the District extends the response timeline to 15 business days in accordance with ISSRA. 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 10/5(a); 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, irrelevant, or improper.**

   Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, irrelevant, or improper. They should write the Building Principal or the Official 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

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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 ISSRA authorizes disclosure without consent.**

   Disclosure without consent is permitted 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 school official may also include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records (such as an attorney, auditor, medical consultant, therapist, or educational technology vendor); or any parents/guardians 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. Individual board members do not have a right to see student records merely by virtue of their office unless they have a current demonstrable educational or administrative interest in the student and seeing his or her record(s) would be in furtherance of the interest.

   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 or contractual obligations with the District.

   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; to another school district that overlaps attendance boundaries with the District, if the District has entered into an intergovernmental agreement that allows for sharing of student records and information with the other district; 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.**

   The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. The temporary record is maintained for at least five years after the student transfers, graduates, or permanently withdraws. Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after five 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). Student temporary records are reviewed every four years or upon a student's change in attendance centers, whichever occurs first.

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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 its students, limited to:

   Name
   Address
   Grade level
   Birth date and place
   Parent(s)'/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
   Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
   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 parent/guardian or eligible student is specifically informed otherwise.

   No photograph highlighting individual faces is allowed for commercial purposes, including solicitation, advertising, promotion or fundraising without the prior, specific, dated and written consent of the parent or student, as applicable; and no image on a school security video recording shall be designated as directory information.

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 student's parent/guardian, or a student who is 18 years of age or older, submits a written request that the information not be released without the prior written consent of the parent/guardian or eligible student. 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. Dept. 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:

   U.S. Department of Education
   Student Privacy Policy Office
   400 Maryland Avenue, SW
   Washington DC 20202-8520

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Students

Exhibit - Using a Photograph or Video Recording of a Student

Distribute to parent/guardian at the time he/she/they register(s) 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 who 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 your child is enrolled in this school.

I grant consent to the School District to identify the above-named student, by full name and/or the school the student attends, in any school sponsored material, publication, video recording, or website. This consent is valid for the entire time the above-named student is enrolled in the District. I may revoke this consent at any time by notifying the Building Principal.

Parent/Guardian *(if student is under age 18)* Signature

Student *(if age 18 or over)* 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.

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Students

Exhibit - Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

On District letterhead

Date

Re: Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

Dear Parents/Guardians:

From time-to-time, military recruiters and postsecondary educational institutions request the names, telephone numbers, addresses, and electronic mail (email) addresses of our secondary students. The school must provide this information unless the parent/guardian, or the student if he/she has attained the age of 18, submits a written request that the student's records not be released without their prior written consent.

Important: If you do not want military recruiters or institutions of higher learning to be given your secondary school student's name, address, email address, and telephone number without your prior written consent, please complete the form below and return it to the Building Principal.

Sincerely,

Superintendent

To be completed and submitted to the Building Principal.

For parents:

☐ **Do not** release my child's name, telephone number, address and/or email address to military recruiters or institutions of higher learning without first obtaining my prior written consent.

Parent/Guardian Name (*please print*)

Parent/Guardian Signature (*if student is under age 18)* Date

For Students age 18 or older:

☐ **Do not** release my name, telephone number, address and/or email address to military recruiters or institutions of higher learning without first obtaining my prior written consent.

Student Name (*please print*) Student ID Number

Student Signature (*if student is age 18 or older*) Date

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Students

Exhibit - Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information

1. **What does the Elementary and Secondary Education Act require of schools with regard to allowing military recruiters access to students?**

   Schools receiving funds under the Elementary and Secondary Education Act (ESEA) must: (1) give military recruiters the same access to secondary school students as they provide to postsecondary educational institutions or to prospective employers or an institution of higher education, and (2) provide students' names, addresses, electronic mail (email) addresses (which must be the email addresses provided by the school, if available), and telephone listings (numbers) to military recruiters, when requested, unless parents/guardians or the student (18 years or older) have opted out (see Question 2, below). 20 U.S.C. §7908; 10 U.S.C. §503(c).

2. **What information about students (and which students) must be disclosed to military recruiters by our administration?**

   Secondary schools must disclose names, addresses, email addresses, and telephone numbers of secondary students, unless parents/guardians, or the student if he/she has attained the age of 18 (an "eligible student"), have submitted a written request that the information not be released without their prior written consent.

3. **What notification must schools provide to parents/guardians and eligible students before disclosing students' names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education?**

   Under federal and State laws governing student records, schools must provide notice to parents/guardians and eligible students of the types of student information that it releases publicly. This type of student information, commonly referred to as *directory information*, includes names, addresses, email addresses, and telephone numbers. The notice must include an explanation of a parent/guardian's or eligible student's right to request that the information not be disclosed without prior written consent. Under the Elementary and Secondary Education Act, schools must notify parents that the school routinely discloses names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education upon request, subject to a parent/guardian's or eligible student's written request not to disclose such information without their prior written consent.

   A notice provided through a mailing or student handbook informing parents/guardians and eligible students of the above information is sufficient to satisfy the parental notification requirements. The notification must advise parents/guardians and eligible students how to opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

   If a school does not release *directory information*, it still must provide students' names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education upon request. The school must notify parents/guardians and eligible students: (1) that it discloses information to military recruiters and institutions of higher education, and (2) that parents/guardians and eligible students have the right to opt out of this disclosure.

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4. **Does recruitment take place in a private office or out in a common area?**

   Neither federal nor State law addresses where recruitment takes place. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions recruiters and/or prospective employers.

5. **How frequently are recruiters present?**

   Neither federal nor State law addresses how often recruiters may have access to students. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions and prospective employers.

6. **What information does a military recruiter request of students during the interview?**

   The type of questions military recruiters may ask students is generally not limited. Students may refuse to cooperate or even refuse to be interviewed.

7. **Can schools supervise recruiters to ensure they do not approach impressionable students too strongly?**

   Federal law does not grant authority to schools to supervise military recruiting efforts. The school may still require military and postsecondary recruiters to abide by the District's policy governing conduct on school property.

8. **What are parents' rights relative to military recruiters on campus?**

   Parents may instruct their children to forgo being interviewed by military and/or postsecondary recruiters or prospective employers.

9. **What information do schools provide to families relative to recruiting that goes on at school?**

   Aside from the notice described in #3, neither federal nor State law addresses what information schools must provide to parents regarding the recruiting that takes place at school – this is a local issue to be determined by the Superintendent or Building Principal.

10. **Where can I get more information on the requirements of 10 U.S.C. §503?**

    The Office of the Secretary of Defense may be contacted for copies of the statute, or questions relating to it. Please contact the Accession Policy Directorate as follows:

    Director, Accession Policy
    4000 Defense Pentagon
    Washington, DC 20301-4000
    Telephone: 703/695-5529

11. **Where can I get more information on the requirements of §7908 of the ESEA?**

    The Student Privacy Policy Office (SPPO in the U.S. Dept. of Education administers the Family Educational Rights and Privacy Act (FERPA) as well as 20 U.S.C. §7908. School officials with questions on this guidance, or FERPA, may contact the SPPO by submitting an online form at https://studentprivacy.ed.gov/contact or calling the SPPO's Student Privacy Help Desk at 1-855-249-9072.

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Students

Exhibit - Biometric Information Collection Authorization

If the District collects biometric information, distribute to parent/guardian at the time he/she/they register(s) a child for school and distribute to students upon turning 18. Return to the Building Principal to be kept in the student's temporary record.

Student **Anticipated Graduation Year**

The District collects biometric information from its students only for identification and/or fraud prevention purposes. Biometric information includes any information 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. The School Code requires written permission from the individual who has legal custody of the student, or from the student if he or she has reached the age of 18, before the District may collect biometric information from students.

When collecting biometric information, the School Code also requires the District to:

1. Store, transmit, and protect all biometric information from disclosure.
2. Prohibit the sale, lease, or other disclosure of biometric information to another person or entity unless: (a) prior written permission by you is granted, or (b) the disclosure is required by court order.
3. Discontinue the use of a student's biometric information under either of the following conditions: (a) upon the student's graduation or withdrawal from the school district; or (b) upon receipt in writing of a request for discontinuation by the individual having legal custody of the student or by the student if he or she has reached the age of 18.
4. Destroy all of a student's biometric information within 30 days after the occurrence of either conditions 3(a) or 3(b) above.

I consent to the collection of biometric information of the above-named student by the School District solely for identification or fraud prevention. I understand that this authorization is valid until he/she/they graduate(s) or withdraw(s) from the District, I request that the District's use of his/her/their biometric information be discontinued at that time or when he/she/they reach(es) the age of 18, whichever is earlier. I understand that a request for discontinuation of the use of the above-named student's biometric information may be made at any time by notifying the Building Principal in writing.

Parent/Guardian *(if student is under age 18)* Signature

Student *(if age 18 or over)* Signature Date

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Students

Administrative Procedure - Storage and Destruction of School Student Records

This procedure should be used with 7:340-AP1, *School Student Records*, which is annotated with citations to controlling statutes.

Actor	Action
Superintendent or Designee	Develop and implement a process to systematically digitize or microfilm school student records. Any public record may be reproduced in a microfilm or digitized electronic format and the paper version destroyed, provided: (a) the records are reproduced on "a durable medium that accurately and legibly reproduces the original record in all details," and "that does not permit additions, deletions, or changes to the original document images;" and (b) the Local Records Commission is notified when the original record is disposed of and also when the reproduced record is disposed of Local Records Act, 50 ILCS 205/7. See the Ill. Secretary of State's publication, *Guidelines for Using Electronic Records* at: www.cyberdriveillinois.com/departments/archives/records_management/electrecs.html. Develop and implement a uniform process for storing school student records to ensure that: 1. Each student's permanent record will be kept for 60 years after the student transfers, withdraws, or graduates. 2. Each student's temporary record will be kept for five years after the student transfers, withdraws, or graduates. Submit to the Local Records Commission a schedule for continuing authority to destroy school student records after the expiration of the applicable period.
Official Records Custodian for each School (usually the Building Principal)	Send any material for a student transferring into the District that is neither a permanent or temporary record to the parent/guardian, or student who is 18 years of age or older, with the indication that the District does not include that material in school student records. Store school student records according to the uniform process developed by the Superintendent or designee. Transfer school student records as follows: 1. For a student transferring to another school within the District, send originals of all permanent and temporary records (unless normally

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Actor	Action
	housed at the District office). 2. For a student transferring to an out-of-District elementary or secondary school, follow the section in 7:340-AP1, *School Student Records*, on **Transmission of Records for Transfer Students**. Send a copy and retain the original of all permanent and temporary records and notify the Special Education Department of the transfer. Provide a destruction schedule notice to the parents/guardians, and if the student is in the legal custody of the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, of students who transferred, graduated, or withdrew, or students who are 18 years of age or older. Notice to parents/guardians or a student may be provided through: (1) the school's parent or student handbook, (2) publication in a newspaper published in the District or, if no newspaper is published in the district, in a newspaper of general circulation within the District, (3) U.S. mail delivered to the last known address of the parent/guardian or student, or (4) other means provided notice is confirmed to have been received, e.g., hand delivery, return receipt, or read receipt email. 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199; 23 Ill.Admin.Code §375.40(c). See 7:340-AP2, E1, *Letter Containing Schedule for Destruction of School Student Records.* Retain a copy for the school's record. Authorize and/or order the destruction of District records after ensuring that the following steps have been performed: 1. The Local Records Commission approved a schedule for continuing authority to destroy school student records after the expiration of the applicable period. 2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a *litigation hold*. 3. A Local Records Disposal Certificate was sent to the Local Records Commission, Illinois State Archives, 60 days before the disposal date and an approved copy was returned. 44 Ill Admin Code §4000.40(b); 44 Ill Admin Code §4500.40(b).

Web-based Record Management Resources:

Cook County Local Records Commission Meetings at: www.cyberdriveillinois.com/departments/archives/records_management/lrc_cook_county_meeting_schedule.html.

Cook County Local Records Commission Rules (44 Ill Admin Code Part 4500) at: www.ilga.gov/commission/jcar/admincode/044/04404500sections.html.

Downstate Local Records Commission Meetings at: www.cyberdriveillinois.com/departments/archives/records_management/lrc_downstate_meeting_schedule.html.

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Actor	Action
	Rules of the Downstate Local Records Commission (44 Ill Admin Code Part 4000) at: www.ilga.gov/commission/jcar/admincode/044/04404000sections.html. Illinois School Student Records Act (105 ILCS 10/) at: www.ilga.gov. Local Records Act (50 ILCS 205/) at: http://www.ilga.gov/. Local Records Disposal Certificate at: www.cyberdriveillinois.com/departments/archives/records_management/lrmdisp.html.

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Students

Exhibit - Letter Containing Schedule for Destruction of School Student Records

Use this to comply with the Illinois School Student Records Act notification requirements before any school student record is destroyed, or information deleted from it. 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199; 23 Ill.Admin.Code §375.40(c). Store in the school's or Building Principal's office. If the student is 18 years of age or older, this letter is sent only to the student. If the student is 18 years of age or older and continues to be in the custody of the Ill. Dept. of Children and Family Services (DCFS), then the letter is sent to the student and the DCFS' Office of Education and Transition Services.

Student's Name: _____

Parent/Guardian Name(s): _____

School: _____

This notice contains the destruction schedule for your or your child's school records as required by rule of the Illinois State Board of Education, 23 Ill Admin. Code §375.40(c).

As you or your child is permanently withdrawing, transferring, or graduating from this School District, you are notified of the schedule below for destruction of the school records. This schedule complies with Illinois School Student Records Act requirements that (1) temporary records be retained for at least five years after a student's transfer, withdrawal, or graduation, and (2) permanent records be retained for at least 60 years after a student's transfer, withdrawal, or graduation. 105 ILCS 10/4(e) and (f). The parent(s)/guardian(s), or the student if he or she is at least 18 years of age, and DCFS' Office of Education and Transition Services, if applicable, may request a copy of a record at any time prior to the date of destruction listed below.

Temporary records will be destroyed no earlier than: _____
(Date)

Permanent records will be destroyed no earlier than: _____
(Date)

(Check all notification methods used.)

☐ Handbook, dated _____(*year*). 105 ILCS 10/4(h)(i).

☐ Newspaper publication, dated _____(*month, date, and year*). 105 ILCS 10/4(h)(ii).

☐ Mailed to last known address on this _____day of_____, 20____, by _____ to the above named parent(s)/guardian(s), or to the student if he or she is at least 18 years of age. 105 ILCS 10/4(h)(iii).

☐ Hand delivered on this _____day of_____, 20_____, by _____ to the above named parent(s)/guardian(s), or to the student if he or she is at least 18 years of age. 105 ILCS 10/4(h)(iv).

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(Check if applicable)

☐ A copy of this notice was provided to the Ill. Dept. of Children and Family Services' (DCFS) Office of Education and Transition Services because your child is in the legal custody of DCFS. 105 ILCS 10/4(h).

Sincerely,

Building Principal

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Students

Use of Educational Technologies; Student Data Privacy and Security

Educational technologies used in the District shall further the objectives of the District's educational program, as set forth in Board policy 6:10, *Educational Philosophy and Objectives*, align with the curriculum criteria in policy 6:40, *Curriculum Development*, and/or support efficient District operations. The Superintendent shall ensure that the use of educational technologies in the District meets the above criteria.

The District and/or vendors under its control may need to collect and maintain data that personally identifies students in order to use certain educational technologies for the benefit of student learning or District operations.

Federal and State law govern the protection of student data, including school student records and/or *covered information*. The sale, rental, lease, or trading of any school student records or covered information by the District is prohibited. Protecting such information is important for legal compliance, District operations, and maintaining the trust of District stakeholders, including parents, students and staff.

Definitions

Covered information means personally identifiable information (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent/guardian's use of the operator's site, service or application; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application.

Operators are entities (such as educational technology vendors) that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes.

Breach means the unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of covered information maintained by an operator or the District.

Operator Contracts

The Superintendent or designee designates which District employees are authorized to enter into written agreements with operators for those contracts that do not require separate Board approval. Contracts between the Board and operators shall be entered into in accordance with State law and Board policy 4:60, *Purchases and Contracts,* and shall include any specific provisions required by State law.

Security Standards

The Superintendent or designee shall ensure the District implements and maintains reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure. In the event the District receives notice from an operator of a breach or has determined a breach has occurred, the Superintendent or designee shall also ensure that the District provides any breach notifications required by State law.

LEGAL REF.: 20 U.S.C. §1232g, Family and Educational Rights and Privacy Act, implemented by 34 C.F.R. Part 99.
105 ILCS 10/, Ill. School Student Records Act.

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Students

Administrative Procedure – Use of Educational Technologies; Student Data Privacy and Security

Use this procedure to establish a process for evaluating the use of educational technologies for student learning and/or District operations, and to facilitate compliance with the Student Online Personal Protection Act (SOPPA), amended by P.A. 101-516.

Definitions (105 ILCS 85/5, amended by P.A. 101-516)

Covered information means personally identifiable information (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent/guardian's use of the operator's site, service or application; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application.

Operators are entities (such as educational technology vendors) that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes.

K-12 school purposes means purposes that are directed by, or that customarily take place at the direction of, a teacher, school, or school district; aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities, and collaboration between students, school personnel, or parents; or are otherwise for the use and benefit of a school.

Breach means the unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of covered information maintained by an operator or the District.

Parent means a person who is the natural parent of the student or other person who has the primary responsibility for the care and upbringing of the student.

Educational Technologies Evaluation and SOPPA Implementation

Actor	Action
Superintendent or Designee or Privacy Officer	1. Establishes an Educational Technology Committee (Ed Tech Committee) to operate as a Superintendent committee for the purposes of: (1) evaluating the use of specific online applications and other educational technologies within the District, (2) establishing a list of applications or other services approved for use within the District, (3) developing a process for the approval of online sites, applications, or services not already approved for District use which staff members may wish to use, and (4) supporting the District's submission of an annual report to the Ill. State Board of Education (ISBE) regarding educational technology capacities and policies. See 2:150-AP, *Superintendent Committees*. Consider including: Head of Information Technology (IT)

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105 ILCS 85/, Student Online Personal Protection Act.
23 Ill. Admin. Code Part 380.

CROSS REF.: 4:15 (Identity Protection), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks), 7:340 (Student Records)

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Other district-level administrators, such as Curriculum Director, Student Services Director, Business Manager
Building Principals
Teachers

Note: This procedure establishes an administrative committee. The administrative committee centralizes the local decision-making process regarding the use of educational technologies in a district, which in turn should help districts comply with the provisions of SOPPA governing the use of covered information by operators, contractual requirements, and security standards.

2. Informs the School Board of the Ed Tech Committee's progress.

3. Makes recommendations to the Board about operator contracts, as needed and in alignment with Board policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*.

4. Designates which District employee(s) are authorized to enter into written agreements with operators when prior board approval of the contract is not otherwise required by Board policy 4:60, *Purchases and Contracts*, and list them below:

_____	_____
Employee Title	Employee Title
_____	_____
Employee Title	Employee Title

5. Assigns the following activities to the Head of IT and the Records Custodian:

   a. Develop and maintain a protocol to manage parent requests for copies (electronic and paper) of students' covered information.

   b. Develop and maintain a protocol to manage parent requests for corrections to factual inaccuracies contained in a student's covered information.

   c. Develop and maintain a protocol to manage parent requests for deletion of a student's covered information maintained by an operator.

6. Ensures that the parent of any student whose covered information was involved in a breach is provided with a breach notification letter no later than 30 calendar days after the District determines a breach has occurred or has been notified by an operator of a breach, unless an

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	appropriate law enforcement agency has requested in writing that the District not provide breach notifications because doing so would interfere with a criminal investigation. See 7:345-AP, E3, *Parent Notification Letter for Student Data Breach*. 7. As appropriate, notifies the District's liability carrier of any third party claims made against the District regarding a data breach. 8. Consults with the Board Attorney for guidance as needed to ensure the District complies with the provisions of SOPPA.
Head of IT or Privacy Officer	1. Implements and maintains reasonable cybersecurity practices to protect covered information, such as technical, administrative, and physical safeguards that are consistent with ISBE guidance, at: www.isbe.net/Pages/Educational-Technology.aspx and 6:235-AP1, *Acceptable use of the District's Electronic Networks*. Coordinates with the Superintendent to implement any staff training on such practices. Coordinates with the Business Manager regarding any recommendations for purchases of equipment or software related to cybersecurity. 2. Creates, maintains, and regularly updates an internal inventory of all Internet websites, online services, online applications, and mobile applications that are being used in the District for K-12 purposes. **Note:** The inventory does not need to include general audience websites, online services, online applications, or mobile applications, even if login credentials are required to access the general audience sites, services, or applications. The inventory list should include the following, and any other information deemed pertinent: a. Name of Operator b. Contract term and expiration/renewal date c. K-12 purpose for which the online service, application, etc. is being used (e.g., curriculum content area and grade level(s)) d. A listing of the *data elements* of covered information that the District collects, maintains, or discloses to the operator. e. A layperson explanation of the data elements listed for each operator including how the district uses the information, to whom or what entities it discloses the information, and for what purpose(s) the information is used. 3. Ensures the following information is posted on the District's website and updated (if needed) by Jan. 31 and July 31 each year (105 ILCS 85/27(a), added by P.A. 101-516) (See 7:345-AP, E1, *Student Covered Information Reporting Form*):

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	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 obtained through the breach of security. g. A written description of the procedures a parent may use to carry out their rights to: (1) inspect and review his/her child's covered information; (2) request electronic or paper copies of his/her child's covered information and (3) request corrections to his/her child's inaccurate covered information under SOPPA. 105 ILCS 85/27(4), added by P.A. 101-516. See 7:345-AP, E4, *Notice of Parent Rights Regarding Student Covered Information*. 4. Posts on the District's website any new operator contracts within 10 business days of the District entering into the contract, along with the information required in items 3.a. through 3.e. listed immediately above. 105 ILCS 85/27(c), added by P.A. 101-516. 5. Promptly notifies the Superintendent of any breach of covered information or other personal information of students so that appropriate notices can be provided.
Business Manager or Privacy Officer	1. Assists Head of IT in creating, maintaining, and updating the internal inventory list referenced in the row above. 2. Reviews operator contracts (including electronic agreements, click wrap agreements, or other terms and conditions a user must agree to before using the product or service) before approval to ensure they contain the provisions required by SOPPA (this can also be accomplished through the Business Manager's participation in the Committee described above). The following provisions are required for contracts entered into, renewed, or amended as of 7-1-21, if the operator is seeking in any manner any covered information from the District (105 ILCS 85/15(4) and 85/27(e), added by P.A. 101-516): a. A listing of the categories or types of covered information to be provided to the operator. b. A statement of the product or service being provided to the District by the operator. c. A statement that, pursuant to the federal Family Educational Rights and Privacy Act of 1974 (FERPA), the operator (1) is acting as a school official with a legitimate educational interest, (2) is performing an institutional service or function for which the District would otherwise use employees, (3) is under the direct control of

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a. A list of operators with which the District has written contracts. 105 ILCS 85/27(a)(2).

b. Copies of the District's written contracts with operators, with redactions as permitted by State law and mutually agreed upon between the District and operators. 105 ILCS 85/27(a)(2).

c. Business address of each operator. 105 ILCS 85/27(a)(2).

d. For each operator, a list of any subcontractors to whom covered information may be disclosed or a link to a page on the operator's website that clearly lists that information. 105 ILCS 85/27(a)(3).

e. An explanation that is clear and understandable by a layperson, of the following (105 ILCS 85/27(a)(1)):

   i. The *data elements* of covered information that the District collects, maintains, or discloses to any person, entity, third party, or governmental agency.

   ii. To whom or to what entities the covered information is disclosed.

   iii. How the covered information is used.

   iv. The purpose of the disclosure of the covered information.

f. For breaches involving 10% or more the District's enrolled students, a list of any breaches of covered information maintained by the District or by an operator that includes the following information (105 ILCS 85/27(a)(5), added by P.A. 101-516):

   i. The number of students whose covered information was involved in the breach, unless the breach involves the *personal information* of students, as defined by the Personal Information Protection Act, 815 ILCS 530/10. Personal information means either:

      1. A student's first name or first initial and last name in combination with any one or more of his or her (a) social security number, (b) driver's license number or State ID card number, (c) financial account information (with any required security codes or passwords), (d) medical information, (e) health insurance information, and/or (f) unique biometric data or other unique physical or digital representation of biometric data, when either the name or data elements are not encrypted or redacted or are encrypted or redacted but the keys to unencrypt or unredact or otherwise read the name or data elements have been acquired through the breach of security; or

      2. A student's username or email address, in combination

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	entity or individual, other than the student's parent, school personnel, Board members, or ISBE, unless the disclosure or transfer is (1) required by court or State or federal law or (2) to ensure legal or regulatory compliance. 105 ILCS 85/26(2), added by P.A. 101-516. 5. With the authorization of the Superintendent, consults with the Board Attorney as needed for contract review. 6. Provides a copy of all operator contracts to the Head of IT for posting on the District's website.
Head of IT and Records Custodian or Privacy Officer	1. Develops and maintains a protocol to manage parent requests to inspect and review their child's covered information, whether it is maintained by the District, ISBE, or an operator. 105 ILCS 85/33(c)(1), added by P.A. 101-516. If the covered information is a *school student record*, then follow the procedures and timelines for responding to student record requests in 7:340-AP1, *School Student Records*. 2. Develops and maintains a protocol to manage parent requests for copies (electronic and paper) of students' covered information. Aligns the protocol with the following requirements (105 ILCS 85/33(c)(2), added by P.A. 101-516): a. A parent must submit the request on a signed and dated form that includes the parent's name, address, phone number, and the student's name, and the school from which the request is being made. 23 Ill.Admin.Code §380.20(b). See 7:345-AP, E5, *Parent Request Form for Student Covered Information.* b. The District must provide the parent with a copy of the student's covered information within 45 days of receipt of the request. 23 Ill.Admin.Code §380.20(a). c. If the parent requests an electronic copy of the student's covered information, the District must provide an electronic copy of the information at no cost, unless the District does not maintain it in an electronic format and reproducing the information in an electronic format would be unduly burdensome to the District. 23 Ill.Admin.Code §§380.20(a), 380.30(a). d. If the parent requests a paper copy of the student's covered information, after providing the first 50 pages at no cost, the District may charge the parent the actual cost of copying, not to exceed $0.15 per page. However, the parent may not be denied a copy of the information due to the parent's inability to pay the cost of copying. 23 Ill.Admin.Code §380.30(b). e. A parent may make no more than two requests per student per fiscal quarter. 23 Ill.Admin.Code 380.20(d).

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the District, with respect to the use and maintenance of covered information, (4) is using the covered information only for an authorized purpose and (5) may not re-disclose covered information to third parties without the District's permission or pursuant to a court order.

d. A description of how, if a breach is attributed to the operator, any costs and expenses incurred by the District in investigating and remediating the breach will be allocated between the operator and District. The costs and expenses may include, but are not limited to: (1) providing notification to parent of those students whose covered information was compromised and to regulatory agencies or other entities as required by law or contract, (2) providing credit monitoring to those students whose covered information was exposed in a manner during the breach that a reasonable person would believe that it could impact his or her credit or financial security, (3) legal fees, audit costs, fines, and any other fees or damages imposed against the school as a result of the security breach; and (4) providing any other notifications or fulfilling any other requirements adopted by the ISBE or of any other State or federal laws

e. A statement that the operator must delete or transfer to the school all covered information if the information is no longer needed for the purposes of the written agreement and to specify the time period in which the information must be deleted or transferred once the operator is made aware that the information is no longer needed for the purposes of the written agreement.

f. If the District maintains a website, a statement that the District must publish the written agreement on the District's website. If the school does not maintain a website, a statement that the District will make the written agreement available for inspection by the general public at its administrative office.

g. A provision requiring the operator to implement and maintain reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure.

3. As permitted by State law, obtains the operator's agreement regarding what provisions, if any, of the contract will be redacted in the copy that is posted on the District's website. Items 2.a, 2.b, and 2.c in the list immediately above may NOT be redacted in the posted copy.

4. Ensures that the District also has written agreements in place that include the provisions listed in #2 above whenever it shares, transfers, discloses, or provides access to a student's covered information to an

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f. If the covered information requested includes data on more than one student, the parent may inspect and review only the covered information relevant to the parent's child.

g. If the covered information is a *school student record*, then follow the procedures and timelines for responding to student record requests in 7:340-AP1, *School Student Records*.

3. Develops and maintains a protocol to manage parent requests for corrections to factual inaccuracies contained in a student's covered information. See 7:345-AP, E6, *Parent Request Form for Correction of Student Covered Information*. Aligns the protocol with the following requirements (105 ILCS 85/33(c)(3), added by P.A. 101-516):

   a. The District must determine whether the factual inaccuracy exists.

   b. If the District determines that a factual inaccuracy exists, and the District maintains or possesses the covered information, it must correct the inaccuracy and confirm the same with the parent within 90 calendar days after receiving the parent's request.

   c. If the District determines that a factual inaccuracy exists and an operator or ISBE maintains or possesses the information, the District must notify the operator or ISBE of the factual inaccuracy and correction to be made. The operator or ISBE must confirm the correction with the District within 90 calendar days after it receives the District's notice. The District must then confirm the correction with the parent within 10 business days after receiving confirmation of the correction from the operator or ISBE.

   d. If the covered information is a *school student record*, and the parent requests a hearing to challenge the accuracy of the record(s), follow the procedures and timelines in 7:340-AP1, *School Student Records*.

4. Develops and maintains a protocol to manage parent requests for deletion of a student's covered information maintained by an operator. Align the protocol with the following requirements:

   a. Deny the request if granting it would result in a violation of the Ill. School Student Records Act or other records laws, such as the deletion of a *school student record* (temporary or permanent) that the District is required by law to maintain for a certain period of time. 105 ILCS 85/27(g), added by P.A. 101-516.

   b. Consider denying the request if granting it would effectively result in the student being unable to participate in all or a

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	portion of the District's curriculum through the site, service, or application being used.
Building Principal(s) or Privacy Officer	1. Ensures that parents are provided with 7:345-AP, E2, *Student Data Privacy; Notice to Parents About Educational Technology Vendors*, at the beginning of each school year through distribution of school handbooks or other means generally used by the building to provide such notices to parents. 105 ILCS 85/28(e), added by P.A. 101-516. 2. Promptly communicates any parent requests for copies of, corrections to, or deletion of students' covered information to the Records Custodian and Head of IT.
Staff Members	1. Participate in any District-required trainings on the privacy and security of student data. 2. Refrain from using any new online sites, services, or applications that collect any student data or covered information that have not be pre-approved for use by the District. 3. Be familiar with and abide by policy 6:235, *Access to Electronic Networks,* and 6:235-AP1, *Acceptable Use of the District's Electronic Networks*.
K-12 Data Privacy and Cybersecurity Resources: www.isbe.net/Pages/Educational-Technology.aspx www.studentprivacy.ed.gov/ www.ltcillinois.org/services/dataprivacy/ www.studentprivacycompass.org www.k12cybersecure.com/resources/ https://www.cosn.org/edtech-topics/student-data-privacy/ Attai, Linnette. Student Data Privacy: Building a School Compliance Program. (Rowman & Littlefield, 2018).	

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Students

Exhibit – Student Covered Information Reporting Form

Use this sample form to implement the requirements of the Student Online Personal Protection Act (SOPPA) (105 ILCS 85/27(a)(1), added by P.A. 101-516, eff. 7-1-21). SOPPA requires a district to provide a clear and understandable layperson explanation on the district's website (or at the district administrative office, if it does not maintain a website) of the data elements of covered information that a district collects, maintains, or discloses to any person, entity, third party, or governmental agency, as well as other operator-related information.

Covered Information (CI) Disclosed to Operators							
Operator Name	Site/Application/ Service	Data Elements of CI	How the CI is Used	Purpose of Disclosure	Link to Copy of Contract	Operator Business Address	Subcontractors to Whom CI is Disclosed

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Covered Information (CI) Disclosed to Other Third Parties, Including Government Agencies				
Other Third Party/Gov't Agency	Site/Application/Service	Data Elements of CI	How the CI is Used	Purpose of Disclosure

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Students

Exhibit – Student Data Privacy; Notice to Parents About Educational Technology Vendors

Use the sample text below to provide notice to parents/guardians about educational technology vendors pursuant to the Student Online Personal Protection Act, 105 ILCS 85/28(e), added by P.A. 101-516, eff. 7-1-21. Beginning with the 2021-2022 school year, school districts must provide this notice to parents/guardians at the beginning of each school year through distribution of school handbooks or other means generally used by a district to provide such notices to parents/guardians.

Annual Notice to Parents about Educational Technology Vendors Under the Student Online Personal Protection Act

School districts throughout the State of Illinois contract with different educational technology vendors for beneficial K-12 purposes such as providing personalized learning and innovative educational technologies, and increasing efficiency in school operations.

Under Illinois' Student Online Personal Protection Act, or SOPPA (105 ILCS 85/), educational technology vendors and other entities that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes are referred to in SOPPA as *operators*. SOPPA is intended to ensure that student data collected by operators is protected, and it requires those vendors, as well as school districts and the Ill. State Board of Education, to take a number of actions to protect online student data.

Depending upon the particular educational technology being used, our District may need to collect different types of student data, which is then shared with educational technology vendors through their online sites, services, and/or applications. Under SOPPA, educational technology vendors are prohibited from selling or renting a student's information or from engaging in targeted advertising using a student's information. Such vendors may only disclose student data for K-12 school purposes and other limited purposes permitted under the law.

In general terms, the types of student data that may be collected and shared include personally identifiable information (PII) about students or information that can be linked to PII about students, such as:

- Basic identifying information, including student or parent/guardian name and student or parent/guardian contact information, username/password, student ID number
- Demographic information
- Enrollment information
- Assessment data, grades, and transcripts
- Attendance and class schedule
- Academic/extracurricular activities
- Special indicators (e.g., disability information, English language learner, free/reduced meals or homeless/foster care status)
- Conduct/behavioral data
- Health information
- Food purchases

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- Transportation information
- In-application performance data
- Student-generated work
- Online communications
- Application metadata and application use statistics
- Permanent and temporary school student record information

Operators may collect and use student data only for K-12 purposes, which are purposes that aid in the administration of school activities, such as:

- Instruction in the classroom or at home (including remote learning)
- Administrative activities
- Collaboration between students, school personnel, and/or parents/guardians
- Other activities that are for the use and benefit of the school district

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Students

Exhibit – Parent Notification Letter for Student Data Breach

Beginning July 1, 2021, use this sample letter to comply with the Student Online Personal Protection Act's requirement that a school district must notify the parent/guardian when the covered information of his/her child has been breached. 105 ILCS 85/27(d), added by P.A. 101-516, eff. 7-1-21.

On District Letterhead

Re: Student Data Breach Notification

Dear Parent(s)/Guardian(s):

Despite the District's ongoing efforts to ensure high levels of security and privacy in the use of online student data, we regret to inform you that certain data about your child [was] **OR** [may have been] compromised in a recent breach of [*insert name of online site, service, or application and name of operator*] **OR** [the District's network]. The breach [is estimated to have] occurred on [*insert date or date range*]. The following information about your child was compromised:

[*Insert description of student's covered information that was compromised or reasonably believed to have been compromised*]

The District [, in cooperation with the operator,] is actively investigating the causes and extent of the breach, and we will keep you apprised of any relevant updates. If you have questions or concerns in the meantime, you may contact me [or directly contact the operator involved]:

[*Insert Superintendent contact information*]

[*Insert operator contact information, if applicable*]

You may also obtain information from the Federal Trade Commission (FTC) and consumer reporting agencies about fraud alerts and security freezes at:

FTC
www.consumer.ftc.gov/articles/0279-extended-fraud-alerts-and-credit-freezes
877-FTC-HELP (382-4537)
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20680

Equifax
www.equifax.com/personal/credit-report-services/
800-685-1111

Equifax Information Services LLC (fraud alert)
P.O. Box 105069
Atlanta, GA 30348-5069

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Students

Exhibit – Notice of Parent Rights Regarding Student Covered Information

Post on the District's website a description of the procedures parents/guardians may use to carry out their rights under 105 ILCS 85/33 regarding their children's covered information, as required by 105 ILCS 85/27(4).

The contact information for the District's Privacy Officer or other staff member designated to respond to parent/guardian requests for their child's covered information follows:

Janet Gladu
Name
404 West Main Street; La Harpe, IL 61450
Address
jgladu@laharpeeagles.com
Email
217-659-7739
Telephone

Under the Illinois Student Online Personal Protection Act (SOPPA), you have the right to review your child's *covered information*. *Covered information* means personally identifiable information (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent/guardian's use of the operator's site, service or application; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application. *Operators* are entities (such as educational technology vendors) that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes.

Under SOPPA, you have a right to:

1. **Request to inspect and review your child's covered information, whether it is maintained by the District, the Ill. State Board of Education (ISBE), or an operator.**
   a. The District will provide you with the opportunity to inspect and review your child's covered information within the timeframe prescribed by State rules.
   b. If the covered information requested includes data on other students, your access will be limited to the covered information relevant to your child.
   c. If the covered information you request includes your child's school student records, the District will permit you to inspect and review any school student records of your child in accordance with the District's procedures for student records requests. See 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records.*
2. **Request a copy of your child's covered information, in electronic or paper form.**
   a. The District will provide the copy to you within 45 days of your request.
   b. If you request an electronic copy, the District will provide you the copy in an electronic format at no cost, unless the District does not maintain the information in electronic format and reproducing it in an electronic format would be unduly burdensome to the District.
   c. If you request a paper copy, after the first 50 pages, the District will charge you $0.15 per page. However, you will not be denied a copy if you have an inability to pay.
   d. You are limited to two requests per child per fiscal quarter.

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e. If the covered information you request includes your child's school student records, the District will provide a copy of your child's school student records to you in accordance with the District's procedures for student records requests. See 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records.*

3. **Request corrections to factual inaccuracies contained in your child's covered information.** Upon receipt of a request, the District will take the following steps:
   a. The District will review your request and determine if the factual inaccuracy exists.
   b. If the District determines that a factual inaccuracy exists, and the District maintains or possesses the covered information, it will correct the inaccuracy and confirm the correction with you within 90 calendar days after receiving your request.
   c. If the District determines that a factual inaccuracy exists and an operator or ISBE maintains the information, the District will notify the operator or ISBE of the factual inaccuracy and the correction to be made. The operator or ISBE is required to confirm the correction with the District within 90 calendar days after it receives the District's notice. The District will then confirm the correction with you within 10 business days after it receives the confirmation of the correction from the operator or ISBE.
   d. If the covered information you are requesting be corrected includes your child's school student records, the District will follow its procedures for amendment of student records with respect to those school student records. See 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records.*

To make a request to inspect and review, copy, and/or correct your child's covered information, please contact the staff member identified above and specify the nature of your request. You will need to submit your request in writing, utilizing any form the District requires.

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Students

Exhibit – Parent Request Form for Student Covered Information

To be used when a parent/guardian is requesting their child's covered information under the Student Online Personal Protection Act. A parent/guardian is limited to two requests per child per fiscal quarter. If the covered information requested includes data on more than one student, the parent/guardian may inspect and review only the covered information relevant to his/her child.

Parent/Guardian Name: _____ Phone Number: _____

Address: _____ Email: _____

Student Name: _____ School: _____

I request an (*choose one*): ☐ **Electronic Copy** ☐ **Paper Copy** of my child's covered information from the following operator(s): _____

_____

_____ _____

Parent/Guardian Signature Date

Completed by the Records Custodian or Privacy Officer.

Request received on: _____

Covered Information due to parent/guardian on: _____

Operator contacted on: _____

Covered information received from operator on: _____

Covered information provided to parent/guardian on: _____

Check, if applicable:

☐ Paper copy was provided instead of electronic copy because the District does not maintain the information in an electronic format and reproducing the information in an electronic format would be unduly burdensome to the District. 23 Ill.Admin.Code §380.20(a).

_____ _____

Record Custodian or Privacy Officer Signature Date

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Students

Exhibit – Parent Request Form for Correction of Student Covered Information

To be used when a parent/guardian is requesting corrections to factual inaccuracies in his/her child's covered information under the Student Online Personal Protection Act.

Parent/Guardian Name: _____ Phone Number: _____

Address: _____ Email: _____

Student Name: _____ School: _____

Name of Operator: _____

Correction Requested (*please be specific and identify what information you believe is inaccurate and why*): _____

_____

_____

_____ _____

Parent/Guardian Signature Date

Completed by the Records Custodian or Privacy Officer.

Request received on: _____

☐ Request Approved. A factual inaccuracy was found, and the District will correct it.

☐ Request Denied (*check applicable box*):

☐ A factual inaccuracy was not found. The parent/guardian was informed on: _____.

☐ A factual inaccuracy was not found; the parent/guardian was informed on _____ that he or she may use the District's procedures for amendment of student records because the covered information includes *school student records*.

Operator received request for correction on: _____

Operator confirmed correction on: _____ (*within 90 calendar days of receipt of District notice*)

Correction confirmed with parent/guardian on: _____ (*within 10 business days of operator confirmation*)

_____ _____

Record Custodian or Privacy Officer Signature Date

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LA HARPE COMMUNITY SCHOOL DISTRICT 347

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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, using social media platforms, e.g., Facebook, Twitter, etc., 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:

1. The Board will:
   a. Commit to the determined purpose(s) and objective(s), and
   b. Provide information about the expected nature of the public's involvement.

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2. The Superintendent will:
   a. Identify the effective tools and tactics that will advance the Board's purpose(s) and objective(s),
   b. At least annually, prepare a report for the community engagement initiative, and/or
   c. Prepare a final report of the community engagement initiative.

The Board will periodically: (1) review whether its community engagement initiative(s) 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)

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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 use of school facilities for school purposes has precedence over all other uses. 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 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, Boy Scouts of America Equal Access Act.
10 ILCS 5/11-4.1, Election Code.
105 ILCS 5/10-20.41, 5/10-22.10, and 5/29-3.5.
Good News Club v. Milford Central School, 533 U.S. 98 (2001).
Lamb's Chapel v. Center Moriches Union Free School District, 508 U.S. 384 (1993).
Rosenberger v. Rector and Visitors of Univ. of Va., 515 U.S. 819 (1995).

CROSS REF.: 7:330 (Student Use of Buildings - Equal Access), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities), 8:30 (Visitors to and Conduct on School Property)

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Community Relations

Exhibit - Application and Procedures for Use of School Facilities

To be submitted to the Superintendent.

This application must be approved before a non-school related group is allowed to use school facilities. School organizations, school-sponsored programs, and organizations whose primary purpose is to provide financial assistance to the school are all considered, for the purpose of this application, to be school-related. Use of school facilities for school purposes has precedence over all other uses.

Organization name	**Requested school facility**
Supervisor from organization *(must be 21 years of age or older)*	**Phone/email address**
Program/activity	**Date(s) and start/end time(s)**
Equipment needed	**Materials to be brought into facility**
Room arrangement, including decorations	**Food service required**

1. **All non-school related groups must supply adequate supervision to ensure proper care and use of school facilities.**
   - The non-school related group is responsible to the Board for the use and care of the school facility. All adult supervisors must have cell phones with them at all times.
   - Sufficient, competent adult supervision must be provided and the adult supervisor must ensure that no minor is left alone after the activity.
   - Only the cafeteria, auditorium, gymnasium, and athletic field, along with needed hallways and parking areas, are available for community use. Entering any room or area not in use by the group is prohibited. The adult supervisor will vacate the facility at the scheduled end time. Use of the school facility is not permitted past the agreed end time.
   - No furniture or equipment may be moved without prior approval from the Building Principal.
   - Signs, displays, or materials may not be attached, nailed, or otherwise affixed to walls.

   Initial here if this is agreeable

2. **All non-school related groups must agree to:**
   - Indemnify and hold harmless the Board 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.
   - 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.
   - Supply proof of insurance naming [*insert name of the District*] as an additional insured and verifying that the group maintains adequate insurance coverage against personal injury and/or property loss:__
     Insurance provider name and contact number

   Initial here if this is agreeable

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3. **All non-school related groups must pay the following fees:**

   Rental charge (unless waived by Board policy):

   Meal and beverage service (cost as determined by the cafeteria supervisor):

   Initial here if this is agreeable

4. **Payment Method: Check Money Order Credit Card**

   If payment is by check, please make check payable to: [*insert name of District*]

   If payment by credit card, please indicate the following: Visa Master Card Am Ex

   Expiration date: Credit Card No.: CVV: Today's date:
   Authorized amount: Authorized signature:

5. **All non-school related groups must agree to use appropriate emergency procedures including calling 9-1-1 for medical emergencies and whenever an Automatic External Defibrillator (AED) is used.**

   Initial here if this is agreeable

6. **All non-school related groups must agree to follow the District's *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*, 4:170-AP6.**
   Important: The District will not supervise the activity nor will it supply trained AED users to act as emergency responders at any time, including during staffed business hours.

   Activity being proposed is not in a physical fitness facility.

   Initial here if this is agreeable

   Copy of the District's *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED* has been provided. 77 Ill.Admin.Code §§527.400(a) and 527.800(c). **Important**: State law encourages all non-District coaches, instructors, judges, referees, or other similarly situated non-District anticipated rescuers who use the physical fitness facility in conjunction with the supervision of physical fitness activities to complete a course of instruction that would qualify them as a trained AED user under Ill. law. 410 ILCS 4/10; 77 Ill.Admin.Code §527.100.

   Initial here that a copy of the Plan was received and that the Applicant has read and understands the above note.

7. **If the request involves a physical fitness facility, the non-school related group must:**
   - Designate at least one adult supervisor who agrees to be an emergency responder. All emergency responders are encouraged to be trained in CPR and trained AED users.
   - Give a copy of the District's plan for responding to medical emergencies to each designated emergency responder.
   - Require that 9-1-1 be called for medical emergencies and whenever an AED is used.
   - Ensure that each designated emergency responder knows the location of first aid equipment and any AED.
   - Ensure that only trained AED users operate an AED, unless the circumstances do not allow time for a trained AED user to arrive.
   - Arrange for at least one emergency responder to have a tour of the facility before the activity.
   - Ensure that if an AED is used, the Superintendent is informed and all appropriate forms are completed.

   Initial here if this is agreeable

I certify that I am authorized to act for the above-named organization. I understand that: (1) the granting of this request does not constitute recognition of my organization as a school-related group or activity, and (2) my organization may not represent itself or any of its activities as school-related.

I agree to: (1) abide by the conditions stated in this application, and (2) adhere to all Board policies and administrative procedures applicable to this use of the school's facility.

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Applicant name (*please print*) | Telephone number

Address | Email address

Applicant signature | Date

The Superintendent or designee will base his or her decision on the information being provided in this application as well as other criteria deemed important. *(Note to Superintendent or designee: After approving or denying this application, return a copy of it to the person making the request, keep the original in the central office, and send a copy to the appropriate Building Principal.)*

Approved **Denied**

Superintendent or designee | Date

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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.

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LEGAL REF.: Lamb's Chapel v. Center Moriches Union Free Sch. Dist., 508 U.S. 384 (1993).
Berger v. Rensselaer Central Sch. Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).
Sherman v. Community Consolidated Sch. Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 8 F.3d 1160 (1994).
Hedges v. Wauconda Community Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).
Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 565 U.S. 1036 (2011).
DiLoreto v. Downey Unified Sch. Dist., 196 F.3d 958 (9th Cir. 1999).

CROSS REF.: 7:325 (Student Fundraising Activities), 7:330 (Student Use of Buildings - Equal Access)

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Community Relations

Administrative Procedure - Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

Requests from Community, Educational, Charitable, Recreational, or Other Organizations

Actor	Action
Community, Educational, Charitable, Recreational, or Other Organizations	Direct to the Building Principal all requests to advertise events pertinent to students' interests or involvement. Specifically describe the material or content proposed to be displayed, distributed, included in the school's website, and/or included on District-issued electronic learning devices. Request specific dates for the material to be displayed or distributed.
Building Principal	Refers all materials to the Superintendent or designee for screening to ensure compliance with the District's policy and procedures.
Superintendent or designee	Screens all material before distributing or posting it to ensure compliance with the District's policy and procedures, including that all material and content be student-oriented, have the sponsoring organization's name prominently displayed, and clearly state that the organization is not affiliated with the District. Rejects all requests to post or distribute material or content 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. Determines the appropriate location for the content, provided that any distribution by staff is done without discussion. Informs the organization whether its request is accepted or rejected. Removes all materials and/or content that are out-of-date from the building, website, and/or District-issued learning devices.
Community, Educational, Charitable, Recreational, or Other Organizations	Deliver the material or content to the school. The school will not make copies. Provide in electronic format any information that the Building Principal agreed to publish on the school's website or District-issued learning devices.

Requests from Commercial Companies to Advertise and/or Distribute Material

Actor	Action

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Commercial Companies	Direct to the Superintendent all requests to advertise on school grounds, in school publications, or on District-issued learning devices. Specifically identify the requested location for advertisements, i.e.: (a) athletic field fences, (b) athletic, theater, or music programs, (c) student newspapers or yearbooks, (d) scoreboards, and/or (e) other appropriate locations. Prominently display the company's name on all advertising. Provide a copy of the proposed advertisement to the Superintendent.
Superintendent	Screens all proposed ads to ensure that they follow Board policy 8:25, *Advertising and Distributing Materials in Schools Provided by Non-School Related Entities*, and 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. May approve a commercial request related to graduation, class pictures, or class rings. For all other commercial requests, makes a dispositional recommendation during an open School Board meeting. After the Board's decision, takes all appropriate steps.
School Board	From time-to-time, by Board resolution, determines minimum fees for advertising space. All fees are subject to negotiation and Board approval. Current minimum fees are: Athletic field fences $ Athletic, theater, or music programs $ Student newspapers or yearbooks $ Scoreboards $ Other appropriate locations $

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Community Relations

Visitors to and Conduct on School Property

The following definitions apply to this policy:

School property - District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities.

Visitor - Any person other than an enrolled student or District employee.

All visitors to school property are required to report to the Building Principal's office and receive permission to remain on school property. All visitors must sign a visitors' log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. On those occasions when large groups of parents/guardians, friends, and/or community members are invited onto school property or when community members are attending Board meetings, visitors are not required to sign in but must follow school officials' instructions. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution.

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the appropriate building. Access shall be facilitated according to guidelines from the Superintendent or designee.

The School District expects mutual respect, civility, and orderly conduct among all people on school property or at a school event. No person on school property or at a school event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, Board member, sports official or coach, or any other person.
2. Behave in an unsportsmanlike manner, or use vulgar or obscene language.
3. Unless specifically permitted by State law, possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device.
4. Damage or threaten to damage another's property.
5. Damage or deface school property.
6. Violate any Illinois law, or town or county ordinance.
7. Smoke or otherwise use tobacco products.
8. Distribute, consume, use, possess, or be impaired by or under the influence of an alcoholic beverage, cannabis, other lawful product, or illegal drug.
9. Be present when the person's alcoholic beverage, cannabis, other lawful product, or illegal drug consumption is detectible, regardless of when and/or where the use occurred.

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10. Use or possess medical cannabis, unless he or she has complied with policy 7:270, *Administering Medicines to Students*, implementing *Ashley's Law*.
11. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner).
12. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board.
13. 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.
14. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding.
15. Violate other District policies or regulations, or a directive from an authorized security officer or District employee.
16. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a School function.

Convicted Child Sex Offender

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 is:

1. 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 at the school 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. Has permission to be present from the 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 who is a certified employee, shall supervise a child sex offender whenever the offender is in a child's vicinity.

Exclusive Bargaining Representative Agent

Upon notifying the Building Principal's office, authorized agents of an exclusive bargaining representative will be provided reasonable access to employees in the bargaining unit they represent in accordance with State law. Such access shall be conducted in a manner that will not impede the normal operations of the District.

Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from school property. The person is also subject to being denied admission to school events or meetings for up to one calendar year.

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Procedures to Deny Future Admission to School Events or Meetings

Before any person may be denied admission to school events or meetings as provided in this policy, the person has a right to a hearing before the Board. The Superintendent may refuse the person admission pending such hearing. The Superintendent or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least ten days before the Board hearing date. The hearing notice must contain:

1. The date, time, and place of the Board hearing;
2. A description of the prohibited conduct;
3. The proposed time period that admission to school events will be denied; and
4. Instructions on how to waive a hearing.

LEGAL REF.: Nuding v. Cerro Gordo Community Unit School Dist., 313 Ill. App.3d 344 (4th Dist. 2000).
20 U.S.C. §7181 et seq., Pro-Children Act of 1994.
105 ILCS 5/10-20.5b, 5/22-33, 5/24-25, and 5/27-23.7(a).
115 ILCS 5/3(c), Ill. Educational Labor Relations Act.
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.
430 ILCS 66/, Firearm Concealed Carry Act.
410 ILCS 705/, Cannabis Tax and Regulation Act.
720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Behavior), 7:270 (Administering Medicines to Students), 8:20 (Community Use of School Facilities)

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Community Relations

Administrative Procedure - Definition of Child Sex Offender

Child Sex Offender
720 ILCS 5/11-9.3(d)

(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 (d) 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 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 or the Criminal Code of 2012:

10-4 (forcible detention),
10-7 (aiding or abetting child abduction under Section 10-5(b)(10)),

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10-5(b)(10) (child luring),
11-1.40 (predatory criminal sexual assault of a child),
11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult),
11-9.1 (sexual exploitation of a child),
11-9.2 (custodial sexual misconduct),
11-9.5 (sexual misconduct with a person with a disability),
11-14.3(a)(1) (promoting prostitution by advancing prostitution),
11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a prostitute),
11-14.3(a)(2)(c) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A) and(B) of paragraph (2) of subsection (a) of Section 11-14.3),
11-14.4 (promoting juvenile prostitution),
11-18.1(patronizing a juvenile prostitute),
11-20.1 (child pornography),
11-20.1B (aggravated child pornography),
11-21 (harmful material),
11-25 (grooming),
11-26 (traveling to meet a minor or traveling to meet 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, or in a public park),
11-30 (public indecency) (when committed in a school, on real property comprising a school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age:

11-1.20 (criminal sexual assault),
11-1.30 (aggravated criminal sexual assault),
11-1.50 (criminal sexual abuse),
11-1.60 (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 or the Criminal Code of 2012, 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),
11-9.1(A) (permitting sexual abuse of a child).
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) or (2)(ii) of subsection (d) of this Section.

(2.5) For the purposes of subsections (b-5) and (b-10) only, a sex offense means:

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(i) A violation of any of the following Sections of the Criminal Code of 1961or the Criminal Code of 2012:

10-5(b)(10) (child luring),
10-7 (aiding or abetting child abduction under Section 10-5(b)(10)),
11-1.40 (predatory criminal sexual assault of a child),
11-6 (indecent solicitation of a child),
11-6.5 (indecent solicitation of an adult),
11-9.2 (custodial sexual misconduct),
11-9.5 (sexual misconduct with a person with a disability),
11-11 (sexual relations within families),
11-14.3(a)(1) (promoting prostitution by advancing prostitution),
11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a prostitute),
11-14.3(a)(2)(C) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A and (B) of paragraph (2) of subsection (a) of Section 11-14.3),
11-14.4 (promoting juvenile prostitution),
11-18.1 (patronizing a juvenile prostitute),
11-20.1 (child pornography),
11-20.1B (aggravated child pornography),
11-25 (grooming),
11-26 (traveling to meet a minor or traveling to meet 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 or the Criminal Code of 2012, when the victim is a person under 18 years of age:

11-1.20 (criminal sexual assault),
11-1.30 (aggravated criminal sexual assault),
11-1.60 (aggravated criminal sexual abuse), and
subsection (a) of Section 11-1.50 (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 or the Criminal Code of 2012, 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),
11-9.1(A)(permitting sexual abuse of a child).
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 (d) of this Section shall constitute a conviction for the purpose of this Section. 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.

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Community Relations

Exhibit - Letter to Parent Regarding Visits to School by Child Sex Offenders

Date:

Dear Parent/Guardian:

Student's Name *(Please print)* School

State law places restrictions on child sex offenders' access to school property. See 720 ILCS 5/11-9.3. It prohibits a child sex offender from knowingly 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: (1) is a parent/guardian of a student and the parent/guardian is: (a) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (b) 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 (c) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the Building Principal of his or her presence at the school; or (2) has permission to be present from the Superintendent or the School Board and the Superintendent or Board President have informed the Building Principal. A child sex offender present on school property must remain under the direct supervision of a school official. A child sex offender who violates these provisions of the law is guilty of a Class 4 felony.

Instructions for Child Sex Offenders

To lawfully visit school property, a child sex offender must complete 8:30-E2, *Child Sex Offender's Request for Permission to Visit School Property*, for each visit to school property.

Sincerely,

School Administrator

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Community Relations

Exhibit - Child Sex Offender's Request for Permission to Visit School Property

If you are a child sex offender, you must complete this form to lawfully visit school property whenever students are present. After a decision is made whether to grant or deny your request for permission to visit, a copy will be returned to you. This information will be kept in the District's main office as well as in the Building Principal's office where you are seeking permission to visit.

Name *(Please print)* _____ Address _____

Signature _____ Date _____

School (Visit Location) _____ Date of Visit _____

Complete the following if you are a parent/guardian of a student attending the above listed school.

I request permission to visit the school for the following reason(s):

- ☐ To attend a conference with school personnel to discuss the academic or social progress of my child.
- ☐ To participate in my child's review conference in which evaluation and placement decisions may be made with respect to my child regarding special education services.
- ☐ To attend a conference to discuss other student issues concerning my child such as retention and promotion.
- ☐ Other *(Please be specific)*: _____

Complete the following if you are **not** a parent/guardian of a student who attends the school you are requesting to visit.

- ☐ I request permission to visit the school for the following reason(s) *(Please be specific)*: _____

The following is to be completed by District personnel only:

☐ **Permission Granted** ☐ **Permission Denied**

Date _____ Signature *(Superintendent, Designee, or Board President)* _____

Visit Supervision *(To be completed by the staff member supervising the child sex offender)*

Supervisor's Name *(Please print)* _____

Visitor's Time In _____ Visitor's Time Out _____

Date _____ Supervisor's Signature _____

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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, website, 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 three 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 Building Programs)

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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 its 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)

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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 may be recognized by the 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 all parents/guardians of students enrolled in the school, District staff, and community members.
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, including on any organization or club websites or social media accounts.
6. An agreement to maintain and protect its own finances.
7. A recognition that money 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 Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede an organization or club's recommendation.

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. At no time does the District accept responsibility for the actions of any parent organization or booster club regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos. The Superintendent shall designate an administrative staff member to serve as the recognized 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.

CROSS REF.: 8:80 (Gifts to the District)

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Community Relations

Parental Involvement

In order to assure collaborative relationships between students' families and the District, and to enable parents/guardians to become active partners in their children's education, the Superintendent shall:

1. Keep parents/guardians thoroughly informed about their child's school and education.
2. Encourage parents/guardians to be involved in their child's school and education.
3. Establish effective two-way communication between parents/guardians and the District.
4. Seek input from parents/guardians on significant school-related issues.
5. Inform parents/guardians on how they can assist their children's learning.

The Superintendent shall periodically report to the School Board on the implementation of this policy.

CROSS REF.: 6:170 (Title I Programs), 6:250 (Community Resource Persons and Volunteers), 8:10 (Connection with the Community), 8:90 (Parent Organizations and Booster Clubs)

ADMIN. PROC.: 6:170-AP1, E1 (District-Level Parent and Family Engagement Compact), 6:170-AP1, E2 (School-Level Parent and Family Engagement Compact)

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Community Relations

Administrative Procedure - Parental Involvement

Building Principals shall advocate effective, comprehensive family involvement in education that will promote parents/guardians becoming active partners in education. Building Principals shall, at least once every semester, provide a written report to the Superintendent on parental involvement programs and efforts in their buildings. This administrative procedure identifies opportunities for parental involvement.

The District or school provides notices to parents/guardians on the following topics (list may not be exhaustive):

Public hearing on holding school or scheduling teachers' institutes, parent-teacher conferences, or staff development on certain holidays. 105 ILCS 5/24-2(b)(2).

Free and reduced-price food service. 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(c).

Fee waiver. 23 Ill.Admin.Code §1.245.

Applications of pest control and/or lawn care products. 225 ILCS 235/10.3, 415 ILCS 65/3.

Instruction on recognizing and avoiding sexual abuse. 105 ILCS 5/27-13.2.

Parental school visitation rights. 820 ILCS 147/25.

Child's placement in English learner programs. 105 ILCS 5/14C-4.

Major school-sponsored events, including parent-teacher conferences, given to non-custodial parents. 105 ILCS 5/10-21.8.

Unexplained absence from school of a student in K-8 (within two hours). 105 ILCS 5/26-3b.

Graduation requirements, particularly when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).

A student's suspension and/or expulsion. 105 ILCS 5/10-22.6.

Electronic audio and/or visual recording devices if located on school buses. 720 ILCS 5/14-3(m).

Physician who prescribes District's supply of epinephrine injectors is protected from liability, with limited exceptions. 105 ILCS 5/22-30(c).

Availability of the District report card. 105 ILCS 5/10-17a(5).

District's intent to withdraw from a special education joint agreement, if applicable. 105 ILCS 5/10-22.31, amended by P.A. 101-164.

See also:

6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*

7:190-E2, *Student Handbook Checklist*

7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*

State laws have created parental involvement opportunities on the following topics:

Students Records

Parents/guardians have many rights concerning their student's school records, including the right to access the records (105 ILCS 10/5); the right to challenge the content (105 ILCS 10/7); and a non-custodial parent has the right to receive copies of school correspondence and reports (105 ILCS 5/10-21.8).

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Parent-Teacher Advisory Committees

The School Board establishes a parent-teacher advisory committee(s) on student discipline and behavior interventions for special education students. 105 ILCS 5/10-20.14 and 5/14-8.05(c).

Curriculum Involvement

The District must involve the parents/guardians of a child with disabilities in their child's education and placement. 20 U.S.C. §1414 and 1415; 34 C.F.R. §300.322, 501, 503, 504, 507 and 508; 105 ILCS 5/14-1 et seq., 23 Ill.Admin.Code §§226.500, 510, 520, 530 and 610.

If parent(s)/guardian(s) opts their child(ren) out in writing, the student is not required to take National Sex Education Standards (NSES) classes or courses. 105 ILCS 5/27-9.1a(d), added by P.A. 102-522, and 110/3, and see also 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs.*

A parent/guardian has the right to examine instructional materials to be used in National Sex Education Standards (NSES) classes or courses. 105 ILCS 5/27-9.1a(e), added by P.A. 102-522, and 110/3. See also 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, and 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*.

The Board determines the instructional program with involvement of parents/guardians. 23 Ill.Admin.Code §1.410.

The District may consult with parent/guardian on an individual remediation plan for students demonstrating a proficiency level comparable to the average pupil performance one grade or more below current placement. 105 ILCS 5/2-3.64(b), repealed by P.A. 98-972, eff. 8-15-14; however, there is no penalty for continuing this practice when it is in the best interests of a student.

The District must notify parents/guardians of graduation requirements and when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).

The Board may use parent/guardian volunteers as: (1) assistants under the immediate supervision of a licensed teacher (105 ILCS 5/10-22.34, amended by P.A. 102-894); (2) supervisors, chaperones, or sponsors for non-academic activities (105 ILCS 5/10-22.34a, amended by P.A. 102-894); and (3) guest lecturers or resource persons under the immediate supervision of a certificated teacher (105 ILCS 5/10-22.34b, amended by P.A. 102-894).

Upon a parent/guardian's request, a student must be released for religious instruction or observance. 105 ILCS 5/26-1(5).

The District must post the school report card on its website and, upon request, send it to parents/guardians. If the District does not maintain a website, the report card must be sent to parents/guardians without request. The District must send a written notice home to parents/guardians stating: (1) that the report card is available on the website; (2) the website address; (3) that a printed copy will be sent upon request; and (4) the telephone number to call to request a printed copy. 105 ILCS 5/10-17a.

Conferences and Hearings

The District must notify parents/guardians and consult with them and keep them involved with the education and placement of their child with disabilities. 20 U.S.C. §1414 and 1415; 34 C.F.R. §300.322, 501, 503, 504, 507 and 508; 105 ILCS 5/14-1 et seq., 23 Ill.Admin.Code §§226.500, 510, 520, 530 and 610.

If applicable, the District must notify all parents/guardians of students with disabilities residing in the District of its intent to withdraw from the special education joint agreement and hold a

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public hearing to review the District's plan for educating students after the withdrawal. 105 ILCS 5/10-22.31, amended by P.A. 101-164.

Parents/guardians have the right to an unpaid leave from work to attend educational or behavioral conferences. 820 ILCS 147/1 et seq.

The District may use two days for parent-teacher conferences and may add more days to the teacher work year subject to collective bargaining. 105 ILCS 5/3-11.

A non-custodial parent receives notices of parent-teacher conferences. 105 ILCS 5/10-21.8.

A hearing with the parents/guardians must precede a student's expulsion. 105 ILCS 5/10-22.6(a).

Report on Parental Involvement

Parental involvement must be included in the school report card. 105 ILCS 5/10-17a.

The following Board policies provide opportunities for parental involvement:

School Board

2:150	*Committees*
2:260	*Uniform Grievance Procedure*

Operational Services

4:10	*Fiscal and Business Management*
4:110	*Transportation*
4:130	*Free and Reduced-Price Food Services*
4:140	*Waiver of Student Fees*
4:160	*Environmental Quality of Buildings and Grounds*
4:170	*Safety*

Personnel

5:230	*Maintaining Student Discipline*

Instruction

6:60	*Curriculum Content*
6:120	*Education of Children with Disabilities*
6:140	*Education of Homeless Children*
6:145	*Migrant Students*
6:150	*Home and Hospital Instruction*
6:160	*English Learners*
6:170	*Title I Programs*
6:180	*Extended Instructional Programs*
6:190	*Extracurricular and Co-Curricular Activities*
6:235	*Access to Electronic Networks*
6:270	*Guidance and Counseling Program*
6:280	*Grading and Promotion*
6:300	*Graduation Requirements*
6:310	*High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*
6:340	*Student Testing and Assessment Program*

Students

7:15	*Student and Family Privacy Rights*
7:20	*Harassment of Students Prohibited*
7:30	*Student Assignment and Intra-District Transfer*
7:40	*Nonpublic School Students, Including Parochial and Home-Schooled Students*

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7:50 *School Admissions and Student Transfers To and From Non-District Schools*
7:60 *Residence*
7:70 *Attendance and Truancy*
7:80 *Release Time for Religious Instruction/Observance*
7:90 *Release During School Hours*
7:100 *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*
7:165 *School Uniforms*
7:170 *Vandalism*
7:180 *Prevention of and Response to Bullying, Intimidation, and Harassment*
7:185 *Teen Dating Violence Prohibited*
7:190 *Student Behavior*
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*
7:250 *Student Support Services*
7:260 *Exemption from Physical Education*
7:270 *Administering Medicines to Students*
7:275 *Orders to Forgo Life-Sustaining Treatment*
7:280 *Communicable and Chronic Infectious Disease*
7:285 *Food Allergy Management Program*
7:290 *Suicide and Depression Awareness and Prevention*
7:300 *Extracurricular Athletics*
7:305 *Student Athlete Concussions and Head Injuries*
7:340 *Student Records*

Community Relations

8:30 *Visitors to and Conduct on School Property*
8:90 *Parent Organizations and Booster Clubs*
8:95 *Parental Involvement*

School-level parental involvement programs include:

1. Keeping parents/guardians thoroughly informed about their child's school and programs.
   Develop and distribute a comprehensive student handbook.
   Distribute information to parents/guardians on their school visitation rights.
   Promote open houses.
   Promote parent/guardian-teacher conferences.
   Provide progress reporting and report cards, and keep parents/guardians informed when their child is not adequately progressing and there is a likelihood of retention.
   Publish newsletters.
   Sponsor financial information nights.
2. Encouraging involvement in their child's school and education.
   Support and encourage parents/guardians volunteer opportunities.
   Work with the PTO to promote parents/guardians volunteer opportunities.
   Develop and use outreach programs to community groups and organizations.
3. Establishing effective two-way communication between all parents/guardians and District personnel.
   Monthly Building Principal coffees.

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Work with PTO leadership to ensure parental input.

Train personnel to collaborate with families of diverse backgrounds, including backgrounds that might impede parental/guardian participation, e.g., illiteracy or language difficulty.

4. Seeking the advice of parents/guardians on school governance issues and methods to fulfill the District's educational mission.

   Work with PTO leadership to ensure parental input.

   Establish a school-community advisory committee to identify, consider, and discuss educational problems and issues.

5. Informing parents/guardians how they can assist their children's learning

   Provide information to parents/guardians about activities they can do at home.

   Provide programs on how to establish a home environment that supports learning and appropriate behavior.

   Implement a homework-hotline.

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Community Relations

Exhibit - Letter Notifying Parents/Guardians of School Visitation Rights

On District letterhead

Date

Dear Parents/Guardians:

The School Visitation Rights Act permits employed parents/guardians, who are unable to meet with educators because of a work conflict, the right to time off from work to attend necessary educational or behavioral conferences at their child's school. Please review the following copy of this Act to determine if you are entitled to a school visitation leave.

Sincerely,

Superintendent

****

SCHOOL VISITATION RIGHTS ACT
820 ILCS 147/, amended by P.A. 101-486, eff. 8-1-20

147/1. **Short title**

This Act may be cited as the School Visitation Rights Act.

147/5. **Policy**

The General Assembly of the State of Illinois finds that the basis of a strong economy is an educational system reliant upon parental involvement. The intent of this Act is to permit employed parents and guardians who are unable to meet with educators because of a work conflict the right to an allotment of time during the school year to attend necessary educational or behavioral conferences at the school their children attend.

147/10. **Definitions**

As used in this Act:

(a) "Employee" means a person who performs services for hire for an employer for:

(1) at least 6 consecutive months immediately preceding a request for leave under this Act; and

(2) an average number of hours per week equal to at least one-half the full-time equivalent position in the employer's job classification, as defined by the employer's personnel policies or practices or in accordance with a collective bargaining agreement, during those 6 months.

"Employee" includes all individuals meeting the above criteria but does not include an independent contractor.

(b) "Employer" means any of the following: a State agency, officer, or department, a unit of local government, a school district, an individual, a corporation, a partnership, an association, or a nonprofit organization.

(c) "Child" means a biological, adopted or foster child, a stepchild or a legal ward of an employee and who is enrolled in a primary or secondary public or private school in this State or a state which shares a common

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boundary with Illinois.

(d) "School" means any public or private primary or secondary school or educational facility located in this State or a state which shares a common boundary with Illinois.

(e) "School administrator" means the principal or similar administrator who is responsible for the operations of the school.

147/15. **School conference and activity leave**

(a) An employer must grant an employee leave of up to a total of 8 hours during any school year, and no more than 4 hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the employee's child if the conference or meeting cannot be scheduled during non-work hours; however, no leave may be taken by an employee of an employer that is subject to this Act unless the employee has exhausted all accrued vacation leave, personal leave, compensatory leave and any other leave that may be granted to the employee except sick leave and disability leave. Before arranging attendance at the conference or activity, the employee shall provide the employer with a written request for leave at least 7 days in advance of the time the employee is required to utilize the visitation right. In emergency situations, no more than 24 hours' notice shall be required. The employee must consult with the employer to schedule the leave so as not to disrupt unduly the operations of the employer.

(b) Nothing in this Act requires that the leave be paid.

(c) For regularly scheduled, non-emergency visitations, schools shall make time available for visitation during regular school hours and evening hours.

147/20. **Compensation**

An employee who utilizes or seeks to utilize the rights afforded by this Act may choose the opportunity to make up the time so taken as guaranteed by this Act on a different day or shift as directed by the employer. An employee who exercises his rights under this Act shall not be required to make up the time taken, but if such employee does not make up the time taken, such employee shall not be compensated for the time taken. An employee who does make up the time taken shall be paid at the same rate as paid for normal working time. Employers shall make a good faith effort to permit an employee to make up the time taken for the purposes of this Act. If no reasonable opportunity exists for the employee to make up the time taken, the employee shall not be paid for the time. A reasonable opportunity to make up the time taken does not include the scheduling of make-up time in a manner that would require the payment of wages on an overtime basis. Notwithstanding any other provision of this Section, if unpaid leave under this Act conflicts with the unreduced compensation requirement for exempt employees under the federal Fair Labor Standards Act, an employer may require an employee to make up the leave hours within the same pay period.

147/25. **Notification**

The State Superintendent of Education shall notify each public and private primary and secondary school of this Act. Each public and private school shall notify parents or guardians of the school's students of their school visitation rights. The Department of Labor shall notify employers of this Act.

147/30. **Verification**

Upon completion of school visitation rights by a parent or guardian, the school administrator shall provide the parent or guardian documentation of the school visitation. The parent or guardian shall submit such verification to the employer. The State Superintendent and the Director of the Department of Labor shall suggest a standard form of documentation of school visitation to schools for use as required by this Section. The standard form of documentation shall include, but not be limited to, the exact time and date the visitation

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occurred and ended. Failure of a parent or guardian to submit the verification statement from the school to his or her employer within 2 working days of the school visitation subjects the employee to the standard disciplinary procedures imposed by the employer for unexcused absences from work.

147/35. **Employee rights**

A. No employee shall lose any employee benefits, except as provided for in Section 20 of this Act, for exercising his or her rights under this Act. Nothing in this Act shall be construed to affect an employer's obligation to comply with any collective bargaining agreement or employee benefit plan. Nothing in this Act shall prevent an employer from providing school visitation rights in excess of the requirements of this Act. The rights afforded by this Act shall not be diminished by any collective bargaining act or by any employee benefit plan.

B. An employer may not terminate an employee for an absence from work if the absence is due solely to the employee's attendance at a school conference, behavioral meeting, or academic meeting, as provided in Section 15.

147/40. **Applicability**

This Act applies solely to public and private employers that employ at least 50 or more individuals in Illinois, and to their employees.

147/45. **Violation**

Any employer who violates this Act is guilty of a petty offense and may be fined not more than $100 for each offense.

147/49. **Limits on leave**

No employer that is subject to this Act is required to grant school visitation leave to an employee if granting the leave would result in more than 5% of the employer's work force or 5% of an employer's work force shift taking school conference or activity leave at the same time.

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Community Relations

Exhibit - Verification of School Visitation

To be completed by the parent/guardian and given to the Building Principal. Please print.

This document serves to verify that the named parent/guardian attended a school conference or classroom activity for his or her child held on the date and time indicated below.

Student

Conference/Classroom activity

Parent/Guardian name

Date/time of conference/classroom activity

Parent/Guardian signature

****

To be signed by the Building Principal and returned to the parent/guardian.

Building Principal signature

Date

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Community Relations

Relations with Other Organizations and Agencies

The District shall cooperate with other organizations and agencies, including but not limited to:

- County Health Department
- Law enforcement agencies
- Fire authorities
- Planning authorities
- Zoning authorities
- Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense
- Other school districts

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

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Community Relations

Public Suggestions and Concerns

The School Board is interested in receiving suggestions and concerns from members of the community. Any individual may make a suggestion or express a concern by contacting any District or School office. Community members who e-mail the District or any District employee or board member are expected to abide by the standards in Board policy 6:235, *Access to Electronic Networks,* and should, to the extent possible, limit their communications to relevant individuals. All suggestions and/or concerns will be referred to the appropriate level staff member or District administrator who is most able to respond in a timely manner. Each concern or suggestion shall be considered on its merit.

An individual who is not satisfied may file a grievance under Board policy 2:260, *Uniform Grievance Procedure*. The Board encourages, but does not require, individuals to follow the channels of authority prior to filing a grievance. Neither this policy nor the *Uniform Grievance Procedure* create an independent right to a hearing before the Board.

LEGAL REF.: 115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.

CROSS REF.: 2:140 (Communications To and From the Board), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 2:260 (Uniform Grievance Procedure), 3:30 (Chain of Command), 6:235 (Access to Electronic Networks), 6:260 (Complaints About Curriculum, Instructional Materials and Programs), 8:10 (Connection with the Community)

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