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School Board

Exhibit - Guidance for Board Member Communications, Including Email Use ¹

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~~ guidance assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board*.

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Note: Public records stored by board members on personal devices (i.e., texts) or personal email accounts pose significant logistical and administrative challenges for public record preservation and certain FOIA requests. It is therefore a best practice for board members to utilize District-issued devices or District-issued email addresses for electronic communications that qualify as public records under the Freedom of Information Act (FOIA) or the Local Records Act (LRA). For that reason, the examples in this guidance focus primarily on board member email use and District-issued devices.

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 all/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."** Alternatively, the Superintendent may blind carbon copy (bcc) all other board members (preventing them from replying to all) and include a similar alert to the group, such as: "BOARD MEMBER ALERT: This email is in response to a request. To prevent replies or forwards to the group, all board members are blind carbon copied on this email. Only reply to the sender."
2. Board members are permitted to discuss any topic/matter other than~~except~~ District business with each other, whether in person or by telephone, ~~or~~ email, text, or other electronic means, 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, text, or other electronic means, that relates to District business but 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, text, or other electronic means.

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¹ This exhibit is not a substitute for legal advice. Use it after having a discussion with the board attorney. To prevent over-loading the District's servers with email messages, the District can annually seek authority from the Local Records Commission to dispose of "all District-wide electronic correspondence" for a year at a time. These types of records are generally not needed in the transaction of current District business, and they generally do not have sufficient administrative, legal, or fiscal value to warrant preservation. The board attorney should also be consulted on all legal issues involving the Open Meetings Act (OMA) and record retention.

Stated another way, a Board member may discuss District business in person or by telephone, ~~or email, text, or other electronic means~~ with only one other Board member at a time. ~~However,~~
4-5. A Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls, ~~or emails, texts, or other electronic communications~~ to, Board members individually.

6. A Board member should include a ~~do not reply~~ all/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.”** ~~Alternatively, the board member may bcc the other board members and include a similar alert to the other board members, such as “BOARD MEMBER ALERT: This email is not for interactive discussion purposes. To prevent replies or forwards to the group, all board members are blind carbon copied on this email. The recipient should not reply to it or forward it to another individual.”~~

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5-7. 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, amended by P.A. 104-438. Public records do not include junk mail. Junk mail includes unsolicited commercial electronic communications sent to the District that it does not respond to. Id. Email or other electronic communications 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).

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If a Board member uses a District-provided device or email address to discuss public business, the ~~electronic communication~~ email is subject to disclosure under FOIA, barring an applicable exemption. If a Board member uses a private device and email address, the communication is subject to FOIA if it satisfies this test:

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- 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. Ct. 2013).

The following examples describe FOIA’s treatment of electronic communications:

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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~~ **whether** a specific communication must be disclosed pursuant to a FOIA request.

When Must Electronic Communications Be Retained?

~~Email~~ **Electronic communications** that ~~qualifies~~ **qualify** under FOIA as ~~a public records~~ **public records** 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.

Important: Do not destroy any ~~email-electronic communication~~ **electronic communication** concerning a topic that is being litigated without obtaining the Board ~~Attorney's~~ **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~~ **advise** their clients at the beginning of a legal proceeding ~~that they must 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 *administrative procedure 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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share w/ Lisa,
Amanda M.,

School Board

Exhibit - Immediately Available District Public Records and Web-Posted Reports and Records¹

[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. Unless otherwise noted in the special instructions column, 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
<p>*Annual schedule of regular meetings for the current school year that are posted at the beginning of each calendar or fiscal year</p> <p>*Public notice of each Board meeting that is posted at least 48 hours before the meeting and remains posted until the meeting is concluded</p> <p>*Agenda of each regular meeting that is posted at least 48 hours before a meeting and remains posted until the meeting is concluded</p> <p>Note: For school districts that do not post board meeting notices and/or agendas on a website (because they do not</p>	5 ILCS 120/2.02.

The footnotes should be removed before the material is used.

¹ This exhibit has two purposes: (1) to identify the data and documents that must be posted on a district's website, if the district has a website; and (2) to fulfill the requirement in the Freedom of Information Act (FOIA) for the district's FOIA officer to designate the public records that are immediately available to the public. 5 ILCS 140/3.5(a). Many attorneys agree that using the required items for web-posting is an easy and practical way for the FOIA officer to develop a list of public records that are *immediately available*. Some attorneys prefer that the district also retain copies of its web-posted public records for immediate inspection and/or copying upon request at the administrative office. The introductory paragraph manages this issue by indicating that copies of certain identified public records will also be immediately available in the district's administrative office. This exhibit suggests identifying public records for immediate availability that are easily reproduced and stored, i.e., not voluminous. The FOIA officer should customize this list as appropriate to the district's circumstances.

Districts may respond to a FOIA request for a public record published on the district website by directing the requester to the website. However, if the requester is unable to reasonably access the record, the requester may re-submit his or her request, and the district must then make the record available for inspection and copying. See 5 ILCS 140/8.5; see also reference in Ill. Public Access Counselor binding opinion 10-1. Consult the board attorney for ideas to manage the district's specific FOIA compliance issues.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
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	
*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).
<p>*Description of the District and its records including:</p> <ol style="list-style-type: none"> 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, 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 	<p>5 ILCS 140/4, amended by P.A. 104-438.</p> <p>The District must prominently post the list description on its website at each administrative office and make it available for inspection and copying. If the District does not maintain a website, it must post it at each administrative office.</p>
*A hyperlink to an email address(es) for members of the public to communicate with members of the Board	<p>50 ILCS 205/20.</p> <p>The hyperlink must be easily accessible from the District’s home page.</p>
Annual budget for current fiscal year, itemized by receipts and expenditures	<p>105 ILCS 5/17-1.2.</p> <p>This may be accomplished using the Ill. State Board of Education (ISBE) <i>School District Budget Form (50-36)</i> or the summary pages from it. ²</p>

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² ~~For school officials who are concerned that some of their district’s constituents may not have the proper software to access these documents, ISBE provides links to free viewer or reader products that support the ISBE School District Budget Form (50-36). These products can be downloaded and used to access the budget as posted on the district’s website. See www.isbe.net/Pages/School-District-Joint-Agreement.aspx.~~

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	The District must notify its students' parents/guardians when the budget is web-posted along with its website address.
*Notice of a public hearing under the Truth in Taxation Law, when applicable (required if the District has a website maintained by a full-time staff member)	35 ILCS 200/18-75, amended by P.A. 103-1018. The notice on the website must be posted for at least 30 consecutive days on or near the top of the District's website home page or on a page accessible through a direct link from the home page. The notice must be posted not more than 14 days nor less than seven days prior to the date of the public hearing. <i>Id.</i> at 18-80.
*Notice of public hearing on waiver or modification of a School Code mandate, when applicable	105 ILCS 5/2-3.25g(c-5). The time, date, place, and general subject matter of the public hearing must be posted at least 14 days prior to the hearing. If the District is requesting to increase the fee charged for driver education authorized pursuant to 105 ILCS 5/7-24.2, the website information must include the proposed amount of the fee the District will request. See exhibit 2:20-E , <i>Waiver and Modification Request Resource Guide</i> .
*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. 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. <i>Id.</i>

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*Hyperlink to ISBE's Expanded High School Snapshot Report	105 ILCS 5/10-17a(7), added by P.A. 103-503. The hyperlink must be displayed in a manner that is easily accessible to the public. ISBE is required to prepare a stand-alone report covering high schools beginning 10-31-27 October 27, 2027 , and by October- 31 of each subsequent year.
*The District's discipline plan and progress on the plan, in the event the District is identified by ISBE to be in the 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	105 ILCS 5/2-3.162. 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, amended by P.A. 104-261, eff. 1-1-26 . Each year, before December- 1, and in conjunction with the publication of the Statement of Affairs on the District's website and in a newspaper of general circulation, the District shall include 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 5/27-815, renumbered by P.A. 104-391. 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, amended by P.A. 104-261, eff. 1-1-26 . Annually by December- 1, the District must post its statement of affairs on its website and in a newspaper of general circulation published in the District.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*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. The report must be: (1) approved by the Board at an open meeting, ³ 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 following data from all vendors and subcontractors doing business with the District: Whether the vendor or subcontractor is minority-owned, women-owned, or veteran-owned; 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 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).	35 ILCS 200/18-50.2. The law does not define <i>electronically publish</i> ; website posting is a means of compliance. This item is not asterisked should the District choose to electronically publish the information offline.
*Notice of a public hearing at which the Board will consider closing a school, when applicable	105 ILCS 5/10-22.13. The notice of the public hearing must be provided at least 10 days prior to the hearing and include the time, date, place, and name or description of the school building that the Board is considering closing.

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³ 105 ILCS 5/17-1.1 specifies that the report must be approved by the board at an "open meeting that allows for public comment." The public comment qualification is omitted here because it is redundant; all open meetings must have a period during which the public can offer comments. See sample policy 2:230, *Public Participation at School Board Meetings and Petitions to the Board*. This report is included in a district's annual financial report as the *Report on Shared Services or Outsourcing*. See www.isbe.net/Pages/Annual-Financial-Report.aspx.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
<p>*Explanation of the data elements of <i>covered information</i>⁴ that the District collects, maintains, or discloses to any person, entity, third party, or governmental agency.</p> <p>*A description of the procedures⁵ that parents/guardians may use to carry out their rights under 105 ILCS 85/33(c)(1), (2), & (3), including the right to:</p> <p>Inspect and review their child’s covered information</p> <p>Request a paper or electronic copy of their child’s covered information</p> <p>Request corrections for factual inaccuracies contained in their child’s covered information</p>	<p>105 ILCS 85/27(a)(1).</p> <p>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.</p> <p>The explanation of data elements and description of parent/guardian rights procedures must be updated by January: 31 and July 31 each year, as needed.</p>
<p>*A list of operators with whom the District has written agreements and the following for each operator:</p> <p>Copy of the agreement</p> <p>Business address</p> <p>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</p>	<p>105 ILCS 85/27(a)(2) & (3).</p> <p>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).</p> <p>This list must also be updated by January: 31 and July 31 each year, as needed.</p>
<p>*A list of <i>breaches</i> of covered information maintained by the school or an operator involving 10% or more of the District’s student enrollment. The list must include:</p> <p>Number of students whose covered information was involved in the breach, unless the breach involved <i>personal information</i> as defined in the Personal</p>	<p>105 ILCS 85/27(a)(5).</p> <p>The District must update breach information by January: 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</p>

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⁴ *Covered information* means personally identifiable information or material (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/guardian’s use of the operator’s site, service or application for K-12 school purposes; (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. 105 ILCS 85/5. *Operators* are entities that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and used for K-12 school purposes. *Id.* See sample administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*, for additional information regarding posting requirements under Student Online Personal Protection Act, 105 ILCS 85/, and sample exhibit 7:345-AP, E1, *Student Covered Information Reporting Form*, for a sample reporting format.

⁵ See sample exhibit 7:345-AP, E4, *Notice of Parent Rights Regarding Student Covered Information*. Districts may choose to, but are not required to, include a description of these procedures in a student handbook.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
<p>Information Protection Act, 815 ILCS 530/5, in which case the number of students involved may not be disclosed</p> <p>Date, estimated date, or estimated date range of the breach</p> <p>Name of the operator, if applicable</p>	<p>occurred) prior to 7-1-21 July 1, 2021, or breaches that were posted more than five years prior to updating the current list do not need to be posted. ⁶</p>
<p>*Board policy 7:180, <i>Prevention of and Response to Bullying, Intimidation, and Harassment</i></p> <p>*Information developed as a result of the evaluation and assessment of the bullying policy's outcomes and effectiveness</p>	<p>105 ILCS 5/22-110(b)(10) and (11), renumbered by P.A. 104-391.</p>
<p>*Contact information for the District's Title IX Coordinator(s) and Board policies 2:260, <i>Uniform Grievance Procedure</i>; and 2:265, <i>Title IX Grievance Procedure</i></p>	<p>34 C.F.R. §106.8.</p>
<p>Training materials for any individuals designated as Title IX Coordinator(s), investigators, decision-makers, and informal resolution facilitators</p>	<p>34 C.F.R. §106.45(b)(10)(i)(D).</p> <p>Naming only the training provider and course does not meet this requirement. The U.S. Dept. of Education (DOE) requires training materials to 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</p>

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⁶ 105 ILCS 85/27(d) states that individual notification to the parent/guardian of a child whose covered information was breached may be delayed if a law enforcement agency determines that notification will interfere with a criminal investigation and provides the District with a written request for a delay of notice. This basis for delay does not specifically apply to the more general website notification of a breach, however, such a delay may also be warranted depending upon the circumstances. Consult the board attorney for guidance on this issue.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	materials” or create their own training materials. 85 Fed. Reg. 30412.
*Board policy 7:20, <i>Harassment of Students Prohibited</i> , 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 other area where policies, rules and standards of conduct are posted in each school.
*Board policy 7:255, <i>Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence</i> , and procedures for requesting supportive services	105 ILCS 5/26A-20(d), added by P.A. 102-466, a/k/a <i>Ensuring Success in School Law</i> . Copies must be made available to students and parent(s)/guardian(s) at no cost at each school. Procedures for requesting supportive services that are available at the building level and on building-specific websites should include the building-level Article 26A Resource Person's name and contact information. See administrative procedure 7:255-AP1, <i>Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence</i> .
*Board policy 7:290, <i>Suicide and Depression Awareness and Prevention</i>	105 ILCS 5/2-3.166.
*Contact information for the National Suicide Prevention Lifeline (988), the Crisis Text Line (Text 741741), and the Safe2Help Illinois helpline (Call 844-4-SAFEIL or Text SAFE2 to 72332) if the District does not issue student identification cards to all students in grades 6-12 or school employees serving those grades	105 ILCS 5/10-20.81, amended by P.A.s 103-143 and 104-264, eff. 1-1-26 .
*Administrator and Teacher Salary and Benefits Report (itemized salary report for the Superintendent and all administrators and teachers); <i>benefits</i> includes, without	105 ILCS 5/10-20.47. ⁷ Annually on or before October . 1: (1) the information must be presented at a regular

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⁷ 105 ILCS 5/10-20.47 does not specify whether a district must provide employee names as part of its salary and benefits report. The general practice of districts has been to include names in the report. Consult the board attorney for guidance.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
limitation, vacation days, sick days, bonuses, annuities, and retirement enhancements	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 Board policy 7:30, <i>Student Assignment and Intra-District Transfer</i> .
*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. 103-588. 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, 2027.
*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 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 <i>misconduct</i> , which includes sexual harassment and/or discrimination. <i>Id.</i> at 415/5. For more

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	discussion about reconciling these laws, see f/n 7 in sample policy 2:260, <i>Uniform Grievance Procedure</i> .
<p>*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; <i>total compensation package</i> means salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted</p>	<p>5 ILCS 120/7.3.</p> <p>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.</p> <p>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.</p>
<p>*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</p>	<p>5 ILCS 120/7.3.</p> <p>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.</p> <p>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., TRS participants.</p>
<p>*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</p>	40 ILCS 5/7-135.5.
<p>*Board policy 5:120, <i>Employee Ethics; Code of Professional Conduct; and Conflict of Interest</i></p>	105 ILCS 5/22-85.5(e).

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*A description of activities to address intergroup conflict (an optional program authorized by 105 ILCS 5/27-23.6)	105 ILCS 5/27-1050(c), renumbered by P.A. 104-391.
<p>The total number of personnel with a school support personnel endorsement, and for each endorsement area:</p> <ol style="list-style-type: none"> 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 	<p>105 ILCS 5/10-20.80.</p> <p>Annually by December 1, the District must report its school support personnel information as of October 1 to ISBE and web-post it.</p>
<p>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</p>	<p>105 ILCS 5/2-3.182.</p> <p>Annually by December 1, ISBE must make the enrollment information available on its website based on the District's enrollment information as of October 1.</p>
*Notice that students with disabilities who do not qualify for an IEP may qualify for services under Section 504	<p>105 ILCS 5/14-6.01. 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/guardians 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.</p>
<p>*Class size reporting that includes the information described in 105 ILCS 5/2-3.136a:</p> <ol style="list-style-type: none"> 1. The total number of <i>teachers</i> actively employed in the District, listed by individual school; 2. The <i>pupil-teacher ratio</i> for the District; 3. The number of <i>class instructors</i>, by grade level and subject; 4. The <i>class size</i> for each <i>class</i> and <i>class section</i> at each school in the District and the total number of classes or class sections in each school that exceed the class size guidelines under 105 ILCS 5/18-8.15(b)(2) (evidence-based funding core teacher ratios). 	<p>105 ILCS 5/10-20.70. Annually, the District must report its class size information, which ISBE must make available on its website by January 31 (see www.isbe.net/Pages/Data-Analysis-Reports.aspx www.isbe.net/Pages/class-size-report.aspx). See 105 ILCS 5/2-3.136a for definitions of the italicized terms.</p>

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
<p>*Names of Board members who have completed professional development leadership training</p>	<p>105 ILCS 5/10-16a requires the District to post on its website the names of all Board members who have completed professional development leadership training. The web-posting may be expanded to log all Board members' training and development activities.</p> <p>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.</p> <p>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.</p>
<p>Immunization data</p>	<p>105 ILCS 5/22-105(6), renumbered by P.A. 104-391.</p> <p>By December, 1, the District must annually make the immunization <i>data</i> that it must report to ISBE by November, 15 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.</p>
<p>Information on mental health issues and local treatment resources</p>	<p>The Ill. House of Representatives encouraged this in HR 478 (99th General Assembly, 5-31-15).</p>
<p>*All reliable assessments, scored by entities other than the District that are administered in each of the District's schools</p>	<p>105 ILCS 5/22-82(b).</p> <p>These must be made available to parents and/or guardians through the District's website or paper handouts.</p>

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*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).
<p>*When the Board allows for student participation in registered apprenticeship programs:</p> <ol style="list-style-type: none"> 1. Notification to students and parents of the opportunities for registered apprenticeships, which includes the following statements: <ol style="list-style-type: none"> 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, <i>High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students</i> (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 	23 Ill.Admin.Code §255.200(b)(4) and (c).
*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 5/27-1015, renumbered by P.A. 104-391.
*Board policy 6:135, <i>Accelerated Placement Program</i>	23 Ill.Admin.Code §227.60(a).
*Board policy 7:70, <i>Attendance and Truancy</i>	105 ILCS 5/10-19.05(k), amended by P.A. 104-250, eff. 1-1-26 ; 23 Ill.Admin.Code §207.20(b).
*Board policy 2:270, <i>Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited</i>	105 ILCS 5/22-95, added by P.A. 103-472.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*The name(s) of designated Prioritization of Urgency of Need for Services (PUNS)-trained employee(s) in each school within the District.	105 ILCS 5/2-3.163(c), amended by P.A. 103-504. Every public school must designate at least one employee to take the Ill. Dept. of Human Services' PUNS training. <i>Id.</i> See Board policy 5:100, <i>Staff Development Program.</i>
*If the District has one or more school buses equipped with an automated traffic law enforcement system, notice to drivers that its buses are so equipped.	625 ILCS 5/11-208.9(m).
*Type 1 diabetes informational material.	105 ILCS 5/2-3.204, added by P.A. 103-641. The informational materials to be posted are those made available on ISBE's website. <i>See Understanding Type 1 Diabetes for Parents and Guardians at: www.isbe.net/Pages/Student-and-Family-Resources.aspx.</i>
*Local postsecondary and career expectations framework	105 ILCS 5/10-20.84(a). The framework must be available at a prominent location on the District's website.
*Informational materials about the Illinois Achieving a Better Life Experience (ABLE) account program established under the State Treasurer Act.	105 ILCS 5/14-8.02i, amended by P.A. 104-314, eff. 1-1-26 . The informational materials are distributed to the District by ISBE and must be posted by the District beginning with the 2026-2027 school year.