



**WILL COUNTY SCHOOL DISTRICT 92
BOARD OF EDUCATION COMMITTEE OF THE WHOLE MEETING**

DATE: Tuesday, July 14, 2020
TIME: 5:00 PM

LOCATION: LUDWIG SCHOOL
708 N. STATE ST.
LOCKPORT, IL 60441

AGENDA

- I. Call to Order and Roll Call**
- II. Pledge of Allegiance**
- III. Public Comments**
- IV. Discussion Items**
 - 1. Plans for the Return to School
 - 2. 1st Reading of Policy Changes
- V. Adjournment**

SECRETARY, BOARD OF EDUCATION

D92 Return to School Plan Overview 2020-21

DRAFT

D92 Approach to Planning

The safety and well-being of each student and staff member in District 92 is our primary responsibility, each and every day. We embrace that responsibility and understand that our students and staff must feel safe, emotionally and physically, before an effective learning environment can be established.

Phases 1-3: 100% remote learning

Phase 4: In-person learning available for all with the option for remote learning

Phase 5: In-person learning

Health & Wellness

Physical Distancing: Six ft. distancing maintained in classrooms, hallways, and outdoors

PPE and Face Coverings: Must be worn at all times

Hand Hygiene: Training provided and increased handwashing by students and staff

Training: Safety training will be provided to all students and staff

Health Screenings: Daily temperature check and self/parent-certification for students and staff

Visitors: Required to self-certify and temperature check

Lunch: Students will eat in classrooms with grab and go lunches offered

Playgrounds: Six ft. distancing, no masks, additional non-contact activities, equipment closed

Restrooms: Six ft. distancing, increased handwashing encouraged

Drinking Fountains: Water bottles for all students

Shared Objects: Sharing discouraged, additional materials provided, increased cleaning

School Closure Plan: Direction from Will Co Health Dept. on all quarantines and school closures

Instruction

Social and Emotional Learning: Increased focus on SEL through daily activities and integration to instruction; an SEL task force will be implemented

Student Attendance: Critical and daily contacts made whether in-person or remote

Modified Calendar: No School on Election Day; five Remote Learning Planning days added

Modified School Day: Student day reduced by 30 minutes; teacher and staff day the same

Assessment and Grading: Standards-based grading approach to provide consistent grading between in-person and remote learning

Planning for Learning: Teachers need additional time to plan for the variances in learning

Art and Music-Related Courses: Provided in homerooms (K-5)

Physical Education: Classes will continue in gyms/outdoor spaces with distancing maintained

Extracurriculars: Before/after school child care continues, clubs and athletics are under consideration

Learning Options

In-person Learning: Provided for all students, five days per week, with a 30 min. shorter student day

- Length of student day: 6 hours, 10 min.
- Instructional day: 5 hours 25 min.

Remote Learning: Optional for students who “passed” the previous year with the same instructional time and rigor as in-person learning

Blended Model: Based on evolving information, we continue to be aware of this option, however, we are currently focused on safely implementing in-person learning. There is the potential for an A/B model.



Will County School District 92

Return to School Plan

2020-21

This document is subject to ongoing review and changes based on emerging guidance from the following entities:

Illinois Department of Public Health
Illinois State Board of Education
Center for Disease Control

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Summary

D92 Approach to Planning

The safety and well-being of each student and staff member in District 92 is our primary responsibility, each and every day. We embrace that responsibility and understand that our students and staff must feel safe, emotionally and physically, before an effective learning environment can be established.

This **Return to School Plan** has been developed to ensure the safety of the D92 learning community during the COVID-19 pandemic. The plan is the result of a collaborative process that included representatives from all employee stakeholder groups and parents. The plan is designed to be aligned with the guidelines provided by the [Illinois Department of Public Health](#), [Illinois State Board of Education](#), and the [Center for Disease Control](#). The plan has been developed with the following timeline.

- March 16:** Beginning of Act of God Days and Remote Learning for all schools, which continued through the end of the 2019-20 school year.
- Ongoing:** Collaboration and planning with LTHS associated school districts and various networks
- June 1:** Twelve-month employees return to work with new training, screening, and altered working conditions. Training and testing of employee safety protocols begins.
- June 23:** Return to School Committee first meeting - a total of 64 staff members representing all employee groups
- June 24-July 10:** Return to School sub-committees meet
- July 1-8:** Staff complete the Return to Work survey
- July 8-12:** Parents and staff Return to School planning surveys
- July 13:** Return to School sub-committees share recommendations
- July 13:** Parent Committee provides feedback on the recommendations
- July 14 -** Board of Education presented with a draft plan and provides feedback
- July 24 -** Return to School Plan communicated to the Board of Education, staff, and parents

During the pandemic, the status of how District 92 provides instruction is determined by the [phase that our region is in at any given time](#), as established in the Restore Illinois Plan.

RESTORE ILLINOIS				
A Public Health Approach To Safely Reopen Our State				
Phase 1 Rapid Spread	Phase 2 Flattening	Phase 3 Recovery	Phase 4 Revitalization	Phase 5 Illinois Restored
<p>Strict stay at home and social distancing guidelines are put in place, and only essential businesses remain open.</p> <p>Every region has experienced this phase once already and could return to it if mitigation efforts are unsuccessful.</p>	<p>Non-essential retail stores reopen for curb-side pickup and delivery.</p> <p>Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating & fishing while practicing social distancing.</p>	<p>Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions.</p> <p>Gatherings of 10 people or fewer are allowed.</p> <p>Face coverings and social distancing are the norm.</p>	<p>Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health.</p> <p>Face coverings and social distancing are the norm.</p>	<p>The economy fully reopens with safety precautions continuing.</p> <p>Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures.</p>

Phase 1: Rapid Spread

- All students and staff engage in remote learning, which includes more rigorous guidelines, based on feedback from the Spring 2020 experience.
- Essential gatherings are limited to 10 or fewer and non-essential gatherings are not allowed.
- Non-essential travel is discouraged.
- Only essential workers will be on school sites as necessary, while others will work remotely.
- See Remote Learning guidelines on p. TBD.

Phase 2: Flattening

- All students and staff engage in remote learning, which includes more rigorous guidelines, based on feedback from the Spring 2020 experience.
- Essential gatherings are limited to 10 or fewer and non-essential gatherings are not allowed.
- Non-essential travel is discouraged.
- Only essential workers will be on school sites as necessary, while others will work remotely.
- See Remote Learning guidelines on p. TBD.

Phase 3: Recovery

- Most students and staff engage in remote learning, which includes more rigorous guidelines, based on feedback from the Spring 2020 experience.
- Gatherings of 10 or fewer are allowed.
- Travel should follow IDPH and CDC approved guidance.
- Staff will be on school sites as required, while others will work remotely.
- Students in some special education programs may return to campus for learning.
- The district collaborates with the athletic conference on competition and follows IESA guidelines.
- See Remote Learning guidelines on p. TBD.

Phase 4: Revitalization

- All students have the option of on site, blended learning, or remote learning.
- IDPH safety guidelines are followed for on-site learning.
- Gatherings of 50 or fewer in a space are allowed.
- The district collaborates with the athletic conference on competition and follows IESA guidelines.
- See Remote Learning guidelines on p. TBD.

Phase 5: Restored

- All sectors of the economy reopen with businesses, schools, and recreation resuming normal operations with new safety guidance and procedures.

On-campus Protocols (Phases 3 and 4)

District 92 recognizes that students and staff must feel safe, emotionally and physically, before an effective learning environment can be established. In order to ensure the safety of the D92 learning community, the following areas are addressed in this plan for learning in Phase 3 and 4.

- **Health & Wellness**
- **Instruction**
- **Technology**
- **Operations**
- **Human Resources**
- **Communications**

Health & Wellness

Student & Staff Protection Plan

Insert text

Physical Distancing

All classrooms have been set up to ensure 6-foot physical distance from other persons as much as possible. The physical distancing expectation pertains to students, staff members, and visitors in all areas and settings to the greatest extent possible.

Visual reminders will be displayed throughout the schools, including tape or other indicators of safe distances in areas where students congregate or line up (e.g., arrival and departure, lunchroom lines, hallways, recess lines, libraries, cafeterias).

Staggered schedules for bus arrival and pick up, hall passing, mealtimes, bathroom breaks, etc. to ensure student and staff safety. Staff and students should abstain from physical contact, including, but not limited to, handshakes, high fives, hugs, etc. Staff break areas should be arranged to facilitate social distancing. Break times will be staggered to minimize eating with mask off near others.

[Click here](#) to view a chart with of how D92 is physically distancing classrooms.

PPE and Face Coverings

All individuals in District 92 facilities must wear face coverings at all times even when social distancing is maintained. Face coverings must fully cover the mouth and nose and fit snugly against the sides of the face with no gaps.

Students must have one backup mask at school at all times. The initial backup mask will be provided by the State of Illinois. District 92 recommends that all students have at least two washable masks at home that can be rotated back and forth for school. Reusable face coverings should be machine washed or washed by hand and allowed to dry completely after each use.

Exceptions - Face coverings do not need to be worn when:

- outside if social distance of six feet is maintained
- eating lunch
- a student is playing an instrument
- the individual has a valid physician's note that indicates the specific contraindication to using face coverings
- visitors who are younger than 2 years of age
- an individual is unconscious or incapacitated

There is significant evidence that face coverings provide protection and decrease the spread of COVID-19. Violations to this policy will be dealt with in the same manner as other policy violations.

Hand Hygiene

District 92 will encourage frequent and proper handwashing for students and staff. We will ensure the availability of supplies, such as soap and paper towels, hand sanitizer, tissues, etc., for all grade levels

and in all common areas of our schools. Cloth towels should not be used. Handwashing with soap and water is always the first recommended line of defense, but where this is not feasible or readily accessible, the use of hand sanitizer with at least 60% alcohol may be used.

Any students or staff members with sensitivities or allergies to hand sanitizer or soap need to notify the administration and we will ensure there is access to alternative handwashing options.

Hands should be washed often with soap and water for 20 seconds. It is recommended that hand hygiene is performed:

- upon arrival to and departure from school;
- after blowing one's nose, coughing, or sneezing;
- following restroom use;
- before food preparation or
- before and after eating;
- before/after routine care for another person, such as a child;
- after contact with a person who is sick;
- upon return from the playground/physical education;
- and following glove removal.

Each school will determine any "hot spots" where germ transmission may easily occur and ensure hand sanitation/handwashing supplies are readily available.

Additionally, District 92 will adhere to recommendations for safe hand sanitizer use, including:

- Alcohol-based hand sanitizers should be used under adult supervision with proper child safety precautions and stored out of reach of young children to reduce unintended, adverse consequences.
- Ensure that students do not ingest hand sanitizer or use it to injure another person.
- Alcohol-based hand sanitizers must be properly stored – which includes away from high temperatures or flames – in accordance with National Fire Protection Agency recommendations.
- Hand sanitizers are not effective when hands are visibly dirty.
- Alcohol-based hand sanitizers do not remove allergenic proteins from the hands.
- Staff preparing food in the cafeteria/kitchen should ALWAYS wash their hands with soap and water. The IDPH Food Service Sanitation Code **does not** allow persons who work in school cafeteria programs to use hand sanitizers as a substitute for handwashing.
- The Food and Drug Administration controls sanitizers as over-the-counter drugs because they are intended for topical antimicrobial use to prevent disease in humans.

Training

At the beginning of the school year, District 92 will educate staff and students on mask wearing, social distancing, the correct methods for sneezing and coughing, avoiding touching the face, handwashing, and overall healthy hygiene to prevent the spread of infection. Handwashing posters will be displayed in the bathrooms, hallways, classrooms, and other areas, as appropriate. Resources for teachers, nurses, and other staff members will be available so they can appropriately train students or review handwashing and other safety procedures. Various classroom lesson, activities, and resources are available.

Symptom Screenings

Temperature and symptom checks will be administered daily for students, staff, and visitors entering school buildings. All students and staff will have their temperature checked upon their arrival to school

each day. Staff will self-certify that they are symptom free each day and parents will do the same for their child(ren).

Individuals who have a temperature greater than 100.4 degrees Fahrenheit/38 degrees Celsius or currently known symptoms of COVID-19, such as fever, cough, shortness of breath or difficulty breathing, chills, fatigue, muscle and body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea, vomiting, or diarrhea, may not enter buildings.

Individuals who exhibit symptoms will be referred to a medical provider for evaluation, treatment, and information about when they can return to school.

See the section “*Preparing for When a Student or Staff Member Becomes Sick*” below for additional details.

Visitors

Insert text

Pre-Kindergarten and Early Childhood (PK/EC) Classroom Guidance

Attention to our youngest learners is especially important when considering social events that prepare and orient this group of learners to the routines, schedules, and patterns of their school environment that may not be possible as usual. Our youngest students may struggle more than other students with understanding and complying with social distancing and wearing face coverings. Our focus will be to create a classroom environment that promotes positive teacher and student relationships that support student social-emotional well-being and self-esteem.

Students should remain in small groups with the same students and remain 6 feet apart as much as possible. Classrooms will rearrange furniture and play spaces to meet social distancing requirements, when possible. Teachers will implement strategies to model and reinforce social and physical distancing and movement. The ISBE guidance provides a number of suggestions to address this.

Kindergarten-Grade 5 Classroom Guidance

Insert text

Grades 6–8 Classroom Guidance

Insert text

Traffic Flow, Hallways, Lockers, and Common Areas

Face coverings must be worn at all times in these areas. The following hallway procedures will be in place to adhere to social distancing requirements and IDPH limitations on gathering sizes:

- Limit number of persons within hallways at any given time to the greatest extent possible.
- Limit required movement of students between classes. When/if possible we will have staff rotate through classes rather than requiring movement/mixing of student groups.
- Provide hallway supervision using hall and bathroom monitors to ensure a limited number of persons enter bathrooms at one time.
- Where possible, hallways will be marked as one-way paths and certain staircases will be designated one-way only.
- Floor markings to delineate 6-foot distance between students in locations where students line up.
- Remove furniture or other items that may encourage congregating in certain areas.

- Limit number of riders in elevators (Oak Prairie) to one or two students with an additional adult (when student needs continuous support or supervision).
- Lockers will be staggered six feet or not used. Suspend the use of lockers, if possible. Sharing lockers should be prohibited.

Lunch

All K-8 students will have lunches in smaller, socially distanced spaces. Hand hygiene must be performed prior to and after eating a meal or consuming any food items. Face coverings must be removed during eating, so it is important to ensure 6-foot distance between individuals as much as possible. Considerations also should be given to food consumed during times other than mealtimes, such as by preschool students.

Instead of the traditional “hot lunch” students will be provided with a nutritionally healthy “grab and go” lunch. While “hot lunches” will still be provided, we are encouraging parents to send lunch from home as much as possible to reduce traffic in the lunch lines. Student ID lunch cards will not be used by students during the pandemic. Lunchtimes will be staggered to the extent possible allowing for the maximum use of playgrounds and outdoor spaces. Allergy-free considerations will be in place as needed.

Playgrounds

Outdoor playground equipment will be off limits until an effective cleaning option is available. Additional fun learning activities such as sensory paths (no equipment) are being added.

Restrooms

Social distancing will be maintained in restroom areas by limiting the number of students at given time. Enhanced cleaning of restrooms will be completed as scheduled throughout the school day. Signs encouraging hand hygiene procedures will be posted in all restrooms. Students will be taught proper hand washing following restroom use, as age appropriate. Custodians will ensure the constant availability of supplies, such as soap and paper towels.

Drinking Fountains

The use of water bottles is encouraged for all students and staff. Prior to students returning to school, [CDC guidelines](#) will be followed to flush water systems to ensure safe drinking water is available after having schools empty for a prolonged time.

Upon their return to school, the following expectations will be in place for water fountains:

- Do not place your mouth on the spout of the fountain or allow your water bottle to come into contact with the nozzle when refilling.
- Ensure the appropriate water flow height to discourage students placing the mouths on the spout.
- If the fountain requires you to push a button or lever, clean the surface before and after or use your elbow.
- Clean your hands afterward with an alcohol-based rub or wash them with soap and water.
- Maintain social distancing during drinking fountain use by placing floor markers and signage around fountains.
- Cleaning and sanitizing of drinking fountains by custodians will be scheduled multiple times throughout the school day.

Shared Objects

Using manipulatives and models can be critical in helping students internalize concepts that are abstract, such as the concepts students encounter in math and science classrooms. The use of digital

manipulatives is encouraged, when possible. D92 will ensure to the greatest extent possible that students have access to their own set of non-digital manipulatives or that shared sets are sanitized between uses.

Preparing for When a Student or Staff Member Becomes Sick

District 92 is prepared to respond effectively when there is a case within our school community, whether it be a student or staff member participating in allowable activities. Any individual who tests positive for COVID-19 or who shows any signs or symptoms of illness should stay home. Families and staff should also report possible cases to the school where the individual attends school or works to initiate contact tracing. Attendance personnel will request specific symptom reporting when absences are reported along with COVID-19 diagnoses and COVID-19 exposure. Information will be documented and immediately shared with the health staff or other appropriate personnel. Upon learning of symptoms from students or staff, school nurses will immediately contact Will County Health Department and follow their directives for quarantining and contact tracing.

Currently known symptoms of COVID-19 are

- fever (100.4 degrees or higher)
- cough
- shortness of breath or difficulty breathing
- chills
- fatigue
- muscle and body aches
- headache
- sore throat
- new loss of taste or smell
- congestion or runny nose
- nausea, vomiting, or diarrhea.

In accordance with state and federal guidance, school members who are sick should not return to school until they have met criteria to return. D92 will utilize a symptom checklist for families and staff to use to determine if they are well enough to attend that day. CDC and IDPH guidelines for students who were suspected of having COVID-19, whether they were tested or not, state that 72 hours must elapse from resolution of fever without fever reducing medication and 10 days must pass after symptoms first appeared.

Medically fragile and immunocompromised students are encouraged to consult their medical provider prior to attending school.

Students or staff returning from illness related to COVID-19 are required to call to check in with the school nurse or building administrator (if a nurse is unavailable) following quarantine.

Any individual within the school environment who shows symptoms should be immediately separated from the rest of the school population. When interacting with students or staff who may be sick, school nurses and personnel must follow CDC guidance on standard and transmission-based precautions. Individuals who are sick will be sent home. Each D92 school has a designated safe area to quarantine any individuals who are experiencing COVID-19-like symptoms and may be awaiting pickup/evaluation. Students will never be left alone and must always be supervised while maintaining necessary precautions.

Any areas of the school used by a sick person will be closed off to the greatest extent possible until proper cleaning and disinfection procedures have been completed. When possible, the CDC advises to wait at least 24 hours before cleaning and disinfecting; if 24 hours are not possible, wait as long as is possible.

Individuals who did not have close contact with the person who is sick can return to work immediately after disinfection. Those who had contact with someone who tested positive for COVID-19 or is suspected of having COVID-19 infection should isolate at home and monitor for symptoms for 14 days. Close contact means the individual was within 6 feet of the individual with symptoms for more than 15 minutes.

Additional cleaning and disinfection is not necessary if more than seven days have elapsed since the person who is sick visited or used the school. We will continue routine cleaning and disinfection, including everyday practices that are normally use to maintain a healthy environment.

School Closure Plan (guidance from IDPH)

Insert text

Instruction

Safety Education for Students (Possibly combine with "Training" section above)

At the beginning of the school year, District 92 will educate staff and students on mask wearing, social distancing, the correct methods for sneezing and coughing, avoiding touching the face, handwashing, and overall healthy hygiene to prevent the spread of infection. Handwashing posters will be displayed in the bathrooms, hallways, classrooms, and other areas, as appropriate. Resources for teachers, nurses, and other staff members will be available so they can appropriately train students or review handwashing and other safety procedures. Various classroom lesson, activities, and resources are available.

Student Who are Medically Fragile or at Higher Risk

The risk of infectious disease exposure may be much higher for staff providing care for medically fragile students. We will provide appropriate PPE for continuous wear and during procedures (e.g., gowns and face shields during aerosolizing procedures). Maintaining strict physical distancing will not likely be feasible due to the personal nature of common care and services, including feeding, toileting, suctioning, position changes, diaper changing, hand-overhand assistance, physical therapy, occupational therapy.

Social and Emotional Learning (SEL)

Considerations have been given to the impact that COVID-19 has had on the mental health of faculty, staff, students, and their families. District 92 is monitoring the mental and emotional well-being of students and staff members.

Districts is providing training to staff to increase awareness of the impact of COVID-19 through our integration of social emotional learning for students and adults. Access to school counselors and supports will be as readily available as possible and communicated to students.

District 92 is implementing an SEL Task Force to provide social-emotional supports, on a tiered basis, to staff and students. Staff members also have access to our Employee Assistance Program through the District Office.

The SEL Task Force and Superintendent will develop plans and monitor progress of the following activities:

- Assessing current status of the social-emotional needs of students and staff
- Conduct “Intake Survey” for every family to identify impact of COVID-19
- Professional development prior to return to school for overall health and wellness
- Establishing common language/definitions for responding to SEL concerns
- Planning for a safe and fun return to school for students and staff
- SEL instruction integrated into daily instruction and implemented with fidelity
- Implementation of the Second Step curriculum on a daily basis, including possible COVID-19 lessons
- Daily student SEL check-in or morning meeting structures
- Modified classroom activities that take into consideration student focus, attention, stamina, task initiation, mindfulness/physical breaks, and learning outside when possible
- Family resources on SEL and health/wellness

Student Attendance

Daily attendance and engagement of students is expected whether students are participating in classes in-person or remotely. We will attempt to make daily contact with all students and families, especially those who are not in attendance or not engaging in classes, whether in-person or remotely. Students who received an incomplete will not have the remote option if face to face.

Modified School Calendar

The 2020-21 Annual School Calendar is under review for the potential need for the addition of up to five days for Remote Learning Planning. At this time, the first day of school for students is Wednesday, August 19, 2020. This will be preceded by a Teacher Institute the day before the first day of student attendance.

Additionally, due to a new state law that was recently passed, no schools in Illinois will be open (in person or virtually) on Tuesday, Nov. 3, 2020 for Election Day. This is a change from the previously approved school calendar and will be addressed in August/September.

Modified Length of School Day

Due to the need to minimize the amount of time students are in contact with each other at school and to accommodate the additional planning required by teachers, the amount of daily student contact time will be reduced.

Assessment and Grading

A standards-based grading approach will be utilized for the 2020-21 school year. Consistent grading practices for both face to face and remote learning will be a priority. All assessment and grading practices will be considered within the framework of a district-wide balanced system of assessments.

Planning for Learning

The focus upon returning to school will initially be to assess learning gaps created by the current pandemic. Learning will focus on priority standards, effective instruction (to the extent possible in limited conditions), student voice, and student engagement. Vertical articulation of priority learning standards and the streamlining of learning platforms will be essential.

Art and Music-Related Courses

Art and music classrooms will be needed to create space for additional classrooms, so K-5 art and music teachers will meet with students in their homeroom. Music appreciation will be emphasized over vocal experiences. Band and choir are both on hold until further notice. Additional cleaning will be implemented and students will use their own art supplies (no sharing of art supplies).

Physical Education, Gymnasiums, and Locker Rooms

Activities must allow for 6-foot distance between students as much as possible. Games and sport activities that require close guarding and any potential physical contact with another player must be avoided in order to comply with IDPH requirements. Whenever feasible and weather permitting, outdoor physical education activities that allow natural social distancing should be utilized.

If physical education must be taught inside, partitions in open spaces and markings on the gymnasium floor/wall/field will be utilized whenever possible to maintain distance between participants. Hand shaking, high fives, or other physical contact is prohibited. It is recommended that teachers use technology to broadcast instruction to maximize social distancing (e.g. megaphone or microphone).

Locker rooms will not be used and students will participate in activities without changing clothing. Shoe changes can be done in the classroom prior to arrival in PE.

The use of shared equipment is not recommended. Any shared equipment must be cleaned between each student use and disinfected at the end of each class. Fitness center equipment at Oak Prairie, such as treadmills, ellipticals, stationary bicycles, weights, etc., should not be used due to the space limitations.

Students and staff should perform hand hygiene at the start and end of each class period or when hands are visibly

Field Trips

Field trips are discouraged and not anticipated until state and local health officials have determined that it is safe to resume them. The CDC recommends pursuing virtual activities and events in lieu of field trips. When safe to resume, minimal interaction of different groups of students will be allowed. IDPH requirements for social distancing, capacity limits, hand hygiene, and PPE both at the field trip destination and during travel to and from the location will be met for all field trips.

Extracurriculars and Athletics

Clubs and athletics are an important part of students' school experience, however providing a safe return to an in-person learning environment is the priority. District 92 is currently working with other school districts in our athletic conference to determine the status of these activities.

In the event that they do occur, extracurricular activities must follow the IDPH requirements and IESA guidance set forth for the school setting, which include social distancing, appropriate use of PPE, limiting the number of individuals in one space to 10 individuals during Phase 3 and to 50 or fewer in Phase 4, and cleaning and disinfecting to prevent the spread of COVID-19.

Special Needs

District 92 will continue to address the individual needs of students eligible for special education services. Our Blended Remote Learning Plan addresses the unique needs of students eligible for special education services. District 92 will continue to adhere all timelines related to the Individuals with Disabilities Education Act and Section 504 timelines remain in effect. IEP teams will meet as needed to determine

whether any amendments to students IEPs are necessary to address students' current levels of performance.

English Learners

Language development is an interactive and socially driven process. Any support that can be provided to English Learners to facilitate interactive dialogue with native English-speaking peers or adults, especially on academic topics, is essential.

Language learners often require instruction on how to properly pronounce phonemes, syllables, and words. This is typically done through direct observation of the teacher's mouth or tongue position. Such demonstrations will be impeded by traditional face coverings. We recommend using face coverings with clear windows or face shields during instruction or pre-recording these demonstrations.

Learning Options

In-person Learning: Provided for all students, five days per week, with a 30 min. shorter student day

- Length of student day: 6 hours, 10 min.
- Instructional day: 5 hours 25 min.
- Kindergarteners will have a ½ day option, as well as a full-day option

Remote Learning: Optional for students who “passed” the previous year with the same instructional time and rigor as in-person learning. **TBD - Once a parent selects this option for the student, students will only be allowed to re-enter in-person learning at one designated point in the school year that is TBD.**

Blended Model: Based on evolving information, we continue to be aware of this option, however, we are currently focused on safely implementing in-person learning. There is the potential for an A/B model.

Technology

Devices and Internet Access

Insert text

Device Maintenance

Insert text

Parent University

Need to provide parents with professional development on the use and monitoring of student devices in Aug./Sept. 2020.

Operations

Food Services

Students will eat in classrooms, not cafeterias. Meals will be individually plated or packaged as grab and go items. Non-disposable food service items will be handled with gloves and washed with dish soap and hot water or in a dishwasher. Areas where students consume meals will be thoroughly cleaned and disinfected. Food service personnel will use appropriate PPE, including gloves and face coverings, while preparing and distributing food.

Hand hygiene will be promoted prior to and after eating a meal or consuming any food items, and hand sanitizer will be available at food service locations. Mealtime expectations will be shared with students and staff.

Transportation

All individuals on a bus must wear a face covering, no more than 50 individuals should be on a bus at one time, and social distancing will be maintained to the greatest extent possible. All students, whether they ride a bus, are dropped off by a parent, or walk to school will have their temperature checked by school staff prior to entering the building. Students and families will be made aware of procedures and expectations regarding transportation.

Drivers and monitors must wear approved and appropriate PPE and perform regular hand hygiene. Drivers and monitors will undergo symptom and temperature checks or self-certify and verify that they are free of symptoms before the start of each workday. Drivers and monitors who have a temperature greater than 100.4 degrees Fahrenheit/38 degrees Celsius or symptoms of COVID-19 will not be allowed to work. Drivers and monitors who become ill during their route are directed to contact their supervisor immediately.

Sanitization will be completed daily or between use on all vehicles used for student transportation. **Insert information about seating and First Student/Grand Prairie cleaning protocols.** Vehicles will be disinfected using only products that meet the EPA criteria and manufacturers' guidelines.

Seating arrangements with respect to social distancing can be adjusted for students who live in a household with other students. Buses will unload/load one at a time in the bus lanes to ensure groups entering the school are fewer than 50 students.

IEP or 504 teams will meet to determine individual transportation needs for students who require special accommodations.

Communication Plan

District 92 will use the virtual and in-person meetings, the district website, email, text, and social media to communicate and continuously improve upon this plan. Updates, reminders, and clarifications will be provided as needed.

Facilities

Outside use of District 92 facilities will not be allowed during the pandemic.

Sanitation, hygiene, and PPE supplies will be ordered and stockpiled for employee access. All custodial/maintenance staff will be trained on the return to school guidelines, where applicable. These procedures will include extra sanitation efforts using certified EPA products in both low/high contact areas including:

- Countertops
- Desktops

- Door handles
- Bottle fillers
- Handrails
- Light switches
- Restroom fixtures

Building custodians and cleaning personnel will conduct daily cleaning and disinfection. An EPA approved cleaner will be used for disinfection along with our standard cleaning protocols. All frequently touched surfaces (e.g., door handles/knobs, desktops/tabletops, countertops, light switches, pencil sharpeners, computer keyboards, hands-on learning items, phones, toys, cubbies/coat and backpack areas, sinks and faucets) will be cleaned on a regular basis.

Restrooms, hallways, cafeterias, and high touch common areas will be cleaned throughout the day. Soft surfaces such as carpets and rugs will be cleaned daily. Items such as cloth toys or other cloth material items that cannot be disinfected must not be used. Area rugs will be removed from classrooms and special cleaning agents will be used for other carpeted areas.

Building and Grounds may adjust personnel schedules to meet reopening school needs. Cleaning schedules will be created and implemented for all facilities and equipment. Extra sanitation efforts will occur during in-class learning which will address high traffic/common areas.

High Traffic Areas:

- Entryways
- Foyers
- Hallways
- Main offices
- Restrooms
- Stairwells

Before- and After-Care and Other Programs

Before/after school child care through the Oasis program will continue to be offered, but they must adhere to all of the guidelines included in this plan.

Visitors and the use of school facilities by external parties is discouraged as much as possible, however the Oasis child care program is critical to our school community. The Oasis program will follow the IDPH and DCFS guidance for licensed child care facilities. The Oasis program in our schools will be required to follow all infection control measures that are used during the school day (e.g., physical distancing when possible, face coverings, cleaning, and sanitation).

Health Offices

Additional health office space has been designated in each school that allows for 6-foot distancing between students, separation area for sick students, sink for hygiene, appropriate lighting, and proper ventilation. A bathroom within or near the space is also considered.

Each school will provide a supervised quarantine space for students/staff who are experiencing COVID-19-like symptoms and may be awaiting evaluation and/or pickup. Students must never be left alone and must be supervised at all times while maintaining necessary precautions within the quarantine space. Judgment of nursing professionals or administrator/designee (in the absence of a nurse) must determine

who is placed in the quarantine space and the level of supervision (e.g., supervised by nurse or unlicensed personnel) required for persons within the quarantine space. Nursing documentation would reflect student placement in the quarantine space.

School nurses and/or the administrator/designee working with individuals with illness Symptoms will be supplied with appropriate PPE. School nurses should use PPE, including gloves and face coverings, when interacting with students and staff. Appropriate PPE should be used in conjunction with appropriate hand hygiene and standard precautions. Personal care aides working with medically fragile students should wear PPE (e.g., face shields, face masks, and gloves).

Unnecessary visits to the office from students, staff, and visitors will be reduced.

Parents, guardians, or other authorized individuals should pick up ill students within a reasonable amount of time; students will not be allowed to utilize the school bus or public transportation for the return to home.

A list of substitute nurses will be maintained to provide nursing services in case of nurse absence, including prolonged absence due to COVID-19 diagnosis or exposure. In the absence of a nurse, each school's principal must determine who will be responsible for meeting the health-related needs of students and staff.

Recommendations for Families

State of Illinois mandated health examination and vaccine requirements will be due by October 15th, not September 1st.

- Please make sure all emergency contact information is up to date.
- All students should stay home if they are sick, with any illness symptoms.
- The CDC recommends everyone 6 months of age and older get vaccinated every flu season with rare exceptions. Flu symptoms overlap with coronavirus symptoms. Please vaccinate your children for influenza this fall.
- When reporting illness absences, be sure to report if your child is
 - Is a close contact of someone with a positive COVID 19 test
 - Has signs of coronavirus
 - Has been diagnosed with coronavirus
 - Has been diagnosed with influenza (respiratory flu).
- For students with asthma, no nebulizer treatments will be given at school during the pandemic. Asthma action plans should reflect the use of asthma inhalers and spacers.
- Please send your child with extra clothing in case a change is necessary as there will be no clothing stored in the nurse's office.
- Please have a rotation of washable masks at home so that you child comes to school with a clean mask each day.

What to expect if there is a confirmed case in school

We will immediately notify the Will County health officials and they will help determine a course of action for the school. Persons identified as being in close contact with the individual will be asked to stay home and isolate and be alert for symptoms for Covid-19.

Returning to school after having had coronavirus

- Please call the school nurse prior to returning to school.

- Students will stay home for at least 10 days and must be fever free for 72 hours after symptoms have resolved OR have two negative Covid-19 tests in a row, with testing done at least 24 hours apart.
- As new guidance emerges, **guidelines may change.**

Human Resources

The contents of this Return to School Plan are subject to change when formal guidance or mandates are issued by the proper authorities (ISBE, IDPH, etc.). All employees will need to be flexible and agile during this pandemic which will require cooperative, collaborative, flexible, and creative problem solving.

District 92 will generate guidelines and protocols which will be required for all employees. The District will continue to monitor recommendations from the PRESS Policy Organization, as well as from professional organizations such as IASA, IASB, IASBO, IPA, and others about educational expectations for student learning.

Staff Return Plan

All return to work expectations will be dictated by executive and legislative guidance from the state and federal government. An employee's request for a special accommodation(s) is provided to the Superintendent for review and consideration.

Absences that are related to COVID-19 concerns must be accompanied by a physician's note, or official notice from a health agency containing relevant information/direction regarding the claimed condition. Eligible employees would be entitled to any COVID-19 related federal, state, and locally mandated leaves or accommodations. Otherwise, employees would be expected to use their accrued time bank for their absence from work (sick time, vacation time, personal, etc.). If the District determines that it is both necessary and appropriate, the employee will be informed about the accommodation(s) verbally and in writing.

The Families First Coronavirus Response Act (FFCRA) Leave Flow Chart was created by a law firm to assist in communication of sick leave related to COVID-19. The FFCRA is effective April 1, 2020 to December 31, 2020. [Click here for a flowchart for decision-making.](#)

The District will make every effort to follow all CDC, IDPH, and CDPH guidelines regarding district employees.

Work from Home

TBD

Staffing Levels

The district will monitor staffing levels within each building to ensure optimal operations for teaching and learning given the instructional plan that is currently in place. In the event that staffing levels drop below the ability for the building to maintain optimal operations, the district will consider all options to support student learning.

Once the return to school learning model is established, current staff may need to be repurposed and additional staff will be hired as needed.

Every effort will be made to ensure substitute teachers are available in all employee categories to fill

vacancies and/or absences that could be a result of the COVID-19 health precautions. A two-level succession plan is in place for all administrators. In the event of any unforeseen circumstances, the district will comply with Federal, State, IDPH, ISBE, and CDC guidelines.

Teacher Evaluation

The administration and union have agreed that non-tenured teachers and tenured teachers who do not have a rating of “Excellent” or “Proficient” will be evaluated during the 2020-21 school year. Principals may seek out tenured teachers to volunteer to be evaluated in order to maintain balance to the evaluation cycle. When possible, fewer indicators will be agreed upon and used for the evaluation.

Illness and Diagnoses Monitoring

Insert text

Mental Health

Considerations will be given to the impact that COVID-19 has on the mental health of faculty, staff, students, and their families. The mental and emotional well-being of students and staff members will be closely monitored. Training will be provided to staff to increase awareness of the impact of COVID-19.

Access to school counselors and supports are readily available as possible and communicated to students. Employee assistance programs are available through the Business Office. Perspectives can help

employees resolve stressful personal and family issues, or direct employees to legal, financial or child care resources when they need them the most. EAP counselors are available 24/7 to answer employees questions, provide counseling or assist with useful appropriate resources. All Barrington 220 Employees can call 800.456.6327 anytime!

Communications

Communication Methods

Throughout the 2020-21 school year, District 92 will utilize the following communication methods to keep stakeholders up to date on changes regarding all protocols:

- District 92 Website – need new link
- Phone and text alerts
- District 92 e-newsletters
- District 92 social media (Facebook, Twitter, Instagram)

Quick Contacts

Who do I contact if...

- I have questions/concerns about Remote Learning:
 - First point of contact is the teacher
 - Second point of contact is the principal
- My student tests positive for COVID-19:
 - School Nurse

- School attendance office
 - Building principal
- I am a staff member who tests positive for COVID-19:
 - Tim Arnold, Superintendent 815.838.8031 during business hours or 630.330.2199 any time
- I have questions/concerns about transportation:
 - Building principal first
 - Sandy Doran, District Office at 815.838.8031
- My student needs tech support during Distance Learning:
 - Tech support is available for District 92 devices and systems via telephone for students and teachers at **TBD**
 - Telephone support is available on regular school days, **8:00 AM - 4:30 PM.**

WILL COUNTY SCHOOL DISTRICT 92
BOARD OF EDUCATION MEMORANDUM

TO: BOARD OF EDUCATION
FROM: TIM ARNOLD
SUBJECT: BOARD POLICY REVISIONS – 1ST READING
DATE: JULY 14, 2020

The following policies were received by the District on June 25, and subsequently reviewed and prepared to be shared electronically with the Policy Committee on July 12, 2020. Normally, the Policy Committee would meet to review the changes, however due to the urgency of some of the policy changes resulting from the current COVID-19 pandemic, committee members were asked to provide input via phone or email.

The policies are being presented to the Board of Education for a 1st Reading on July 14, 2020. Based on Board input, it is anticipated that the policies will be prepared for a 2nd Reading by the Board and recommendation for approval on August 18, 2020.

- 2:220 School Board – School Board Meeting Procedure (revised)
- 4:180 Operational Services – Pandemic Preparedness; Management and Recovery (revised)
- 7:40 Students – Nonpublic School Students, Including Parochial and Home-Schooled Students (revised)
- 7:190 Students – Student Behavior (revised)
- 7:340 Students - Student Records (revised)
- 7:345 Students – Use of Educational Technologies; Student Data Privacy and Security (new)

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 discussion or explanation 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;

6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

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

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

The 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 ten days after the Board's approval; they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member.

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

The Board's open meeting minutes shall be posted on the District website within 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 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 1

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.² 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

¹ 5 ILCS 120/2.01 and 120/7(e)(1)-(10), amended by P.A. 101-640. See also 105 ILCS 5/10-6 and 5/10-12. During the 2020 COVID-19 pandemic, Ill. Gov. Pritzker issued Executive Order (EO) 2020-07 pursuant to 20 ILCS 3305/7 (disaster proclamation due to public health emergency) that temporarily suspended OMA's physical quorum requirement. The Governor extended this OMA relief through subsequent Executive Orders as the crisis continued. See EOs 2020-18, 2020-33, and 2020-39. During the period covered by EO 2020-39, 5 ILCS 120/120/7(e), amended by P.A. 101-640 was enacted, immediately requiring public bodies to meet a number of conditions before suspending the physical quorum requirement.

Boards must remember that **public comment is still required when a quorum is not physically present at the meeting location. See Public Comment** section of the Ill. Atty. Gen.'s guidance entitled *Guidance to Public Bodies on the Open Meetings Act and the Freedom of Information Act During the COVID-19 Pandemic* on p. 5 at: www.foia.ilattorneygeneral.net/pdf/OMA_FOIA_Guide.pdf.

² The phrase "due to public health emergency" aligns with Ill. Emergency Act (IEMA), 20 ILCS 3305/4 and 7, which provides the governor with the power to declare a disaster. 5 ILCS 120/7(e)(1), amended by P.A. 101-640, uses the phrase "related to public health concerns because [the governor has declared] a disaster" and while not aligning with IEMA text, means "public health emergency." For ease of understanding and alignment with IEMA, this policy uses "public health emergency."

To avoid confusion, note that the triggers under 5 ILCS 120/7(e), amended by P.A. 101-640, for when a school board may conduct its meetings by audio or video conference without the physical presence of a quorum are a bit more broad than the School Code's triggers to implement remote and/or blended remote learning days (RLD/BRLDs). OMA states (1) the "governor or the director of IDPH has issued a disaster declaration of a disaster as defined in 20 ILCS 3305/" This means that it is possible for the board to meet remotely if the director of IDPH declares a disaster under OMA, but that may not mean a district must implement RLD/BLRDs because the School Code states that the governor must declare the disaster.

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. 3

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,4 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. 5

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use Robert's Rules of Order, Newly Revised (110th Edition), 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.

3 5 ILCS 120/7(e)(2), amended by P.A. 101-640 states "the head of the public body as defined in [the Freedom of Information Act (FOIA), 5 ILCS 140/2(e), FOIA]." FOIA defines head of the public body to mean the president or "such person's duly authorized designee." 5 ILCS 140/2(e). Policy 2:110, Qualifications, Term, and Duties of Board Officers, designates the vice president to perform the duties of the president if that office is vacant or he or she is absent or unable to perform the office's duties.

For practical purposes if a disaster is declared due to a public health concern, this policy designates the superintendent as "[the president or vice president's] duly authorized designee" pursuant to the authority of 5 ILCS 140/2(e) for the board to move forward with the required determination to meet by audio or video with no physical presence of a quorum.

4 While this phrase of the sentence is not required in OMA, many attorneys agree that transparency best practices in this situation include the individual making the determination to: (1) put it in writing referring to the specific disaster declaration applicable to the board's jurisdiction and the public health concern/public health emergency that applies to not having an in-person meeting; and (2) include that written determination (a) on the board's published notice and agenda for the audio or video meeting, and (b) in the meeting minutes.

5 See 2:220-E9, Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration.

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

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

~~ADOPTED~~Adopted: January 17, 2017

1st Reading: July 14, 2020

2nd Reading: August 18, 2020

Revised: August 18, 2020

Operational Services

Pandemic Preparedness; Management; and Recovery 1

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. ~~2 if an influenza pandemic occurs.~~

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. ³

~~Pandemic influenza is a worldwide outbreak of a virus for which there is little or no natural immunity and no vaccine; it spreads quickly to people who have not been previously exposed to the new virus.~~

To prepare the School District community for a pandemic, the Superintendent or designee shall: (1) learn and understand how the roles that the federal, State, and local government function; the roles that the federal, State, and local government would play in an epidemic; (2) form a pandemic planning team consisting of appropriate District personnel and community members to identify

¹ Certain subheads of this policy are required; specifically **Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)** (see f/n 12, below), and depending upon the specific terms of government orders and/or guidance issued during a pandemic, if a district wishes to continue to charge employee salaries and benefits to a grant during an extended school closure, **Payment of Employee Salaries During Emergency School Closures** (see f/n 11, below). Other subheads and text in this policy are optional. Its purpose is to establish board direction about pandemic preparedness, management, and recovery issues and inform the community about the board's role during a pandemic.

Boards are authorized to adopt a policy on pandemic preparedness even though State and federal law provide little guidance. On 3-11-20, the World Health Organization (WHO) characterized the COVID-19 outbreak as a pandemic. See www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020. Before the COVID-19 pandemic, most research and guidance around pandemics was specific to influenza, but the same principles for influenza pandemics were applied to the management of the COVID-19 pandemic. State law grants boards broad authority to formulate, adopt, and modify school board policies, at the board's sole discretion, subject only to mandatory collective bargaining agreements and State and federal law, 105 ILCS 5/10-20.5 and 115 ILCS 5/1 et seq. See 2:20, *Powers and Duties of the School Board; Indemnification*, and also 2:240, *Board Policy Development*.

Information similar to this policy's content may also be a part of a district's safety plans, which the superintendent uses to implement the board's direction in this policy.

See f/n 3, below for a definition of a pandemic. According to the Centers for Disease Control and Prevention (CDC) guidance, schools serve as an "amplification point" of flu epidemics. **School Superintendent's Insider**, April 2007. School officials should be preparing for the flu pandemic as a U.S. Health and Human Services Pandemic Influenza Plan estimates that about 30 percent of the general population would become ill in a pandemic. The agency estimates among school-aged children the figure would be higher, about 40 percent. Sources: **NSBA and School Board News**, 3-14-2006.

² Multiple stakeholders at many levels and in many groups have important roles in effective pandemic preparedness, management, and recovery efforts. Stakeholders include federal departments and agencies, public health organizations, State and local health departments and laboratories, private health care organizations, influenza vaccine and antiviral manufacturers, and vaccine distributors and vaccinators. **Illinois Pandemic Influenza Preparedness and Response Plan, Version 5.0, May 2014, Concept of Operations 2.0, page 36**, at: www.idph.state.il.us/pandemic_flu/planning.htm.

³ This paragraph embodies the CDC's pandemic definition. See www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html. The **Illinois Pandemic Influenza Preparedness and Response Plan, Version 5.0, May 2014**, also defines pandemic at page 9; however, that definition is specific to influenza. The new COVID-19 coronavirus is not an influenza virus yet was characterized as a pandemic by the World Health Organization. At the time of publication during the 2020 COVID-19 pandemic, it was not clear whether this Illinois resource's definition will be amended.

Prior to the COVID-19 pandemic, literature discussed that during an influenza pandemic, a new influenza virus will cause thousands or even millions of people to contract the disease and, in turn, spread the illness to others because people have not been previously exposed to the new virus. See **School Guidance During an Influenza Pandemic**, December 2006; Ill. State Board of Education (ISBE) opening letter to School Officials dated November 2006 from Dr. Randy J. Dunn and Dr. Eric Whitaker, at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_letter.pdf.

priorities and oversee the development and implementation of a comprehensive pandemic influenza school action plan; and (3) build awareness of the final plan among staff, students, and community.

Emergency School Closing 4

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. 5

4 In times of emergency, the functions of different levels of State and federal government often become cloudy, and determining what governmental entity has powers to take a particular action can be confusing. The concept of federalism, or the coexistence of federal and state governments with their own local powers, was utilized during the response to the 2020 COVID-19 pandemic. Federalism is premised on the Constitutional limits of federal power. See U.S. Const. Art. I, Sec. 8 (limiting powers of Congress providing only those powers enumerated). Generally, during the 2020 COVID-19 pandemic, Illinois and other states were left with these remaining powers of government to respond to the crisis. In general, President Trump's administration set broad national policy, particularly with respect to international travel and the approval of treatments, and suggested guidance that States could follow regarding mitigation measures. The states' governors and local leaders made other state-specific or locality-specific decisions based upon the local conditions in each community. Depending upon the federal administration in power at the time of a pandemic, the federal government may seek to play a greater or lesser role in the management of a pandemic.

Local health departments, emergency medical agencies, and the Regional Office of Education may direct a school to close during a pandemic. See *School Guidance During an Influenza Pandemic*, December 2006; ISBE opening letter to school officials dated November 2006 from Dr. Randy J. Dunn and Dr. Eric Whitaker. This letter is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_letter.pdf.

The Ill. Dept. of Public Health (IDPH) is also authorized to order a place to be closed and made off-limits to the public to prevent the probable spread of a dangerously contagious or infectious disease. 20 ILCS 2305/2(b).

The Governor also has emergency powers upon his or her declaration of a disaster, which includes among other things public health emergencies. 20 ILCS 3305/4 and 3305/7. Upon such proclamation, the Governor has, and may exercise for a period not to exceed 30 days, several emergency powers. Id.

Since the 2006 *School Guidance During an Influenza Pandemic* letter was written, several Illinois schools faced an H1N1 outbreak in 2009, and all Illinois schools faced the 2020 COVID-19 pandemic.

During the 2009 H1N1 outbreak, ISBE directed schools with a statement titled *Closing School in Response to H1N1* that outlined "the decision to close school must be made locally by the school district and in conjunction and support with the relevant local public health department. The impact of a pandemic may vary from region to region. Therefore, it is crucial that district administrators rely on the advice and recommendations of their local public health department." During the 2020 COVID-19 pandemic, the Governor and ISBE issued many directives and/or guidance, including reliance upon the advice and recommendations of local public health departments. See www.isbe.net/Documents/ISBE-Guidance-to-School-Coronavirus.pdf. And see other 2020 COVID-19 guidance documents as follows:

Ill. Gov. Pritzker, ISBE, Ill. Association of School Admin., Ill. Principals' Assoc., Ill. Ed. Assoc., and Ill. Fed. of Teachers Joint Statement:

www.isbe.net/Documents/Joint-Statement-Updated%203-27-20.pdf,

IDPH-ISBE joint schools guidance:

www.dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/coronavirus/schools-guidance

IDPH-ISBE joint workplace health and safety guidance:

www.dph.illinois.gov/covid19/community-guidance/workplace-health-and-safety-guidance

Restore Illinois Plan:

www2.illinois.gov/dceo/Pages/RestoreIL.P3.aspx.

During the 2020 COVID-19 pandemic, several protests occurred and many lawsuits were filed challenging Ill. Gov. Pritzker's extensions of disaster declaration emergency power under IEMA, 20 ILCS 3305/7. See the 2020 COVID-19 Executive Orders (EO) at: coronavirus.illinois.gov/s/resources-for-executive-orders. Controversies existed across party and regional lines with all branches of government looking to balance the need to protect human life against the desire to preserve personal liberty. Gov. Pritzker's EOs faced unsettled challenges in both the courts of law and public opinion as a five-phased plan to re-open Illinois was also being introduced a/k/a *Restore Illinois Plan* (coronavirus.illinois.gov/s/restore-illinois-introduction).

5 Use this alternative for districts in suburban Cook County: replace "Regional Office of Education" with "appropriate Intermediate Service Center."

During an emergency school closing, the Board President and the Superintendent⁶ 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. ⁷

Board Meeting Procedure; No Physical Presence of Quorum and Participation by Audio or Video ⁸

A disaster declaration related to a public health emergency⁹ 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 ¹⁰

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*

⁶ For a board that prefers its policy committee to engage in this work, delete *Board President and the Superintendent* and insert: *Board Policy Committee*. See policies 2:150, *Committees* and 2:240, *Board Policy Development*. This sample policy uses the board president and superintendent as the default text because during a pandemic, it may be difficult for a board policy committee to meet pursuant emergency executive orders that are issued, etc.

⁷ For an example of some issues that these entailed during the 2020 COVID-19 pandemic, see paragraph six of f/n 12, below.

⁸ 5 ILCS 120/2.01 and 120/7(e), amended by P.A. 101-640. See also 105 ILCS 5/10-6 and 5/10-12.

⁹ While 5 ILCS 120/7(e)(1), amended by P.A. 101-640, uses the phrase "related to public health concerns," the text "due to public health emergency" aligns with Ill. Emergency Act (IEMA), 20 ILCS 3305/4 and 7, the governing statute of disaster declarations. For ease of understanding and alignment with IEMA, this policy uses "public health emergency." For more discussion, see f/n 33 in sample policy 2:220, *School Board Meeting Procedure*.

¹⁰ Required if a district wishes to continue to charge employee salaries and benefits to a grant during an extended school closure, depending upon the specific terms of government orders and/or guidance issued during a pandemic. 2 C.F.R. Part 200 (see www.whitehouse.gov/wp-content/uploads/2020/03/M-20-17.pdf, extended until 9-30-20 by www.whitehouse.gov/wp-content/uploads/2020/06/M-20-26.pdf) and 30 ILCS 708/. See sample procedure 4:180-AP3, *Grant Flexibility; Payment of Employee Salaries During a Pandemic*, and its footnotes.

During the 2020 COVID-19 pandemic, Gov. Pritzker and ISBE issued directives and/or guidance regarding payment of school district employees that may impact a board's decision regarding continued payment of employees during an extended closure. ISBE and the Governor suspended in-person learning and issued a Joint Statement (JS) with other school administrator and union groups, which purported to mandate that all school district employees on the district's payroll be paid as if districts were functioning normally and they were performing their normal work. See www.isbe.net/Documents/Joint-Statement-Updated%203-27-20.pdf. The JS cited no specific authority for the payment mandate. Additionally, changes to wages, hours, terms and conditions of employment, even when made during an extraordinary circumstance such as a pandemic, remain subject to collective bargaining obligations.

Learning Days or Blended Remote Learning Days, the Superintendent shall approve and present to the Board for adoption a Remote and/or Blended Remote Learning Day Plan¹¹ (Plan) that: 12

11 105 ILCS 5/10-30(3), added by P.A. 101-643, requires the “[board] to adopt and the superintendent to approve” these plans upon the following statutory triggers: (1) the governor declaring a disaster pursuant to 20 ILCS 3305/, and (2) the state superintendent of education declaring a requirement for a school district, multiple school districts, a region, or the entire State. See sample administrative procedure 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)* for the specifics of implementing Remote Learning Days (RLDs) and/or Blended Remote Learning Days (BLRDs).

Implementing a plan under this subhead contains items on which collective bargaining may be required. Any policy that impacts wages, hours, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. This subhead of the policy concerns an area in which the law is unsettled. See 105 ILCS 5/10-30(7), added by P.A. 101-643 (stating that it does not increase or diminish any collective bargaining rights under existing law, and that aspects of the plan that impact the wages or other terms or conditions of employment will need to be bargained with the exclusive bargaining representative(s)).

To avoid confusion, note that the triggers under the Open Meetings Act (OMA), 5 ILCS 120/7, amended by P.A. 101-640, for when a school board may conduct its meetings by audio or video conference without the physical presence of a quorum are a bit more broad: (1) the “governor or the director of IDPH has issued a disaster declaration as defined in 20 ILCS 3305/, and (2) all or part of the jurisdiction of the [school board] is covered by the disaster area. This means that it is possible for the board to meet remotely under OMA if the director of IDPH declares a disaster, but the School Code requires the governor to be the one to declare the disaster under 20 ILCS 3305/ in order for the state superintendent of education to declare that a district implement RLD/BRLDs. RLD/BRLDs and e-learning days/e-learning programs are different. RLD/BRLDs are for use when the governor declares a disaster under 20 ILCS 3305/ and the state superintendent has declared a requirement for the district to use them to provide remote instruction to pre-kindergarten through grade 12 that count as pupil attendance days under 105 ILCS 5/10-19.05(j-5), amended by P.A. 101-643, 105 ILCS 5/10-30(1), added by P.A. 101-643. BRLDs allow districts to utilize “hybrid models of in-person and remote instruction. E-learning days are part of an e-learning program that require a board to, among other things, hold a public hearing and obtain approval by the Regional Office of Education (or Intermediate Service Center) to allow the district to provide instruction to students electronically while they are not physically present due to inclement weather and other unexpected events. 105 ILCS 5/10-20.56(b), amended by P.As. 101-12 and 101-643. School districts with e-learning programs may adapt them for use during RLDs and BLRDs (105 ILCS 5/10-20.56(a), amended by P.As. 101-12 and 101-643, and 5/10-30(2), added by P.A. 101-643.

If the board has adopted an e-learning program pursuant to 105 ILCS 5/10-20.56, added by P.A. 101-12, add the following text to number two after 105 ILCS 5/10-30:

2. _____ by adapting into a Plan the District’s e-learning program implemented pursuant to 105 ILCS 5/10-20.56

See policies 6:20, *School Year Calendar and Day*, 6:300, *Graduation Requirements*, 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*, and Executive Order 2020-31 (addressing the statutory minimum state graduation requirements (not local requirements that exceed the State-identified minimums)) and allowing local school boards to amend policies to reduce any local graduation requirements adopted in excess of the minimum requirements specified in School Code that school districts were unable to complete during the 2019-20 school year due to the suspension of in-person instruction and/or the *Stay-at-Home* orders issued in response to the 2020 COVID-19 pandemic). Executive Order 2020-31 provided the following proclamations:

Section 8. The following provisions of the Illinois School Code, 105 ILCS 5/1-1 et seq., requiring certain assessments and courses for twelfth grade students, are suspended:

a. 105 ILCS 5/2-3.64a-5(c) (requirement to take State assessments).

b. 105 ILCS 5/27-3 (requirement to pass a satisfactory examination on patriotism and the principles of representative government).

c. 105 ILCS 5/27-6(a) (requirement to engage in a course of physical education for a minimum of 3 days per 5-day week), and

d. 105 ILCS 5/27-12.1(a) (requirement to be taught consumer education).

Section 9. The provision of the Illinois School Code, 105 ILCS 5/10-22.43a, requiring the successful completion of a foreign language proficiency examination for students whose foreign language credit is met through an approved ethnic school program, is suspended.

Section 10. The provision of the Illinois School Code, 105 ILCS 5/27-6.5, requiring physical assessments, is suspended.

Section 11. The provision of the Illinois School Code, 105 ILCS 5/27-22(e), requiring the successful completion of certain courses as a prerequisite to receiving a high school diploma, is suspended for twelfth grade students who are unable to complete such coursework as a result of the suspension of in-person instruction due to COVID-19.

Section 12. The provision of the Illinois School Code, 105 ILCS 5/27-21, requiring eight grade students to demonstrate evidence of having a comprehensive knowledge of the history of the United States as a prerequisite to eight grade graduation, is suspended.

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; 13
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)

Emergency School Closing

~~In the case of a pandemic, any decision for an emergency school closing will be made by the Superintendent in consultation with and, if necessary, at the direction of the District's local health department, emergency management agencies, and Regional Office of Education.~~

Section 13. Twelfth grade students shall not be denied credit for apprenticeships or vocational or technical education courses allowed to be substituted for graduation requirements under the Illinois School Code. 105 ILCS 5/27-22.05, due to the student's inability to complete those course substitutions as a result of the suspension of in-person instruction due to COVID-19.

Section 14. The Illinois State Board of Education shall file emergency rules as needed to effectuate the intent of this Executive Order, including to suspend any regulatory provision related to: (1) student graduation requirements; or (2) student teaching, supervised field experience, or internship requirements for professional educator licenses or endorsements.

12 105 ILCS 5/10-30(3), added by P.A. 101-643 states "the district shall adopt a remote and blended remote learning day plan approved by the district superintendent." For ease of administration, to avoid confusion during implementation, and to align with the IASB Foundational Principles of Effective Governance (www.iasb.com/principles_popup.cfm), this policy assigns the duty to *adopt* the remote and blended remote learning day plan (plan) by "the district" to the board. In alignment with this policy, administrative procedure 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)*, requires the superintendent to *approve* the plan and present it to the board for *adoption* prior to district-wide implementation and posting on the district's website.

13 105 ILCS 5/10-30(8), added by P.A. 101-643 does not excuse districts from completing all statutory and regulatory curricular mandates and offerings.

~~LEGAL REF.: 105 ILCS 5/10-16.7 and 5/10-20.5;
Ill. Dept. of Public Health Act (Part 1), 20 ILCS 2305/2(b);
Ill. Emergency Management Agency Act, 20 ILCS 3305;
Ill. Educational Labor Relations Act, 115 ILCS 5/.~~

~~CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:20
(Powers and Duties of the School Board; Indemnification), 4:170 (Safety), 7:90
(Release During School Hours), 8:100 (Relations with Other Organizations and
Agencies)~~

~~Adopted~~~~DOPTED~~: August 15, 2017

~~1st Reading: July 14, 2020~~

~~2nd Reading: August 18, 2020~~

~~Revised: August 18, 2020~~

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 Building Principal of the school in the school attendance area where the student resides. All requests for attendance in the following school year must be submitted before 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

A nonpublic school student is eligible to participate in: (1) interscholastic competition, provided his or her participation adheres to the regulations established by any association in which the School District maintains a membership, and (2) non-athletic extracurricular activities, provided the student attends a District school for at least one-half of the regular school day, excluding lunch. A nonpublic student who participates in an extracurricular activity is subject to all policies, regulations, and rules that are applicable to other participants in the activity.

Assignment When Enrolling Full-Time in a District School

Grade placement by, and academic credits earned at, a nonpublic school will be accepted if the school has a Certificate of Nonpublic School Recognition from the Illinois State Board of Education, or, if outside Illinois, if the school is accredited by the state agency governing education.

A student who, after receiving instruction in a non-recognized or non-accredited school, enrolls in the District will: (1) be assigned to a grade level according to academic proficiency, and/or (2) have academic credits recognized by the District if the student demonstrates appropriate academic proficiency to the school administration. Any portion of a student's transcript relating to such instruction will not be considered for placement on the honor roll or computation in class rank.

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 School Board policy 7:30, *Student Assignment and Intra-District Transfer*, as well as administrative procedures implementing this policy.

LEGAL REF.: 105 ILCS 5/10-20.24 and 5/14-6.01.

CROSS REF.: 4:110 (Transportation), 6:170 (Title I Programs), 6:190 (Extracurricular and Co-Curricular Activities), 6:320 (High School Credit for Proficiency), 7:30 (Student Assignment *and Intra-District Transfer*), 7:300 (Extracurricular Athletics)

~~ADOPTED~~Adopted: November 17, 2015

1st Reading: July 14, 2020

2nd Reading: August 18, 2020

Revised: August 18, 2020

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). ~~medical cannabis, marijuana, and hashish~~.
 - b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

1 Controlled substance is defined in 720 ILCS 570/102(f); cannabis is defined in 720 ILCS 550/3(a) and in 410 ILCS 705/1-10, added by P.A. 101-27. Either spelling, *marihuana* or *marijuana*, is correct; however, *marijuana* is more common. See f/n 11 for a discussion of medical cannabis and Ashley's Law.

- 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. 2-
- 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.

The footnotes are not intended to be part of the adopted policy: they should be removed before the policy is adopted.

2 To legally use medical cannabis, an individual must first become a registered qualifying patient. The use of cannabis by a registered qualifying patient is permitted only in accordance with the Compassionate Use of Medical Cannabis Program. 410 ILCS 130/, amended by P.A.s 100-660 and 101-363, scheduled to be repealed on 7-1-20. There are many situations in which no one, even a registered qualifying patient, may possess or use cannabis. This includes in a school bus or on the grounds of any preschool, or primary or secondary school unless the student meets the requirements of 105 ILCS 5/22-33, a/k/a Ashley's Law. 410 ILCS 130/30(a)(2) and (3), amended by P.A.s 100-660 and 101-363, scheduled to be repealed on 7-1-20. Ashley's Law provides that school districts "shall authorize a parent or guardian or any other individual registered with the Department of Public Health as a designated caregiver of a student who is a registered qualifying patient to administer a medical cannabis infused product to the student on the premises of the child's school or on the child's school bus if both the student (as a registered qualifying patient) and the parent or guardian or other individual (as a registered designated caregiver) have been issued registry identification cards under the Compassionate Use of Medical Cannabis Program Act." 105 ILCS 5/22-33(b), added by P.A. 100-660 and amended by P.A. 101-363. Once the product is administered, the designated caregiver must remove the product from the school premises/bus. Id. 105 ILCS 5/22-33(b-5), added by 101-370, allows a properly trained school nurse or administrator to administer medical cannabis infused products to a student while at school, 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. The product may not be administered in a manner that would (in the school or district's opinion) create a disruption or expose other students to the product, and schools are not required to authorize use of the product if the school or district would lose federal funding as a result. 105 ILCS 5/22-33(c), added by P.A. 100-660. For more discussion, see f/n 25 in 7:270, Administering Medicines to Students. Contact the board attorney for advice concerning medical cannabis, including whether a federal or State law requires the district to accommodate a student who is a registered qualifying patient. See Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.; Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 et seq.; Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794; 105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b; and 23 Ill.Admin.Code Part 226.

- h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

- 4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the **Weapons** section of this policy, or violating the **Weapons** section of this policy.
- 5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
- 6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
- 7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
- 8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
- 9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
- 10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
- 11. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.
- 12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
- 13. Entering school property or a school facility without proper authorization.
- 14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an

emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.

15. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
16. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

For purposes of this policy, the term *possession* includes having control, custody, or care, currently or in the past, of an object or substance, including situations in which the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event.

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. Potential disciplinary measures include, without limitation, any of the following:

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), *look-alikes*, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

Corporal punishment is prohibited. *Corporal punishment* is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Isolated Time Out, Time Out, and Physical Restraint ³

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).
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.

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

³ Isolated time out, time out, or physical restraint may be used by staff members **only** if their use is authorized by policy and administrative procedure. 105 ILCS 5/2-3.130, 5/10-20.33, and 5/24-24; 23 Ill.Admin.Code §§1.280(c) and 1.285. See 7:190-AP4, *Use of Isolated Time Out, Time Out, and Physical Restraint*. **The sample policy allows the use of isolated time out, time out, and physical restraint pursuant *only* to the conditions allowed in the School Code and ISBE rules.** State statute and ISBE rules contain complex restrictions on the use of isolated time out, time out, and physical restraint. 105 ILCS 5/2-3.130, 5/10-20.33, and 5/24-24; 23 Ill.Admin.Code §§1.280(c) and 1.285. According to the ISBE rule, isolated time out, time out, and physical restraints are allowed **only** if a board authorizes their use in a policy containing the numerous components identified in the rule. To comply with ISBE's rule, a board must also incorporate by reference the district's procedure, i.e., 7:190-AP4, *Use of Isolated Time Out, Time Out, and Physical Restraint*. By doing this, the policy includes the district's procedure. **For a board that wants to prohibit the use of isolated time out, time out, and physical restraint** (1) delete this subhead and its contents; (2) amend the Legal References as follows "23 Ill.Admin.Code §§-1.280-1.285," and (3) delete "Incorporated by Reference: 7:190-AP4 (Use of Isolated Time Out, Time Out, and Physical Restraint)".

Required Notices

A school staff member shall immediately notify the office of the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and any involved student's parent/guardian. "School grounds" includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated [licensed] educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior.

The Superintendent, Building Principal, Assistant Building Principal, or Dean of Students is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to ten consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of ten school days for safety reasons.

Student Handbook

The Superintendent, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A student handbook, including the District disciplinary policies and rules, shall be distributed to the students' parents/guardians within 15 days of the beginning of the school year or a student's enrollment.

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, 5/31-
3, and 110/3.10.
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.

~~LEGAL REF.:~~ ~~Gun Free Schools Act, 20 U.S.C. §7961 et seq.~~
~~Pro Children Act of 1994, 20 U.S.C. §6081.~~
~~410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.~~
~~410 ILCS 647/, Powdered Caffeine Control and Education Act.~~
~~430 ILCS 66/, Firearm Concealed Carry Act.~~
~~105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10,~~
~~5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and~~
~~110/3.10.~~
~~23 Ill.Admin.Code §1.280.~~

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications; Elementary Schools), 8:30 (Visitors to and Conduct on School Property)

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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 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but a parent/guardian shall have the right to object to the release of information regarding his or her child. However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to, or the consent of, the student's parent/guardian. Upon request, the District discloses school student 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.

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.

LEGAL REF.: Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).
Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g implemented by 34
C.F.R. Part 99.
Children’s Privacy Protection and Parental Empowerment Act, 325 ILCS 17/.
105 ILCS 5/10-20.21b, 5/20.37, 5/20.40, and 5/14-1.01 et seq.
105 ILCS 10/, Illinois School Student Records Act.
50 ILCS 205/7.
750 ILCS 5/602.11.
23 Ill.Admin.Code Parts 226 and 375.

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal
Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct),
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 (Schedule for Destruction of School Student Records)~~

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Students

Use of Educational Technologies; Student Data Privacy and Security 1

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.² The sale, rental, lease, or trading of any school student records or covered information by the District is prohibited.³ Protecting such information is important for legal compliance, District operations, and maintaining the trust of District stakeholders, including parents, students and staff. ⁴

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ The Student Online Personal Protection Act (SOPPA) (105 ILCS 85/), amended by P.A. 101-516, eff. 7-1-21, controls the content of this policy. SOPPA specifically requires boards to adopt a policy for designating which district employees are authorized to enter into agreements with *operators* (see **Operator Contracts** subhead). SOPPA is the State law that governs how educational technology companies, schools, and the Ill. State Board of Education (ISBE) use and protect *covered information* of students. The amendments to SOPPA were intended to strengthen protections for online student data, in part by centralizing the vetting and contracting process within schools, and to give parents ready access to information about how their children's data is being used at school. SOPPA does not, however, require a district to obtain parent opt-in or separate consent for the use of online services or applications, nor is such consent required if the operator is acting as a *school official* pursuant to the delineated exception in the Family Educational Rights and Privacy Act's (FERPA)(20 U.S.C. §1232g) implementing regulations. See 34 C.F.R. §99.3(a).

² See policy 7:340, *Student Records*, and its implementing administrative procedure, 7:340-API, *School Student Records*, for requirements addressing school student records under federal and State law. SOPPA does not override or otherwise supersede the requirements of FERPA or the Ill. School Student Records Act (ISSRA) (105 ILCS 10/). 105 ILCS 85/30(9), amended by P.A. 101-516, eff. 7-1-21.

Covered information is a broader concept than student records, and may include information that does not qualify as a student record. However, even if the covered information is not maintained as a student record, it may still qualify as a *public record* under the Local Records Act (50 ILCS 205/), such that a district would have an obligation to maintain it. Consult the board attorney for guidance on these issues.

³ 105 ILCS 85/26(1), added by P.A. 101-516, eff. 7-1-21. SOPPA includes a clarification that schools and operators are not prohibited from producing and distributing, free or for consideration, student class photos and yearbooks to the school, students, parents, or others authorized by parents, as long as there is a written agreement between the operator and district. 105 ILCS 85/30(10), amended by P.A. 101-516, eff. 7-1-21.

⁴ SOPPA permits, but does not require, districts to designate an appropriate staff person as a Privacy Officer, who may also be an official records custodian under ISSRA, to carry out the duties and responsibilities assigned to schools and to ensure a district's compliance with the requirements of SOPPA. 105 ILCS 85/27(f), added by P.A. 101-516, eff. 7-1-21. For boards that wish to designate a Privacy Officer, add the below sentence to the end of the paragraph. Boards may designate an individual other than the Superintendent to serve in the capacity of Privacy Officer, such as a Business Manager, IT Director, or District Records Custodian.

The Board designates the Superintendent to serve as Privacy Officer, who shall ensure the District complies with the duties and responsibilities required of it under the Student Online Personal Protection Act, 105 ILCS 85/, amended by P.A. 101-516, eff. 7-1-21.

Definitions ⁵

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. ⁶

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. ⁷

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.⁸ 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. ⁹

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.¹⁰ In the event the District receives notice from an operator of a breach or has determined a breach has

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⁵ 105 ILCS 85/5, amended by P.A. 101-516, eff. 7-1-21. See f/n 3 above for more discussion about *covered information*.

⁶ SOPPA specifically provides that it does not apply to 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. 105 ILCS 85/30(3), amended by P.A. 101-516, eff. 7-1-21. Consult the board attorney for guidance regarding whether certain applications that may be widely used by schools, but which may not have been originally marketed to K-12 (e.g., certain video conference applications), come within the scope of SOPPA.

⁷ Operators must notify districts of a breach of covered information within the most expedient time possible and without reasonable delay, but no later than 30 calendar days after the determination that a breach has occurred. 105 ILCS 85/15(5), added by P.A. 101-516, eff. 7-1-21.

⁸ This statement is required by 105 ILCS 85/27(b), added by P.A. 101-516, eff. 7-1-21. SOPPA provides that any agreement entered into in violation of SOPPA “is void and unenforceable as against public policy.” *Id.* SOPPA does not provide for a private right of action against school districts; the Ill. Attorney General has enforcement authority under SOPPA through the Consumer Fraud Deceptive Trade Practices Act. 105 ILCS 85/35.

⁹ SOPPA requires specific provisions be included in a contract with any operator that seeks to receive covered information from a school district. 105 ILCS 85/15(4), added by P.A. 101-516, eff. 7-1-21. See 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*, for details.

¹⁰ 105 ILCS 85/27(e), added by P.A. 101-516, eff. 7-1-21. SOPPA does not provide specifics regarding security procedures or practices, nor is there a formal, nationalized standard specific to K-12. However, SOPPA requires ISBE to make available on its website guidance for schools pertaining to reasonable security procedures and practices. 105 ILCS 85/28, added by P.A. 101-516, eff. 7-1-21. ISBE, the U.S. Dept. of Education (DOE) and other experts in the field agree that training of all staff with access to a school’s network is important to protecting schools against cyber threats, although such training is not currently mandated in Illinois. ISBE’s grant-funded program, the Learning Technology Center of Illinois, offers cybersecurity training to administrators and educators throughout the State. See www.ltc.org. The U.S. Dept. of Education has also issued multiple guidance documents on security best practices for schools, available at www.studentprivacy.ed.gov/topic/security-best-practices.

occurred, the Superintendent or designee shall also ensure that the District provides any breach notifications required by State law. **11**

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.
105 ILCS 85/, Student Online Personal Protection Act.

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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11 In the event of a breach of covered information of students, SOPPA requires school districts to provide two types of notices: (1) individual notices to the parents of students whose covered information was involved in the breach and (2) a more general notice about the breach on the district's website (or at the district administrative office, if it does not maintain a website) if the breach involved 10% or more of the district's student enrollment. 105 ILCS 85/27(a)(5) & (d), added by P.A. 101-516, eff. 7-1-21. See 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*, for details about the required notices.