

ROCK ISLAND-MILAN SCHOOL DISTRICT NO. 41



BOARD OF EDUCATION REGULAR MEETING

ROCK ISLAND-MILAN ADMINISTRATION OFFICE
2000 7TH AVE
ROCK ISLAND, IL 61201

TUESDAY, NOVEMBER 12, 2024

6:00 PM

Below is the link to the School Board Meeting:
<https://meet.google.com/fzb-nmks-pmq>

I. Preliminary

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Approval of Board of Education Minutes

It is recommended that the Board of Education approve the minutes of the Regular meeting of October 22, 2024, as well as the Executive session minutes of October 22, 2024, to remain confidential.

II. Special Items

A. Board Member Recognition... Information

Dr. Sharon Williams will recognize the Board of Education members for their contribution to the Rock Island - Milan School District #41.

B. Tax Levy and Bonds Presentation... Information

Annaka Whiting, Chief Financial Officer, will present the tentative tax levy to the Board of Education. Dr. Williams, Ms. Whiting, C and H Consultants and Anne Noble of Stifel Public Finance will share information on the District's ability to implement a funding mechanism to address various needs within the District, including a review of bond issuance scenarios and timeline requirements.

III. Reports

- A. Board Members
- B. Superintendent
- C. RIEA President

IV. Communications

- A. Requests from persons wishing to speak on certain agenda items will be called upon at the appropriate time.
- B. Citizens wishing to address the Board of Education on items not on the agenda. Comments should be limited to three (3) minutes. *(Matters regarding specific employees or students are of a confidential nature and will not be heard in open session.)*

V. Action of Routine Matters

- A. Approval of Additions and / or Deletions
- B. Approval of Agenda
- C. Nomination for Future Agenda Items
- D. Blanket Motion

Opportunity will be given for the selection of items that need no discussion to be approved at the appropriate time on the agenda. The following items are recommended for the Blanket Motion:

1. Contracts for Service (a - c)

a. One Step Printing... Action

It is recommended that the Board of Education approve One Step Printing Solutions, 806 W. 4th Street, Davenport, IA to provide printing services not to exceed \$50,000 for the 2024 - 25 school year for the District until other vendor options are secured.

b. Tri-City Electric Addendum... Action

It is recommended that the Board of Education approve an amendment to the previous board approved item to include additional costs of \$14,000.00. The total contract cost is not to exceed \$214,000.00.

c. BSN Sports Apparel Contract... Action

It is recommended that the Board of Education approve the agreement with BSN Athleticwear as presented for the 2024-25 school year.

2. Bills for Payment... Action

It is recommended that the Board of Education authorize bills for payment dated October 31, 2024, in the amount of \$6,074,375.11.

3. Overnight Field Trip Requests... Action

It is recommended that the Board of Education approve the overnight field trip requests as presented.

Rock Island High School Boys Cross Country Team members to the IHSA State Cross Country Championship Meet in Peoria, Illinois, leaving November 8th and returning November 9th, 2024.

Rock Island High School Girls Bowling Team to a bowling tournament in Lake Zurich, IL, leaving December 6th, returning on December 7th, 2024.

Rock Island High School Girls Bowling Team to a bowling tournament in Mt. Prospect, Illinois leaving January 10th, 2025 and returning January 11th, 2025.

4. Cooperative Purchasing Agreement Omnia Partners... Action

It is recommended that the Board of Education approve the cooperative purchasing

agreement with Omnia Partners.

5. Cooperative Purchasing Agreement - TIPS... Action

It is recommended that the Board of Education approve the cooperative purchasing agreement with The Interlocal Purchasing System (TIPS).

6. Cooperative Purchasing Agreement - Sourcewell... Action

It is recommended that the Board of Education approve the cooperative purchasing agreement with Sourcewell.

7. Non-Certified Appointment... Action

It is recommended that the Board of Education approve the following non-certified appointments for the remainder of the 2024 - 25 school year: Heather Wangler, and Ruel Roys.

8. Non-Certified Internal Transfers... Action

It is recommended that the Board of Education approve the following Non-Certified internal transfers for the remainder of the 2024 -25 school year: Brittney Hart and Crystal Cutkomp.

9. Non-Certified Support Coach... Action

It is recommended that the Board of Education approve the following Non-Certified Support Coach for the remainder of the 2024 -25 school year: Troy Nimmers.

10. Non-Certified Event Staff... Action

It is recommended that the Board of Education approve the following non-certified event staff for the remainder of the 2024 -25 school year: Mark Creger.

11. Non-Certified Resignations... Action

It is recommended that the Board of Education approve the following non-certified resignations during the 2024 - 25 school year: Eric West, Head Start Family Service Worker with three (3) years of continuous service, and Christian Ingram, Special Education Paraprofessional with one (1) year of service.

12. Non-Certified Termination... Action

It is recommended that the Board of Education approve the termination of employee 24.13.2 immediately.

13. Non-Certified Retirement.... Action

It is recommended that the Board of Education approve the retirement of Lori Carlson, Special Education Paraprofessional with 24.5 years of continuous service upon the completion of the 2024 -25 school year.

VI. Operations

A. Board Policy Updates - Second Reading... Information/Action

It is recommended that the Board of Education approve the revised Press 115 Board Policies received from the Illinois Association of School Boards as presented.

B. Board Policy Updates First Reading... Information

Members of the Administrative team will present recommended revisions to Press 116

Board Policies as received from the Illinois Association of School Boards policy service.

VII. Business/Finance

A. Application for School Building Maintenance Grant... Resolution

It is recommended that the Board of Education approve the District's application for the 2024 - 2025 School Building Maintenance Project Grant through the Illinois State Board of Education for maintenance and/or upkeep of buildings for educational purposes.

VIII. Personnel

A. Coordinator of Communications... Action

It is recommended that the Board of Education approve Moo Soe as Coordinator of Communications for the 2024 - 25 school year at a salary of \$61,718.00 prorated to the start date.

B. Coordinator of Human Resources... Action

It is recommended that the Board of Education approve Noelle Jones as Coordinator of Human Resources for the 2024 - 25 school year at a salary of \$60,498.66, prorated to the start date.

IX. Executive Session

It is recommended that the Board of Education move to executive session to discuss matters relating to the appointment, employment, compensation, performance, or dismissal of the public body, or legal counsel for the public body, including hearing testimony of a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. 5 ILCS 120/2(c)(1); as well as pending litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS120/2(c)(11).

X. Adjournment



ROCK ISLAND-MILAN SCHOOL DISTRICT NO. 41
BOARD OF EDUCATION REGULAR MEETING MINUTES
October 22, 2024

The Regular Meeting of the Board of Education of the Rock Island-Milan School District was held Tuesday, October 22, 2024 at the Rock Island-Milan School District Administration Center. The meeting began with the Pledge of Allegiance and was called to order at 6:00 p.m. by Mr. Terell Williams.

Roll Call

Members Present: Ms. Nicole Cisne Durbin, Ms. Margie Mejia-Caraballo, Mr. Mike Matherly, Mr. Tracy Pugh, Mr. Jason Roessler, Mr. Gary Rowe. Mr. Terell Williams

Cabinet Members Present: Mr. Jeff Dase, Mr. Scott Vance, Dr. Dominique Moore, Ms. Annaka Whiting, Ms. Alicia Sanders, Ms. Ramona Dixon, Mr. Debra Frantz, Ms. Nicole Berry, Mr. Joshua Becker.

Approval of Minutes

A motion was made by Gary Rowe and seconded by Nicole Cisne Durbin to approve regular meeting minutes of September 24, 2024. All members voting "Aye", the President declared the motion carried.

Special Items

In honor of Principals Week, Mr. Jeff Dase recognized the work our principals do and thanked them for their leadership and dedication, saying in part: "Your dedication, leadership and unwavering support have made a significant impact on our scholars and our community. We are truly grateful to have you as leaders.

Tonight's recognition is a small token of our appreciation as no number of words or amount of gestures can equal the gratitude we have for you all today and always".

Patrick Versluis	Denkmann Elementary School
Jennifer Harris	Earl Hanson Elementary School
Joey Dilulio	Edison Junior High School
Andy Campbell	Eugene Field Elementary School
Nicole Melody	Frances Willard Elementary School
Nicole Berry	Horace Mann Early Learning Center
Sarah Leonard	Longfellow Liberal Arts
J.D. Wilson	Ridgewood Elementary School
Thomas Ryan	Rock Island Academy
John Hawley	Rock Island Center for Math & Science
Jeff Whitaker	Rock Island High School
Ian Scott	Thomas Jefferson Elementary School
Anthony Ragona	Thurgood Marshall Learning Center
Tonya Smith	Washington Junior High School

Dr. Williams introduced Chief Financial Officer, Ms. Annaka Whiting. Ms. Whiting provided an overview of the Tax Levy Process for FY25. More details will be shared in the upcoming meetings.

Reports

Ms. LaNina Daugherty reported that the beginning of the 2024 – 25 school year is going well. The implementation of peer mentoring at the High School between the Seniors and the Freshman is going well; improved from last year.

Ms. Jozie Kerr reported that construction recently completed at the High School is appreciated by the students, the restrooms that were recently finished as well as the construction done last year in the cafeteria. Career Day is approaching and the students are looking forward to having employees and other community leaders at the school.

Mr. Tracy Pugh reported that the Third Annual Career Day is being held at the High School tomorrow with over 130 professionals from all walks of life coming in to talk to the students about how education will help them in their future endeavors. Dr. Jeff Dase will be one of the motivational speakers at the event and Mr. Pugh is looking forward to the Career Day tomorrow.

Mr. Gary Rowe reported on Head Start Policy Council. Head Start has an enrollment of almost 243 students which bring them to 95.2% of capacity. The average daily attendance is 92.7% which is outstanding. 35 of the students (13.7%) have an IEP. October is Head Start Awareness Month and there are some special activities coming up. October 10th was Family Day for Head Start at the Niabi Zoo; 305 attended. Head

Start is collaborating with the Quad City United Way “Ready by Five” program with benefits Rock Island students enrolled in Head Start.

At the BHASED Center there are 47 students enrolled which is 29% of the total students enrolled. BHASED staff provide speech and language pathology, occupational therapy, physical therapy, itinerant vision services, hearing and other audiology services for the community and our school district.

At the Bethany Blackhawk Phoenix Program there are 12 students (26%) from Rock Island. These are both important programs for our students who need this help as every student deserves the best chance that we can give them. For example, the Figge Art Museum had a Phoenix program that worked with Junior and Senior High School students for a Day of the Dead (Dios de los Muertos) activity. The Quad City Botanical Center’s Plant Discovery Bus is also a Phoenix program.

The United Way of the Quad Cities is expanding its United in School’s program to include the Rock Island Academy with a goal to help students overcome academic and non-academic barriers. United Way will be implemented at the Rock Island Academy in January of 2025 and Deputy Superintendent Jeff Dase, Asst. Superintendent for Teaching & Learning Scott Vance, Rock Island Academy Principal Dr. Tom Ryan and School Board Member Gary Rowe attended the October meeting.

Students from Thurgood Marshall Learning Center participated in the J.A. Stock Exchange. Out of 75 schools, they finished 28th and did very well and Mr. Rowe was proud of their efforts.

Mr. Mike Matherly reported that during break, his daughter had the opportunity to participate in the Spring Forward program and participated in a swim camp with lessons hosted by Thomas Jefferson School in Milan. He wanted to thank staff members who gave their time during the break to assist students with activities like this as well as thanking the Spring Forward organization for hosting the events.

NAACP is embarking on another round of community conversations with school board members. These will be at the Two Rivers Church. The first one will be the first week in November; be on the lookout for dates and times to be announced.

Lastly, there are four (4) four-year terms on the School Board up for election in April 2025. Petition packets are still available for pick up and there are signatures to get and paperwork to fill out before turning them back into the County to secure your position on the ballot. If you have questions, please reach out to any Board of Education member.

Mr. Terell Williams reported that he will be participating in the Career Day tomorrow for the first time. Post season is upon us for fall sports and there are a lot of sports starting in the upcoming week. Please try to get out to support our teams in whatever sport they are participating in. Please try to get out to support the students in whatever athletic or non-athletic school activity they are participating in. Please show your support.

Superintendent's Report

Dr. Williams welcomed everyone back for the second quarter as we are looking forward to a successful second quarter for our scholars and staff. She expressed her appreciation for employees who worked hard over the intersession; particularly the operations and maintenance staff, our central office and school leaders who were preparing for the second quarter.

Over the first week of intersession, Dr. Williams had the opportunity to attend the Large Unit District Association's Fall Conference (LUDA). This was an opportunity to interact with her peers at LUDA and learn more about several current topics including artificial intelligence, learning how to strengthen our relationship with our collective bargaining units, and leveraging our benefits including our 403B programs as employees face changing financial landscapes. Overall, it was very good to network with her peers across the State of Illinois at the conference.

In the spirit of our Reading Revolution, Dr. Williams read a book over break. What does a Los Angeles native, a New York Times reporter and the creator of her home state's most famous export have in common? If interested, send Dr. Williams a note and she will send you the book recommendation.

RIEA Union Report: Mr. Andrew Haines had no report.

Communications

Mr. Randy Veys - 2805 17th Street, Rock Island - Mr. Veys wanted to acknowledge Dr. William. He attended Homecoming and was impressed by how hands-on she was. He has never seen a Superintendent or Administrator be so hands on. He was hoping to talk to her during Homecoming but she was busy and he appreciated her attention to the event.

Mr. Veys requested to have the Rock Island High School Pool back on the agenda, stating that all sports are not being treated equally and that the swimmers have practices until 10:00 PM. He implored the Board of Education to approve the pool to be repaired.

Mr. Veys also stated while at Homecoming he talked to students who mentioned that they were able to use cell phones during gym class and sports practices. That alarmed him and stated

maybe having less screen time (during gym class and/or practice) would benefit the kids and result in fewer discipline issues.

Ms. Ashante Eason, 1002 19th Street, Apartment 3, Rock Island – It has come to her attention that we have some scholars that have difficulty getting to and from school safely. She was asked to come to the Board of Education to ask for the District to create a Safe Passage Program. The program would consist of volunteers partnering with the school district to walk students to and from school safely. There have been a number of students involved in fights and/or being injured on the way to school. This also happens on the bus. Ms. Eason understands the lack of vetted volunteers or funding for monitors/cameras etc. She would volunteer for this program if needed to allow students' day's to start with seeing teachers smiling as they greet the day.

Mr. Eason also wanted to thank the School Board members and the administration on behalf of 132 parents within the district. The parents wanted to share that this is one of the better years we have experienced over the last six (6) years and the parents are very grateful for the continued hard work to make our student successful. She looks forward to working with the Board and Administration and will be at the upcoming Community Talk.

Ms. Latasha Quick, 2609 8th Street, Rock Island – wanted to address the board about an issue that happened the day before regarding a student who was arrested. Per Ms. Quick the student was accused of breaking into vehicles but was arrested for having tobacco products in their possession. She stated that the school officer should have handled this issue differently, possibly by talking to the student at the school as opposed to calling the police department and having the student arrested. That office could have created a better bond with the student by handling things differently.

That student, when they return, will only have negative images of going back to school along with any fines or punishments that arise from the arrest and possible days of school missed due to court appearances.

Pastor Darryl Thompson, 2365 11th Street, Rock Island, IL spoke to support the family of the student arrested. The District needs to build a better relationship with its young, black male students by building positive relationships between parents and administrators. Pastor Thompson also wants students to have better communications with the security team and for African-American students not to be judged by the color of their skin but by their character.

Approval of Additions and/or Deletions

Mr. Mike Matherly noted that there were some amendments to the agenda.

Under the V. Action of Routine Matters, D. Blanket Motion, 9. In The Non-Certified Appointment section we have the following updates: in the supporting documents under Chelsey Lewis, pay should read "\$15.86" and in

the supporting documents and the agenda Lauren Meyers should read "Laura Meyers".

Under VIII. Personnel, the candidate, Ms. Kopatich has withdrawn her verbal acceptance of the Coordinator of Communications position.

Approve Agenda

A motion was made by Margie Mejia-Caraballo and seconded by Jason Roessler to approve the agenda. A voice vote was called showing all members present voting "Aye". No "Nay" votes being cast the President declared the motion carried.

Action on Routine Matters-Nominations for Future Agenda Items

Mr. Terell Williams asked if any board members had nominations for future agenda items. Mr. Jason Roessler and Ms. Margie Mejia-Caraballo requested the pool at the Rock Island High School be added and Mr. Gary Rowe asked for a discussion centering on Artificial Intelligence.

Action of Routine Matters- Blanket Motion

It was moved by Nicole Cisne Durbin seconded by Jason Roessler to approve the blanket motion. The vote was unanimously carried by a roll call vote that the following items be approved as a blanket motion:

Contracts for Service

That the Board of Education approve the contract extension with JL Brady to provide HVAC/Journeyman services through November 30, 2025 not to exceed \$275,000.00

That the Board of Education approve to extend the contract with Lakewood Electric and Generator to provide licensed electrician services for the district through November 30, 2025 not to exceed \$200,000.00.

That the RIMSD Board of Education approve the renewal of the GravityZone Endpoint-Detect-Respond (EDR) security software up to the amount of \$40,560.00 from Connectwise, 28819 Network Place Chicago, IL 60673. This amount will be funded by the Technology Department budget and valid from July 1st, 2024 through June 30th, 2025.

That the Board of Education approve the acquisition of the Cisco Firewall/CIPA filter products/services, from CDW-G, 200 N. Milwaukee Avenue, Vernon Hills, IL, in the amount of \$56,391.99. The funding for this will be provided by the

Technology Department budget and will be valid from October 22nd, 2024 through June 30th, 2028.

That the Board of Education approve the E-Rate contract service renewal with e2e Exchange, LLC, 2600 E Southlake Blvd, Suite 120-219, Southlake, TX 76092, in the amount not to exceed \$15,000.00. This amount will be funded by the Technology Department budget and valid from July 1st, 2024, through June 30th, 2025.

Bills for Payment

That the Board of Education authorize bills for payment dated September 30, 2024, in the amount of \$6,120,616.09 as well as the bills dated October 15, 2024 in the amount of \$4,127,422.32.

Overnight Field Trip Requests

That the Board of Education approve the overnight field trip requests as presented.

- Rock Island High School Girls Varsity Golfers to State Sectionals leaving October 6th and returning October 7th to ISU Weibring Golf Course.
- Rock Island High School Boys Varsity Golfers to State Sectionals leaving October 6th and returning October 7th to ISU Weibring Golf Course.
- Rock Island High School Girls Basketball Tournament from December 26th -28th 2024 to the State Farm Holiday Basketball Tournament in Bloomington, IL.
- Rock Island High School Boys Basketball Tournament from December 26th - 28th, 2024 to the State Farm Holiday Basketball Tournament in Bloomington, IL.
- Rock Island High School African American Heritage Club, March 11th - 12th, 2025 to Lincoln University, Jefferson City, MO and Griot Museum of Black History, St. Louis, MO.

MOU United Way Quad Cities

That the Board of Education approve the United Way Quad Cities MOU to implement the Communities in Schools Partnership at Rock Island Academy.

In-Kind Donation and MOU Spring Forward Learning

That the Rock Island - Milan School District's Board of Education accept the in-kind donation in the amount of \$75,875 in services and the Memorandum of Agreement for the Afterschool Support that Spring Forward Learning will provide during the 2024 - 25 school year.

Washington Junior High School Activity Sub Account

That the Board of Education approve the request to add a Washington Junior High School Activity sub account titled Resource Room as presented.

Certified Support Coach

That the Board of Education approve the following certified coaches for the 2024 - 25 school year: Marc Polite, Demetriyone Singleton, Eric West, Henry Hall, Betty Hall, Julie Hudnall, Maggie Voss, Jen Scholl, Kelsey Freeman, Rebecca Brown, Joel Stockwell, Jake Boyd, Emily Witherspoon, Ryan Scannell, Isaiah Tubbs, Dan Nelson, T'Nauzhae Robinson, Lauren Hall, Robinson Taylor-Jones, Ben Corlett, Miranda Lee, Kendrick Burrage, Craig Sharp, Janice Gbenyo, Bobby Hockenberry, Larry Harris.

Non-Certified Support Coach

That the Board of Education approve the following non-certified support coaches for the 2024-25 school year: Marquis Rodgers, Michael Crawford, Damon Colvin, Paris Dothard, Brian Maiden, Bob DeVreize, Larry Hall, Imari McDuffy, Mike Randle, Rodney Tapscott, Henry VanNote, Sarah Fuelling, Sepehr Kalhor, Hunter Aldrich, Ben Stockwell, LaTerionna Pugh, Ashley Johnson, Connor Dilulio, Josh Davis, Sara Swartz.

Non-Certified Appointment

It is recommended that the Board of Education approve the following non-certified appointments for the remainder of the 2024 - 25 school year: Claire Adolphson, Eric Fisk, Griffin Lapp, Chelsey Lewis, Robb McCoy, Brittney Mensen, Laura Meyers, Alexander Nelson, Alehandra Ruiz, Blake Schneider, Alexcia Schomer, Hannah Stevenson, Brittney Stevenson, Angel Winfrey.

Non-Certified Resignation

It is recommended that the Board of Education approve the following non-certified resignations of Ronetta Armstrong with one (1) year of service; Ndayavugwa Collette, with two (2) years of service; Rachel Deisenroth, with one

(1) year of service; Jessica DePauw, with one (1) year of service; Eric West, with two (2) years of service; Gilonni Wilson, with one (1) year of service.

Operations

Auction of District Vehicles

A motion was made by Jason Roessler and seconded by Margie Mejia-Carballo to approve the auction of three (3) fleet vehicles with Public Surplus after recent purchases of new fleet vehicles. The funds will go back into the Operations and Maintenance account.

There was a question about if the District was going to use the Public Surplus Website for the auction or an in-person auction. The District will be using the Public Surplus Website to auction the vehicles.

There was a roll call vote, all members present voting "Aye" and no members voting "Nay" the President called the motion carried.

Washington Basement Repair Bid Results

A motion was made by Nicole Cisne Durbin and seconded by Tracy Pugh to approve the bid to repair the Washington Junior High School parking lot/basement ceiling from McCarthy Improvement Company in the amount of \$173,300. Work is to be completed by December 31, 2024.

Good Ol' Boys

A motion was made by Gary Rowe and seconded by Margie Mejia-Caraballo to approve additional work done by Good Ol' Boys Tree Service, 700 12th Street, Rock Island, IL not to exceed \$30,000.00 for the remainder of the 2024 -25 school year. Year to date the district has spent \$23,900.00.

Some discussion was held where Mr. Gary Rowe said that he has used their services personally to remove a tree and that they did the removal with great precision and their prices have always been fair.

Mr. Michael Matherly stated he would abstain from voting on this issue as he has a professional relationship with this organization.

A roll call vote was taken, Jason Roessler, Margie Mejia-Caraballo, Gary Rowe, Nicole Cisne Durbin, Tracy Pugh and Terell Williams voted "Aye". The president declared the motion carried.

Advantage Tree Contract

Nicole Cisne Durbin made a motion, seconded by Mike Matherly to approve Advantage Tree Trimming, an Arbor Masters Company, 3100 Hickory Grove Road, Davenport, IA to provide services as needed for the district not to exceed \$30,000.00 during the 2024 - 25 school year.

Discussion was held on this subject questioning why we were stopping work with a Rock Island company and starting work with a company in another city. It was stated that Good Ol' Boys is a Rock Island company, with fair good pricing. Can someone explain why the District is recommending this switch?

Dr. Williams explained that there are several factors that play a role in this decision. As the Superintendent of this school district, Dr. Williams needs to follow School Board Policy as well as the Illinois State Code. We are bound by state code to bid for professional services when the amount spent in a fiscal year exceeds \$35,000. Upon Dr. Williams's arrival to the District, she noticed we were exceeding the board policy for the past three or more years in regards to payments to Good Ol' Boys.

To stay in line with state code and board policy, the District advertised that we were accepting bids for tree services. We did not receive any qualified bidders for the tree service. We will go back out to advertise for tree service. The District encourages anyone who has a viable, reliable tree service in the Rock Island – Milan community to submit a bid.

We have these items on the agenda to get approval for services provided by Good Ol' Boys for up to \$30,000 this year as well as a contract with a second company used by the City of Rock Island in case other tree work is needed this fiscal year.

A roll call vote was cast. Jason Roessler voted 'Nay'. All other members present voting "Aye", the President declared the motion carried.

Board Policy Updates - First Reading...Information

Recommended revisions to Press 115 Board Policies as received from the Illinois Association of School Boards policy service. This is the first reading recommended revisions to the Press 115. Board policies as received from the Illinois Association of School Boards. To recap, we get these updates on a regular basis. Most of the changes to the policies were nominal. This is just an informational item and there were no questions asked.

We will approve the Press 115 Board Policies at our next meeting.

Freedom of Information Act ...Information

The District received a Freedom of Information Act (FOIA) request and responded within the five-day required time frame to Ms. Isabel Pena who requested information on Washington Junior High School's current budget and deposits made into the athletic department.

The District received a FOIA request and responded within the five-day required time frame to Mr. Owen Wang who requested a PDF copy of the student evacuation plan in the case of active shooting. The District did not share the plan as disclosure would compromise District security.

Business/Finance

Ms. Annaka Whiting, CFO, reported on our Q1 expenditures and revenues.

Executive Session

A motion was made by Nicole Cisne Durbin and seconded by Jason Roessler to move to executive session to discuss pending litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS120/2(c)(11).

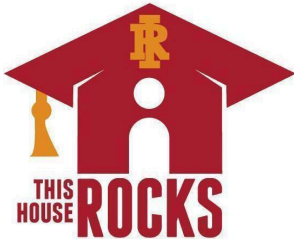
All members voting "Aye" and no "Nay" votes, the President declared the meeting to move to Executive Session.

Adjournment

There will not be action after the Executive Session, the President declared the meeting adjourned at 6:50 PM.

Mr. Terrell Williams, President

Ms. Paula Thompson, Board Secretary



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Annaka Whiting, Chief Financial Officer
Date: November 12, 2024
Re: 2024 Tentative Tax Levy

The District is required to present the Tentative Tax Levy 20 days prior to final approval. In order to comply with this requirement, the proposed 2024 Tax Levy has been provided to the Board for review. The levy, as presented, does not require a “Truth in Taxation” hearing as the proposed levy does not exceed the 2023 levy by more than 105%.

The timeline for the 2024 Tax Levy is as follows:

- Presentation of the Tentative Tax Levy, November 12th
- Approval of final Tax Levy, December 10th
- Submittal of Tax Levy to County Clerk, December 19th.

This timeline meets all requirements as set forth by State Statute.

Investment Period: Tax Levy Year 2024, Collected in 2025
Total Investment: N/A
Funding Source: N/A

Rock Island-Milan School District #41

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STIFEL



Rock Island - Milan
School District #41

17

Financing Scenarios and Timeline

Anne Noble

Managing Director, Stifel Public Finance

Tammie Beckwith Schallmo

Senior Vice President, Managing Director
PMA Securities, LLC

November 12, 2024



Debt Capacity

Lewy Year	2023	2024	2025	2026	2027
Collection Year	2024	2025	2026	2027	2028
Fiscal Year Ending 6/30	2025	2026	2027	2028	2029
Direct Debt, Beginning of Period (1) (3)	\$ 12,835,000	\$ 10,095,000	\$ 7,900,000	\$ 5,360,000	\$ 2,095,000
Principal Paydown, Series 2018 (2)	<u>(2,740,000)</u>	<u>(2,195,000)</u>	<u>(2,540,000)</u>	<u>(3,265,000)</u>	<u>(2,095,000)</u>
Direct Debt, End of Period (1)	<u>\$ 10,095,000</u>	<u>\$ 7,900,000</u>	<u>\$ 5,360,000</u>	<u>\$ 2,095,000</u>	<u>\$ -</u>
Equalized Assessed Valuation	\$ 763,684,970	\$ 823,924,526	\$ 823,924,526	\$ 823,924,526	\$ 823,924,526
Assumed EAV Increase		7.89%	0.00%	0.00%	0.00%
Statutory Debt Limit @ 13.80%	\$ 105,388,526	\$ 113,701,585	\$ 113,701,585	\$ 113,701,585	\$ 113,701,585
Direct Debt, End of Period as % of EAV	1.32%	0.96%	0.65%	0.25%	0.00%
Statutory Debt Margin at End of Period (1)	\$ 95,293,526	\$ 105,801,585	\$ 108,341,585	\$ 111,606,585	\$ 113,701,585

(1) Assumes that the principal due in the current year is paid or that the funds are set aside for payment. Does not include leases.

(2) Principal paid on December 1 of the fiscal year.

(3) The Debt Reform Act requires alternate bonds to be included in the legal debt margin of the District until such time the District no longer levies for the debt service.

- The District's debt capacity is \$95.3 million

- Its current working cash bonding capacity is approximately \$54.8 million



Existing Principal on Bonds

Lew Year	Fiscal Year	\$27,730,000			Total	Ending Principal Balance	Cumulative Principal Retirement as Percent of Total
		GO Refunding School Bonds, Series 2018	\$14,700,000 GO School Bonds (ARS), Series 2020	\$19,400,000 GO School Bonds (ARS), Series 2022			
2023	2025	\$ 2,740,000	\$ 820,000	\$ 175,000	\$ 3,735,000	\$ 40,060,000	8.53%
2024	2026	2,195,000	860,000	185,000	3,240,000	36,820,000	15.93%
2025	2027	2,540,000	905,000	195,000	3,640,000	33,180,000	24.24%
2026	2028	3,265,000	955,000	200,000	4,420,000	28,760,000	34.33%
2027	2029	2,095,000	1,000,000	210,000	3,305,000	25,455,000	41.88%
2028	2030	-	1,055,000	215,000	1,270,000	24,185,000	44.78%
2029	2031	-	1,105,000	230,000	1,335,000	22,850,000	47.83%
2030	2032	-	1,165,000	240,000	1,405,000	21,445,000	51.03%
2031	2033	-	1,225,000	250,000	1,475,000	19,970,000	54.40%
2032	2034	-	1,285,000	265,000	1,550,000	18,420,000	57.94%
2033	2035	-	1,350,000	280,000	1,630,000	16,790,000	61.66%
2034	2036	-	-	1,720,000	1,720,000	15,070,000	65.59%
2035	2037	-	-	1,815,000	1,815,000	13,255,000	69.73%
2036	2038	-	-	1,920,000	1,920,000	11,335,000	74.12%
2037	2039	-	-	2,030,000	2,030,000	9,305,000	78.75%
2038	2040	-	-	2,145,000	2,145,000	7,160,000	83.65%
2039	2041	-	-	2,265,000	2,265,000	4,895,000	88.82%
2040	2042	-	-	2,385,000	2,385,000	2,510,000	94.27%
2041	2043	-	-	2,510,000	2,510,000	-	100.00%
Totals:		<u>\$ 12,835,000</u>	<u>\$ 11,725,000</u>	<u>\$ 19,235,000</u>	<u>\$ 43,795,000</u>		

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Purpose:	Current Refund 08-09AB	New Money	New Money
Callable:	12/01/25	12/01/28	12/01/31

• Under current Federal tax law, the Series 2018 Bonds will be eligible for a current refunding (refinancing) in late summer of 2025 (average rate is 4.0%)

Debt Service on Existing Alternate Revenue Bonds

Fiscal Year	Pledged Revenues: School Facility Occupation Tax*	\$14,700,000 GO School Bonds (ARS), Series 2020	\$19,400,000 GO School Bonds (ARS), Series 2022	Total Debt Service	Coverage	Revenue Available for Pay-As-You-Go Capital Projects
2025	\$ 4,347,095	\$ 1,385,750	\$ 1,187,363	\$ 2,573,113	1.69x	\$ 1,773,983
2026	4,347,095	1,383,750	1,188,363	2,572,113	1.69x	1,774,983
2027	4,347,095	1,384,625	1,188,863	2,573,488	1.69x	1,773,608
2028	4,347,095	1,388,125	1,183,988	2,572,113	1.69x	1,774,983
2029	4,347,095	1,384,250	1,184,788	2,569,038	1.69x	1,778,058
2030	4,347,095	1,387,875	1,181,288	2,569,163	1.69x	1,777,933
2031	4,347,095	1,383,875	1,187,388	2,571,263	1.69x	1,775,833
2032	4,347,095	1,387,125	1,186,788	2,573,913	1.69x	1,773,183 ²⁰
2033	4,347,095	1,387,375	1,184,538	2,571,913	1.69x	1,775,183
2034	4,347,095	1,384,625	1,186,331	2,570,956	1.69x	1,776,139
2035	4,347,095	1,383,750	1,186,675	2,570,425	1.69x	1,776,670
2036	4,347,095	-	2,571,675	2,571,675	1.69x	1,775,420
2037	4,347,095	-	2,569,463	2,569,463	1.69x	1,777,633
2038	4,347,095	-	2,571,750	2,571,750	1.69x	1,775,345
2039	4,347,095	-	2,573,125	2,573,125	1.69x	1,773,970
2040	4,347,095	-	2,573,313	2,573,313	1.69x	1,773,783
2041	4,347,095	-	2,572,038	2,572,038	1.69x	1,775,058
2042	4,347,095	-	2,570,125	2,570,125	1.69x	1,776,970
2043	4,347,095	-	2,572,750	2,572,750	1.69x	1,774,345
		<u>\$ 15,241,125</u> #	<u>\$ 33,620,606</u>	<u>\$ 48,861,731</u>		

*Actual FY23 sales tax revenue



Existing Debt Service on Levied Bonds

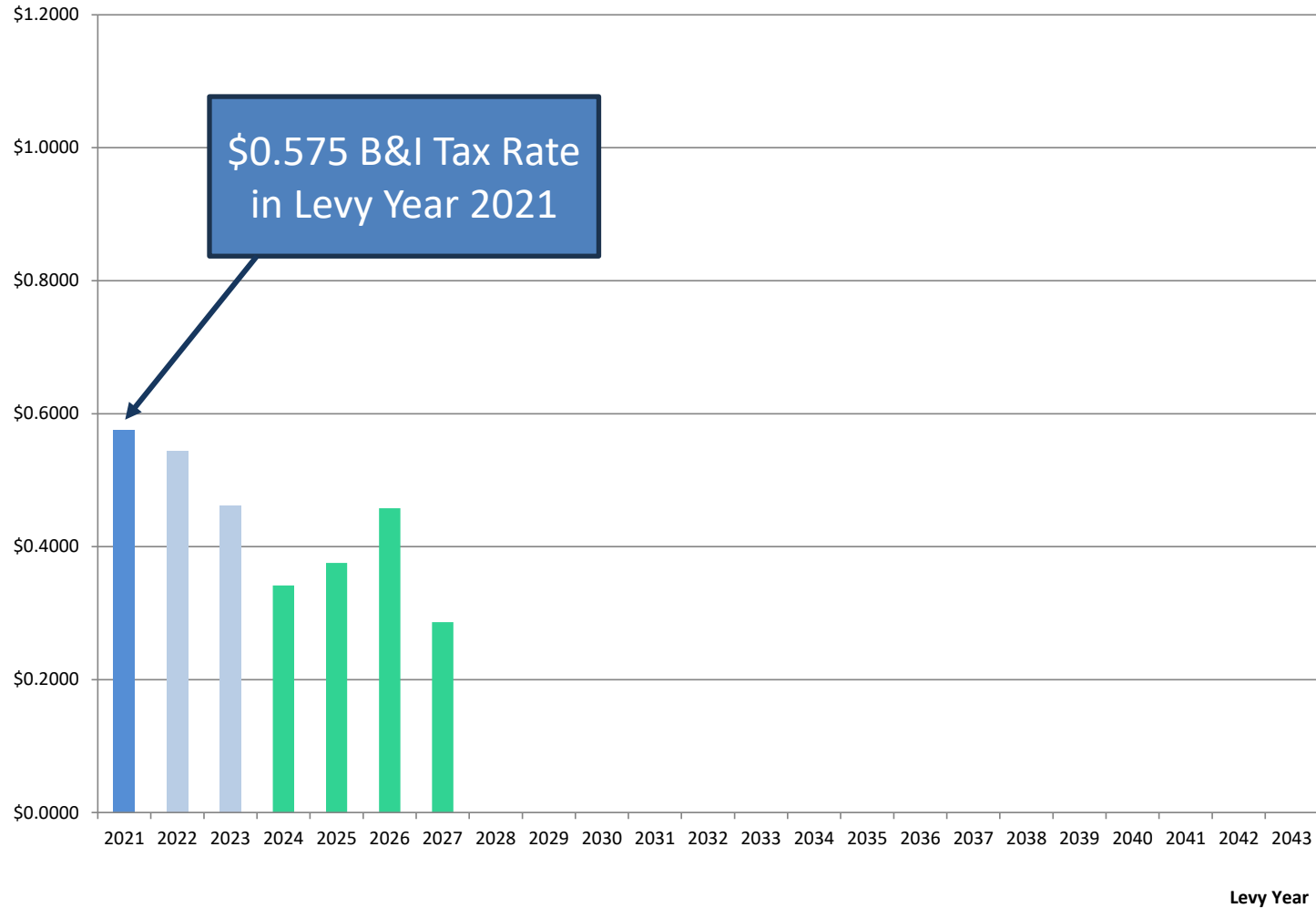
General Obligation Debt Service

Levy Year	Fiscal Year	\$27,730,000		EAV	Growth Rate	B&I Tax Rate
		GO Refunding School Bonds, Series 2018	Total General Obligation Debt Service			
2021	2023	\$ 3,460,200	\$ 3,460,200	\$ 601,252,784	6.60%	0.5755
2022	2024	3,581,400	3,581,400	657,970,159	9.43%	0.5443
2023	2025	3,253,400	3,253,400	704,824,764	7.12%	0.4616
2024	2026	2,598,800	2,598,800	760,421,420	7.89%	0.3418
2025	2027	2,856,000	2,856,000	760,421,420	0.00%	0.3756
2026	2028	3,479,400	3,479,400	760,421,420	0.00%	0.4576
2027	2029	2,178,800	2,178,800	760,421,420	0.00%	0.2865
2028	2030	-	-	760,421,420	0.00%	0.0000
2029	2031	-	-	760,421,420	0.00%	0.0000
2030	2032	-	-	760,421,420	0.00%	0.0000
2031	2033	-	-	760,421,420	0.00%	0.0000
2032	2034	-	-	760,421,420	0.00%	0.0000
2033	2035	-	-	760,421,420	0.00%	0.0000
2034	2036	-	-	760,421,420	0.00%	0.0000
2035	2037	-	-	760,421,420	0.00%	0.0000
2036	2038	-	-	760,421,420	0.00%	0.0000
2037	2039	-	-	760,421,420	0.00%	0.0000
2038	2040	-	-	760,421,420	0.00%	0.0000
2039	2041	-	-	760,421,420	0.00%	0.0000
2040	2042	-	-	760,421,420	0.00%	0.0000
2041	2043	-	-	760,421,420	0.00%	0.0000
2042	2044	-	-	760,421,420	0.00%	0.0000
2043	2045	-	-	760,421,420	0.00%	0.0000
Total DS From Current FY:		<u>\$ 14,366,400</u>	<u>\$ 14,366,400</u>			

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Historical & Projected Bond & Interest Tax Rate



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Spend Down Requirements

- ▶ When issuing **tax exempt bonds**, the District should consider the following IRS requirements:
 - ▶ The District must reasonably expect to spend or contractually obligate 5% of a bond issue within six months of issuance
 - ▶ The District must reasonably expect to spend 85% of the bond proceeds in three years ²³
 - ▶ The District must diligently spend the bond proceeds
- ▶ During the aforementioned 3-Year “Temporary Period”, bond proceeds may be invested at materially higher yields than the bond yield



Series 2025 Financing Scenarios*

▶ Scenario 1

- ▶ Maximum Working Cash Bond Proceeds with a \$0.57 B&I Tax Rate for 20 Years

▶ Scenario 2

- ▶ \$95 Million Proceeds paid back over 20 Years

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▶ Scenario 3

- ▶ One-Year Working Cash Bond Issue

***Scenarios 1 and 2 incorporate a partial taxable restructuring of the District's Series 2018 Bonds**



Scenario 1 – Estimated Maximum Working Cash Bond Proceeds at \$0.57 B&I Tax Rate for 20 Years = \$55.245 Million

General Obligation Debt Service										
Lewy Year	Fiscal Year	\$27,730,000 GO Refunding School Bonds, Series 2018	Proposed GO School Bonds, Series 2025 (1)	Proposed Taxable Restructuring of Series 2018 Bonds (1) [Est. Change in D/S]	Total	Total General Obligation Bonds Debt Service	EAV	Growth Rate	B&I Tax Rate	Est. Increase in B&I Tax Rate Compared to LY2021 due to the Bonds
2021	2023	\$ 3,460,200	\$	\$	\$ 3,460,200	\$ 3,460,200	\$ 601,252,781	6.60%	0.5755	
2022	2024	3,581,400			3,581,400	3,581,400	657,970,159	9.43%	0.5443	
2023	2025	3,253,400	-	-	3,253,400	3,253,400	704,824,764	7.12%	0.4616	
2024	2026	2,598,800	2,292,177	(562,598)	4,328,380	4,328,380	760,421,420	7.89%	0.5692	-0.0063
2025	2027	2,856,000	2,750,613	(1,189,968)	4,416,645	4,416,645	775,629,848	2.00%	0.5694	
2026	2028	3,479,400	2,750,613	(1,725,368)	4,504,645	4,504,645	791,142,445	2.00%	0.5694	
2027	2029	2,178,800	2,750,613	(332,368)	4,597,045	4,597,045	806,965,294	2.00%	0.5697	
2028	2030	-	2,750,613	1,937,832	4,688,445	4,688,445	823,104,600	2.00%	0.5696	
2029	2031	-	2,750,613	2,034,656	4,785,269	4,785,269	839,566,692	2.00%	0.5700	
2030	2032	-	4,270,613	606,912	4,877,525	4,877,525	856,358,026	2.00%	0.5696	
2031	2033	-	4,974,613	-	4,974,613	4,974,613	873,485,187	2.00%	0.5695	
2032	2034	-	5,074,613	-	5,074,613	5,074,613	890,954,890	2.00%	0.5696	
2033	2035	-	5,178,863	-	5,178,863	5,178,863	908,773,988	2.00%	0.5699	
2034	2036	-	5,281,613	-	5,281,613	5,281,613	926,949,468	2.00%	0.5698	
2035	2037	-	5,384,900	-	5,384,900	5,384,900	945,488,457	2.00%	0.5695	
2036	2038	-	5,494,538	-	5,494,538	5,494,538	964,398,226	2.00%	0.5697	
2037	2039	-	5,604,475	-	5,604,475	5,604,475	983,686,191	2.00%	0.5697	
2038	2040	-	5,713,925	-	5,713,925	5,713,925	1,003,359,915	2.00%	0.5695	
2039	2041	-	5,832,100	-	5,832,100	5,832,100	1,023,427,113	2.00%	0.5699	
2040	2042	-	5,947,688	-	5,947,688	5,947,688	1,043,895,655	2.00%	0.5698	
2041	2043	-	6,064,900	-	6,064,900	6,064,900	1,064,773,568	2.00%	0.5696	
2042	2044	-	6,187,688	-	6,187,688	6,187,688	1,086,069,040	2.00%	0.5697	
2043	2045	-	6,309,738	-	6,309,738	6,309,738	1,107,790,420	2.00%	0.5696	
Total DS From										
Current FY:		\$ 14,366,400	\$ 93,365,502	\$ 769,098	\$ 108,501,001	\$ 108,501,001				

Est. Total Proceeds: \$ 55,245,000

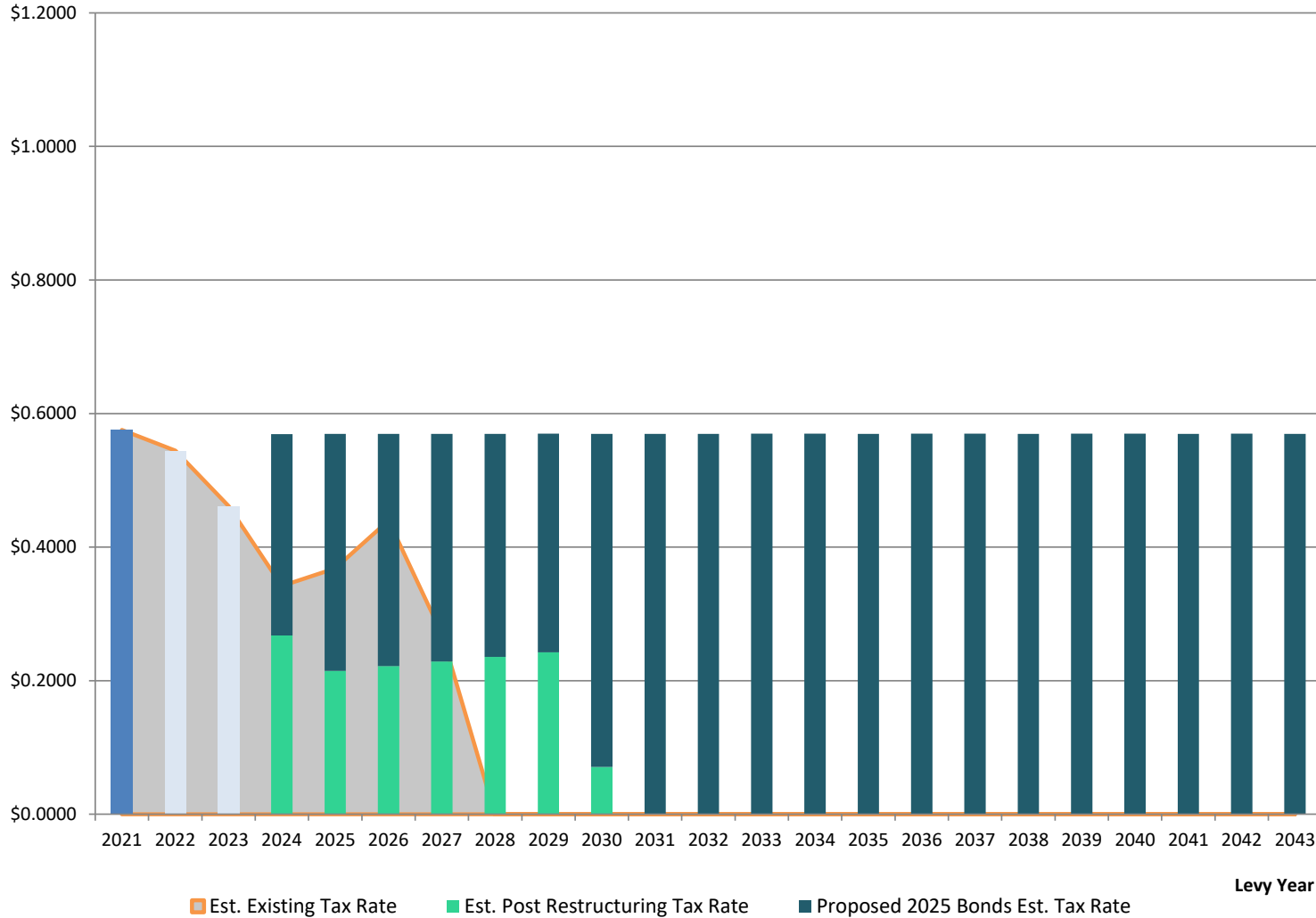
(1) Rates based upon market conditions as of October 28, 2024 and recent bond sales which PMA believes to be accurate and reliable, plus 0.25%. Estimated TIC = 4.61%.

NOTE: Scenarios where a greater portion of the overall debt is issued in advance of the expenditures of the proceeds will likely result in higher fees earned by the investment manager of the debt proceeds.

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Scenario 1 – Projected B&I Tax Rate (\$0.57)



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Scenario 2 – \$95 Million Bond Proceeds

Estimated \$0.93 B&I Tax Rate for 20 Years

General Obligation Debt Service										Increase in B&I Tax Rate Compared to LY2021 due to the Bonds
Lew Year	Fiscal Year	\$27,730,000 GO Refunding School Bonds, Series 2018	Proposed \$95,000,000 GO School Bonds, Series 2025 (1)	Proposed Taxable Restructuring of Series 2018 Bonds (1) [Est. Change in D/S]	Total General Obligation Bonds			Growth Rate	B&I Tax Rate	
					Total	Debt Service	EAV			
2021	2023	\$ 3,460,200	\$	\$	\$ 3,460,200	\$ 3,460,200	\$ 601,252,781	6.60%	0.5755	
2022	2024	3,581,400			3,581,400	3,581,400	657,970,159	9.43%	0.5443	
2023	2025	3,253,400	-	-	3,253,400	3,253,400	704,824,764	7.12%	0.4616	
2024	2026	2,598,800	4,000,958	456,959	7,056,717	7,056,717	760,421,420	7.89%	0.9280	0.3525
2025	2027	2,856,000	4,801,150	(452,427)	7,204,723	7,204,723	775,629,848	2.00%	0.9289	
2026	2028	3,479,400	4,801,150	(934,827)	7,345,723	7,345,723	791,142,445	2.00%	0.9285	
2027	2029	2,178,800	4,801,150	512,773	7,492,723	7,492,723	806,965,294	2.00%	0.9285	
2028	2030	-	7,131,150	511,952	7,643,102	7,643,102	823,104,600	2.00%	0.9286	
2029	2031	-	7,794,650	-	7,794,650	7,794,650	839,566,692	2.00%	0.9284	
2030	2032	-	7,954,150	-	7,954,150	7,954,150	856,358,026	2.00%	0.9288	
2031	2033	-	8,112,900	-	8,112,900	8,112,900	873,485,187	2.00%	0.9288	
2032	2034	-	8,275,150	-	8,275,150	8,275,150	890,954,890	2.00%	0.9288	
2033	2035	-	8,439,900	-	8,439,900	8,439,900	908,773,988	2.00%	0.9287	
2034	2036	-	8,606,150	-	8,606,150	8,606,150	926,949,468	2.00%	0.9284	
2035	2037	-	8,780,738	-	8,780,738	8,780,738	945,488,457	2.00%	0.9287	
2036	2038	-	8,957,750	-	8,957,750	8,957,750	964,398,226	2.00%	0.9288	
2037	2039	-	9,135,875	-	9,135,875	9,135,875	983,686,191	2.00%	0.9287	
2038	2040	-	9,318,800	-	9,318,800	9,318,800	1,003,359,915	2.00%	0.9288	
2039	2041	-	9,504,950	-	9,504,950	9,504,950	1,023,427,113	2.00%	0.9287	
2040	2042	-	9,692,750	-	9,692,750	9,692,750	1,043,895,655	2.00%	0.9285	
2041	2043	-	9,885,625	-	9,885,625	9,885,625	1,064,773,568	2.00%	0.9284	
2042	2044	-	10,086,738	-	10,086,738	10,086,738	1,086,069,040	2.00%	0.9287	
2043	2045	-	10,203,988	-	10,203,988	10,203,988	1,107,790,420	2.00%	0.9211	
Total DS From Current FY:		\$ 14,366,400	\$ 160,285,671	\$ 94,430	\$ 174,746,501	\$ 174,746,501				

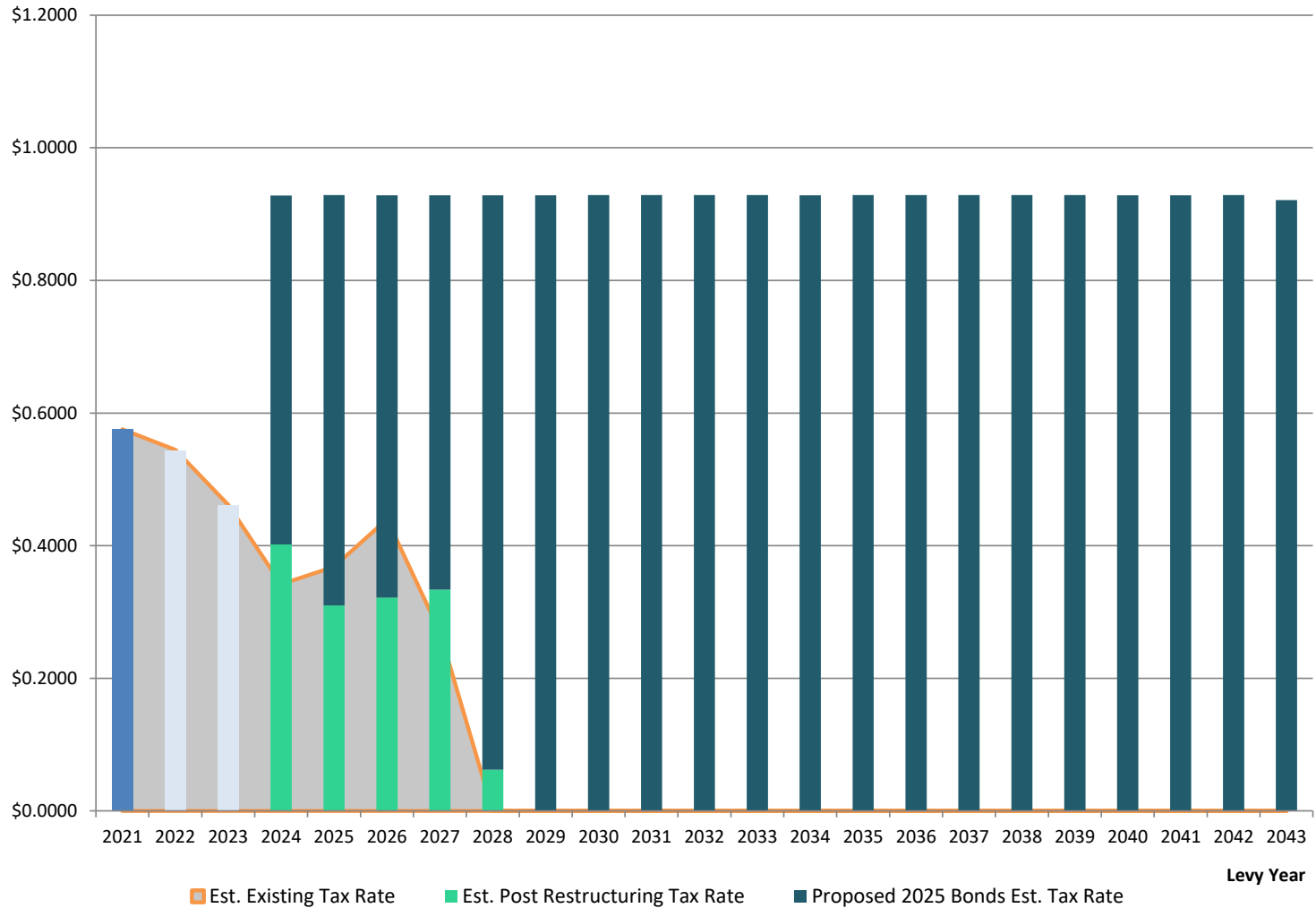
Est. Total Proceeds: \$ 95,000,000

(1) Rates based upon market conditions as of October 28, 2024 and recent bond sales which PMA believes to be accurate and reliable, plus 0.25%. Estimated TIC = 4.58%.

NOTE: Scenarios where a greater portion of the overall debt is issued in advance of the expenditures of the proceeds will likely result in higher fees earned by the investment manager of the debt proceeds.



Scenario 2 – Projected B&I Tax Rate (\$0.93)



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Scenario 3 – \$1.64 Million Working Cash Bond Issue \$0.57 B&I Tax Rate in Levy Year 2024

General Obligation Debt Service									
Levy Year	Fiscal Year	\$27,730,000 GO Refunding School Bonds, Series 2018	Proposed \$1,640,000 GO School Bonds, Series 2025	Total General Obligation Bonds			Growth Rate	B&I Tax Rate	Est. Increase in B&I Tax Rate Compared to LY2021 due to the Bonds
				Total	Debt Service	EAV			
2021	2023	\$ 3,460,200	\$ -	\$ 3,460,200	\$ 3,460,200	\$ 601,252,784	6.60%	0.5755	
2022	2024	3,581,400	-	3,581,400	3,581,400	657,970,169	9.43%	0.5443	
2023	2025	3,253,400	-	3,253,400	3,253,400	704,824,764	7.12%	0.4616	
2024	2026	2,598,800	1,734,323	4,333,123	4,333,123	760,421,420	7.89%	0.5698	-0.0057
2025	2027	2,856,000	-	2,856,000	2,856,000	775,629,848	2.00%	0.3682	
2026	2028	3,479,400	-	3,479,400	3,479,400	791,142,445	2.00%	0.4398	
2027	2029	2,178,800	-	2,178,800	2,178,800	806,965,294	2.00%	0.2700	
2028	2030	-	-	-	-	823,104,600	2.00%	0.0000	
2029	2031	-	-	-	-	839,566,692	2.00%	0.0000	
2030	2032	-	-	-	-	856,358,026	2.00%	0.0000	
2031	2033	-	-	-	-	873,485,187	2.00%	0.0000	
2032	2034	-	-	-	-	890,954,890	2.00%	0.0000	
2033	2035	-	-	-	-	908,773,988	2.00%	0.0000	
2034	2036	-	-	-	-	926,949,468	2.00%	0.0000	
2035	2037	-	-	-	-	945,488,457	2.00%	0.0000	
2036	2038	-	-	-	-	964,398,226	2.00%	0.0000	
2037	2039	-	-	-	-	983,686,191	2.00%	0.0000	
2038	2040	-	-	-	-	1,003,359,915	2.00%	0.0000	
2039	2041	-	-	-	-	1,023,427,113	2.00%	0.0000	
2040	2042	-	-	-	-	1,043,895,655	2.00%	0.0000	
2041	2043	-	-	-	-	1,064,773,568	2.00%	0.0000	
2042	2044	-	-	-	-	1,086,069,040	2.00%	0.0000	
2043	2045	-	-	-	-	1,107,790,420	2.00%	0.0000	
2044	2046	-	-	-	-	1,129,946,229	2.00%	0.0000	
Total DS From									
Current FY:		\$ 14,366,400	\$ 1,734,323	\$ 16,100,723	\$ 16,100,723				
Est. Total Proceeds:			\$ 1,640,000						

(1) Rates based upon market conditions as of October 28, 2024 and recent bond sales which PMA believes to be accurate and reliable, plus 0.25%. Estimated TIC = 4.61%.

NOTE: Scenarios where a greater portion of the overall debt is issued in advance of the expenditures of the proceeds will likely result in higher fees earned by the investment manager of the debt proceeds.



Scenario 3 – Projected B&I Tax Rate in Levy Year 2024 = \$0.57



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Scenario Summary

	Scenario		
	1	2	3
Project Proceeds	\$ 55,245,000	\$ 95,000,000	\$ 1,640,000
Total New Money Debt Service	93,365,502	160,285,671	1,734,323
Restructuring Cost	769,098	94,430	-
Final Maturity (Levy Year)	2043	2043	2024
Change in Tax Rate in Levy Year 2024 (Over Levy Year 2021)	(0.006)	0.353	(0.006)
Level Bond & Interest Tax Rate	0.57	0.93	0.57
Tax Impact on Median Value Home in Levy Year 2024/Calendar Year 2025 (over Levy Year 2021)*	(2.30)	128.82	(2.07)

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*Based on estimated median home value of \$127,632 in levy year 2024



Proposed Timeline for Series 2025 Working Cash Bonds

November 12	Presentation to Board of Education
November 26	Board adopts Resolution of Intent and Resolution calling a Bond Issue Notification Act (BINA) hearing
~November 29	Legal notices published in the newspaper
December 10	Board holds BINA hearing
~December 30	30-day petition period ends 32
January 14	Board approves parameters resolution authorizing the bond sale
January 21	Bonds sold; delegates approve results
February 11	Bonds close; District receives bond proceeds

In order to impact the 2024 levy, the District must close on bonds no later than February 28, 2025



Disclosure

The information contained herein is solely intended to suggest/discuss potentially applicable financing applications and is not intended to be a specific buy/sell recommendation, nor is it an official confirmation of terms. Any terms discussed herein are preliminary until confirmed in a definitive written agreement.

The analysis or information presented herein is based upon hypothetical projections and/or past performance that have certain limitations. No representation is made that it is accurate or complete or that any results indicated will be achieved. In no way is past performance indicative of future results. Changes to any prices, levels, or assumptions contained herein may have a material impact on results. Any estimates or assumptions contained herein represent our best judgment as of the date indicated and are subject to change without notice. Examples are merely representative and are not meant to be all-inclusive. The information set forth herein was gathered from sources which we believe, but do not guarantee, to be accurate. Neither the information, nor any options expressed, constitute a solicitation by us for purposes of sale or purchase of any securities or commodities. Investment/financing decisions by market participants should not be based on this information.

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**Rock Island – Milan School District
#41
Board of Education Meeting
November 12, 2024**

Dr. Sharon Williams, Ed. D.
Superintendent of Schools

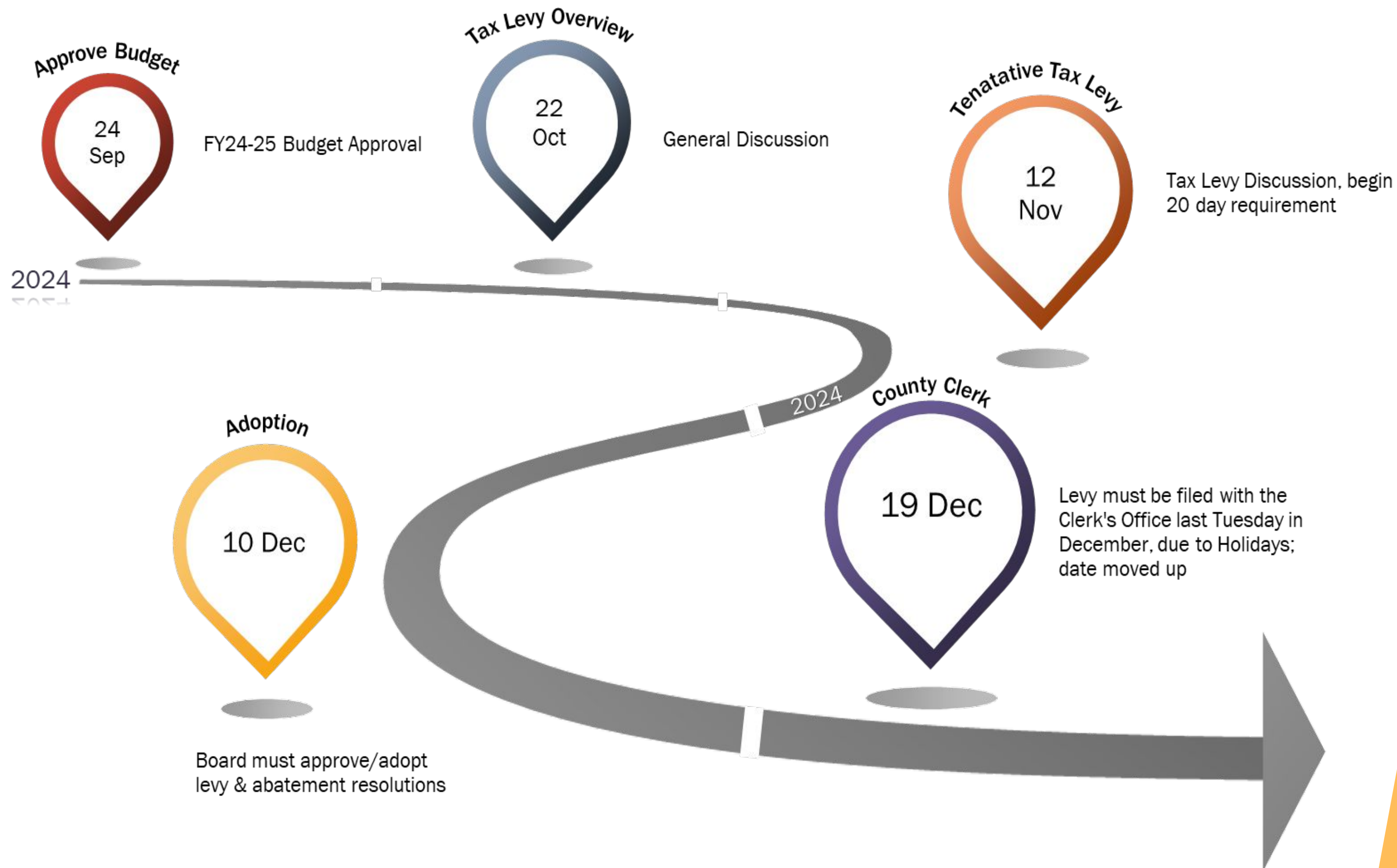


**Rock Island – Milan School District
#41
Tentative Tax Levy**

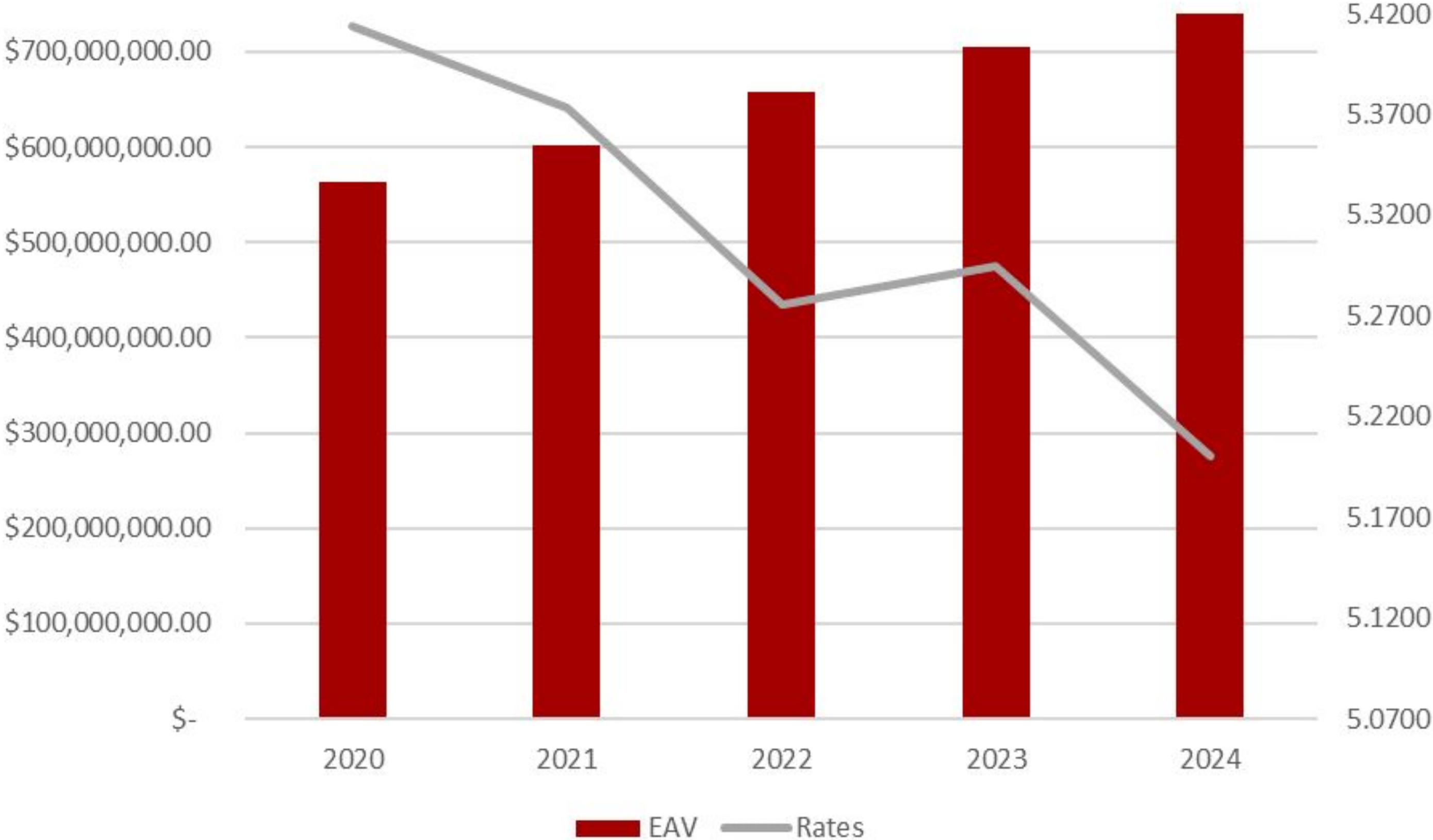
Annaka Whiting
Chief Financial Officer



Timeline for the Tax Levy



Five - Year Tax Levy Report



	Actual 2023	Proposed 2024
Equalized Assessed Value	\$704,824,764.00	\$760,421,420.00
\$ Change		\$55,596,656.00
% Change		7.89%

LEVY FUND	Actual Rate	Tax Extension	Estimated Rate	Proposed Extension
Education	3.2000	\$22,554,392.45	3.2000	\$24,333,485.44
Bond and Interest	0.4616	3,253,471.11	0.3418	2,598,800.00
O&M	0.7500	5,286,185.73	0.7500	5,703,160.65
IMRF	0.1523	1,073,448.12	0.0869	661,000.00
Transportation	0.1880	1,325,070.56	0.2000	1,520,842.84
Working Cash	0.0500	352,412.38	0.0500	380,210.71
Special Ed.	0.0400	281,929.91	0.0400	304,168.57
Tort	0.2015	1,420,221.90	0.2011	1,529,000.00
Social Security	0.2010	1,416,697.78	0.1249	950,000.00
Lease	0.0500	352,412.38	0.0500	380,210.71
Total	5.2944	37,316,242.32	5.0447	38,360,878.92

Change in Rate	-0.2497
% Change in Rate	-4.72%

Truth in Taxation Calculation

Proposed % Increase	104.99%
Proposed Increase <105%?	Yes
Public Hearing Required?	No



Funding our Facilities Management Plan (FMP)

Dr. Sharon Williams, Ed. D.
Superintendent

Annaka Whiting
Chief Financial Officer

Drs. Jay Cunneen and Kathlyn Hickey
C and H Consultants

Anne Noble
Stifel Public Finance



RIMSD 41 Infrastructure

The RIMSD 41 maintains 16 buildings

- 14 Schools
- 2 Administration Buildings
- 7 parcels of land

The average age of our school buildings is **73 years**.

Newest building – Administration Building: 2023

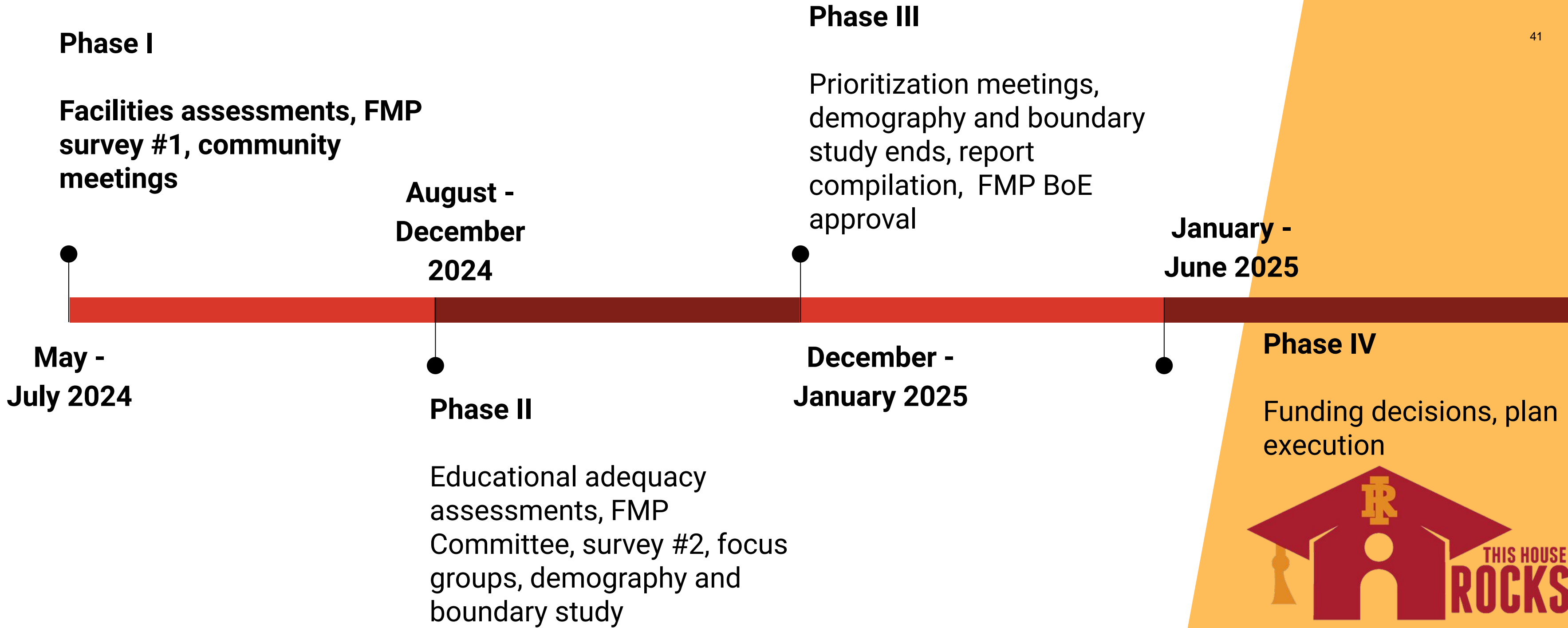
Oldest building – Administration Building: 1912

Newest school – Rock Island Center for Math and Science: 2010

Oldest school – Washington Junior High School: 1920



Facilities Management Planning Timeline



Phases III and IV

- **Facilities Management Planning Committee** – in progress
- **Community Survey 2** – not started
- **Focus Groups** – not started
- **Site Visits** – in progress
- **Educational Adequacy** – complete
- **Demography and Boundary Study** – in progress
- **Committee of the Whole** – November 26, 2024



How much does the district spend yearly to maintain and improve our infrastructure?

	Capital Projects	Operations & Maint.	Total
FY24*	\$13,000,000	\$9,700,000	\$22,700,000
FY23	\$24,962,430	\$6,206,511	\$31,168,941
FY22	\$22,549,149	\$7,101,770	\$29,650,919



What district resources are used to maintain and improve our infrastructure?

1. Fund Balances
2. General Revenue Sources
3. Funding Bond



Funding Source One: Projected Fund Balance from the 2025 Budget

Fund	Balance
Education	\$35,804,781
Operations and Maintenance	\$7,795,277
Debt Service	\$2,298,324
Transportation	\$4,389,118
Municipal Retirement/Social Security	\$3,591,107
Capital Projects	\$8,839,074
Working Cash	\$2,677,494
Tort	\$1,443,415
Fire Prevention & Safety	<u>\$181,755</u>
Total	\$67,020,345



Funding Source One: Annual Expenditures

June 30, 2025 Fund Balance	~\$67,000,000
2025 Budgeted Expenditures	\$106,300,000
25% Fund Balance (State Recommended)	~\$26,500,000
Remaining Funding Available	~\$40,500,000 (Fund Balance - State Recommended)



Funding Source Two: Revenues Over Expenditures, Annually

Revenues over expenditures	\$3,734,000
Amount to allocate over 20 years	\$2,500,000
Total	\$50,000,000



Funding Source Three: Bonds

What is the maximum the district can borrow?

Tax Year 2024 EAV	\$763,684,970
State Percentage	13.8%
Bonding Capacity	\$105,388,526
Total Existing Bonds	\$10,059,000
Current Bond Capacity	\$95M



**Board of Education Policy
Updates:
First Reading (Press Plus Issue
116)**

Dr. Dominique Moore
Assistant Superintendent of Human Resources



Title IX Regulations

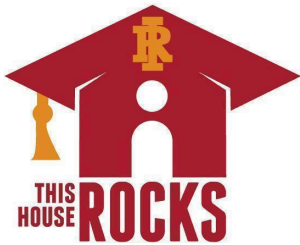
The U.S. Department of Education released final regulations implementing Title IX of the Education Amendments of 1972, effective August 1, 2024.

Compared to the previous Title IX regulations, the new 2024 Title IX regulations:

- **Expand the breadth** of the Title IX grievance procedures to require that they be used to address all Title IX sex discrimination complaints, not just complaints of sexual harassment.
- **Clarify** that the scope of the Title IX sex discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identify.
- **Allow districts the flexibility** to use a single investigator/decision maker template, so that the same individual who investigates a Title IX complaint may also make a decision regarding the complaint.







Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Annaka Whiting, Chief Financial Officer
Date: November 12, 2024
Re: One Step Print Solutions (Printing/ Advertising Services)

The District purchases various products to showcase and advertise different events, schools, and programs throughout the school year, including but not limited to; banners, signs, decals, and flyers. One Step Print Solutions has been providing the District with high quality products and customer service, and the continued partnership provides benefits to the District in terms of product, service, and pricing. Due to the unique and varying requests for these products, it is difficult to develop bid specifications to procure a contract for services and receive comparable quotes. To remain compliant with Board policy and State code, the District will solicit price listings from area vendors to continuously compare and ensure we are receiving the best value for the products being procured. The solicitation for the listings will occur in late Winter, in the interim, Board approval is required for the procurement of services to continue with One Step Print Solutions until other vendor options are secured.

Investment Period: September 1, 2024 - June 30, 2025

Total Investment: \$50,000

Funding Source: District Funds

Rock Island-Milan School District #41

2000 7th Avenue, Rock Island, IL 61201
309-793-5900 x10210 | 309-793-5905 fax
Sharon.williams@rimsd41.org
www.rimsd41.org

Contract for Service Form

Rock Island-Milan School District 41

VENDOR NAME: One Step Inc. EMAIL: _____

ADDRESS: 806 W. 4th Street, Davenport, IA 52802

DATES OF SERVICE TO BE COMPLETED: 2024 - 25 School Year

SCHOOL DISTRICT CONTACT: _____

COMPENSATION: \$ 50,000

DESCRIPTION OF DUTIES:

Provide printing services for the District

Is this a Subscription/Software: Yes or No

If yes, this is an internal form that does not need to be sent to the vendor.

Subscription/Software Name: _____ Website: _____

Subscription/Software Start Date: _____ End Date: _____

SOPPA Approved: Yes or No

School Board President or Superintendent Date

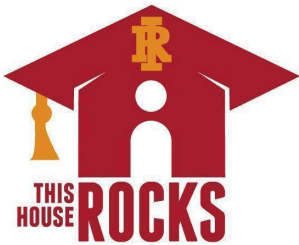
Requesting School: District

Budget Code: 1-5-xxx-000-xxx-xxxx-0 various printing and office supply codes have been used for different locations

Signature of Vendor: Brian May Digitally signed by Brian May Date: 2024.11.07 09:39:27 -06'00' Date: _____

Signature of Requestor: Annara White Date: 11/7/24

Signature of Budget Administrator: _____ Date: _____



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Mr. Jeff Dase, Deputy Superintendent
Date: November 12, 2024
Re: Tri-City Amended Contract for Service

This is a request to amend the contract for service approved on December 13, 2023 for Tri-City Security Solutions. The services for time and materials aligned to district security needs at various schools has exceeded the approved \$200,000.00.

Memo describing the request from December 2023:

I have received a request from Mr. Charles Butler, District Security Manager, to enter into a contract with Tri-City Security Solutions, a division of Tri-City Electric, Co., for time and materials. This contract would provide the district time and materials at a discounted rate for security related services to include cameras, programming, and training. The current labor rate is \$119 per hour and this would be adjusted to \$98 per hour by entering into the contract. Materials will be charged at cost plus 15%. This contract will be valid from December 13, 2023 through December 15, 2024

This contract is exempt from bidding under 105 ILCS 5/10-20.21, Section vii - "purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services."

It is recommended that the Board of Education approve a contract with Tri-City Electric Co., 6225 N. Brady Street, Davenport, IA 52806, to provide time & materials for security needs at various schools at a cost not to exceed \$200,000.00.

The original agreement and corresponding purchase order for \$200,000.00 has a balance of \$8,311.21. The District received invoice #316152 for a total of \$22,311.21 after discounting to the rates previously agreed upon. With invoice #316152, the District will owe Tri-City a total of \$14,000.00.

It is recommended that the Board of Education approve an amendment to the previous board approved item to include additional costs of \$14,000.00. The total contract cost is not to exceed \$214,000.00.

Investment Period: December 13, 2023 - December 15, 2024
Total Investment: \$214,000.00
Funding Source: District Funds/ Safety & Security Department



Tri-City Electric Co.
Since 1895
CONFIDENCE DELIVERED.®

Tri-City Electric Company of Iowa
6225 N Brady St
Davenport, IA 52806
563.322.7181 563.322.1643 Fax

INVOICE

To : Rock Island School District 41
2000 - 7th Ave
Rock Island, IL 61201

Invoice # : 316152
Invoice Date :08/08/24
Due Date :09/07/24
Application # : 8

Customer Reference :8949954

Contract Item	Contract Amount	% Complete	Total To Date
<i>Progress Billing for PO# 8949954 Time & Material thru July 2024</i>			
1 RI-Milan District 41 ACS & VMS T&M	200,000.00		227,573.69
	200,000.00		227,573.69
2 Discount			-13,573.69

RIDGEWOOD

Description	Units	COST
LABOR	0.00	\$ -
ONE PORT UNIVERSAL SURFACE MOU	7.000	23.26
1 G BLNK BOX WP CVR GRAY	2.000	1.71
1 G DP WP BOX LUG 2-5/8 3 HOLE	2.000	17.92
3/4 STR L	4.000	14.28
8 oz. RTV Silicon Seal Clear P	1.000	31.60
PASS-THRU CONNECTORS RJ45 CAT6	1.000	79.32
P3737-PLE PANORAMIC 4X 5MP 20F	1.000	1,426.31
1/8X3 TOGGLE BOLT	50.000	15.53
STL INT ELBOW 700 IVORY	1.000	3.92
STL DEEP DEV BOX IVORY	4.000	99.54
STL RACEWAY 700 IVORY	40.000	78.20
PULL BOX SCREW COVER KOFTS	1.000	16.64
TOTAL THIS INVOICE		\$ 1,808.24

DENKMAN

Description	Units	COST
LABOR	0.00	\$ -
ONE PORT UNIVERSAL SURFACE MOU	6.000	19.94
TOTAL THIS INVOICE		\$ 19.94

HANSON

Description	Units	COST
LABOR	0.00	\$ -
T94N01D PENDANT KIT FOR P3717-	2.000	166.22
TOTAL THIS INVOICE		\$ 166.22

LONGFELLOW

Description	Units	COST
LABOR	0.00	\$ -
T94N01D PENDANT KIT FOR P3717-	1.000	83.11
TOTAL THIS INVOICE		\$ 83.11

Description	Units	COST
LABOR	306.00	\$ 29,988.00
ONE PORT UNIVERSAL SURFACE MOU	34.000	113.00
AXIS P3268-LV 4K DOME 4K IR DE	1.000	796.69
T8129 POE EXTENDER REPEATS TH	4.000	668.24
1 CAMERA STATION VERSION 5 0	30.000	2,241.47
TOTAL THIS INVOICE		33,807.39

Total To Date :	227,573.69
Plus Sales Tax :	0.00
Discount :	-13,573.69
Less Previous Applications :	191,688.79
Total Due This Invoice :	22,311.21

For TCE Internal Use Only:
Bill Month: 08/24
Bill # 396

FEE Notice

A processing fee of 3.5% will be applied to all credit card transactions.



CONFIDENCE DELIVERED.®



Rock Island-Milan School District #41
www.rimsd41.org

Memorandum

To: RIMSD Board of Education
From: Jennifer Barton, Chief Financial Officer
Date: December 12, 2023
Re: Security Time & Materials Contract

I have received a request from Mr. Charles Butler, District Security Manager, to enter into a contract with Tri-City Security Solutions, a division of Tri-City Electric, Co., for time and materials. This contract would provide the district time and materials at a discounted rate for security related services to include cameras, programming, and training. The current labor rate is \$119 per hour and this would be adjusted to \$98 per hour by entering into the contract. Materials will be charged at cost plus 15%. This contract will be valid from December 13, 2023 through December 15, 2024

This contract is exempt from bidding under 105 ILCS 5/10-20.21, Section vii – “purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;”

It is recommended that the Board of Education approve a contract with Tri-City Electric Co., 6225 N. Brady Street, Davenport, IA 52806, to provide time & materials for security needs at various schools at a cost not to exceed \$200,000.00.

Contract for Service Form

Rock Island-Milan School District 41

VENDOR NAME: Tri-City Electric Company of Iowa **EMAIL:** _____

ADDRESS: 6225 N. Brady Street, Davenport, IA 52806

DATES OF SERVICE TO BE COMPLETED: 2024 - 25 School Year

SCHOOL DISTRICT CONTACT: Charles Butler

COMPENSATION: \$ \$14,000

DESCRIPTION OF DUTIES:

Additional time and materials to install security equipment at Ridgewood Elementary, Denkmann Elementary, and Longfellow Liberal Arts School to complete the project approved by the Board of Education on December 12, 2023.

Is this a Subscription/Software: Yes or No

If yes, this is an internal form that does not need to be sent to the vendor.

Subscription/Software Name: _____ **Website:** _____

Subscription/Software Start Date: _____ **End Date:** _____

SOPPA Approved: Yes or No

School Board President or Superintendent **Date**

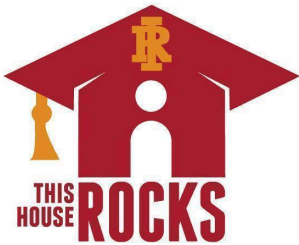
Requesting School: District for Ridgewood, Longfellow and Denkmann

Budget Code: 8-5-080-001-2546-5400-0

Signature of Vendor: _____ **Date:** _____

Signature of Requestor:  _____ **Date:** 11-6-2024

Signature of Budget Administrator:  _____ **Date:** 11-6-2024



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Mike Emendorfer, Athletic Director
Date: November 12, 2024
Re: BSN Athleticwear Contract

The partnership, designed to significantly enhance the athletic department, will continue through the end of FY25 (June 30, 2025). As a member of the TIPS purchasing cooperative, we are entering into this agreement through BSN's purchasing cooperative contract #210803. In the interim, a customer satisfaction survey will be conducted to measure the overall satisfaction of the products and customer service that BSN SPORTS has provided to our Coaches, Athletes, and fans. In addition, a contract for services bid for the next fiscal year will take place in late spring to ensure that the District complies with Board policies, as well as the assurance we are receiving the best value in terms of dollar amount and product.

By continuing this contract through June 30, 2025, our student-athletes will continue to receive top-of-the-line athletic gear without disruption, including equitable prices, maintaining a high-quality standard, and providing consistency and continuity in branding with our uniforms.

This continued agreement provides significant benefit to the Rock Island athletic department in the form of preferred team pricing available through BSN SPORTS, for equipment, apparel, fanwear and signage. The athletics department will receive standard partnership discounts on Nike uniforms, apparel and footwear, including the prestigious Jordan brand, and program rebates. This guarantees equity for pricing for all sports across the board.

Investment Period: September 1, 2024 - June 30, 2025

Total Investment: N/A

Funding Source: Athletic Supplies and the Athletic Development Fund

Rock Island-Milan School District #41

2000 7th Avenue, Rock Island, IL 61201
309-793-5900 x10210 | 309-793-5905 fax
Sharon.williams@rimsd41.org
www.rimsd41.org



BSN SPORTS REWARD PROGRAM

FOR

Rock Island High School

BSN SPORTS (“BSN”) is pleased to offer **Rock Island High School (Athletic Program)** the **BSN SPORTS REWARDS PROGRAM** for the purchase and supply of athletic apparel and equipment for use by the school and its interscholastic programs.

BSN SPORTS Product Pricing: The school shall be able to purchase products at the following discounts:

-Nike Team Apparel/Stock Uniforms	40% off Retail Price
-Nike Footwear and equipment	40% off Retail Price
-Nike Custom Uniforms	35% off Retail Price
-Nike licensees such as ENI-JR286, Marchon Eyewear, Perry Ellis Swim	30% off Retail Price
-BSN Proprietary Products	20% off Catalog Price
-BSN Catalog Branded Products	10% off Catalog Price

Custom apparel, decorated apparel and footwear from any other manufacturers offered by BSN SPORTS will be at team discount pricing.

Decoration charges are not included in the above discounts.

Products sold to the Cheerleading coach will not be included in Spending level totals.

BSN SPORTS Products are identified in our catalog with a black star icon next to the product code.

BSN SPORTS catalog branded products are products distributed by BSN from a manufacturer such as Wilson, Spalding, Rawlings, etc.

My Team Shop: BSN SPORTS’ online player pay site is required to be used by all varsity programs. All other programs including club sports and organizations will be encouraged to participate. All MTS sales including club and organizations will count towards rebate goals.

Shipping: The Athletic Program will pay freight charges on all orders.



NIKE Team Sports Product Rebate: School shall receive the following in free NIKE promotional product calculated at NIKE retail prices and redeemable from the applicable approved NIKE promotional catalogs:

- Year 1: **\$8,000** in NIKE promotional product at retail price
- Year 2: **\$8,000** in NIKE Promotional product at retail price
- Year 3: **\$8,000** in NIKE Promotional product at retail price
- Promotional product allocation is the sole responsibility of school.
- Unused promotional product amounts, as of 5:00 pm on 4/20 of each year of the agreement, are forfeited. As a result, promotional merchandise cannot be carried over from one school year to the next.

Displacement/Replacement of uniforms –

- School qualifies for \$1,000 (at retail price) towards promotional Nike product each time a full set of uniforms is purchased.
- If two full sets of uniforms are purchased, the program qualifies for a total of \$1,500 (at retail price).
- Football is eligible for \$2,000 (at retail price) for one set, and \$3,000 (at retail price) if two full sets are purchased.

Product Rebate: Subject to the terms below, at the end of each school year of this agreement, the Athletic Program will receive a Product Rebate including selected products from BSN. The Product Rebate will be selected from a list of products provided by BSN and subject to availability at the time of order. Product Rebates are available after the requirements below are met and must be utilized during each school budget year.

Product Rebates will be redeemed in May and June. A Product Rebate balance does not carry over from year to year. **Rebates only apply to orders placed under the terms and conditions of this agreement-including pricing.**

Annual Spending Level \$125,000+	Annual Rebate Amount: 10% of annual spend in Nike branded apparel or BSN equipment at catalog price.
\$100,000 - \$124,999	Annual Rebate Amount: 8% of annual spend in Nike branded apparel or BSN equipment at catalog price.
\$75,000 - \$99,999	Annual Rebate Amount: 6% of annual spend in Nike branded apparel or BSN equipment at catalog price.

The maximum annual product rebate will be the amount above, inclusive of any manufacturer incentives.

Any decoration or customization to rebate product is paid for by the Athletic Program.



Terms and Conditions: All purchases will be made through BSN SPORTS. Only products purchased through BSN will be eligible for the Product Rebate.

The School and Athletic Program must be current on all payment obligations to BSN to be eligible for the Product Rebate.

Term: The duration of this agreement is three (3) years from **September 1, 2024 to June 30, 2027** ("Term").

Acknowledged and Agreed to:

Rock Island High School

BSN SPORTS

Athletic Director or Authorized Representative

Vice President

SUMMARY OF CHECKS AND WIRES

October 31, 2024

COMPUTERIZED CHECK RUN

EDUCATION

Ed Fund CHECKS

V205542-V205644

Education	\$	890,105.83
Transportation	\$	186,484.61
Debt Service Fund		
Capital Projects	\$	99,374.75
Life Safety		
Tort Immunity	\$	4,850.00
		<hr/>
	\$	1,180,815.19

Ed Fund ACH

VA2446-VA2493

Education	\$	225,851.86
Transportation	\$	3,140.60
Debt Service Fund	\$	1,796,493.75
Capital Projects	\$	1,500.00
Life Safety		
Tort Immunity	\$	17,591.24
		<hr/>
	\$	2,044,577.45

TOTAL EDUCATION \$ 3,225,392.64

O&M

O&M CHECKS

B38172-B38198 \$ 135,932.24

O&M Fund ACH

BA327-BA331 \$ 6,966.04

TOTAL O&M \$ 142,898.28

HEALTH

Health Fund CHECKS

Health Fund ACH

HA52 \$ 216.00

TOTAL HEALTH \$ 216.00

TOTAL COMPUTERIZED CHECK RUN \$ 3,368,506.92

WIRES

Ed, Bldg, Tort Salary Checks	\$	1,841,704.22
Federal Income Tax	\$	261,179.00
OASDI/Medicare	\$	156,293.02
State Withholdings	\$	117,288.13
Teacher's Retirement Systems/IMRF	\$	243,147.45
Employee Deductions	\$	86,256.37
		<hr/>

Benefits Payments

TOTAL WIRES \$ 2,705,868.19

GRAND TOTAL \$ 6,074,375.11

ROCK ISLAND SCHOOLS

Page 1 of 7
10/31/2024
3:57:56 PM

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
2446	11/07/2024	ACH	P - 07821	BERRY, NICOLE ELIZABETH	146.87
2447	11/07/2024	ACH	P - 06662	BOLT, CHERYL A	128.64
2448	11/07/2024	ACH	P - 07137	BUTLER, CHARLES J	226.46
2449	11/07/2024	ACH	P - 07818	CLARK, LANCE ROBERT	127.84
2450	11/07/2024	ACH	P - 96394	CUTKOMP, CRYSTAL M	59.99
2451	11/07/2024	ACH	P - 97215	DASE, JEFFREY	57.22
2452	11/07/2024	ACH	P - 95252	DIXON, RAMONA B	127.84
2453	11/07/2024	ACH	P - 96008	ELLIOTT, MAGGIE K	232.29
2454	11/07/2024	ACH	P - 96164	FLETCHER, KELLI ANN	27.87
2455	11/07/2024	ACH	P - 95714	HAJDUK, BRIGETTE COREY	245.25
2456	11/07/2024	ACH	P - 07836	HERNANDEZ, KATHLEEN M	19.99
2457	11/07/2024	ACH	P - 07319	INMAN, STEVEN E	21.19
2458	11/07/2024	ACH	P - 06596	LONIAN, KRISTA J	116.83
2459	11/07/2024	ACH	P - 07846	MACKENNA, ELIZABETH A	46.66
2460	11/07/2024	ACH	P - 95983	SMITH, TONYA D	73.20
2461	11/07/2024	ACH	P - 95655	TAETS, MCKENZIE A	232.29
2462	11/07/2024	ACH	P - 97191	THOMPSON, PAULA JO	241.02
2463	11/07/2024	ACH	P - 07870	VOIGT, SCOTT STUART	167.17
2464	11/07/2024	ACH	P - 97160	WILLIAMS, SHARON DENISE	197.96
2465	11/07/2024	ACH	P - 17779	WILLIAMS, SUSANA	312.56
2466	11/07/2024	ACH	P - 18067	WINN ROMKEY, KORAH DEANNE	86.20

Total No. of Checks : 21

Total Amount : 2,895.34

ROCK ISLAND SCHOOLS

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CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
205545	10/31/2024	Check	V - 26224	3 GUYS & A BUS INC.	7,475.00
205546	10/31/2024	Check	V - 26234	417 HELMETS	1,480.00
205547	10/31/2024	Check	V - 21599	4IMPRINT, INC.	708.92
205548	10/31/2024	Check	V - 10004	A-1 MARKING PRODUCTS	31.50
205549	10/31/2024	Check	V - 10245	ACT II TRANSPORTATION, INC.	12,855.00
205550	10/31/2024	Check	V - 25579	ADVANCED MEDICAL TRANSPORT OF CENTRAL ILLINOIS	1,260.00
205551	10/31/2024	Check	V - 11013	AFSCME COUNCIL 31	2,002.76
205552	10/31/2024	Check	V - 25721	AROUND THE HORN	5,500.00
205553	10/31/2024	Check	V - 26330	AUBREY BARNES	1,600.00
205554	10/31/2024	Check	V - 25675	AWARDS AMERICA INC	2,935.70
205555	10/31/2024	Check	V - 25540	BACKYARD BOWL	4,500.00
205556	10/31/2024	Check	V - 25510	BAND TODAY LLC	3,645.00
205557	10/31/2024	Check	V - 23982	BOOKS A MILLION, INC.	67.97
205558	10/31/2024	Check	V - 25353	BULBAMERICA	185.91
205559	10/31/2024	Check	V - 25948	CAMELOT THERAPEUTIC SCHOOLS, LLC	5,237.60
205560	10/31/2024	Check	V - 24698	CARTRIDGE WORLD	999.95
205561	10/31/2024	Check	V - 26380	THE CENTER FOR DAIRY EXCELLENCE FOUNDATION OF PA	155.00
205562	10/31/2024	Check	V - 18970	CITY OF DAVENPORT	750.00
205563	10/31/2024	Check	V - 10221	DEMCO EDUCATIONAL CORP.	698.50
205564	10/31/2024	Check	V - 24929	E2E EXCHANGE LLC	6,652.90
205565	10/31/2024	Check	V - 26394	ECRA GROUP, INCORPORATED	2,000.00
205566	10/31/2024	Check	V - 25406	ELEVATE TRAMPOLINE PARK QUAD CITIES	872.00
205567	10/31/2024	Check	V - 25184	EMBRACE EDUCATION	536.32
205568	10/31/2024	Check	V - 10272	ERIKSEN CHEVROLET INC.	425.49
205569	10/31/2024	Check	V - 24426	QUALITY GROUP	3,337.50
205570	10/31/2024	Check	V - 15426	EVERYCHILD	500.00
205571	10/31/2024	Check	V - 25921	FIRST BOOK	642.00
205572	10/31/2024	Check	V - 22225	FITNESS FINDERS, INC.	145.37
205573	10/31/2024	Check	V - 11149	FLINN SCIENTIFIC, INC.	21.35
205574	10/31/2024	Check	V - 24904	FLORIDA STATE DISBURSEMENT UNIT	33.36
205575	10/31/2024	Check	V - 26250	FOLLETT CONTENT SOLUTIONS	156.62
205576	10/31/2024	Check	V - 16701	FRED J. MILLER INC.	660.00
205577	10/31/2024	Check	V - 26226	FREEZING POINT LLC	4,950.00
205578	10/31/2024	Check	V - 24674	GREGORY D. ARNEY	72.00
205579	10/31/2024	Check	V - 26213	HEALTHY ROSTER, INC.	749.00
205580	10/31/2024	Check	V - 11475	HY-VEE FOOD STORE	1,409.22
205581	10/31/2024	Check	V - 16693	IASA	150.00
205582	10/31/2024	Check	V - 26383	INSIGHT EDUCATION GROUP LLC	14,875.00

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CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
205583	10/31/2024	Check	V - 24570	IL DEPT. OF CENTRAL MANAGEMENT SVCS	1,300.00
205584	10/31/2024	Check	V - 19730	ILLINOIS DEPARTMENT OF REVENUE	126.97
205585	10/31/2024	Check	V - 12439	ILLINOIS PRINCIPALS ASSOCIATION	439.00
205586	10/31/2024	Check	V - 14937	ILLINOIS SCHOOL FOR THE DEAF	684.00
205587	10/31/2024	Check	V - 10441	JOHANNES BUS SERVICE INC.	184,213.41
205588	10/31/2024	Check	V - 10246	JOHNSON DISTRIBUTING INC.	29.00
205589	10/31/2024	Check	V - 26373	JOHNSON FITNESS & WELLNESS	8,800.00
205590	10/31/2024	Check	V - 26401	JOSHUA ANDERSON	2,000.00
205591	10/31/2024	Check	V - 14572	KAPCO LIBRARY PRODUCTS	586.20
205592	10/31/2024	Check	V - 11929	KAPLAN COMPANIES INC.	1,012.32
205593	10/31/2024	Check	V - 10461	KIDDER MUSIC SERVICE	2,033.60
205594	10/31/2024	Check	V - 19769	KIWANIS INTERNATIONAL - ROCK ISLAND	310.00
205595	10/31/2024	Check	V - 26065	L&M ACCOUNTS	470.79
205596	10/31/2024	Check	V - 25922	LAKESHORE LEARNING MATERIALS, LLC	5,533.96
205597	10/31/2024	Check	V - 25753	LANGUAGE DYNAMICS GROUP, LLC	1,475.38
205598	10/31/2024	Check	V - 25210	LIBERTY MUTUAL SURETY	4,850.00
205599	10/31/2024	Check	V - 20947	LOFFREDO FRESH PRODUCE CO., INC.	11,879.32
205600	10/31/2024	Check	V - 18292	LOWE'S	325.85
205601	10/31/2024	Check	V - 23032	MAKING FRIENDS WELCOME SERVICE, INC.	27.00
205602	10/31/2024	Check	V - 25241	MARCO TECHNOLOGIES, LLC	394.57
205603	10/31/2024	Check	V - 14673	MENARDS, INC.	105.96
205604	10/31/2024	Check	V - 10980	MODERN WOODMEN OF AMERICA	80.88
205605	10/31/2024	Check	V - 23023	ESSENTAIL ELEMENTS MUSIC CLASS	299.00
205606	10/31/2024	Check	V - 25314	MYSTERY SCIENCE INC	1,485.00
205607	10/31/2024	Check	V - 21799	NABSE	2,194.85
205608	10/31/2024	Check	V - 20662	ROCHESTER 100, INC	652.50
205609	10/31/2024	Check	V - 10613	OFFICE MACHINE CONSULTANT	4,900.00
205610	10/31/2024	Check	V - 24456	ONE STEP INC	6,333.65
205611	10/31/2024	Check	V - 10620	ORIENTAL TRADING COMPANY, INC.	134.59
205612	10/31/2024	Check	V - 24189	THE OUTHOUSE	121.43
205613	10/31/2024	Check	V - 12962	PASCO SCIENTIFIC	181.00
205614	10/31/2024	Check	V - 25880	PERFORMANCE SERVICES INC.	99,374.75
205615	10/31/2024	Check	V - 26392	PLAYAWAY PRODUCTS LLC	1,492.37
205616	10/31/2024	Check	V - 26359	PREMIERE BOOK GROUP	194.75
205617	10/31/2024	Check	V - 24361	QC CUSTOM TEES & MORE	385.00
205618	10/31/2024	Check	V - 24848	QC DEKHOCKEY INC.	760.00
205619	10/31/2024	Check	V - 24322	QUAD CITIES CHAMBER	810.00

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CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
205620	10/31/2024	Check	V - 24978	QUAD CITY GYMNASTICS ACADEMY, INC	800.00
205621	10/31/2024	Check	V - 10232	R. K. DIXON CO.	306.00
205622	10/31/2024	Check	V - 11658	ROCK ISLAND FITNESS AND	904.45
205623	10/31/2024	Check	V - 10727	ROCK ISLAND HIGH SCHOOL	1,069.40
205624	10/31/2024	Check	V - 10721	ROCK ISLAND BOARD OF EDUCATION	50.00
205625	10/31/2024	Check	V - 10722	CITY OF ROCK ISLAND	324.03
205626	10/31/2024	Check	V - 18465	ROCK ISLAND SCHOOL DISTRICT 41	713,450.18
205627	10/31/2024	Check	V - 10706	REGIONAL OFFICE OF EDUCATION- MOLINE	3,395.00
205628	10/31/2024	Check	V - 10756	SCHOOL HEALTH CORPORATION	134.66
205629	10/31/2024	Check	V - 10476	SCHOOL SPECIALTY, INC.	683.84
205630	10/31/2024	Check	V - 18325	SCHOOLMATE	128.50
205631	10/31/2024	Check	V - 20386	SEDONA STAFFING INC.	6,298.44
205632	10/31/2024	Check	V - 20539	TRANSITIONS	383.00
205633	10/31/2024	Check	V - 21935	TOP SHELF, INC.	707.50
205634	10/31/2024	Check	V - 15380	TRI-STATE TRAVEL	1,725.00
205635	10/31/2024	Check	V - 26017	TROPHY WORLD, INC.	273.54
205636	10/31/2024	Check	V - 25451	TRUGREEN & ACTION PEST CONTROL	853.66
205637	10/31/2024	Check	V - 26384	TX CHILD SUPPORT SDU	152.50
205638	10/31/2024	Check	V - 20598	VERIZON WIRELESS	53.89
205639	10/31/2024	Check	V - 17371	VERNIER SCIENCE EDUCATION	1,231.20
205640	10/31/2024	Check	V - 10906	WASHINGTON JR. HIGH SCHOOL	35.00
205641	10/31/2024	Check	V - 19762	WEST MAINTENANCE, INC.	1,815.00
205642	10/31/2024	Check	V - 20134	WEST MUSIC	6,161.93
205643	10/31/2024	Check	V - 24843	WI SCTF	100.00
205644	10/31/2024	Check	V - 26197	WISCONSIN CENTER FOR EDU RESEARCH	519.75

Total No. of Checks : 100

Total Amount : **1,177,830.51**

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CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

<u>CHECK NO.</u>	<u>CHECK DATE</u>	<u>TYPE</u>	<u>VENDOR TYPE - ID</u>	<u>VENDOR NAME</u>	<u>AMOUNT</u>
327	11/07/2024	ACH	P - 96790	LOHMANN, RALPH AUGUST	46.63
Total No. of Checks :				Total Amount :	46.63

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CHECK REGISTER FOR BH OBM - OBM CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
38172	10/31/2024	Check	V - 19208	ELECTRICAL ENGINEERING & EQUIPMENT COMPANY	405.00
38173	10/31/2024	Check	V - 26299	A&A MUFFLER AND LUBE	99.80
38174	10/31/2024	Check	V - 10018	ADEL WHOLESALERS, INC.	710.91
38175	10/31/2024	Check	V - 10409	AT&T	1,134.13
38176	10/31/2024	Check	V - 12747	B & B HARDWARE	34.57
38177	10/31/2024	Check	V - 11176	BUILDERS SALES & SERVICE CO.	110.00
38178	10/31/2024	Check	V - 10519	CED OF THE QUAD CITIES	600.43
38179	10/31/2024	Check	V - 26262	FILTERBUY INC.	2,384.84
38180	10/31/2024	Check	V - 12258	GLASS SERVICE CENTER, INC.	4,309.00
38181	10/31/2024	Check	V - 26023	GOOD OL' BOYS TREE SERVICE, LLC	7,900.00
38182	10/31/2024	Check	V - 23698	J.L. BRADY COMPANY, LLC	3,935.00
38183	10/31/2024	Check	V - 18292	LOWE'S	615.37
38184	10/31/2024	Check	V - 26370	M & S MUDJACKING	1,000.00
38185	10/31/2024	Check	V - 14673	MENARDS, INC.	646.90
38186	10/31/2024	Check	V - 10428	MIDAMERICAN ENERGY COMPANY	53,567.88
38187	10/31/2024	Check	V - 23695	MIDWEST ALARM SERVICES	3,852.58
38188	10/31/2024	Check	V - 19100	NORTHWEST MECHANICAL	238.50
38189	10/31/2024	Check	V - 25119	O'REILLY AUTO PARTS	12.98
38190	10/31/2024	Check	V - 24758	PILLAR EQUIPMENT, INC	188.96
38191	10/31/2024	Check	V - 22570	PRO CLEAN CAR WASH AND DETAILING	36.00
38192	10/31/2024	Check	V - 26225	QUAD CITY TECH, INC.	1,364.74
38193	10/31/2024	Check	V - 10722	CITY OF ROCK ISLAND	14,759.43
38194	10/31/2024	Check	V - 18465	ROCK ISLAND SCHOOL DISTRICT 41	34,956.46
38195	10/31/2024	Check	V - 23326	SHERWIN WILLIAMS	224.90
38196	10/31/2024	Check	V - 11412	STECKER GRAPHICS	280.00
38197	10/31/2024	Check	V - 21311	ULINE, INC.	2,163.86
38198	10/31/2024	Check	V - 26396	WHITE CAP, LP	400.00

Total No. of Checks : 27

Total Amount : 135,932.24

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Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	: 2025
FY Period - Task	: 4 - A4
Start Due Date	: None
End Due Date	: None
Check Date	: 10/31/2024
Reprint Check Date	: None
Separate Check for Each Fund	: No
Group By	: FIN_INST_ACCT_ID, FIN_INST_TRAN_SOURCE
Sort By	: VENDOR_SHORT_NAME
Sort Employee Checks By Pay Location	: No

ROCK ISLAND SCHOOLS

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CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
2467	11/07/2024	ACH	V - 25713	AMALGAMATED BANK OF CHICAGO	1,796,493.75
2468	11/07/2024	ACH	V - 25525	AMAZON.COM SERVICES, INC.	19,752.64
2469	11/07/2024	ACH	V - 20498	B&B DRAIN TECH, INC.	1,887.00
2470	11/07/2024	ACH	V - 11940	BSN SPORTS, LLC	3,858.86
2471	11/07/2024	ACH	V - 14613	BURKE CLEANERS, INC.	1,045.00
2472	11/07/2024	ACH	V - 17243	CDW GOVERNMENT, INC.	2,150.94
2473	11/07/2024	ACH	V - 10174	CONES REPAIR SERVICE, INC.	1,108.79
2474	11/07/2024	ACH	V - 26138	CONNECTWISE LLC	3,120.00
2475	11/07/2024	ACH	V - 18471	DELL INC.	669.61
2476	11/07/2024	ACH	V - 26108	EMPIRICAL EDUCATION, INC.	67,231.28
2477	11/07/2024	ACH	V - 16421	FRANCZEK RADELET	17,591.24
2478	11/07/2024	ACH	V - 10355	HANDY TRUE VALUE HARDWARE	14.30
2479	11/07/2024	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	763.50
2480	11/07/2024	ACH	V - 25375	ITEK INTERPRETING SOLUTIONS, LLC	5,998.56
2481	11/07/2024	ACH	V - 24908	KOHL WHOLESALE	8,635.23
2482	11/07/2024	ACH	V - 25213	LEGAT ARCHITECTS, INC	1,500.00
2483	11/07/2024	ACH	V - 25154	LEXIA LEARNING SYSTEMS LLC	66,791.00
2484	11/07/2024	ACH	V - 15989	MAINSTREAMUSA INC.	6,000.00
2485	11/07/2024	ACH	V - 24216	PROJECT LEAD THE WAY, INC	2,400.00
2486	11/07/2024	ACH	V - 25751	QUALITY CONTROLLED STAFFING, INC.	3,140.60
2487	11/07/2024	ACH	V - 19712	STAPLES ADVANTAGE	691.19
Total No. of Checks : 21					Total Amount : 2,010,843.49

ROCK ISLAND SCHOOLS

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CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

<u>CHECK NO.</u>	<u>CHECK DATE</u>	<u>TYPE</u>	<u>VENDOR TYPE - ID</u>	<u>VENDOR NAME</u>	<u>AMOUNT</u>
328	11/07/2024	ACH	V - 25525	AMAZON.COM SERVICES, INC.	309.43
329	11/07/2024	ACH	V - 17235	GREENWOOD CLEANING SYSTEMS, IN	130.00
330	11/07/2024	ACH	V - 10355	HANDY TRUE VALUE HARDWARE	695.76
331	11/07/2024	ACH	V - 19712	STAPLES ADVANTAGE	5,784.22
Total No. of Checks : 4				Total Amount :	6,919.41

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Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	: 2025
FY Period - Task	: 4 - A5
Start Due Date	: None
End Due Date	: None
Check Date	: 10/31/2024
Reprint Check Date	: None
Separate Check for Each Fund	: No
Group By	: FIN_INST_ACCT_ID, FIN_INST_TRAN_SOURCE
Sort By	: VENDOR_SHORT_NAME
Sort Employee Checks By Pay Location	: No

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CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
2488	11/01/2024	ACH	V - 26020	ANNA THIRTYACRE	300.00
2489	11/01/2024	ACH	V - 25637	CODEHS, INC.	1,638.00
2490	11/01/2024	ACH	V - 26278	COMBINED INSURANCE COMPANY OF AMERICA	1,339.82
2491	11/01/2024	ACH	V - 11015	IMRF ACCOUNT	10,266.32
2492	11/01/2024	ACH	V - 26286	RELIANCE STANDARD LIFE INSURANCE COMPANY	13,497.30
2493	11/01/2024	ACH	V - 15821	RENAISSANCE LEARNING, INC.	3,797.18
Total No. of Checks : 6				Total Amount :	30,838.62

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CHECK REGISTER FOR BH HEALTH INS - HEALTH INSURANCE - ACH

Report Code: AP_CHECKREG

<u>CHECK NO.</u>	<u>CHECK DATE</u>	<u>TYPE</u>	<u>VENDOR TYPE - ID</u>	<u>VENDOR NAME</u>	<u>AMOUNT</u>
52	11/01/2024	ACH	V - 18449	WORTHINTON-OLSON, INC.	216.00
Total No. of Checks :				Total Amount :	216.00

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Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	: 2025
FY Period - Task	: 4 - A6
Start Due Date	: None
End Due Date	: None
Check Date	: 10/31/2024
Reprint Check Date	: None
Separate Check for Each Fund	: No
Group By	: FIN_INST_ACCT_ID, FIN_INST_TRAN_SOURCE
Sort By	: VENDOR_SHORT_NAME
Sort Employee Checks By Pay Location	: No

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CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

<u>CHECK NO.</u>	<u>CHECK DATE</u>	<u>TYPE</u>	<u>VENDOR TYPE - ID</u>	<u>VENDOR NAME</u>	<u>AMOUNT</u>
205542	10/25/2024	Check	V - 25667	CERTIFIED CLEANING SERVICES, INC.	1,500.00
205543	10/25/2024	Check	V - 24209	MILAN STORAGE	1,210.00
205544	10/25/2024	Check	V - 18021	TREASURER OF STATE OF ILLINOIS	274.68
Total No. of Checks : 3					Total Amount : 2,984.68

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Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	: 2025
FY Period - Task	: 4 - A7
Start Due Date	: None
End Due Date	: None
Check Date	: 10/25/2024
Reprint Check Date	: None
Separate Check for Each Fund	: No
Group By	: FIN_INST_ACCT_ID, FIN_INST_TRAN_SOURCE
Sort By	: VENDOR_SHORT_NAME
Sort Employee Checks By Pay Location	: No



Proposal for Overnight/Extended Student Trips

Email Address	<i>jarrin.williams@rimsd41.org</i>
Type of Trip	<i>IHSA State Cross Country Championship Meet</i>
Proposed Departure Date	<i>Nov 08, 2024</i>
Return Date	<i>Nov 09, 2024</i>
Proposer	<i>Jarrin Williams</i>
School	<i>RIHS</i>
Position	<i>Head Coach</i>
Date By Which Response Is Needed	<i>Nov 06, 2024</i>
What is the major place to be visited or event to be attended?	<i>IHSA State Cross Country Meet</i>
How is the trip related to the educational program of the District?	<i>The students have been representing the District in interscholastic competition since the beginning of this school year during the Illinois High School Association season.</i>
In what ways will the students benefit?	<i>Physical and mental health. Pride in representing the District and community.</i>
In what ways will the District benefit?	<i>The District benefits by having these students represent the entire community at the state level.</i>
How will the trip be evaluated to determine the extent to which these benefits were realized?	<i>I'm not exactly sure how to answer this question but the students earned the right to represent RIHS and RIMSD at the State competition and now they are pursuing All-State honors, which won't determine the total value of the weekend nor the season.</i>
Which students (grade, class, or organization) will be going?	<i>Elliot Batz - sophomore, Gabe Mahn - junior</i>
How many students in total?	<i>2 plus a student manager Griffin Garro</i>
How many students are currently experiencing academic problems?	<i>None</i>
Which staff members will be in charge?	<i>Jarrin Williams</i>
What previous experience has the staff member had in conducting overnight or extended field trips?	<i>I've taken a cross country team to the State meet in 2022 and an individual (Gabe) in 2023.</i>
What other staff members will be going?	<i>Anthony Pena - he is an RIMSD coach but teaches in another district.</i>

How many chaperones, in addition to staff members, will be going?	<i>None - just the two staff members.</i>
What are their names and affiliations with the students?	<i>Anthony Pena - assistant coach</i>
How many days of school will be missed?	<i>One</i>
How will teachers be advised in advance that the students will be out of school?	<i>I will submit the names to our attendance office. The students will be made aware (TODAY) that they need to contact their teachers about Friday's absence BEFORE Thursday.</i>
How will missed work be made up?	<i>Determined by teachers and the students.</i>
What special assistance will be provided to students with academic problems?	<i>None needed.</i>
What is the destination?	<i>Detweiller Park in Peoria is the site of the competition. We are staying at the Comfort Suites Peoria, 1812 War Memorial Drive, Peoria, IL 61614</i>
What will be the mode of transportation? What liability insurance does the carrier have?	<i>Van rented from MVP Transportation. Insurance through the District.</i>
Where will the group be housed and fed?	<i>Housed in the Comfort Suites Peoria. Meals are yet to be determined.</i>
What enroute or supplementary activities are planned?	<i>This hasn't been finalized as I do use student input to make decisions. Last year, we went bowling but really didn't have much time for anything other than meals.</i>
What arrangements have been made for dealing with emergency situations?	<i>Parents have my contact information and I have theirs.</i>
If tour guides are involved, what liability insurance do they carry?	<i>N/A</i>
What is the estimated total cost and cost per student?	<i>Hotel room cost and meals, which should be about \$10/student per meal.</i>
What is the source of funds?	<i>RIHS Athletic Department</i>
How will the funds be collected and safeguarded?	<i>The funds will likely be provided to me by check from the athletic office and I will provide cash for meals to students and assistant coach.</i>
How will any shortfall be made up or excess funds used?	<i>I will provide and be reimbursed from the Boys' XC Development Fund if necessary.</i>
What provision has been made for students who	<i>There shouldn't be any costs that aren't already</i>

are financially unable to pay any necessary costs?	<i>covered from the support provided by the HS Athletic Department.</i>
How will you communicate to parents prior to, during, and after the trip?	<i>GroupMe app or direct text to/from me.</i>
List telephone numbers at destination where group will be housed.	<i>309-688-3800</i>
What information will be provided to the media and the community?	<i>Not sure. The media hasn't asked many questions for most of the season. I provide updates from my personal social media (primarily Facebook and X/Twitter), which is usually shared to the District pages and social media.</i>
Athletic Director approval	Approved by <i>Mike Emendorfer</i>
Principal approval	Approved by <i>Jeff Whitaker</i>
Superintendent/Designee approval	Approved by <i>Scott Vance</i> on Nov 06, 2024 10:20
Signature of School Board Representative	



Proposal for Overnight/Extended Student Trips

Email Address	<i>jennifer.sholl@rimsd41.org</i>
Type of Trip	<i>girls bowling meet</i>
Proposed Departure Date	<i>Dec 06, 2024</i>
Return Date	<i>12/7/0204</i>
Proposer	<i>jennifer sholl head bowling coach</i>
School	<i>RIHS</i>
Position	<i>head bowling coach</i>
Date By Which Response Is Needed	<i>Nov 15, 2024</i>
What is the major place to be visited or event to be attended?	<i>brunswick zone deer park 21080 N. Rand Rd. Lake Zurich, IL 60047</i>
How is the trip related to the educational program of the District?	<i>learning teamwork and sportsmanship</i>
In what ways will the students benefit?	<i>learning good sportsmanship and teamwork in a bigger tournament</i>
In what ways will the District benefit?	<i>having our district represented in a bigger city</i>
How will the trip be evaluated to determine the extent to which these benefits were realized?	<i>talk to the girls to get their opinion on the outcome of the event</i>
Which students (grade, class, or organization) will be going?	<i>girl bowlers grade 9-12</i>
How many students in total?	<i>6-7 if no assistant and 10-12 if there is an assistant</i>
How many students are currently experiencing academic problems?	<i>0</i>
Which staff members will be in charge?	<i>jennifer sholl head bowling coach</i>
What previous experience has the staff member had in conducting overnight or extended field trips?	<i>4 years as assistant coach and 2 years as head coach</i>
What other staff members will be going?	<i>no other staff members unless I have an assistant by the tournament date</i>
How many chaperones, in addition to staff members, will be going?	<i>none</i>
What are their names and affiliations with the students?	<i>none</i>
How many days of school will be missed?	<i>1/2 day on 12/06-2024</i>

How will teachers be advised in advance that the students will be out of school?	<i>I will send out a memo to the attendance office and the students will also let their teachers know</i>
How will missed work be made up?	<i>student will ask for work ahead of time and then complete it in a timely matter</i>
What special assistance will be provided to students with academic problems?	<i>study group and having them contact their teacher to see what needs to be done to improve their grade</i>
What is the destination?	<i>brunswick zone deer park 21080 N. Rand Rd. Lake Zurich, IL 60047</i>
What will be the mode of transportation? What liability insurance does the carrier have?	<i>bus act II</i>
Where will the group be housed and fed?	<i>holiday inn and suites 197 s rand road lake zurich illinois60047</i>
What enroute or supplementary activities are planned?	<i>going to woodfield mall for dinner and shopping after practice</i>
What arrangements have been made for dealing with emergency situations?	<i>contact parents and provide medical treatment as needed</i>
If tour guides are involved, what liability insurance do they carry?	<i>no guides</i>
What is the estimated total cost and cost per student?	<i>200</i>
What is the source of funds?	<i>girls bowling fund</i>
How will the funds be collected and safeguarded?	<i>no funds will be collected payed through our bowling fund</i>
How will any shortfall be made up or excess funds used?	<i>fundraising</i>
What provision has been made for students who are financially unable to pay any necessary costs?	<i>no cost to students</i>
How will you communicate to parents prior to, during, and after the trip?	<i>text message and handouts prior to event</i>
List telephone numbers at destination where group will be housed.	<i>8775042174</i>
What information will be provided to the media and the community?	<i>no media</i>
Athletic Director approval	Approved by <i>Mike Emendorfer</i>

Principal approval	Approved by <i>Jeff Whitaker</i>
Superintendent/Designee approval	Approved by <i>Scott Vance</i> on Nov 06, 2024 11:16
Signature of School Board Representative	

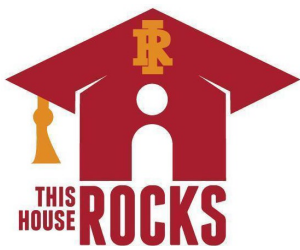


Proposal for Overnight/Extended Student Trips

Email Address	<i>jennifer.sholl@rimsd41.org</i>
Type of Trip	<i>bowling tournament in mt prospect illinois</i>
Proposed Departure Date	<i>Jan 10, 2025</i>
Return Date	<i>Jan 11, 2025</i>
Proposer	<i>jennifer sholl</i>
School	<i>RIHS</i>
Position	<i>head bowing coach</i>
Date By Which Response Is Needed	<i>Dec 15, 2024</i>
What is the major place to be visited or event to be attended?	<i>bowlero bowling alley mt Prospect illinois</i>
How is the trip related to the educational program of the District?	<i>learning teamwork and sportsmanship</i>
In what ways will the students benefit?	<i>learning good sportsmanship and teamwork in a bigger tournament</i>
In what ways will the District benefit?	<i>having our district represented in a bigger city</i>
How will the trip be evaluated to determine the extent to which these benefits were realized?	<i>talk to the girls to get their opinion on the outcome of the event</i>
Which students (grade, class, or organization) will be going?	<i>girls bowler grades 9-12</i>
How many students in total?	<i>6-7 if no assistant coach and 10-12 if we do</i>
How many students are currently experiencing academic problems?	<i>0</i>
Which staff members will be in charge?	<i>jennifer sholl head coach</i>
What previous experience has the staff member had in conducting overnight or extended field trips?	<i>4 years as assistant coach and 2 years as head coach</i>
What other staff members will be going?	<i>no other staff member unless i have an assistant by the tournament date</i>
How many chaperones, in addition to staff members, will be going?	<i>none</i>
What are their names and affiliations with the students?	<i>none</i>
How many days of school will be missed?	<i>1/2 day on 01/10/2025</i>

How will teachers be advised in advance that the students will be out of school?	<i>i will send out a memo to the attendance off and the student will also let their teacher know</i>
How will missed work be made up?	<i>student will ask for work ahead of time and then complete it in a timely manner</i>
What special assistance will be provided to students with academic problems?	<i>study group and having them contact their teacher to see what needs to be done to improve grade</i>
What is the destination?	<i>bowlero bowling alley in Mt. Prospect Illinois</i>
What will be the mode of transportation? What liability insurance does the carrier have?	<i>bus by act II</i>
Where will the group be housed and fed?	<i>best wester in mt prospect illinois</i>
What enroute or supplementary activities are planned?	<i>going to woodfield mall for dinner and shopping after we complete practice on 01/12/2025</i>
What arrangements have been made for dealing with emergency situations?	<i>contact parents and provide any medical treatment that is needed</i>
If tour guides are involved, what liability insurance do they carry?	<i>no available</i>
What is the estimated total cost and cost per student?	<i>200</i>
What is the source of funds?	<i>girls bowling fund</i>
How will the funds be collected and safeguarded?	<i>no money collected payed through our bowling fund</i>
How will any shortfall be made up or excess funds used?	<i>fundraising</i>
What provision has been made for students who are financially unable to pay any necessary costs?	<i>no cost to the students</i>
How will you communicate to parents prior to, during, and after the trip?	<i>text message and handouts prior to the event</i>
List telephone numbers at destination where group will be housed.	<i>1-844-684-9427</i>
What information will be provided to the media and the community?	<i>no media will be involved</i>
Athletic Director approval	Approved by <i>Mike Emendorfer</i>
Principal approval	Approved by <i>Jeff Whitaker</i>

Superintendent/Designee approval	Approved by <i>Scott Vance</i> on Oct 28, 2024 13:08
Signature of School Board Representative	



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Annaka Whiting, Chief Financial Officer
Date: November 12, 2024
Re: Cooperative Purchasing Agreement - Omnia Partners

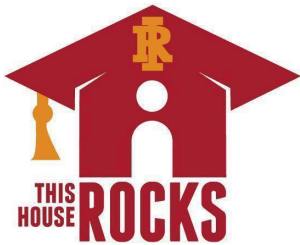
Omnia Partners is a purchasing cooperative for governmental entities that the District can utilize to ensure competitive contracts with many vendors. Their contracts are competitively solicited, evaluated and awarded by a government entity acting as the lead agency. The lead agency prepares a competitive solicitation, incorporating language to make the agreement accessible nationally to agencies in states that allow intergovernmental contract usage.

Many districts in Illinois take advantage of purchasing cooperatives to purchase supplies and services and the District is utilizing other purchasing cooperatives under State Code ILCS 220/2 Intergovernmental Cooperation Act. Participation in the Omnia Partners cooperative provides the District to continue to save money with more buying power and less administrative costs.

The membership to Omnia Partners is no cost and automatically renews annually.

It is recommended that the Board of Education approve the Cooperative Purchasing agreement with Omnia Partners for the 2024 - 25 School Year and beyond.

Investment Period: 2024 - 25
Total Investment: No charge



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Annaka Whiting, Chief Financial Officer
Date: November 12, 2024
Re: Cooperative Purchasing Agreement - TIPS

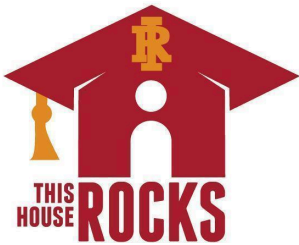
The Interlocal Purchasing System (TIPS) is a purchasing cooperative for governmental entities that the District can utilize to ensure competitive contracts with many vendors. Their contracts are competitively solicited, evaluated and awarded by a government entity acting as the lead agency. The lead agency prepares a competitive solicitation, incorporating language to make the agreement accessible nationally to agencies in states that allow intergovernmental contract usage.

Many districts in Illinois take advantage of purchasing cooperatives to purchase supplies and services and the District is utilizing other purchasing cooperatives under State Code ILCS 220/2 Intergovernmental Cooperation Act. Participation in the TIPS cooperative provides the District to continue to save money with more buying power and less administrative costs.

The membership to TIPS is no cost and automatically renews annually.

It is recommended that the Board of Education approve the Cooperative Purchasing agreement with TIPS for the 2024 - 25 School Year and beyond.

Investment Period: 2024 - 25
Total Investment: No charge



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Annaka Whiting, Chief Financial Officer
Date: November 12, 2024
Re: Cooperative Purchasing Agreement - Sourcewell

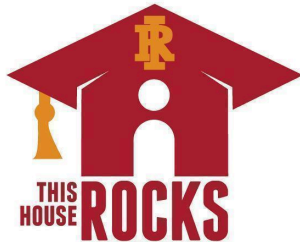
Sourcewell is a purchasing cooperative for governmental entities that the District can utilize to ensure competitive contracts with many vendors. Their contracts are competitively solicited, evaluated and awarded by a government entity acting as the lead agency. The lead agency prepares a competitive solicitation, incorporating language to make the agreement accessible nationally to agencies in states that allow intergovernmental contract usage.

Many districts in Illinois take advantage of purchasing cooperatives to purchase supplies and services and the District is utilizing other purchasing cooperatives under State Code ILCS 220/2 Intergovernmental Cooperation Act. Participation in the Sourcewell cooperative provides the District to continue to save money with more buying power and less administrative costs.

The membership to Sourcewell is no cost and automatically renews annually.

It is recommended that the Board of Education approve the Cooperative Purchasing agreement with Sourcewell for the 2024 - 25 School Year and beyond.

Investment Period: 2024 - 25
Total Investment: No charge



PERSONNEL RECOMMENDATIONS
BOARD MEETING

November 12, 2024

Non-Certified Appointments

It is recommended that the Board of Education approve the following Non-Certified appointments for the 2024-25 school year.

Heather Wangler– Head Start Family Service Worker/Horace Mann Early Learning Center
Salary - \$43,222/yr.

Ruel Roys – Cafeteria Supervisor/Rock Island Academy
Salary - \$15.86/hr.

Non-Certified Internal Transfers

It is recommended that the Board of Education approve the following Non-Certified internal transfers for the 2024-25 school year.

Brittney Hart - Transferring from Long Term Substitute to Special Education Paraprofessional at Edison Junior High School
Salary - \$19.56/hr.

Crystal Cutchomp – Transferring from Nutrition Services to Special Education Paraprofessional at Ridgewood Elementary School.
Salary - \$18.68/hr.

Non-Certified Support Coach

It is recommended that the Board of Education approve the following Non-Certified coaches for the 2024-25 school year.

Troy Nimmers – Assistant Wrestling Coach/Edison Junior High School
Salary – \$3,113.00/season

Non-Certified Event Staff

It is recommended that the Board of Education approve the following Non-Certified event staff for the 2024-25 school year.

Mark Creger – Athletic Event Staff / RIHS
Salary – \$30/game

Non-Certified Resignations

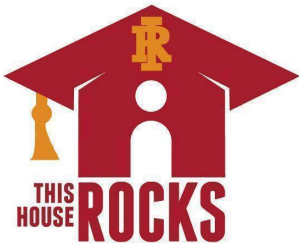
It is recommended that the Board of Education accept the following Non-Certified resignations during the 2024-25 school year.

<u>Staff Member</u>	<u>Current Position</u>	<u>Years of Continuous Service</u>
Eric West	Head Start Family Service Worker	3
Christian Ingram	Special Education Paraprofessional	1

Non-Certified Retirements

It is recommended that the Board of Education accept the following retirements during the 2024-25 school year.

<u>Staff Member</u>	<u>Current Position</u>	<u>Effective Date</u>	<u>Years of Service</u>
Lori Carlson	Special Education Para	June 30,2025	24.5
			(start date 01/10/2000)

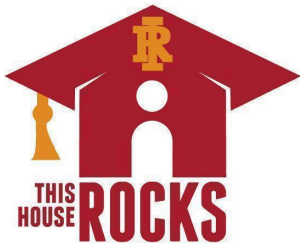


Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
 From: Dr. Sharon Williams
 Date: November 12, 2024
 Re: Press Policy Adoption - Issue 115

The Board of Education reviews policies in two readings: the first to discuss the policies and make changes as necessary, and the second to finalize any changes and adopt new policies. The following policies are presented for the Board’s adoption. The policies have been modified due to changes in the law, legal references, and a review to ensure policies are up to date. The Press documentation is attached for this agenda item.

Policy	Description	Recommendation
2:70	Vacancies on Board of Education - Filling Vacancies - 5 - year review - no changes	Adopt
2:70 - Exhibit	Checklist for Filling Board Vacancies by Appointment - Rewritten and updated for clarity,	Adopt
2:125	Board Member Compensation - 5 - Year review - no changes.	Adopt
2:160	Board Attorney - 5 - year Review - no changes.	Adopt
2:160 - Exhibit	Checklist for Selecting a Board Attorney - Rewritten and updated for clarity.	Adopt
4:15	Identity Protection - 5 - Year review - no changes.	Adopt
4:40	Incurring Debt - legal references and footnotes are updated in response to a 5 - year review.	Adopt
4:70	Resource Conservation - 5 - Year review - minor wording updates.	Adopt
4:80	Accounting and Audits - Updated to raise the maximum balance for revolving fund bank accounts from \$500 to \$1,000.	Adopt
4:140	Waiver of Student Fees. Policy unchanged, the footnotes are	Adopt



Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Description	Recommendation
	updated.	
5:130	Responsibilities Concerning Internal Information - Legal references are updated.	Adopt
5:180	Temporary Illness or Temporary Incapacity - 5 - year review - no changes.	Adopt
5:200	Terms and Conditions of Employment and Dismissal - Legal reference updated.	Adopt
5:285	Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers. Legal references and footnotes are updated in response to a 5 - year review.	Adopt
5:310	Compensatory Time - Off - 5-Year review - no changes.	Adopt
6:110	Programs for Students at Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program - 5 - Year review no changes.	Adopt
6:140	Education of Homeless Children - Legal references updated.	Adopt
6:150	Home and Hospital Instruction - 5 - Year review - no changes.	Adopt
6:230	Library Media Program. Policy unchanged, footnotes updated.	Adopt
7:170	Vandalism - 5 - Year review - no changes.	Adopt

School Board

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

Legal Citations

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

Actor	Action
All Staff Members and School Board Members	<p>Maintain all records, as defined and required in the Ill. Local Records Act (LRA). No public record shall be destroyed except as allowed by the LRA.</p> <p><i>“Public record means any book, paper, map, photograph, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.”</i> 50 ILCS 205/3.</p> <p>Do not destroy any District record, no matter its form, if it is subject to a litigation hold. F.R.C.P. 37(e).</p> <p>In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding to not destroy any electronic records that might be relevant. The receipt of a <i>litigation hold</i> or preservation letter from the Board’s attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all email, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere.</p> <p>Whenever disposing of materials containing <i>personal information</i>, render the <i>personal information</i> unreadable, unusable, and undecipherable. 815 ILCS 530/40; 44 Ill.Admin.Code §4000.40(b).</p> <p>The Personal Information Protection Act (815 ILCS 530/) contains mandates for disposing of materials containing personal information</p>

Actor	Action
	<p>(<i>personal information</i> is defined in 815 ILCS 530/5 as either of the following: (1) an individual’s first name or first initial and last name combined with any of the following data elements, when either the name or data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the name or data elements have been acquired without authorization through a security breach: social security number, driver’s license number or State identification card number, financial account information, medical information, health insurance information, or unique biometric data; or (2) user name or email address, combined with a password or security question and answer that would permit access to an online account, when any of these data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the data elements have been acquired without authorization through a security breach). The Ill. Attorney General is authorized to impose a fine and bring court action for noncompliance. 815 ILCS 530/40.</p> <p><u>Whenever disposing of materials containing social security numbers that do not otherwise qualify as personal information under 815 ILCS 530/40, follow administrative procedure 4:15-AP1, <i>Protecting the Privacy of Social Security Numbers.</i></u></p> <p><u>The Superintendent, Human Resources Administrator, and their respective designees must follow administrative procedure 5:30-AP4, <i>Fingerprint-Based Criminal History Record Information Security, when disposing of criminal history record information (CHRI).</i></u></p>
Superintendent	<p>Assign the following activities to the Records Custodian and Head of Information Technology (IT):</p> <ol style="list-style-type: none"> 1. Develop and maintain a protocol for preserving and categorizing District records; 2. Develop and maintain a record retention and destruction schedule; and 3. Develop protocols to implement a litigation hold.
Records Custodian and Head of IT	<ol style="list-style-type: none"> 1. Develop and maintain a protocol for preserving and categorizing District records. <p>Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to business, students, personnel, board meetings, etc. Align this list with the list of District records required by the Freedom of Information Act. 5 ILCS 140/5.</p> <p>Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available clouds, servers, tapes, hard drives, computers, and similar types of electronic</p>

Actor	Action
	<p>devices (e.g., laptops, tablets, smart phones, voicemail, etc.).</p> <p>Prepare a description of how District records stored by means of electronic data processing may be obtained in a form understandable to persons lacking computer knowledge. 5 ILCS 140/5; 44 Ill.Admin.Code §4000.70, <i>Digital Reproduction</i>; 44 Ill.Admin.Code §4000.80, <i>Management of Electronic Records</i>.</p> <p>Such a description may include contact information for a person who can aid in obtaining records stored electronically.</p> <p>Provide for keeping only records and destroying non-records. Avoid filing non-record material with records. Determine what is a non-record, e.g., identical copies of documents maintained in the same file; extra copies of printed or processed materials (official copies of which are retained by the office); blank forms; and personal communications.</p> <p>The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9.</p> <p>Absent a litigation hold, email must be retained only when it contains: (1) evidence of the District’s organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. 50 ILCS 205/3. Email that is conversational, personal, or contains brainstorming may generally be deleted.</p> <p>A consistent email retention policy-process for use across the District ensures that the necessary emails are being retained and emails that are not required to be preserved are purged on a regular basis.</p> <p>Determine whether each sub-category of documents should be reproduced by photography (44 Ill.Admin.Code §4000.60), microphotographic and electronic microimaging processes (44 Ill.Admin.Code §4000.50), or digitized electronic format (44 Ill.Admin.Code §4000.70).</p> <p>Any public record may be reproduced in a microfilm or digitized electronic format and the analog/paper version destroyed, provided: (a) the records are reproduced on “a durable medium that accurately and legibly reproduces the original record in all details,” and “that does not permit additions, deletions, or changes to the original document images,” and “if electronic, that are retained in a trustworthy manner so that the records...are accessible and usable for subsequent reference at all times when the information must be retained,” (b) the reproduction is retained for the prescribed retention period, and (c) the Local Records Commission is notified when the original record is disposed of and also when the reproduced record is disposed of. 50 ILCS 205/7.</p>

Actor	Action
	<p>Use the Ill. Secretary of State publication Guidelines for Using Electronic Records (www.cyberdriveillinois.com/departments/archives/records_management/electrecs.html) and 44 Ill.Admin.Code §§4000.APPENDIX A <i>Sustainable File Formats for Electronic Records - A Guide for Government Agencies</i> (www.ilga.gov/commission/jcar/admincode/044/04404000ZZ9996aR.html), 4000.APPENDIX B <i>Reliable Storage Media for Electronic Records - A Guide for Government Agencies</i> (www.ilga.gov/commission/jcar/admincode/044/04404000ZZ9996BR.html).</p> <p>Identify and index the location of each category and sub-category of District records. Organize electronic record and data storage.</p> <p>The goal is to ensure that all documents, including electronically created ones, are retained for the required timeframes and are easy to retrieve and produce if necessary.</p> <p>2. Develop and maintain a record retention and destruction schedule for submission to the Superintendent and eventually to the Local Records Commission.</p> <p>Prepare a list of public records that: (1) are not needed for current business, and (2) do not have sufficient administrative, legal, or fiscal value to warrant their further preservation. Stated differently, identify records that have no administrative, legal, or fiscal value, as this is the criteria the Commission uses to determine whether or not to authorize the records' destruction.</p> <p>Records that have no administrative, legal, or fiscal value may be destroyed according to provisions in the LRA. 50 ILCS 205/10.</p> <p>Prepare a schedule for record destruction by identifying the length of time a record category or series warrants retention after it has been received or produced by the District.</p> <p>The ultimate goal is to obtain permission to destroy unnecessary public records. The Local Records Commission must approve the destruction of any public record. 50 ILCS 205/7; 44 Ill.Admin.Code Part 4000 (Local Records Commission for agencies comprising counties of less than 3,000,000 inhabitants); 44 Ill.Admin.Code Part 4500 (Local Records Commission of Cook County). See the Archives Department on the Secretary of State's website: www.ilsos.gov/departments/archives/home.html www.cyberdriveillinois.com/departments/archives/databases/home.html</p> <p>44 Ill.Admin.Code Part 4000.30 details the procedures for compiling</p>

Actor	Action
	<p>and submitting lists and schedules of records for disposal.</p> <p>The School Code and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board aAttorney should be consulted.</p> <p>The e-discovery rules provide a safe harbor for parties during a lawsuit that cannot provide information because it was destroyed as a result of routine practices. F.R.C.P. 37(e).</p> <p>3. Develop protocols to implement a litigation hold.</p> <p>Understand what a <i>litigation hold</i> is.</p> <p>A litigation hold refers to the notification made by the Board²s aAttorney telling the District to preserve all information that may be relevant to current or anticipated litigation. While it may occur anytime in the legal process, it will usually occur during discovery, the pretrial phase of a lawsuit designed to compel the exchange of information between parties. A litigation hold triggers the need to immediately suspend destruction of electronic and other records relevant to the current or potential claim. F.R.C.P. 37(e).</p> <p>Specify how to implement a litigation hold, i.e.:</p> <ul style="list-style-type: none"> • Who can trigger a litigation hold? • How is a litigation hold communicated? • Who should gather the records? • What records are subject to a litigation hold and who determines this? • In what format should records be gathered? • Where should records be gathered? <p>Identify how to implement a litigation hold for all IT systems, including backup tapes, to ensure they are not deleted or overwritten as part of the normal tape rotation process.</p> <p>Prepare a map of potentially relevant data and otherwise assist the Board aAttorney in locating all potentially relevant information.</p>
Superintendent	<p>Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval.</p> <p>Disseminate the record retention schedule, along with instructions, to all affected staff members and Board members.</p> <p>Immediately inform the Records Custodian and Head of IT whenever a record must be preserved because: (1) it may be relevant to present or future litigation, or (2) the Board Attorney has notified the District to preserve a record, including electronic information (<i>litigation hold</i>).</p>

Actor	Action
	<p>Authorize and/or order the destruction of District records after ensuring that the following steps have been performed:</p> <ol style="list-style-type: none"> 1. The Local Records Commission approved a schedule for continuing authority to destroy District records after the expiration of the applicable period. 2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a <i>litigation hold</i>. 3. Thirty days prior to disposal or destruction of any records, regardless of physical format or characteristics, submit a Local Records Disposal Certificate to the Commission and dispose only after a copy of that certificate has been reviewed and approved by the Chairman and returned to the District. The original copy of that Local Records Disposal Certificate is kept in the files of the Commission, and the duplicate copy approved and returned by the Chairman must be retained by the District. 44 Ill.Admin.Code §§4000.40(c), 4500.40(c). 4. In the case of records with scheduled retention of less than one year, a single Local Records Disposal Certificate for more than one disposal event within a given year may be used. Local Records Disposal Certificates submitted with this intent must include a schedule of proposed records disposal in addition to the normally required information. The District must wait to dispose of records until receipt of approval from the Commission, as required in number 3, above. 44 Ill.Admin.Code §§4000.40(d), 4500.40(d). 5. For records that have been damaged by water, fire, smoke, insects or vermin, mold or some other natural disaster that poses a health or safety risk to employees, the District may apply to the Commission for permission to dispose of those records ahead of their scheduled disposal date. The request must include a Local Records Disposal Certificate accompanied by the District's explanation of why the records need early disposal. The Commission may grant the request only after physically reviewing the damaged records. 44 Ill.Admin.Code §§4000.40(e), 4500.40(e).
<p>Links to Web-based Record Management Resources:</p> <p>Cook County Local Records Commission Meetings</p> <p>Cook County Local Records Commission Rules (44 Ill.Admin.Code Part 4500)</p> <p>Downstate Local Records Commission Meetings</p> <p>Rules of the Downstate Local Records Commission (44 Ill.Admin.Code Part 4000)</p> <p>Ill. School Student Records Act (105 ILCS 10/, amended by P.A. 101-161, eff. 1-1-20)</p>	

Actor	Action
	Local Records Act (50 ILCS 205/) Local Records Disposal Certificate

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

Draft

Operational Services

Administrative Procedure - Protecting the Privacy of Social Security Numbers

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

Actor	Action
<p>Superintendent and business manager, and their designees</p>	<p>Identify the approved purposes for collecting SSNs, including:</p> <ol style="list-style-type: none"> 1. Employment matters, e.g., income reporting to IRS and the IL Dept. of Revenue, tax withholding, FICA, and Medicare. 2. Verifying enrollment in various benefit programs, e.g., medical benefits, health insurance claims, and veterans’ programs. 3. Filing insurance claims. 4. Internal verification or administrative purposes. 5. Other uses authorized and/or required by State law including, without limitation, in the following circumstances (5 ILCS 179/10(c)): <ol style="list-style-type: none"> a. Disclosing SSNs to another governmental entity if the disclosure is necessary for the entity to perform its duties and responsibilities; b. Disclosing SSNs pursuant to a court order, warrant, or subpoena; and c. Collecting or using SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, or to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act. <p>Identify a method for documenting the need and purpose for the SSN before its collection. 5 ILCS 179/10(b)(1).</p> <p>Inform all employees of the District’s efforts to protect the privacy of SSNs. See eExhibit 4:15-E1, Letter to Employees Regarding Protecting the Privacy of Social Security Numbers.</p> <p style="padding-left: 40px;">While State law does not specifically require this step, the law contains mandates applicable to all employees that they need to know. Moreover, this letter provides an opportunity to increase awareness of the confidential nature of SSNs.</p> <p>Maintain a written list of each staff position that allows or requires access to SSNs.</p> <p style="padding-left: 40px;">The existence of a written list, even though not required, is important for recordkeeping and accountability purposes.</p> <p>Require that employees who have access to SSNs in the course of performing their duties be trained to protect the confidentiality of SSNs. 5 ILCS 179/35(a)(2).</p>

Actor	Action
	<p>Direct that only employees who are required to use or handle information or documents that contain SSNs have access to such information or documents. 5 ILCS 179/35(a)(3).</p> <p>Require that SSNs requested from an individual be provided in a manner that makes the SSN easily redacted if the record is otherwise required to be released as part of a public records request. 5 ILCS 179/35(a)(4).</p> <p>Require that, when collecting SSNs or upon request, a statement of the purpose(s) for which the District is collecting and using the SSNs be provided. 5 ILCS 179/35(a)(5). See eExhibit 4:15-E2, Statement of Purpose for Collecting Social Security Numbers.</p> <p>Require that, when employees who are required to use or handle information or documents that contain SSNs learn of a breach, they:</p> <ol style="list-style-type: none"> 1. Notify District administrators immediately, and 2. Ensure that notifications to the proper individuals occur. <p>Enforce the requirements in Board policy 4:15, <i>Identity Protection</i>, and this procedure.</p>
Records Custodian and Head of Information Technology (IT)	<p>Develop guidelines for handling social security numbers in electronic systems. These guidelines should address:</p> <ol style="list-style-type: none"> 1. The display of SSNs on computer terminals, screens, and reports; 2. The security protocol for storing SSNs on a device or system protected by a password or other security system and for accessing SSNs that are included in part of an electronic database; 3. The security protocol for deleting SSNs that are stored in electronic documents or databases; and 4. Alternate mechanisms for integrating data other than the use of SSNs.
Staff Development Head	<p>Design and execute a training program on protecting the confidentiality of SSNs for employees who have access to SSNs in the course of performing their duties.</p> <p>The training should include instructions on the proper handling of information that contains SSNs from the time of collection through the destruction of the information. 5 ILCS 179/35(a)(2).</p>
Assistant Superintendents, Directors, Building Principals, and/or Department Heads	<p>Require each staff member whose position allows or requires access to SSNs to attend training on protecting the confidentiality of SSNs.</p> <p>Instruct staff members whose positions allow or require access to SSNs to:</p> <ol style="list-style-type: none"> 1. Treat SSNs as confidential information. 2. Never publicly post or display SSNs or require any individual to verbally disclose his or her SSN. 3. Dispose of documents containing SSNs in a secure fashion, such as, by shredding paper documents and by deleting electronic documents as instructed by the IT Department. 4. Use SSNs as needed during the execution of their job duties and in accordance with the training and instructions that they received.

Actor	Action
	Instruct staff members whose positions do not require access to SSNs to notify a supervisor and/or the IT Department whenever SSNs are found in a document or other material, whether in paper or electronic form.
Freedom of Information Officer	Redact every SSN before allowing public inspection or copying of records responsive to a FOIA request. 5 ILCS 179/15.
Employees	<p>Do not collect, use, or disclose another individual’s SSN unless directed to do so by an administrator.</p> <p>If the employee is in a position that requires access to SSNs: Treat SSNs as confidential information and follow the instructions learned during training.</p> <p>If the employee is <u>not</u> in a position that requires access to SSNs: Notify his or her supervisor and/or the IT Department whenever the employee comes across a document or other material, whether in paper or electronic form, that contain SSNs.</p>

Draft

Operations

Administrative Procedure – Treatment of Personally Identifiable Information Under Grant Awards

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

Definitions

Personally identifiable information (PII) means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books and public Web sites. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, email address, home telephone number, and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII (or *protected personally identifiable information*) whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual. 2 C.F.R. §200.179.

Protected personally identifiable information (Protected PII) is a subset of PII; it means an individual's first name or first initial and last name in combination with any one or more types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother's maiden name, criminal records, medical records, financial records, or educational transcripts. Protected PII does not include personally identifiable information that is required by law to be disclosed. 2 C.F.R. §200.182.

Safeguarding Requirement

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

The Superintendent or designee will ensure that the District:

1. Implements reasonable security measures, such as physical and technological safeguards, for the protection of sensitive information that meets or exceeds industry standards designed to protect such information from unauthorized access, destruction, use, modification, or disclosure.¹
2. Complies with all applicable laws, such as the Identity Protection Act (5 ILCS 179/) (IPA), Personal Information Protection Act (815 ILCS 530/10) (PIPA) and Student Online Personal Protection Act (105 ILCS 85/27, ~~added by P.A. 101-516, eff. 7-1-21~~) (SOPPA) in the event of a breach of sensitive information.
3. Notifies, if appropriate, members of the school community impacted by a breach when notification is not specifically required by law.
4. Educates staff members involved in the administration of grants that in addition to federal regulation 2 C.F.R. §200.303(e) and the terms of a specific award, multiple laws may apply to personally identifiable information, depending upon the type of information/record including: IPA (5 ILCS 179/), PIPA (815 ILCS 530/), Family Educational Rights and Privacy Act, (20 U.S.C. 1232g), Ill. School Student Records Act (105 ILCS 10/), SOPPA (105 ILCS 85/, ~~amended by P.A. 101-516, eff. 7-1-21~~), Personnel Record Review Act (820 ILCS 40/), and Local Records Act (50 ILCS 205/3).
5. Consults with the Board Attorney as needed to ensure compliance.

Relevant Board Policies ~~and~~, Administrative Procedures, and Exhibit for Handling of Sensitive Information

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

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

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

¹ This paragraph is an adaptation of the standard for the protection of *covered information* under the Student Online Personal Protection Act, 105 ILCS 85/, ~~amended by P.A. 101-516, eff. 7-1-21~~. Districts should customize this procedure to align with local practices and conditions.

8. 6:235, *Access to Electronic Networks*, requires all users of the District's electronic networks to maintain the confidentiality of student information.
9. 6:235-AP1, *Acceptable Use of the District's Electronic Networks*, requires all users of the District's electronic networks to take steps to safeguard their integrity and security.
10. 7:340, *Student Records*, along with 7:340-AP1, *School Student Records*, and 7:340-AP2, *Storage and Destruction of School Student Records*, address the District's legal obligations regarding the identification, confidentiality, safeguarding, access, and disposal of school student records.
- 10,11. 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, addresses the District's legal obligations regarding the handling and safeguarding of covered information that is shared with operators.

Disposal of Sensitive Information

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

Training for Employees and Contractors

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

The Superintendent or designee will ensure:

1. Employees receive training upon their assignment to perform work under the award and then on a bi-annual basis thereafter, until the award is concluded or an employee's involvement in the award is complete, whichever is earlier. The training shall include education on this procedure and the District's policies and procedures listed above that govern the District's handling of sensitive information for various types of information/records.
2. Documentation of employee training on the handing of personally identifiable information is maintained, including the dates(s) of the training and attendance/completion of the training.
3. District contractors performing work under the grant award regularly receive training from the District or other comparable training on the management of sensitive information.

Resources

Ill. State Board of Education –

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

U.S. Dept. of Education –

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

Ill. Attorney General –

www.illinoisattorneygeneral.gov/consumer-protection/identity-theft~~www.illinoisattorneygeneral.gov/consumers/hotline.html#dbreport~~.

Operational Services

Administrative Procedure - Preparing and Updating Disclosures

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

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

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

- *Disclosure Officer*. Consistent with Board [pPolicy 4:40, Incurring Debt](#), the Superintendent¹ (*Disclosure Officer*) is hereby designated as the officer responsible for the procedures related to Disclosures as hereinafter set forth (collectively, *Disclosure Procedures*).
- *Disclosure Procedures: Official Statements*. Whenever an Official Statement will be disseminated in connection with the issuance of obligations by the District, the Disclosure Officer will oversee the process of preparing the Official Statement pursuant to the following procedures:
 1. The District shall select (a) the working group for the transaction, which group may include outside professionals such as disclosure counsel, a municipal advisor, and an underwriter (the *Working Group*), and (b) the member of the Working Group responsible for preparing the first draft of the Official Statement.
 2. The Disclosure Officer shall review and make comments on the first draft of the Official Statement. Such review shall be done to determine that the Official Statement does not

The footnotes should be removed before the material is used.

¹ Districts that employ business managers may want to substitute "Business Manager", "Chief School Business Official", or another locally equivalent title.

include any untrue statement of a material fact or omit to state a material fact necessary to make the statements made in the Official Statement not misleading. Particular attention shall be paid to the accuracy of all descriptions, significant information, and financial data regarding the District. Examples include confirming that information relating to the District, including but not limited to demographic changes, the addition or loss of major employers, the addition or loss of major taxpayers or any other material information within the knowledge of the Disclosure Officer, is included and properly disclosed. The Disclosure Officer shall also be responsible for ensuring that the financial data presented with regard to the District is accurate and corresponds with the financial information in the District's possession, including but not limited to information regarding bonded indebtedness, notes, certificates, outstanding leases, tax rates or any other financial information of the District presented in the Official Statement.

3. After completion of the review set forth in 2, above, the Disclosure Officer shall (a) discuss the first draft of the Official Statement with the members of the Working Group and such staff and officials of the District as the Disclosure Officer deems necessary and appropriate, and (b) provide comments, as appropriate, to the members of the Working Group. The Disclosure Officer shall also consider comments from members of the Working Group and whether any additional changes to the Official Statement are necessary or desirable to make the document compliant with the requirements set forth in 2, above.
 4. The Disclosure Officer shall continue to review subsequent drafts of the Official Statement in the manner set forth in 2 and 3, above.
 5. If, in the Disclosure Officer's reasonable judgment, the Official Statement does not include any untrue statement of a material fact or omit to state a material fact necessary to make the statements made in the Official Statement not misleading, the Official Statement may, in the reasonable discretion of the Disclosure Officer, be released for dissemination to the public; *provided, however*, that the use of the Official Statement must be ratified, approved, and authorized by the Board.
- *Disclosure Procedures: Annual Financial Information.* The Disclosure Officer will oversee the process of preparing the Annual Financial Information pursuant to these procedures:
 1. By December 20th² of each year (the same being at least 30 days prior to the last date on which the Annual Financial Information is required to be disseminated pursuant to the related Undertaking) the Disclosure Officer shall begin to prepare (or hire an agent to prepare) the Annual Financial Information. The Disclosure Officer shall also review the audited or unaudited financial statements, as applicable, to be filed as part of the Annual Financial Information (*Financial Statements*). In addition to the required updating of the Annual Financial Information, the Disclosure Officer should consider whether additional information needs to be added to the Annual Financial Information to make the Annual Financial Information, including the Financial Statements, taken as a whole, correct and complete in all material respects. For example, if disclosure of events that occurred subsequent to the date of the Financial Statements would be necessary to clarify, enhance or correct information presented in the Financial Statements, in order to make the Annual Financial Information,

The footnotes should be removed before the material is used.

² The deadline for the dissemination of Annual Financial Information and/or Audited Financial Statements should be set forth in each applicable Undertaking. These procedures assume the deadline set forth in each such Undertaking is not later than 210 days after the end of a district's fiscal year (ending June 30). If one of more of a district's Undertakings provide for a different deadline, it may be appropriate or necessary to change the date in Paragraph C.1 above.

taken as a whole, correct and complete in all material respects, disclosure of such subsequent events should be made.

2. If, in the Disclosure Officer's reasonable judgment, the Annual Financial Information, including the Financial Statements, is correct and complete in all material respects, the Disclosure Officer shall file the Annual Financial Information with EMMA (or confirm that such filing is completed by any agent hired by the District for such purpose) within the timeframe allowed for such filing.
- *Disclosure Procedures: Reportable Events.* The Disclosure Officer will prepare (or hire an agent to prepare) Reportable Event Disclosure and file the same with EMMA (or confirm that such filing is completed by an agent hired by the District for such purpose) in a timely manner (not in excess of 10 business days after the occurrence of the Reportable Event). Incurrence of a Financial Obligation, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation, any of which affect security holders, if material, is a Reportable Event. Upon the incurrence of any Financial Obligation, as such term is defined in the Undertaking, the Disclosure Officer shall review such Financial Obligation and assess whether such Financial Obligation is material. If, in connection with such Financial Obligation, the District has agreed to any covenant, event of default, remedy, priority right or other similar term which affects security holders, the Disclosure Officer shall further review such term and assess whether the same is material. The Disclosure Officer shall prepare a summary of such review. If, in the Disclosure Officer's reasonable judgment, following consultation with financial or legal professionals as necessary, such Financial Obligation and/or term of such Financial Obligation is deemed material, the Disclosure Officer shall file a summary of such Financial Obligation (or the entire financing document, provided that confidential or sensitive information may be redacted to the extent such redaction does not prevent all material terms from being disclosed) with EMMA not in excess of ten business days after the incurrence of such Financial Obligation. (This paragraph (d) shall only apply if the District has entered into an Undertaking on or after February 27, 2019.)
 - *Disclosure Procedures: EMMA Notices.* Whenever the District determines to file an EMMA Notice, or whenever the District decides to make a voluntary filing to EMMA, the Disclosure Officer will oversee the process of preparing the EMMA Notice pursuant to these procedures:
 1. The Disclosure Officer shall prepare (or hire an agent to prepare) the EMMA Notice. The EMMA Notice shall be prepared in the form required by the MSRB.
 2. In the case of a disclosure required by an Undertaking, the Disclosure Officer shall determine whether any changes to the EMMA Notice are necessary to make the document compliant with the Undertaking.
 3. If, in the Disclosure Officer's reasonable judgment, the EMMA Notice is correct and complete and, in the case of a disclosure required by an Undertaking, complies with the Undertaking, the Disclosure Officer shall file the EMMA Notice with EMMA (or confirm that such filing is completed by any agent hired by the District for such purpose) within the timeframe allowed for such filing.
 - *Additional Responsibilities of the Disclosure Officer.* The Disclosure Officer, in addition to the specific responsibilities outlined above, shall have general oversight of the entire disclosure process, which shall include:
 1. Maintaining appropriate records of compliance with these Disclosure Procedures (including proofs of EMMA filings) and decisions made with respect to issues that have been raised;
 2. Evaluating the effectiveness of the procedures contained in these Disclosure Procedures; and

3. Informing the Board when substantive revisions or modifications are made to these Disclosure Procedures.
- General Principles.
 1. All participants in the disclosure process should be encouraged to raise potential disclosure items at all times in the process.
 2. The process of revising and updating the Disclosures should not be viewed as a mechanical insertion of current numbers. While it is not anticipated that there will be major changes in the form and content of the Disclosures at the time of each update, the Disclosure Officer should consider whether such changes are necessary or desirable to make sure the Disclosure does not make any untrue statement of a material fact or omit to state a material fact necessary or desirable, in order to make the statements made, in light of the circumstances in which they were made, not misleading at the time of each update.
 3. Whenever the District releases information, whether in written or spoken form, that may reasonably be expected to reach investors, it is said to be “speaking to the market.” When speaking to the market, District officials must be sure that the released information does not make any untrue statement of a material fact or omit to state a material fact necessary or desirable, in order to make the statements made, in light of the circumstances in which they were made, not misleading.
 4. While care should be taken not to shortcut or eliminate any steps outlined in these Disclosure Procedures on an ad hoc basis, the review and maintenance of the Disclosures is a fluid process and recommendations for improvement of these Disclosure Procedures should be solicited and regularly considered.
 5. The Disclosure Officer is authorized to request and pay for attendance at relevant conferences or presentations or annual training sessions conducted by outside counsel, consultants or experts in order to ensure a sufficient level of knowledge for the effective administration of these Disclosure Procedures.

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

Operational Services

Administrative Procedure - Resource Conservation¹

Definitions

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

High grade printing and writing papers — Includes offset-printing paper, duplicator paper, writing paper (stationery), tablet paper, office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock, and cotton fiber papers.

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

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

- Paper, paperboard, and fibrous waste from retail stores, office buildings, homes and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed-waste paper, tabulating cards, and used cordage; and
- All paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.

Recovered paper material — Paper waste generated after the completion of the papermaking process, such as postconsumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. “Recovered paper material,” however, does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous by-products of harvesting, extraction or woodcutting processes, or forest residues such as bark. Recovered paper material includes:

- Postconsumer material;
- Dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming and other converting operations, or from bag, box, and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and
- Finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.

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

The footnotes should be removed before the material is used.

¹ With the exception of activities listed under the **Solid Waste Reduction** subhead, these procedures restate State law. 105 ILCS 5/10-20.19c.

Tissue products — Includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags, and brown papers. These products shall also be unscented and shall not be colored.

Unbleached packaging — Includes corrugated and fiber storage boxes.

Procurement Procedures and Specifications for Products and Supplies

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

Recycled Paper and Paper Products Purchases

I. Whenever economically and practically feasible, at least 75% of the total dollar value of paper and paper products purchased by the District will be recycled paper and paper products. ~~shall be purchased according to the following minimum percentages of the District's total dollar value of paper and paper products:~~

~~Beginning July 1, 2014 50%~~

~~Beginning July 1, 2020 75%~~

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

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

- Recycled high grade printing and writing paper shall contain at least 50% recovered paper material and shall consist of at least 50% de-inked stock or postconsumer material.
- Recycled tissue products shall contain at least 45% postconsumer material.
- Recycled newsprint shall contain at least 80% postconsumer material.
- Recycled unbleached packaging shall contain at least 55% postconsumer material.
- Recycled paperboard shall contain at least 95% postconsumer material.

These regulations do not apply to art materials, nor to any newspapers, magazines, textbooks, library books or other copyrighted publications that are purchased or used by the District or any school or attendance center within the District, or that are sold in any school supply store operated by or within any such school or attendance center.

Solid Waste Reduction²

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

1. Periodically review methods and procedures to reduce solid waste generated by academic, administrative, and other institutional functions. These procedures must be designed to, when

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² This section contains several of the many ways a district may comply with 105 ILCS 5/10-20.19c. ~~State law contains the goal stated in the first sentence but does not mandate its achievement.~~ State law requires the periodic review of procedures to reduce solid waste. The activities #1-6 listed in the last paragraph are only ideas and should be customized.

economically and practically feasible, recycle the District's waste stream, including without limitation landscape waste, computer paper, and white office paper.

~~1.2.~~ Establish a goal for reduction in the amount of solid waste generated by the District, when it is economically and practically feasible to do so.

~~2.3.~~ Identify indicators to monitor the District's progress toward achieving ~~the any established~~ solid waste reduction goal. As necessary, the procedures and methods shall be adjusted and refined.

~~3.4.~~ Make periodic progress reports to the Superintendent or designee.

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

1. Staff members actively pursue waste reduction and prevention activities. Examples include:
 - a. Printing and copying individual documents on both sides of the page.
 - b. Setting computer software for default two-sided printing including word processing, spreadsheets, electronic mail, and others.
 - c. Printing or copying only the pages needed.
 - d. Routing memos and newsletters.
 - e. Providing trays to collect and reuse one-sided paper.
 - f. Reducing unwanted mail and eliminate excess mailings.
2. Staff members and students seek to reuse or recycle materials to divert them from the waste stream whenever possible.
3. A training plan instructs staff members and students in waste reduction and recycling practices.
4. The District's solid waste reduction program is publicized and its benefits are emphasized, including cost savings by lowering supply acquisition and disposal costs.
5. An incentive program to reduce solid waste exists, e.g., through school recognition programs.
6. Staff and students are encouraged to be innovative and suggest improvements to procedures and practices.

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

Operational Services

Administrative Procedure - Inventory Management for Federal and State Awards

This procedure applies to property acquired by the District under federal grant awards or State grant awards governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/). ¹

Definitions

Property - real or personal property. 2 C.F.R. §200.81.

Equipment - Tangible personal property (including information technology systems) having a useful life of more than one year and per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000. 2 C.F.R. §200.133

Supplies - All tangible personal property other than equipment. 2 C.F.R. §200.194

Acquisition Cost - The cost of the asset including the cost to ready the asset for its intended use. Acquisition cost for equipment, for example, means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Acquisition costs for software includes those development costs capitalized in accordance with generally accepted accounting principles (GAAP). Ancillary charges, such as taxes, duty, protective in transit insurance, freight, and installation may be included in or excluded from the acquisition cost in accordance with the District’s regular accounting practices. 2 C.F.R. §200.12

Roles and Responsibilities

Actor	Responsibility
Business Manager and/or Designee	Recordkeeping – 2 C.F.R. §200.313(d)(1) and (2) <ol style="list-style-type: none"> 1. Ensures all equipment purchased with grant funds is identified and marked as such. 2. Maintains an inventory list that includes the following: <ol style="list-style-type: none"> a. a description of the property b. a serial number or other identification number c. the source of funding for the property (including the Federal Award Identification Number (FAIN), if applicable) d. who holds title e. the acquisition date f. cost of the property

The footnotes should be removed before the material is used.

¹ The Grant Accountability and Transparency Act (GATA) adopts the federal uniform guidance applicable to federal grant awards for all State grant awards, unless the Office of the Governor grants an exception. 30 ILCS 708/55; 44 Ill.Admin.Code §7000.60. For information about the scope of GATA as it pertains to grants administered by the Ill. State Board of Education, see www.isbe.net/gata.

Actor	Responsibility
	<p>g. percentage of federal or State participation in the cost of the property</p> <p>h. the location, use and condition of the property</p> <p>i. any ultimate disposition data including the date of disposal and sale price of the property.</p> <p>3. Takes a physical inventory of the property and reconciles the results with the records at least once every two years.</p> <p>Maintenance and Safeguarding – 2 C.F.R. §200.313(d)(4)</p> <ol style="list-style-type: none"> 1. Budgets for and schedules regular maintenance of the equipment when it is recommended by the manufacturer and arranges for repair of equipment when economically feasible. 2. Oversees implementation of the internal controls for the safeguarding of equipment and supplies required by administrative procedure 4:80-AP1, Internal Control Checklist for Internal Controls. 3. Reports (or receives reports, if so designated) any fraud, waste, or abuse of property in accordance with administrative procedure 4:80-AP2, <i>Fraud, Waste, and Abuse Awareness Program</i>. 4. Investigates reports of property loss, damage, or theft. If appropriate, and in consultation with the Superintendent, makes a report to law enforcement for further investigation. <p>Title and Use – 2 C.F.R. §200.313(a) and (c)</p> <ol style="list-style-type: none"> 1. Ensures the equipment is used for the authorized purposes of the grant during the period of the grant, or until the property is no longer needed for the purposes of the project. 2. During the time that equipment is used on the project or program for which it was acquired, designates equipment available for use on other projects or programs currently or previously supported by the federal or State government, provided such use will not interfere with the work for which it was originally acquired, in the following order of priority: <ol style="list-style-type: none"> a. First preference is given to other programs or projects supported by the awarding agency that financed the equipment. b. Second preference is given to programs or projects under awards from other awarding agencies (in the case of federal awards, to activities under federal awards from other federal awarding agencies; this includes consolidated equipment for information technology systems). 3. If the equipment is to be used for non-federally or non-State-funded programs or projects, considers charging user fees. Any fees charged for equipment services acquired under an award must be equal to or greater than what private companies charge

Actor	Responsibility
	<p>for equivalent services, unless specifically authorized by statute, for as long as the government retains an interest in the equipment.</p> <p>4. Ensures that title to the property is not encumbered without the approval of the awarding agency.</p> <p>Disposition – 2 C.F.R. §200.313(e)</p> <ol style="list-style-type: none"> 1. Unless the awarding agency requires an equipment transfer, when equipment acquired under an award is no longer needed for the original project or program or for any other activities supported by a federal or State awarding agency, requests disposition instructions from the awarding agency, if required by the terms and conditions of the award. 2. If an item of equipment has a current per unit fair market value of \$5,000 or less, arranges for the retention, sale, or disposal of the equipment with no further obligation to the awarding agency. Notes the disposition of such items in the District’s property records. 3. Except for awards exempted under 2 C.F.R. §200.312(b), or if the awarding agency fails to provide requested disposition instructions within 120 days, arranges for the retention or sale of items of equipment with a current per-unit fair-market value in excess of \$5,000. The awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency’s percentage of participation in the cost of the original purchase. If the equipment is sold, the awarding agency may permit the District to deduct and retain from the agency share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses. 4. If applicable, arranges for the transfer of title to the property to the federal or State government or to an eligible third party, provided that in such cases, the District is entitled to compensation for its attributable percentage of the current fair market value of the property. 5. If the District is authorized or required to sell the property, ensures compliance with Board policy 4:80, <i>Accounting and Audits</i>, regarding the disposition of property, and follows proper sales procedures to ensure the highest possible return. 6. For items of equipment with an acquisition cost of \$5,000 or more: <ol style="list-style-type: none"> a. Obtains two signed bids from potential purchasers or two appraisals from authorized appraisers to determine the per unit current fair market value. b. If the per unit current fair market value is \$5,000 or more, follows the procedures outlined in the Ill. State Board of Education’s <i>State and Federal Grant Administration Policy</i>,

Actor	Responsibility
	<p><i>Fiscal Requirements, and Procedures</i> to obtain ISBE's approval, available at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf.</p> <p>7. When appropriate, arranges for the trade-in of equipment to be replaced or sale of the property when acquiring replacement equipment. Proceeds from the trade-in or sale may be used to offset the cost of the replacement equipment.</p> <p>Note: If the District fails to take appropriate disposition actions, the awarding agency may direct the District to take disposition actions.</p>
<p>Staff Members Who Receive Equipment/Supplies as Part of Their Job Duties</p>	<p>Use the equipment/supplies for the purposes authorized by the grant during the grant period, or until the property is no longer needed for the purposes of the project.</p> <p>Properly use the equipment in accordance with the manufacturer's instructions.</p> <p>Produce the equipment/supplies when requested by the Business Manager or designee, whether for inventory, scheduled maintenance, repair, or other purposes.</p> <p>Take reasonable steps to prevent damage to equipment and supplies in accordance with administrative procedure 4:80-AP1, <i>Internal Control Checklist for Internal Controls</i>.</p> <p>Report any fraud, waste, or abuse of property in accordance with administrative procedure 4:80-AP2, <i>Fraud, Waste, and Abuse Awareness Program</i>.</p> <p>Immediately report lost or stolen equipment/supplies to the Business Manager or designee.</p> <p>Return the equipment/supplies when requested by the Business Manager or designee or if it is no longer needed.</p>

Operational Services

Administrative Procedure - Fines, Fees, and Charges - Waiver of Student Fees ¹

Actor	Action
Superintendent or designee	<p>Prepares and recommends to the School Board a list of school fees and fines to be charged to students for the use, damage, or loss of textbooks, consumable materials, field trips, extracurricular activities, graduation fees, and similar items. See 105 ILCS 5/1-3, amended by P.A. 102-805, eff. 1-1-23, and 23 Ill.Admin.Code §1.245(a) for a definitions of <i>school fees</i> and <i>fines</i>.</p> <p>Initial notice: For all students enrolling in the District for the first time, notifies their parents/guardians that the District will waive school fees and fines for persons unable to afford them in accordance with Board policy 4:140, <i>Waiver of Student Fees</i>.</p> <p>The initial notice must at least describe: (1) the Board’s policy, including the criteria and other circumstances under which the District will waive school fees <u>or fines</u>; (2) the school fees <u>or fines</u> subject to a waiver; (3) the procedure to apply for a fee <u>or fine</u> waiver, including the availability of a fee <u>or fine</u> waiver request form and the documents required by the District in verifying income; and (4) the dispute resolution procedure. 23 Ill.Admin.Code §1.245(c)(2)(A).</p> <p>Notice with every bill: Includes a notice with every bill for fees and/or fines sent to parents/guardians that the District will waive school fees and fines for persons unable to afford them in accordance with Board policy 4:140, <i>Waiver of Student Fees</i>.</p> <p>The notice must include a description of the waiver application process or the name, address, and telephone number of the person to contact for information concerning a waiver. 23 Ill.Admin.Code §1.245(c)(2)(B).</p> <p>Determines whether the required inclusions in these notices will be satisfied by providing parents/guardians with a written copy of Board policy 4:140, <i>Waiver of Student Fees</i>, and 4:140-E1, <i>Application for Fee Waiver</i>.</p>

The footnotes should be removed before the material is used.

¹ School districts have two income verification options for school fee and fine waiver applications. 105 ILCS 5/10-20.13, amended by P.A.s 102-1032, ~~and~~ 102-805, ~~and~~ 103-154 ~~eff. 1-1-23~~. See f/n 7 in sample policy 4:140, ~~Fee Waivers~~ *Waiver of Student Fees*. This procedure uses option #1. If the district implements option #2 for verifying income to determine eligibility for fee and fine waivers, replace every instance of “4:140-E1, *Application for Fee Waiver*” with “4:140-E2, *Application for Fee Waiver Based on Federal Free Meals Program*.”

~~Though 105 ILCS 5/10-20.13 has been amended by P.A.s 102-1032 and 102-805, eff. 1-1-23, the Illinois State Board of Education (ISBE) has yet to update its implementing rules at 23 Ill.Admin.Code §1.245 in response.~~

<p>Parents/Guardians seeking a school fee and fine waiver</p>	<p>For waiver sought based on income guidelines for the federal free meals program or because parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line:</p> <p>Complete 4:140-E1, <i>Application for Fee Waiver</i>, and return it to the Building Principal along with documents that will verify the family’s income, such as, payroll stubs, tax returns, or evidence of receipt of food stamps or Temporary Assistance for Needy Families. 23 Ill.Admin.Code §1.245(d). ²</p> <p>May apply for a waiver of school fees and fines by completing 4:140-E1, <i>Application for Fee Waiver</i>, at any time.</p> <p>For waiver sought based on homeless status:</p> <p>Contact the District Liaison for Homeless Children, [<i>insert name</i>], at [<i>insert contact information</i>].</p>
<p>Building Principal or designee</p>	<p>Determines the student’s eligibility for fee <u>or fine</u> waiver in accordance with Board policy 4:140, <i>Waiver of Student Fees</i>.</p> <p>Notifies parents/guardians within 30 calendar days if their <i>Application for Fee Waiver</i> is denied. 23 Ill.Admin.Code §1.245(c)(3).</p> <p>A rejection notice must include: (1) the reason for the denial; (2) a notification of their right to appeal as well as the appeal process and timelines (4:140-E3, <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i>); and (3) a statement that they may reapply at any time if circumstances change. 23 Ill.Admin.Code §1.245(c)(3)(A).</p> <p>Ensures that any completed 4:140-E1, <i>Application for Fee Waiver</i>, and 4:140-E3, <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i>, are confidentially treated and maintained. 23 Ill.Admin.Code §1.245(f).</p>
<p>Parents/Guardians seeking a school fee and fine waiver</p>	<p>May appeal the denial of a waiver request.</p> <p>If requested, meets with the person who will decide the appeal in order to explain why the waiver should be granted. 23 Ill.Admin.Code §1.245(c)(3)(B).</p>
<p>Superintendent or designee</p>	<p>If the parents/guardians request to meet with the person who will decide the appeal to explain why the waiver should be granted, contacts the parents/guardians and schedules the meeting. 23 Ill.Admin.Code §1.245(c)(3)(B).</p>

The footnotes should be removed before the material is used.

² If the district implements option #2 for verifying income to determine eligibility for fee and fine waivers from f/n 7 of [sample](#) policy 4:140, *Waiver of Student Fees*, replace this sentence with the following sentence:

Complete [exhibit](#) 4:140-E2, *Application for Fee Waiver Based on Federal Free Meals*, and return it to the Building Principal.

	<p>Ensures that the person who decides the appeal is not the person who initially denied the waiver or a subordinate of this person. 23 Ill.Admin.Code §1.245(c)(3)(B).</p> <p>Responds in writing to parents/guardians' appeal within 30 calendar days of receipt of the appeal. 23 Ill.Admin.Code §1.245(c)(3)(B).</p> <p>Ensures that no discrimination or punishment of any kind, including the lowering of grades, exclusion from classes, or withholding of student records, transcripts, or diplomas, is exercised against a student whose parents/guardians are unable to purchase required textbooks or instructional materials or to pay required fees and fines. 105 ILCS 5/28-19.2(a), amended by P.A. 102-805, eff. 1-1-23; 23 Ill.Admin.Code §1.245(g). ³</p>
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The footnotes should be removed before the material is used.

³ If the district seeks to hold parents/guardians accountable for unpaid fines, fees, or charges, consult the board attorney to ensure that any consequences imposed on parents/guardians do not discriminate against or punish students.

General Personnel

Administrative Procedure - Fingerprint-Based Criminal History Record Information Security

The District is required by State law to conduct fingerprint-based criminal history record checks on applicants for employment. See administrative procedure 5:30-AP2, *Investigations*, for the procedures to be followed in carrying out such checks. This procedure outlines the District's responsibility to safeguard applicants' criminal justice information (CJI), including Criminal History Records Information (CHRI), received from the Federal Bureau of Investigation (FBI), whether the information is received directly from the FBI or through the Ill. State Police (ISP) or a live scan vendor pursuant to an existing Outsourcing Management Control Agreement. This procedure is based on the *FBI Criminal Justice Information Services (CJIS) Security Policy* (CJIS Security Policy) available at: <https://le.fbi.gov/cjis-division/cjis-security-policy-resource-center> (see Appendix J, Noncriminal Justice Agency Supplemental Guidance) and ISP's generic template titled *Criminal History Record Information Proper Access, Use, and Dissemination Procedures*.¹ The FBI's CJIS Security Policy provides a minimum set of security requirements for access to FBI CJIS Division systems and information and to protect and safeguard CJI.

Glossary of Terms

These definitions are based on those provided in the FBI CJIS Security Policy.

Criminal Justice Information (CJI) — All data provided through the FBI CJIS, including, but not limited to, biometric, identity history, person, organization, property (when accompanied by any personally identifiable information), and case/incident history data.

Criminal History Records Information (CHRI) — A subset of CJI that includes identifiable descriptions of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release. For purposes of this procedure, CHRI is interchangeable with CJI.

Authorized Personnel — District employee(s) who have been appropriately vetted through a national fingerprint-based record check and have been granted access to CJI. For purposes of this procedure, Authorized Personnel includes the Superintendent, Human Resources Administrator, Head of Information Technology, and their respective designees.

Electronic Media — Any form of electronic storage media such as a memory device in a laptop or computer (hard drive) or mobile device; and any removable, transportable electronic media, such as magnetic tape or disk, optical disk, flash drive, external hard drive, or digital memory card.

Physical Media — Media in printed form, including, but is not limited to, printed documents, printed imagery, and printed facsimile.

The footnotes should be removed before the material is used.

¹ The Ill. State Police (ISP) generic template can be requested through ISP.BOI.Customer.Support@illinois.gov. Requests for technical assistance from the ISP can also be made through the same email address.

Remote Access — Any temporary access to the District's information system by a user (or an information system) communicating temporarily through an external, non-District controlled network (e.g., the Internet).

Actor	Action
<p>Superintendent or Human Resources Administrator</p>	<p>If the District utilizes a live scan vendor, ensures the District has entered in an outsourcing agreement with the vendor that incorporates appropriate FBI security and management control outsourcing standards to protect CHRI. See https://www.fbi.gov/file-repository/compact-council-security-and-management-control-outsourcing-standard-for-non-channelers.pdf/view or www.fbi.gov/file-repository/compact-council-security-and-management-control-outsourcing-standard-for-channelers.pdf/view, depending on the status of the vendor (channelers are contractors selected by the FBI that have a direct connection to the FBI's identification system, see www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/compact-council/list-of-approved-channelers). For a list of live scan vendors in Illinois, see https://idfprapps.illinois.gov/licenselookup/fingerprintlist.asp.</p> <p><u>Point of Contact</u></p> <p>Designates employee(s) to serve as the District's Point of Contact (POC), who serves as the primary point of contact with the ISP regarding the District's handling of CJI.</p> <p>Ensures the District has applicable agreement(s) in place necessary to access CJI, e.g., an interagency user agreement with the ISP.</p> <p><u>Physical Security</u></p> <p>Designates a secure location within the District with physical and personnel security controls sufficient to protect CHRI and associated information system(s), including the following:</p> <ol style="list-style-type: none"> 1. The location shall be prominently posted and physically separate from non-secure locations. 2. Only Authorized Personnel will have access to the physically secure location. 3. The District is able to control all access points and verify individual access authorizations before granting access. 4. The device(s) that displays CHRI is positioned in such a way as to prevent unauthorized individuals from accessing and/or viewing it. 5. CHRI on physical media is always stored in a locked cabinet/drawer/container at the District Office which is only accessible to Authorized Personnel. Physical media is not removed from the secure location area except for purposes of sanitization/disposal.

Actor	Action
	<p><u>Media Protection and Transport</u></p> <p>Ensures controls are in place to protect electronic and physical media containing CHRI while at rest, stored, or actively being accessed, as well as during transport outside of secure areas to prevent inadvertent or inappropriate disclosure and use. Only Authorized Personnel may transport electronic media or physical media containing CHRI.</p> <p>If physical and personnel restrictions are not feasible, directs the Head of Information Technology to ensure CHRI is encrypted per the CJIS Security Policy (pg. 160, see SC-13).</p> <p><u>Sanitization and Disposal of CHRI</u></p> <p>Properly sanitizes or disposes of (or designates Authorized Personnel to sanitize or dispose of) physical or electronic media containing CHRI in accordance with the District's record retention schedule. Physical media will be destroyed by one of the following methods:</p> <ol style="list-style-type: none"> 1. Shredding using District-issue shredders. 2. Placement in locked shredding bins for a private District contractor to come on-site and shred, witnessed by Authorized Personnel. 3. Incineration using District incinerators or witnessed by Authorized Personnel onsite at a District or contractor incineration site, if conducted by non-authorized personnel. <p>Electronic media will be disposed of by one of the following methods:</p> <ol style="list-style-type: none"> 1. Overwriting at least three times (using a program to write onto the location of the media where the file to be sanitized is located) 2. Degaussing (magnetic erasure of data from magnetic media) 3. Physical destruction. (crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled). <p><u>Misuse of CHRI</u></p> <p>In the event of misuse of CHRI by a District employee, issues discipline to the employee (such as loss of access privileges) or recommends discipline to the Board up to and including termination and/or refers the matter to law enforcement. See Board policies 5:200, <i>Terms and Conditions of Employment and Dismissal</i>, 5:240, <i>Suspensions</i>, and 5:290, <i>Employment Termination and Suspensions</i>.</p>
Head of Information Technology	<p>Assists the Superintendent and Human Resources Administrator as requested to implement appropriate controls for access to CHRI within the District.</p> <p><u>Account Management</u></p> <p>Manages information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts.</p>

Actor	Action
	<p>Validates information system accounts at least annually and documents the validation process.</p> <p>Monitors electronic system log access to CHRI on a weekly basis for indications of inappropriate or usual activity.</p> <p><u>Remote Access and Personally Owned Devices</u> Authorizes, monitors, and controls all methods of remote access to the information systems that can access, process, transmit, and/or store CJI.</p> <p>Employs automated mechanisms to facilitate the monitoring and control of remote access methods and control all remote accesses through managed access control points.</p> <p>Permits remote access for privileged functions only for compelling operational needs and documents the rationale for such access in the security plan for the information system.</p> <p>If the District permits Authorized Personnel to use personal devices to access, process, store, or transmit CHRI, establishes and documents the specific terms and conditions for personal device use consistent with the requirements in Section 5.13 of the CJIS Security Policy (pg. 173-179).</p> <p><u>Sanitization and Disposal of CHRI</u> Ensures that Information Technology systems that have been used to process, store, or transmit CHRI may not be released from the District's control until the equipment and has been sanitized and all stored information has been cleared using one of the methods authorized in this procedure.</p> <p><u>Security Incidents</u> Assists the POC with the reporting of any security incidents to ISP. When feasible, employs automated mechanisms to assist in the reporting of security incidents.</p>
District Point of Contact (POC)	<p>Communicates as needed with the ISP regarding audits, District personnel changes, training, and security.</p> <p>Disseminates information security alerts and other communications from ISP to all Authorized Personnel.</p> <p>If applicable, identifies who is using live scan hardware, software, and firmware and ensures no unauthorized individuals or processes have access to the same. Identifies and documents how the equipment is connected to the ISP system.</p>

Actor	Action
	<p>Ensures appropriate security measures to protect CHRI are in place and working as expected.</p> <p>Maintains a list of Authorized Personnel that is updated annually and when new users are registered or off boarded.</p> <p>Annually reviews all information system accounts to ensure that access and account privileges align with job functions, need-to-know, and employment status on systems that contain CHRI.</p> <p>Maintains a log for access to any physical files containing CHRI and monitors the log on a weekly basis for indications of inappropriate or unusual activity.</p> <p>Maintains Security Awareness Training Certificates for all Authorized Personnel.</p> <p>Informs all Authorized Personnel of the procedures for reporting security events and weaknesses that might have an impact on the security of CHRI. Ensures the ISP's Information Security Officer is promptly informed of any security incidents by contacting ISP.LEADSISO@illinois.gov.</p> <p>Upon an Authorized Person's separation from District employment, terminates that individual's access to systems or physical areas where CHRI is accessible.</p>
Authorized Personnel	<p>Completes Basic Security Awareness Training within six months of initial assignment and every two years thereafter as required under Section 5.2 of the CJIS Security Policy, as well as any other role-based training that may be required under the CJIS Security Policy (pgs. 11-16). Security Awareness Training is available at: https://www.cjisonline.com/. Submits Security Awareness Training Certificates to the POC.</p> <p>Complies with the District's established controls for access and handling of CHRI.</p> <p>Positions documents or other physical media containing CHRI and any devices through which CHRI is viewed in such a manner to prevent authorized persons from accessing or viewing the CHRI.</p> <p>Only communicates CHRI in secure, private areas. Takes extreme care to prevent overhearing or interception of communication.</p> <p>Unless authorized by the District under specific terms and conditions, never uses a personal device (computer, smartphone, tablet, flash drive, etc.) to access, view, process, store or transmit CHRI.</p> <p>Never uses a publicly accessible computer to access, process, store, or transmit CHRI.</p>

Actor	Action
	Promptly reports to the POC any security incidents or weaknesses associated with the District's information systems of which he or she becomes aware.

Draft

General Personnel

Administrative Procedure - Employee Records Required by the Fair Labor Standards Act

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act (FLSA) to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

This table contains the FLSA recordkeeping requirements as described in

www.dol.gov/whd/regs/compliance/whdfs21.htm.

Actor	Action
Business office working with supervisors of non-exempt employees	<p>Keep each of the following records concerning non-exempt employees for at least three years (29 C.F.R. §516.2):</p> <ol style="list-style-type: none"> 1. Employee's full name and social security number 2. Address, including zip code 3. Birth date, if younger than 19 4. Sex and occupation 5. Time and day of week when employee's workweek begins 6. Hours worked each day 7. Total hours worked each workweek 8. Basis on which employee's wages are paid (e.g., \$9 per hour or \$440 a week) 9. Regular hourly pay rate 10. Total daily or weekly straight-time earnings 11. Total overtime earnings for the workweek 12. All additions to or deductions from the employee's wages 13. Total wages paid each pay period 14. Date of payment and the pay period covered by the payment
Business office working with supervisors of exempt employees	<p>Concerning exempt employees, keep for at least three years, the records listed in numbers 1-5 and 13-14 above and a record showing the basis on which the exempt employee's wages are paid (e.g., salary basis of \$x per pay period). 29 C.F.R. §516.3.</p>
Business office	<ol style="list-style-type: none"> 1. Payroll records must be kept for at least three years. 29 C.F.R. §516.5(a). 2. Records on which wage computations are based must be kept for at least two years, i.e., time cards and piece work tickets, wage rate tables, work and time schedules, and records of additions to or deductions from wages. 29 C.F.R. §516.6. 3. Collective bargaining agreements and individual employment contracts must be kept for at least three years (when an agreement is not in writing, prepare and retain a written memorandum summarizing it). 29 C.F.R. §516.5(b).

Actor	Action
	4. Certificates and notices must be kept for at least three years. 29 C.F.R. §516.5(b).
Building Principal	<p>Display an official poster outlining the provisions of FLSA, available at no cost from local offices of the Wage and Hour Division and toll-free, by calling 1-866-487-9243. This poster is also available electronically for downloading and printing at:</p> <p>www.dol.gov/whd/regs/compliance/whd_fs.pdf</p> <p>Keep records regarding the posting of notices for at least 3 years. 29 C.F.R. §516.5(b).</p>

Draft

General Personnel

Administrative Procedure - Compensable Work Time for Non-Exempt Employees Under the FLSA

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act (FLSA) to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

Resources

Overview — <https://www.dol.gov/agencies/whd/flsa>.

For help determining whether time spent on work-related activities is compensable as “hours worked,” see the U.S. Dept. of Labor’s [FLSA Hours Worked Advisor](#).

Volunteers — https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/FOH_Ch10.pdf.

Compensable Time Defined for Non-Exempt Employees

The amount of pay due an employee cannot be determined without knowing the total number of hours actually worked by that employee in each workweek. An employee must be paid for all of the time considered to be hours worked, and all time that is *hours worked* must be counted when determining overtime.

Non-Exempt Employee - The term *non-exempt employee* refers to employees who are not exempt from the overtime provisions in the wage and hour laws. See administrative procedure 5:35-API, *Fair Labor Standards Act Exemptions*.

Hours Worked - Non-exempt employees must be compensated for all hours worked in a workweek. In general, hours worked include:

- All the time an employee must be on duty;
- All the time an employee must be on the employer’s premises;
- All the time an employee must be at any other prescribed place of work; and
- Any additional time the employee is allowed, i.e., “suffered or permitted” to work (commonly referred to as “working off the clock”).

Suffered or Permitted to Work - If an employer knows or has reason to know that a non-exempt employee starts work early or continues to work late, it is considered work time. 29 C.F.R. §785.11.

This includes knowing or having reason to know that an employee works at home, e.g., as when a Building Principal’s secretary calls for substitutes early in the morning. 29 C.F.R. §785.12.

If an employee works additional straight time, at the regular rate of pay, or overtime hours without authorization, that employee must still be compensated but may be disciplined for violating School Board policy.

Volunteering to Perform Regular Work - Non-exempt employees may not volunteer to perform their regular work duties off-the-clock and without compensation. 29 U.S.C. §203(e)(4)(A). An employee

must be paid even if he or she offers to do the work on his or her *own time*. Employees may not waive wage and hour law requirements.

Volunteering to Perform Services that Are Not the Same as Regular Work - Non-exempt employees may volunteer to perform services under these conditions:

1. The volunteer services are not the same as or similar to the employee's regular work duties,
2. The employee offers the services freely and without coercion, direct or implied, and
3. The employee provides the services without promise of compensation although a volunteer may be paid "expenses, reasonable benefits, or a nominal fee to perform such services." 29 U.S.C. §203(e)(4)(A), 29 C.F.R. §553.101 and 103.

A fee is not nominal if it is a substitute for compensation or tied to productivity. 29 C.F.R. §553.106(e). While the specific circumstances in each case must be analyzed, the District will generally limit nominal pay to employees for volunteer services to no more than 20% of what the District would otherwise pay to hire an employee for the same services. See *Wage and Hour Division (WHD) Opinion Letters* FLSA 2005-51 (11-10-05); FLSA 2006-28 (8-7-06); and FLSA 2006-28 (10-7-06). See also *WHD Opinion Letters* FLSA 2004-6 (7-14-04); and [FLSA 2004-8 \(9-7-04\)](#) for [an](#) examples of [a](#) non-exempt school employees serving as [a](#) volunteer athletic coaches. U.S. Dept. of Labor WHD opinion letters are available at: <http://www.dol.gov/agencies/whd/opinion-letters/request/existing-guidance>.

Examples of Hours Worked for Non-Exempt Employees

Meal periods, unless the employee is completely relieved of all duties and free to leave the duty post for at least 30 minutes. Teacher aides who must supervise students during their lunch are not considered relieved of duties. Employees who eat at their desk and answer phones or otherwise perform work are not considered relieved of duties.

Attendance at in-services, meetings, or lectures, unless: (1) attendance is outside the employee's regular working hours, (2) attendance is voluntary, (3) the activity is not related to the employee's job, and (4) the employee performs no productive work for the District.

Coffee breaks or rest periods of 20 minutes or less.

Work done at home if the supervisor knows or should have known that such work was done.

Work done before or after regular hours or on weekends.

On-call time if the employee is required to remain on the employer's premises or so close that he/she is unable to use the time effectively for his/her own purposes while on-call.

Transporting material to a worksite before the start of the workday.

Time spent preparing for work, e.g., bus drivers doing safety checks before the route or securing the bus after the route.

Clean-up work at the end of a shift.

Travel time during the workday from one job site to another, e.g., non-exempt school nurses traveling from one school to another.

Travel time during the regular working hours, even if it is the weekend.

Attending a Board meeting at night either to take minutes or perform some other required or assigned duty.

General Personnel

Administrative Procedure - Fair Labor Standards Act 12-Step Compliance Checklist

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act (FLSA) to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

The U.S. Dept. of Labor, Wage and Hour Division, administers the FLSA. It posts an encyclopedic amount of information on the FLSA on its website at: www.dol.gov/whd/regs/compliance/hrg.htm#8.

Checklist for compliance with the FLSA:

1. Classify employees as exempt or non-exempt.
Identify which employees are covered by the overtime requirements of the FLSA, i.e., *non-exempt*, and which employees are exempt from the overtime requirements. See [Administrative pProcedure 5:35-AP1, Fair Labor Standards Act Exemptions](#), for a list of school employees traditionally exempt and non-exempt. Include a record in each employee's file stating whether he or she is exempt or non-exempt.
An exemption from the FLSA overtime pay/compensatory time requirements is the exception, rather than the rule. Any uncertainty should be resolved in favor of finding the employee to be non-exempt and the overtime compensable, as the burden is on the school system to prove that exemptions are applicable.
2. Make sure all employees have access to and understand the School Board policy and administrative procedures on the workweek, overtime, and compensatory time. See Board policy 5:35, *Compliance with the Fair Labor Standards Act*, and [Administrative pProcedure 5:35-AP3, Compensable Work Time for Non-Exempt Employees Under the FLSA](#).
In addition, make sure that all employees:
 - a. Are provided a copy of the Board policy or access to the Board policy published on-line;
 - b. Acknowledge that they have received and understand the policy; and
 - c. Agree to follow the policy and procedures or be subject to discipline.
3. Notify non-exempt employees of their expected work hours in a workweek.
Be clear that the salary of non-exempt employees is paid for a 40-hour workweek. Supervisors may regularly schedule employees to work 37.5 hours per week and leave the remainder as possible flexible time. However, to avoid the possibility of *straight-time* claims for hours worked between 37.5 and 40, supervisors need to clearly communicate that the District pays employees a salary for up to 40 hours of work and that the District retains the right to request that the employee perform additional duties up to 40 hours without additional pay.
4. Keep precise records of the hours worked by every non-exempt employee by using a good timesheet, time clock, computerized check-in system, or other method. Make sure individual employees keep and sign their weekly record of hours worked. Print an acknowledgment similar to the following on every time sheet: "I acknowledge that I have reviewed this time sheet and that it accurately records all of the time that I worked for the District on the dates indicated and that I did not work for the District at any other times during the workweek that are not recorded on this timesheet."

5. Annually train District supervisory staff, as well as supervisors when first assigned supervisory duties, on FLSA compliance issues, including:
 - a. What counts as compensable work time (see [Administrative Procedure 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*](#));
 - b. How timesheets must be completed for non-exempt employees; and
 - c. Their duty to monitor timesheets and verify time worked.
6. Train all non-exempt staff when hired and regularly thereafter on the following topics:
 - a. Board policy requirements;
 - b. What counts as compensable time; and
 - c. How to complete timesheets correctly.
7. Require non-exempt employees who want to volunteer to execute a Volunteer Agreement. See [Exhibit 5:35-E, *Volunteer Agreement Executed by a Non-Exempt Employee*](#). Non-exempt employees may only volunteer to perform services on behalf of the school that do not involve the same types of duties they regularly perform in their jobs. Further, in order to be a bona fide volunteer (1) the volunteer services may not be the same as or similar to the employee's regular work duties, (2) the employee must freely and voluntarily, i.e., without any direct or implied coercion or requirement, agree to perform the volunteer services, and (3) the employee provides the services without promise of compensation; however, a volunteer may be paid expenses, reasonable benefits, or a nominal fee to perform the services. See [Administrative Procedure 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*](#), for information about *nominal fees*.
8. Have all non-exempt employees sign the following documents:
 - a. A statement that they were given a copy of the Board's policy on work time and have reviewed it, and that they understand violators may be subject to discipline; and
 - b. If applicable, an agreement that any overtime worked over 40 hours per week will be compensated with time and a half compensatory time rather than overtime pay. See [Exhibit 5:310-E, *Agreement to Receive Compensatory Time-Off*](#).
9. Have supervisory, payroll, and business staffs monitor weekly time records. Make sure that supervisory staff continuously monitors weekly time records for accuracy and completeness, and that they report all overtime worked by non-exempt staff to the finance office for either overtime pay or compensatory time credit.
10. Keep FLSA-required records for non-exempt and exempt employees. See [Administrative Procedure 5:35-AP2, *Employee Records Required by the Fair Labor Standards Act*](#).
11. Post all federal and State required employment posters. Make sure that all employment posters are widely posted, e.g., in the teachers' lounge, school office, cafeteria kitchen, bus garage, janitor's closet, and other places where employees gather.
12. Consult the Board Attorney about FLSA compliance.

Professional Personnel

Administrative Procedure - School Visitation Leave ¹

Eligible employees

These administrative procedures apply to both professional staff and educational service personnel. An employee is eligible for ~~a~~ school visitation leave if he or she has worked for the District at least six consecutive months immediately before the request and works at least one-half of the full-time equivalent position. 820 ILCS 147/~~1040~~. Periods when school is not in session will not count as a break in consecutive service. ²

School Visitation Leave

An employee is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the employee's child, if the conference or meeting cannot be scheduled during non-work hours. Employees must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employee, except sick and disability leave. 820 ILCS 147/15.

Request

An employee must request a school conference and activity leave in writing at least seven days in advance; in an emergency situation, 24 hours' notice is required. The employee must consult with the employer to schedule the leave so as to minimize disruption. 820 ILCS 147/15. A leave request may be denied if granting the leave would result in more than 5% of the work force, or work force shift, taking leave at the same time. 820 ILCS 147/49.

Compensation

~~A~~ School visitation leave is unpaid. The District will attempt, however, to give the employee the opportunity to make-up the time taken for such a leave, subject to the requirements relating to reduction of pay of exempt employees in the federal Fair Labor Standards Act. 820 ILCS 147/20. The employee taking a visitation leave will not lose any benefits, nor will the District terminate any employee for an absence due solely to the employee's attendance at a school conference, behavioral meeting, or academic meeting. 820 ILCS 147/35.

Verification

An employee returning from ~~a~~ school visitation leave must provide the Building Principal with verification of the visitation from the school administrator of the school visited. Failure to provide this verification within two working days of the visitation will subject the employee to the standard disciplinary procedures for unexcused absences from work. 820 ILCS 147/30.

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

¹ The School Visitation Rights Act applies to only those districts employing at least 50 people. ~~(820 ILCS 147/40).~~ Modify this procedure to align with board policy. Customize it to reflect the district's practice, particularly to specify the district's treatment of eligible employees.

² This provision is not in State law, but is consistent with other laws concerning school employees.

LEGAL REF.: 820 ILCS 147/, School Visitation Rights Act.

Draft

Instruction

Exhibit - Special Education Required Notice and Consent Forms

Below is the URL to Ill. State Board of Education (ISBE) updated *Special Education Required Notice and Consent Forms* and instructions to understand the purpose and use of each form. The forms are the official versions of the State-required forms. The URL also provides access to each form in languages other than English.

www.isbe.net/Pages/Special-Education-Required-Notice-and-Consent-Forms.aspx

Draft

Instruction

Administrative Procedure - Access to Classrooms and Personnel

Access to classrooms and personnel is permitted in limited situations by 105 ILCS 5/14-8.02(g-5). Guidelines follow:

1. These guidelines apply to access requested by the parent/guardian of a student receiving special education services or being evaluated for eligibility, an independent educational evaluator, or a qualified professional retained by or on behalf of a parent/guardian or student. A *qualified professional* means “an individual who holds credentials to evaluate the child in the domain or domains for which an evaluation is sought or an intern working under the direct supervision of a qualified professional, including a master’s or doctoral degree candidate.” These individuals are referred to in this procedure as *visitors*.
2. Visitors will be afforded reasonable access to educational facilities, personnel, classrooms, and buildings and to the student. To minimize disruption, reasonable access means that the parent(s)/guardian(s) or qualified professional retained by or on behalf of ~~the~~ parent(s)/guardian(s) or student is allowed access once per school quarter for up to one hour or one class period.¹ A visitor may request the authorized administrator to grant longer or additional observations based on individual circumstances and provide any supporting documentation in support of such a request. A professional evaluator can request longer or additional observations in his or her initial request. The administrator may grant, deny, or modify the request, and the administrator’s decision shall be final.
3. Visitors must comply with:
 - a. School safety, security, and visitation policies at all times.
 - b. Applicable privacy laws, including those laws protecting the confidentiality of education records such as the federal Family Educational Rights and Privacy Act and the Illinois School Student Records Act.
 - c. Board policy 8:30, *Visitors to and Conduct on School Property*. Visitors may not disrupt the educational process.
4. If the visitor is a parent/guardian, he or she will be afforded reasonable access as described above for the purpose of:
 - a. Observing his or her child in the child’s current educational placement, services, or program, or
 - b. Visiting an educational placement or program proposed for the child by the Individualized Education Program (IEP) team.
5. If the visitor is an independent educational evaluator or a qualified professional retained by or on behalf of a parent/guardian or student, he or she must be afforded reasonable access of sufficient duration and scope for the purpose of conducting an evaluation of the student, the student’s performance, the student’s current educational program, placement, services, or environment, or any educational program, placement, services, or environment proposed for

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

¹ State law is silent on the frequency and length of access. These provisions may be omitted or changed. If the frequency or length of access is limited, the procedure should allow a visitor to request longer or additional access (as in the next sentence).

the student, including interviews of educational personnel, student observations, assessments, tests, or assessments of the student's educational program, services, or placement or of any educational program proposed by the IEP team, services, or placement. If one or more interviews of school personnel are part of the evaluation, the interviews must be conducted at a mutually agreed upon time, date, and place that do not interfere with the school employee's school duties. The Building Principal or designee may limit interviews to personnel having information relevant to the student's current educational services, program, or placement or to a proposed educational service, program, or placement.

6. Prior to visiting a school, school building, or school facility, a visitor must complete 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*. This form serves to:
 - a. Inform the Building Principal or designee in writing of the proposed visit(s), the purpose, and the duration, and
 - b. Identify requested dates/times for the visit(s) to facilitate scheduling.
7. The student's parent/guardian must consent in writing to the student being interviewed by the named evaluator as part of a visit. The parent/guardian will grant this consent by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
8. The student's parent/guardian, or the student, if he or she is over the age of 18, must execute an Authorization to Release Student Record Information before an independent educational evaluator or a qualified professional retained by or on behalf of a parent/guardian or student will be given access to student school records or to personnel who would likely release such records during discussions about the student. If a student is over the age of 12 and the records contain mental health and/or developmental disability information, the student must also be requested to sign the Authorization to Release Student Record Information before any observation by or disclosure of school student records or information to a visitor.
9. The visitor must acknowledge, before the visit, that he or she is obligated to honor students' confidentiality rights and refrain from any re-disclosure of such records and/or information. The visitor will provide this acknowledgment and agreement by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
10. The Building Principal or designee will attempt to arrange the visit(s) at times that are mutually agreeable. The Building Principal or designee will accompany any visitor for the duration of the visit, including during any interviews of staff members.
11. If the visitor is a professional retained by the parent/guardian, the visitor must provide identification and credentials before the visit.
12. This procedure applies to any public school facility, building, or program and to any facility, building, or program supported in whole or in part by public funds. The student's case manager or other School District designee must facilitate such visit(s) when the student attends a program outside of the District, such as at a private day program or residential program, provided it is supported in whole or in part by public funds.

Instruction

Exhibit - Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes

Student name: _____ DOB: _____

School attending: _____ Grade: _____

The following information must be completed by individuals requesting to access a school building, facility, and/or educational programs or to interview School District personnel or the student named above for the purpose of assessing the student’s special education needs. Please complete this form and return it to the Building Principal or Program Director where the student is enrolled. He or she will contact you to coordinate your visit:

Parent/Guardian *(Complete this section if the person making the request is the parent/guardian.)*

Name: _____ Title: _____ Phone: _____

Address: _____

I am the parent/guardian of the above-named student and wish to observe my child in the following classroom/settings: _____

for the purpose of: _____

I am the parent/guardian of the above-named student and wish to observe the following classroom/settings which have been recommended for my child: _____

for the purpose of: _____

Observations are limited to one hour or one class period per school quarter.

Independent Evaluator or Other Qualified Professional *(Complete this section if the person making the request is not the parent/guardian.)*

Name: _____ Agency/Company: _____

Phone: _____ Email address: _____

Address: _____

My professional training and/or licensure or certification, if applicable, is (check all that apply):

Teacher, certified in the areas of: _____ Illinois certified? Y N

Clinical Psychologist

School Psychologist

Licensed Clinical Social Worker

Licensed Social Worker

School Social Worker

Occupational Therapist

Physical Therapist

Speech/Language Pathologist

Audiologist

Psychiatrist

Instruction

Administrative Procedure - Education of Homeless Children

Actor	Action
<p>School Board</p> <p>Preliminary Step</p>	<p>Upon recommendation of the Superintendent, determines whether to expend transportation funds to provide financial homeless prevention assistance to the parents/guardians (or persons who enroll students) of children who are homeless or <i>at risk of becoming homeless</i>, in accordance with the provisions of 105 ILCS 5/29-5 (amended by P.A. 102-539); 105 ILCS 45/1-17. See duties of the Liaison for Homeless Children below for specific eligibility requirements.</p>
<p>Superintendent</p> <p>Preliminary Steps</p>	<p>Serves as or designates an appropriate staff person, who may also be a coordinator for other federal programs, to serve as a Liaison for Homeless Children. 42 U.S.C. §11432(g)(1)(J)(ii).</p> <p>Under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(2)), <i>homeless children and youths</i> means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of 42 U.S.C. §11302(a)(1)). The term includes:</p> <ol style="list-style-type: none"> 1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals; <ul style="list-style-type: none"> Note: Section 42 U.S.C. §11434a(2) no longer includes children “awaiting foster care placement” within the definition of <i>homeless children and youths</i>. 2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of Section 42 U.S.C. §11302(a)(2)(C)); 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and 4. Migratory children (as such term is defined in section 20 U.S.C. §6399 of title 20) who qualify as homeless for purposes of this part because the children are their <u>living situations are covered by clauses (1), (2), or through (3) above.</u> <p>Under the Education for Homeless Children Act, 105 ILCS 45/1-5, <i>homeless person, child, or youth</i> includes, but is not limited to, any of the following:</p> <ol style="list-style-type: none"> 1. An individual who lacks a fixed, regular, and adequate nighttime place of abode.

Actor	Action
	<p>2. An individual who has a primary nighttime place of abode that is:</p> <ol style="list-style-type: none"> a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing); b. An institution that provides a temporary residence for individuals intended to be institutionalized; or c. A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
<p>Liaison for Homeless Children</p> <p>Duties</p>	<p>Reviews and uses the information provided at: www.isbe.net/Pages/Homeless.aspx to become aware of the resources and training materials provided by the Illinois State Board of Education (ISBE) with regard to regarding the education of homeless children. <u>For information about federal requirements and technical assistance from the National Center for Homeless Education, funded by the U.S. Dept. of Education, see www2.ed.gov/programs/homeless/legislation.html https://nche.ed.gov/legislation/mckinney-vento/ for the U.S. Dept. of Education's information about federal requirements.</u></p> <p>Ensures that homeless children and youths are identified by school personnel and through coordinated activities with other entities and agencies. 42 U.S.C. §11432(g)(6)(A)(i).</p> <p>Ensures that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, District programs. 42 U.S.C. §11432(g)(6)(A)(ii).</p> <p>Ensures that homeless families, children, and youths <u>have access to and</u> receive educational services for which they are eligible, and make referrals to health care, dental, mental health and substance abuse, housing, and other appropriate services. 42 U.S.C. §11432(g)(6)(A)(iii)-(iv).</p> <p>Informs parents/guardians of educational and related opportunities available to their children, and provide them with meaningful opportunities to participate in their children's education. 42 U.S.C. §11432(g)(6)(A)(v).</p> <p>Disseminates public notice of the educational rights of homeless children and youths in the <u>location</u>s where they receive services (such as schools, shelters, public libraries, and soup kitchens). 42 U.S.C. §11432(g)(6)(A)(vi).</p> <p>Mediates enrollment disputes to:</p> <ol style="list-style-type: none"> 1. Ensure the child/youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute; 2. Provide the homeless child/youth's parent/guardian with a written explanation of the school's decision regarding school selection or enrollment, including their rights to appeal the decision; 3. Complete the dispute resolution process as expeditiously as possible; and

Actor	Action
<p data-bbox="313 254 574 317"><u>Liaison for Homeless Children, cont'd</u></p> <p data-bbox="362 338 444 369"><u>Duties</u></p>	<p data-bbox="646 247 1482 380">4. In the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending resolution of the dispute. 42 U.S.C. §11432(g)(3)(E)(i)-(iv) and 42 U.S.C. §11432(g)(6)(A)(vii).</p> <p data-bbox="599 390 1482 653">Fully informs the parent/guardian of a homeless child/youth, and any unaccompanied youth, of all transportation services and assist in accessing transportation services. 42 U.S.C. §11432(g)(6)(A)(viii). Convene a meeting with the parent/guardian and teacher of the child if the travel time to a homeless child's school of origin is longer than one hour each way, or if the travel time is shorter, but the District wishes to evaluate whether such travel is in the best interest of the child's development and education. 105 ILCS 45/1-15.</p> <p data-bbox="599 674 1482 768">Assists unaccompanied youth in placement/enrollment decisions, consider the youth's wishes in those decisions, and provide notice to the youth of the right to appeal such decisions. 42 U.S.C. §11432(g)(3)(B)(iv).</p> <p data-bbox="599 789 1482 884">Assists children/youths who do not have immunizations or medical records in obtaining necessary immunizations and/or medical records. 42 U.S.C. §11432(g)(3)(C)(iii).</p> <p data-bbox="599 905 1482 1037">If needed, verifies children's homeless status so they may obtain free copies of their birth certificates, in accordance with procedures established by the State Registrar of Vital Records. 410 ILCS 535/25.3, <u>amended by P.A. 102-1141</u>.</p> <p data-bbox="599 1058 1482 1190">Collaborates with State and local social service agencies that provide services to the homeless as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. 42 U.S.C. §11432(g)(5)(A) and (g)(6)(C).</p> <p data-bbox="599 1211 1482 1373">Conducts a hardship review whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing; a hardship review should be performed after the passage of 18 months and annually thereafter. 105 ILCS 45/1-25(a-5).</p> <p data-bbox="599 1394 1482 1526">Makes a recommendation to the Superintendent regarding whether the Board should authorize financial homeless prevention assistance for families with children who are homeless or <i>at risk of being homeless</i>. 105 ILCS 5/29-5, (amended by P.A. 102-539); 105 ILCS 45/1-17.</p> <p data-bbox="599 1547 1482 1677">In those cases where the parties agree it is in the best interest of the child and District to do so, prepares a written housing plan (Plan) to provide financial assistance in an amount that will allow a child who is homeless or <i>at risk of being homeless</i> to remain permanently in his/her home or obtain</p>

Actor	Action
<p><u>Liaison for Homeless Children, cont'd</u></p> <p><u>Duties</u></p>	<p>new housing.¹ Financial assistance may include: (1) mortgage or rental assistance that will allow a child to remain permanently in his/her living situation or obtain a new living situation; and/or (2) assistance with unpaid bills, loans, or other financial debts that result in housing being inadequate. 105 ILCS 45/1-17(a).</p> <p>Before entering into any such Plan, verifies that all of the following requirements have been met in order for the District to claim the financial assistance against its State transportation funds:</p> <ol style="list-style-type: none"> 1. The District has attempted to provide the financial assistance through its local homeless assistance agency that is part of the McKinney-Vento Homeless Act's continuum of care. 105 ILCS 45/1-17(b). 2. The amount of the financial assistance will not exceed the District's actual costs for providing transportation for the child. 105 ILCS 5/29-5, amended by P.A. 102-539. 3. The District is not otherwise claiming the transportation costs in another State or federal grant. 105 ILCS 5/29-5, amended by P.A. 102-539. 4. If the assistance is to be provided to a child <i>at risk of becoming homeless</i>, the parent/guardian, person who enrolled the child, or unaccompanied minor has provided documented evidence showing that the child's living situation will, within eight weeks, cease to be fixed, regular, and adequate and will result in the child becoming homeless. Acceptable proof includes, but is not limited to: foreclosure notice, eviction notice, utility shut-off or discontinuation notice, or written statement from the parent/guardian, person who enrolled the student, or unaccompanied minor. 105 ILCS 45/1-17(d). <p>Refers the child or his/or her parent/guardian to the ombudsperson appointed by the Regional Superintendent whenever a school denies a homeless child enrollment or transportation, and provides the child or his/or her parent(s)/guardian(s) with a written statement of the basis for the denial. 105 ILCS 45/1-25(a).</p>
<p>Parents/guardians</p> <p>Assignment</p>	<p>Choose the child's attendance center between the following options (105 ILCS 45/1-10 controls because it exceeds the rights granted to parents/guardians in federal law):</p> <ol style="list-style-type: none"> 1. Continuing the child's education in the school of origin for as long as the child remains homeless or, if the child becomes permanently

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

¹ 105 ILCS 45/1-17(c). The law does not detail the specific contents of a Plan; a plan should be locally developed in consultation with the board attorney and/or the district's auditor. There are several critical issues to consider in developing a Plan: (1) will the financial assistance be provided directly to third parties such as landlords, utility companies, etc., or will it be paid directly to parents/guardians (where there may be more potential for fraudulent activity); (2) what documentation, if any, the district will require to substantiate payment of rent, bills, etc., under the Plan; (3) the duration of the Plan and how often it will be reviewed; and (4) any other controls which should be implemented for auditing purposes.

Actor	Action
	<p>housed, until the end of the academic year during which the housing is acquired; or</p> <ol style="list-style-type: none"> Enrolling the child in any school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend. <p>The term <i>school of origin</i> means the school that the child attended when permanently housed or the school in which the child was last enrolled. 42 U.S.C. §11432(g)(3)(I) and 105 ILCS 45/1-5.</p> <p>If the child is attending his/her school of origin, make a good faith effort to provide or arrange for transportation to and from the school of origin, including authorizing relatives, friends, or a program for homeless persons to provide the child with transportation.</p>
<p>Building Principal Where Homeless Student Will be Enrolled</p> <p>Enrollment</p>	<p>Shall Immediately enrolls the homeless child/youth, even if the child/youth is unable to produce records normally required for enrollment, e.g., previous academic records, medical records, proof of residency, or other documentation. 42 U.S.C. §11432(g)(3)(C)(i) and 105 ILCS 45/1-20.</p> <p>Shall Immediately contacts the school last attended by the child/youth to obtain relevant academic and other records. 42 U.S.C. §11432(g)(3)(C)(ii) and 105 ILCS 45/1-20.</p> <p>If the child/youth needs to obtain immunizations, or immunization or medical records, shall immediately refers the child/youth's parent/guardian to the Liaison for Homeless Children. 42 U.S.C. §11432(g)(3)(C)(iii) and 105 ILCS 45/1-20.</p> <p>Maintains records for the homeless child/youth that are ordinarily kept for students according to District policy and procedure on student school records. 42 U.S.C. §11432(g)(3)(D). See Board policy 7:340, <i>Student Records</i>, and administrative procedure 7:340-AP1, <i>School Student Records</i>.</p> <p>Ensures each homeless child/youth is provided services comparable to services offered to other students including the following (42 U.S.C. §11432(g)(4)):</p> <ol style="list-style-type: none"> Transportation services; Educational services for which the child/youth meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners; Programs in career and technical education; Programs for gifted and talented students; and School nutrition programs. <p>Shall Requires a parent/guardian of a homeless child/youth, if available, to submit contact information. 42 U.S.C. §11432(g)(3)(H) and 105 ILCS 45/1-20.</p>

Actor	Action
<p>Transportation Director and Building Principal Where Homeless Student Will be Enrolled</p> <p>Transportation</p>	<p>Ensure transportation is provided to a homeless child/youth, at the request of the parent/guardian (or in the case of an unaccompanied youth, the Liaison), to and from the school of origin. 42 U.S.C. §11432(g)(1)(J)(iii); 42 U.S.C. §11432(g)(4)(A). State law, found at 105 ILCS 45/1-15, is superseded by federal law. The term <i>school of origin</i> means the school that the student attended when permanently housed or the school in which the student was last enrolled. 42 U.S.C. §11432(g)(3)(I). Transportation shall be arranged as follows:</p> <ol style="list-style-type: none"> 1. If the homeless child/youth continues to live in the area served by the school district in which the school of origin is located, the child/youth's transportation to and from the school of origin shall be provided or arranged by the district in which the school of origin is located. 2. If the homeless child/youth's living arrangements in the area served by the district of origin terminate and the child/youth, though continuing his or her education in the school of origin, begins living in an area served by another school district, the district of origin and the district in which the homeless child/youth is living shall agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally. <p>42 U.S.C. §11432(g)(1)(J)(iii).</p>
<p><u>Liaison for Homeless Children</u></p> <p><u>Dispute</u></p>	<p><u>If a dispute arises involving any issue related to the homeless status or homelessness-related claim of a child/youth or the child/youth's parent/guardian, attempts to resolve any disagreement. 23 Ill.Admin.Code §1.241(b)(1).</u></p> <p><u>Note: The District must structure dispute resolution as informally as possible to give a child/youth or the child/youth's parent/guardian any necessary assistance navigating the process. 23 Ill.Admin.Code §1.241((b)(2).</u></p> <p><u>Does not delay enrollment, transportation, or other services before or during dispute resolution; continues providing those services until the conclusion of the dispute resolution process (including any appeals). 23 Ill.Admin.Code §1.241(b)(3).</u></p>
<p>Superintendent or Designee</p> <p>Dispute</p>	<p>If a dispute <u>is not resolved by the Liaison for Homeless Children, arises, shall inform</u>sends a letter to the homeless <u>child/youth or the child/youth's parents/guardians, the Regional Superintendent (or Intermediate Service Center Executive Director), and the State Coordinator of Homeless Children and Youth (State Coordinator) indicating the District's position on the dispute and including information on (23 Ill.Admin.Code §1.241(c)):</u></p> <ol style="list-style-type: none"> 1. of the <u>The availability of an ombudsperson/investigator;</u> 2. sSources for <u>of low-cost or free legal assistance;</u> and

Actor	Action
	<p><u>3. Other advocacy services in the community; and</u> <u>4. The dispute resolution procedure.</u></p> <p>Each Regional Superintendent appoints an ombudsperson to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under this Act. 105 ILCS 45/1-25. The Homeless Family Placement Act governs shelter placement. 310 ILCS 85/1.</p>
<p><u>Regional Superintendent (or Intermediate Service Center Executive Director)</u></p> <p><u>Dispute</u></p>	<p><u>No later than 10 school days after receiving the Superintendent or Designee's dispute letter, appoints an ombudsperson to provide resource information and resolve disputes at schools within the region relating to the rights of homeless children under 105 ILCS 45/. 105 ILCS 45/1-25(a); 23 Ill.Admin.Code §1.241(d).</u></p>
<p><u>Ombudsperson</u></p> <p><u>Dispute</u></p>	<p><u>Within five school days after receiving notice of the dispute, if possible, convenes a meeting with the parties and attempts to resolve the dispute. Id. During dispute resolution, the ombudsperson (23 Ill.Admin.Code §1.241(d)(1)-(4)):</u></p> <ol style="list-style-type: none"> <u>1. Must set clear rules and timelines for the dispute resolution process and inform each party of their respective expectations;</u> <u>2. Must provide copies of documents that will be used by the other party before the meeting, if possible;</u> <u>3. Must allow:</u> <ol style="list-style-type: none"> <u>a. A complete presentation of relevant facts by all parties; and</u> <u>b. Assistance for the child/youth or the child/youth's parent/guardian from a legal representative knowledgeable of federal and State laws concerning homeless students' educational rights;</u> <u>4. May:</u> <ol style="list-style-type: none"> <u>a. Require each party to make an opening statement;</u> <u>b. Limit the amount of time each party may use to present information;</u> <u>c. Pose questions to each party;</u> <u>d. Limit any redundant testimony or testimony that is not directly related to homelessness claims; or</u> <u>e. Make allowances for the child/youth or child/youth's parent/guardian, e.g., in how evidence or arguments are presented.</u> <p><u>No later than 10 school days after the conclusion of the dispute resolution meeting, if possible, makes a written determination using a form supplied by ISBE. The form must include all components set forth in 23 Ill.Admin.Code §1.241(d)(5)(A)-(I), including notice of the parties' right to appeal the final determination by submitting a written appeal request within five school days to the State Coordinator. 23 Ill.Admin.Code §1.241(d), (e).</u></p>

Actor	Action
<u>State Coordinator</u> <u>Dispute</u>	<u>After receiving a written appeal request, obtains from the ombudsperson all documents, notes, transcripts, and any other materials used by the parties to present their cases. May request additional relevant information. 23 Ill.Admin.Code §1.241(e)(1).</u> <u>No later than 15 school days after receiving a written appeal request, makes a final determination and notifies the parties of its decision. May, if necessary, extend the timeline for an additional five school days but must inform the parties of any extension. 23 Ill.Admin.Code §1.241(e)(2).</u>
<u>State Superintendent of Education or Designee</u> <u>Dispute</u>	<u>If it is determined that a District's actions giving rise to a dispute are inconsistent with applicable law, may require the District to take any action necessary to comply with the law. 23 Ill.Admin.Code §1.241(f).</u> <u>If the District does not comply, places the District's recognition status on probation in accordance with 23 Ill.Admin.Code §1.20(b). Id.</u>

Draft

Instruction

Administrative Procedure - District Annual Report Card Required by Every Student Succeeds Act (ESSA)

Districts must disseminate an annual report card that includes information on the District as a whole and each school served by the District, with aggregate and disaggregated information for each required subgroup of students, including: (a) student achievement on academic assessments (designated by category), (b) graduation rates, district performance, teacher qualifications, and (c) other required information required by 20 U.S.C. §6311(h)(2)(C) of ESSA.

District Annual Report Card

The Illinois State Board of Education (ISBE) will ensure that the District:

1. Collects the appropriate data for its annual report card, including:
 - a. ISBE’s State Report Card Information (see **ISBE Annual Report Card Requirements in 20 U.S.C. §6311(h)(1)(C)** ~~subhead, below~~) disaggregated in the same manner as ISBE is required to present it, as that information applies to the District and each of its schools, including:
 - i. Information that shows how students in the District achieved on the academic assessments described in 20 U.S.C. §6311(b)(2) (high quality Illinois Assessments) compared to students in the State as a whole (20 U.S.C. §6311(h)(2)(C)(i));
 - ii. Information that shows how each student in each of the District’s Schools achieved on the academic assessments described in 20 U.S.C. §6311(b)(2) (high quality Illinois Assessments) compared to students in the State as a whole (20 U.S.C. §6311(h)(2)(C)(ii)); and
 - iii. Any other information that the District determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each school in the District, whether or not such information is included in the annual ISBE report card (20 U.S.C. §6311(h)(2)(C)(iii)).
2. Excludes “results on the Illinois academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress, compared to the national average of such results (20 U.S.C. §6311(h)(1)(C)(xii)).”

Commented [MB1]: Since 20 U.S.C. §6311(h)(1)(C) is cited here, the recitation of its contents, below, is deleted as redundant.

ISBE Annual Report Card Requirements in 20 U.S.C. §6311(h)(1)(C)

~~The following text is a direct copy of 20 U.S.C. §6311(h)(1)(C)(i) (xiv), amended by Pub. L. 115-224; it states that Illinois’ report card shall include the following information:~~

- ~~(i) — A clear and concise description of the State’s accountability system under subsection (e), including—~~
 - ~~(I) — The minimum number of students that the State determines are necessary to be included in each of the subgroups of students, as defined in subsection (e)(2), for use in the accountability system;~~
 - ~~(II) — The long-term goals and measurements of interim progress for all students and for each of the subgroups of students, as defined in subsection (e)(2);~~

- ~~(III) — The indicators described in subsection (c)(4)(B) used to meaningfully differentiate all public schools in the State;~~
- ~~(IV) — The State's system for meaningfully differentiating all public schools in the State, including—~~
 - ~~(aa) — The specific weight of the indicators described in subsection (c)(4)(B) in such differentiation;~~
 - ~~(bb) — The methodology by which the State differentiates all such schools;~~
 - ~~(cc) — The methodology by which the State differentiates a school as consistently underperforming for any subgroup of students described in section (c)(4)(C)(iii), including the time period used by the State to determine consistent underperformance; and~~
 - ~~(dd) — The methodology by which the State identifies a school for comprehensive support and improvement as required under subsection (c)(4)(D)(i);~~
- ~~(V) — The number and names of all public schools in the State identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) or implementing targeted support and improvement plans under subsection (d)(2); and~~
- ~~(VI) — The exit criteria established by the State as required under clause (i) of subsection (d)(3)(A), including the length of years established under clause (i)(II) of such subsection.~~
- ~~(ii) — For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of Title 10) on active duty (as defined in section 101(d)(5) of such title), information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).~~
- ~~(iii) — For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a child in foster care—~~
 - ~~(I) — Information on the performance on the other academic indicator under subsection (c)(4)(B)(ii) for public elementary schools and secondary schools that are not high schools, used by the State in the State accountability system; and~~
 - ~~(II) — High school graduation rates, including four year adjusted cohort graduation rates and, at the State's discretion, extended year adjusted cohort graduation rates.~~
- ~~(iv) — Information on the number and percentage of English learners achieving English language proficiency.~~
- ~~(v) — For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(4)(B)(v) used by the State in the State accountability system.~~
- ~~(vi) — Information on the progress of all students and each subgroup of students, as defined in subsection (c)(2), toward meeting the State designed long term goals under subsection (c)(4)(A), including the progress of all students and each such subgroup of students against the State measurements of interim progress established under such subsection.~~
- ~~(vii) — For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.~~

~~(viii) Information submitted by the State educational agency and each local educational agency in the State, in accordance with data collection conducted pursuant to section 3413(e)(1) of this title, on—~~

~~(I) Measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment; and~~

~~(II) The number and percentage of students enrolled in—~~

~~(aa) Preschool programs; and~~

~~(bb) Accelerated coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment programs.~~

~~(ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of—~~

~~(I) Inexperienced teachers, principals, and other school leaders;~~

~~(II) Teachers teaching with emergency or provisional credentials; and~~

~~(III) Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.~~

~~(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.~~

~~(xi) The number and percentages of students with the most significant cognitive disabilities who take an alternate assessment under subsection (b)(2)(D), by grade and subject.~~

~~(xii) Results on the State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)), compared to the national average of such results.~~

~~(xiii) Where available, for each high school in the State, and beginning with the report card prepared under this paragraph for 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (e)(2)), at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation—~~

~~(I) In programs of public postsecondary education in the State; and~~

~~(II) If data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State.~~

~~(xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools, which may include the number and percentage of students meeting State-determined levels of performance for core indicators, as defined by section 113(b)(3)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)(3)(A)), and reported by States only in a manner consistent with section 113(b)(3)(C) of such Act (20 U.S.C. 2323(b)(3)(C)).~~

LEGAL REF.: 20 U.S.C. §6311(h)(1)(C) and (h)(2)(C).
Pub. L. 115-224, Strengthening Career and Technical Education for the 21st Century Act.

6:170-AP2, E1

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Students

Administrative Procedure - Responding to Complaints About Library Media Resources

Actor	Action
Parents/Guardians, Employees, or Community Members	Submits any feedback or complaints about the District’s library media resources to the Building Principal, using exhibit 6:230-AP, E, Library Media Resource Objection Form .
Building Principal	<p>Directs any parent/guardian, employee, or community member wishing to submit formal feedback or a complaint regarding the District’s library media resources to complete exhibit 6:230-AP, E, Library Media Resource Objection Form.</p> <p>If the complaint alleges a violation of law or board policy, refers the complaint to the District Complaint Manager for processing under Board policy 2:260, <i>Uniform Grievance Procedure</i>.</p> <p>Transmits the <i>Library Media Resource Objection Form</i> to the Superintendent or designee for further action.</p>
Superintendent, in consultation with the School Librarian	<p>Determines on a case-by-case basis what action, if any, will be taken in response to a complaint about a library media resource. In making a determination, considers whether the library media resource is aligned with the criteria set forth in Board policy 6:230, <i>Library Media Program</i>, specifically, does the resource in question:</p> <ol style="list-style-type: none"> 1. Supplement classroom instruction 2. Foster reading for pleasure 3. Enhance information literacy 4. Support research 5. Align with the principles of the American Library Association’s <i>Library Bill of Rights</i> regarding selection of materials, which include: ¹ <ol style="list-style-type: none"> a. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded

The footnotes should be removed before the material is used.

¹ If a board has adopted the alternative language for Standard #5 in sample policy 6:230, *Library Media Program* (see f/n 1), delete item #5 and insert the following sentence immediately below the numbered list:

[In accordance with the Board's inherent authority to prohibit the practice of banning specific books or other library materials as stated in policy 6:230, Library Media Program, and to prevent censorship of material and ensure the protection of library users' intellectual freedom, r](#)Rejects any requests that books or other materials within the District's library media program ~~be removed merely because individuals or groups object to the material, be banned.~~
[This alternative language conforms with the requirements of 23 Ill.Admin.Code §§3035.120 and 3035.140\(e\), implementing the School District Library Grant Program. A district applying for this grant should submit policy 6:230, Library Media Program, and this administrative procedure to the Ill. State Library as part of the eligibility certification for the grant.](#)

Actor	Action
	<p>because of the origin, background, or views of those contributing to their creation.</p> <ul style="list-style-type: none"> b. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval. c. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment. <p>Consults with the Board Attorney regarding responses to complaints about library resources.</p> <p>Prepares and sends a written response to the person who submitted the <i>Library Media Resource Objection Form</i>, informing the person of the District's decision.</p> <p>Notes on the <i>Library Media Resource Objection Form</i> the date on which the response was provided and attaches the response to the form.</p>

Draft

Instruction

Administrative Procedure - Evaluating and Reporting Student Achievement

Actor	Action
Teacher	<p>Informs students about the grading system at the beginning of each school year or term, whichever is applicable.</p> <p>Explains that grades: (1) assess progress toward education goals and assist in the improvement of that progress, (2) will be given by the teacher, using his or her professional judgment, in an impartial and consistent manner, and (3) will reflect excessive absences.</p> <p>Assesses student achievement as demonstrated through such performance indicators as the following (these are not listed in order of importance and are not exclusive):</p> <ol style="list-style-type: none"> 1. Preparation of assignments, including completeness, accuracy, legibility, and promptness. 2. Contribution to classroom discussions. 3. Demonstrated understanding of concepts. 4. Application of skills and knowledge to new situations. 5. Organization, presentation, and content of written and oral reports. 6. Originality and reasoning ability when working through problems. 7. Accomplishment in class presentations and projects. 8. Performance on tests, quizzes, and final examinations. <p>Assigns grades for academic improvement and achievement using standardized criterion-referenced test scores, letter grades, and/or other assigned numerical criteria.</p> <p>A grade of <i>incomplete</i> should be assigned when a student experiences an excused, extended absence at the end of the term or during final examinations; an incomplete grade, if not satisfied within two weeks, will be changed to a failure.</p> <p>Whenever it becomes evident that a student is in danger of failing, arranges a special conference with the parent(s)/guardian(s) or sends the parent(s)/guardian(s) a written report.</p>
Building Principal or designee	<p>Supervises implementation of this administrative procedure.</p> <p>Ensures that parent(s)/guardian(s) are informed of their child’s progress at regular intervals, but at least four times a year, and whenever the student’s performance requires special attention.</p> <p>Divorced or separated parents will both be informed unless a court order requires otherwise. <u>For further information, see Answers to FAQs Regarding Students with Divorced or Divorcing Parents, published by the Ill. Council of School Attorneys and available at:</u></p>

Actor	Action
	<p>www.iasb.com/IASB/media/Documents/FAQDivorcedorDivorcingParents.pdf.</p> <p>All grades and symbols must be appropriately explained.</p> <p>Establishes an appropriate means of communication whenever he or she becomes aware that a parent/guardian is unable to understand written communications from the school or oral communications made during conferences related to his/her child's progress or school activities.</p> <p>Develops a timetable for deficiency reports.</p> <p>Supervises the various methods for communicating with parents/guardians including:</p> <ol style="list-style-type: none"> 1. Parent-teacher conferences, conducted on a regular basis. They may be scheduled on different days and at different times to accommodate the various grade levels and attendance centers. 2. Open houses, parent education meetings, and newsletters. 3. Interim reports, through which teachers contact parents/guardians whenever teachers believe additional information should be shared. Teachers shall try to be available to meet with parents/guardians at a mutually agreed upon time.
<p>Building Principal or designee</p> <p><i>[Elementary schools only]</i></p>	<p>Makes the final decision regarding a student's retention or promotion with input from the classroom teacher, parent/guardian, and other school personnel as appropriate.</p> <p>Retention and promotion decisions are based on quantitative measures (e.g., maturity level, ability, and level of academic achievement), supplemented by a qualitative assessment of the student's motivation, self-image, and social adjustment. Students shall not be promoted for purely social reasons.</p> <p>Ensures placement, promotion, or retention decisions are based on the student's best interests after a careful evaluation of the advantages and disadvantages of alternatives.</p> <p>For each student who does not qualify for promotion to the next higher grade, determines appropriate remedial assistance, that may include, without limitation, a summer bridge program of no less than 90 hours, tutorial sessions, increased or concentrated instructional time, modifications to instructional materials, and retention in grade. 105 ILCS 5/10-20.9a(b).</p>
<p>Building Principal or designee</p> <p><i>[Secondary schools only]</i></p>	<p>Makes a recommendation to the Superintendent regarding:</p> <ol style="list-style-type: none"> 1. Whether a 4.0 or a 5.0 (or another alternative) system should be used for calculating grade point average (GPA); 2. Whether advanced placement, honors, and accelerated courses will have additional points added toward calculating GPA and class rank, i.e., weighted grades; 3. Which courses' grades will be used in computing GPA and class rank; 4. How to determine academic scholars, class valedictorian, salutatorian, and/or honor roll; and

Actor	Action
	5. Whether a pass/fail option will be offered and, if so, the guidelines for that option.
Parents/ Guardians	<p>Attend parent-teacher conferences.</p> <p>Provide a study-conducive atmosphere and supervise their child's completion of course work.</p> <p>Sign or otherwise acknowledge receipt of their child's report cards and other assessment notices and provide appropriate feedback to their child.</p> <p>Whenever a question or concern arises, leave a message at the school for the appropriate teacher or other school staff member.</p> <p>In order to object to a grade or retention/promotion decision, first confer with the appropriate teacher and, if still not satisfied, contact the Building Principal.</p>
Building Principal or designee [All schools]	<p>Confers with any parent/guardian and/or student who objects to a grade or to a retention/promotion decision.</p> <p>Discusses with the teacher the reason(s) why an objection was made to a grade or to a retention/promotion decision and requests the teacher's perspective.</p> <p>Determines whether to change the grade or retention/promotion decision based on the existence of any of reasons authorized in Board policy 6:280, <i>Grading and Promotion</i>, i.e.:</p> <ul style="list-style-type: none"> • A miscalculation of test scores; • A technical error in assigning a particular grade or score; • The teacher agrees to allow the student to do extra work that may impact the grade; • An inappropriate grading system used to determine the grade; or • An inappropriate grade based on an appropriate grading system. <p>Decides whether to change the grade or retention/promotion decision and, if so, notifies the teacher of the nature and reason for the change and signs the changed record.</p>

Students

Administrative Procedure - Placement of Nonpublic School Students Transferring Into the District

Actor	Action
Parent(s)/guardian(s) of a nonpublic school student transferring into the District	Shall perform all school admission requirements contained in School Board policy 7:50, <i>School Admissions and Student Transfers To and From Non-District Schools</i> , and administrative procedure 7:50-AP, Administrative Procedure <i>School Admissions and Student Transfers To and From Non-District Schools</i> .
Building Principal or designee	<p>Meets with parent(s)/guardian(s) to discuss appropriate placement.</p> <p>Inquires about the student’s special interests, concerns, and goals.</p> <p>Administers a Student Home Language Survey. ISBE provides Sample Home Language Surveys that are available in English and twenty-nine other languages under the Home Language Surveys tab at: www.isbe.net/Pages/Screening-for-English-Language-Proficiency.aspx.</p> <p>Determines achievement level based on interviews, school records, achievement testing, and/or other appropriate means.</p> <p>Considers special circumstances, e.g., whether the student is gifted, is accelerated, has a disability, is homeless, has limited English proficiency, is part of a migrant or refugee family, has special medical needs, or has other needs.</p> <p>Before making a placement decision, seeks input from appropriate school personnel.</p> <p>Awards credits and determines placement.</p> <p>Course credit awarded to students transferring from a non-graded school or a school that is not recognized by the state education agency, will be given the grade of “P” for passing with no letter or numerical designation for the level of proficiency.</p> <p>Completes other enrollment procedures.</p>

Students

Administrative Procedure - Extracurricular Drug and Alcohol Testing Program

Testing Procedures

1. The Building Principal or designee shall, from time-to-time throughout the school year, randomly select extracurricular participants for drug and alcohol testing. Testing may occur on any day, Monday through Saturday. Names will be drawn from a pool of all student participants. Each student participant may be tested at any time during the year.
2. No student will be given advance notice or early warning of the testing.
3. Drug and/or alcohol testing may be performed by breath alcohol testing and/or urinalysis. Upon being selected for breath alcohol testing, a student must provide an adequate amount of breath so that the measuring device can measure any alcohol concentration in the breath. Upon being selected for a urinalysis test, the student shall provide a sample of “fresh” urine according to the quality control standards and policy of the laboratory conducting the urinalysis.
4. A staff member will accompany the student until he or she produces an adequate urine specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If unable to produce a specimen within two hours, the student will be taken to the Building Principal’s office and told he or she is ineligible for participation in any extracurricular activity. In addition, the student’s parent(s)/guardian(s) will be telephoned and informed the student is unable to produce a sample for the testing procedure and he or she must be tested at a later date in order to be eligible.
5. All specimens registering below 90.5 degrees or above 99.8 degrees Fahrenheit will be invalid. The head strip on each specimen bottle indicates the validity of the urine specimen by temperature. If a specimen is invalid, the student must provide another specimen.
6. A student will be ineligible for all extracurricular activities for the remainder of the school year if he or she tampers with or cheats during the collection. This will be reported to the student’s parent(s)/guardian(s).
7. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he or she left the collection site.
8. Each specimen is given to the laboratory for testing for alcohol, controlled substances (that may include all drugs listed as controlled substances under Illinois law), and “performance enhancing” drugs, such as steroids.

Chain of Custody

1. The laboratory will provide training and direction to appropriate staff members, set up the collection environment, guarantee specimens, and supervise the chain of custody. To maintain anonymity, the student will be assigned a number.
2. The Building Principal or designee will escort students to the collection site. No student is allowed to go to his or her locker before being escorted to the collection site. The Building Principal or designee should minimize classroom interruptions. Student participants may be summoned after school, perhaps during practice time.
3. Before a student’s urine is tested by the laboratory, he or she must sign any form that may be required by the testing laboratory. If a student chooses, he or she may notify the administrator that he or she is taking a prescription medication.

4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle and the student signs that the specimen is sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. Students will be instructed to remove all outerwear and wash their hands in the presence of the supervisor before entering the restroom stall. The stall door will be closed while the student provides a urine specimen. The supervisor will wait outside the restroom stall. The student will have two minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be ~~turned shut~~ turned off.
7. After it is sealed, the specimen will be transported to the testing laboratory by laboratory personnel. The testing laboratory will report the results to the Building Principal or designee.
8. In order to maintain confidentiality, the student's name will not be on the urine specimen container. Instead, the student's random identification number will appear on the container.

Test Results

1. The Building Principal or designee will be notified of a student testing "positive" (i.e., if the test shows that drug residues are in the student's system after using at least two different types of analyses). The Building Principal or designee will notify the student and his or her parent(s)/guardian(s). The student or his/~~or~~ her parent(s)/guardian(s) may submit any documented prescription or explanation of a "positive" test result.
2. In addition, the student or parent(s)/guardian(s) may request that the urine specimen be tested again by a certified laboratory at their cost.
3. If the test is verified "positive," the Building Principal or designee will meet with the student and his or her parent(s)/guardian(s). The student and parent(s)/guardian(s) will be given the names of counseling and assistance agencies. The student may not participate in extracurricular activities until a "follow-up" test is requested by the Building Principal or designee and the results are "negative."
4. A "follow up" test will be requested by the Building Principal or designee after such an interval of time that the substance previously found would normally be eliminated from the body. If this "follow up" test is negative, the student will be allowed to resume extracurricular activities. If a "positive" result is obtained from the "follow up" test, or any later test, the previous procedure shall be repeated. In addition, the School District reserves the right to continue testing at any time during the remaining school year any participating student who had a verified "positive" test.
5. Information on a verified "positive" test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of "negative" tests will be kept confidential.
6. Drug testing result sheets will be returned to the Building Principal or designee identifying students by number and not by name. Names will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the Building Principal or designee has access.

Financial Responsibility

1. Under this policy, the District will pay for all initial random drug tests and all initial "follow up" drug tests. Once a student has a verified "positive" test result and has subsequently tested negative from a "follow up" test, any future "follow up" drug test that must be conducted will be paid for by the student's parent(s)/guardian(s).
2. A request for another test of a "positive" urine specimen is the financial responsibility of the student's parent(s)/guardian(s).

3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student's parent(s)/guardian(s).

Confidentiality

Under this drug and alcohol testing program, no staff, coach, or sponsor shall divulge any information to anyone about a particular student or disposition of the student involved, other than in response to a legal subpoena.

Other Rules

Apart from this drug and alcohol testing program, the Ill. High School Association as well as each activity's coaching staff or sponsor may have their own training rules and requirements. Coaches and sponsors have the necessary authority to enforce those rules. Any student-participant who violates a team or activity rule or requirement is subject to the consequences as defined in those rules and requirements.

Draft

Students

Administrative Procedure - Measures to Control the Spread of Head Lice at School

Actor	Action
School Nurse	<p>Involves parent organization in the development and implementation of programs regarding prevention and treatment.</p> <p>Provides information regarding control to staff, students, and parents/guardians. Information provided to parents/guardians may include that set forth in row 2, below.</p> <p>Provides information material and/or in-service to school personnel on:</p> <ol style="list-style-type: none"> 1. Confidentiality requirements 2. Identification 3. Preventing transmission in classrooms 4. Precautions against self-contamination and cross-contamination, e.g., <ol style="list-style-type: none"> a. Carpets should be vacuumed frequently b. Cloth-covered stuffed animals, sleeping mats, pillows, sofas, and other stuffed furniture should be discouraged 5. Treatment and resources for treatment 6. Readmission requirements 7. Respect for sensitivity of students and parents/guardians regarding this condition
Parent/Guardian	<p>Assists in preventing and managing head lice outbreaks by regularly checking their children’s hair and providing immediate treatment if lice are detected.</p> <ul style="list-style-type: none"> • Check your child’s hair and scalp regularly for eggs. • Do not allow your child to use other children’s combs, brushes, hats, etc. • If you find your child does have head lice and you decide to keep him or her out of school, please follow the school’s student absence procedures. • Follow your family’s chosen protocol for treatment of the entire family. Both over-the-counter and prescription medications are available for treatment of lice. • Hats, combs, brushes, and bed linens should be cleaned thoroughly. After the medicated shampoo, you can loosen the eggs with scalp rinses of vinegar, and then slide the eggs off the hair shaft with tweezers, a special fine tooth comb, or your fingernails. • Review information from the Center for Disease Control (CDC) about Prevention and Control at: www.cdc.gov/parasites/lice/head/prevent.html and Treatment FAQ at www.cdc.gov/parasites/lice/head/gen_info/faqs_treat.html.

Actor	Action
Staff	To prevent the spread of head lice infestations, reports all suspected cases of head lice to the school nurse or designee as soon as possible.
School Nurse	<p>Inspects the head of any student reasonably suspected of having head lice as soon as possible.</p> <p>Checks the siblings of any student with head lice and notifies other schools where siblings attend.</p> <p>Checks any of the student’s contacts for the presence of lice.</p> <p>Provides the student’s parent(s)/guardian(s) with information regarding head lice treatment.</p> <p>If more than one student is affected in any class, determines whether to examine all students in the class and/or provides information about head lice to all parents/guardians of students in the class.</p>
Building Principal	<p>If eggs (nits) or lice are found, determines whether to exclude the student from attendance or limit the student’s head-to-head contact in the school building (especially in lower grades). Contacts the Board Attorney before beginning the process to exclude any student.</p> <p>Informs the student’s parent(s)/guardian(s) about recommended treatment procedures and sources of further information.</p>
Staff	Maintains the privacy of students identified as having head lice and excluded from attendance.
Parent/Guardian	Brings a note to school verifying treatment.
School Nurse	<p>Examines any excluded student and verifies to the Building Principal that all eggs (nits) and lice are gone so that the student may return.</p> <p>Note: Delete this row and/or the re-inspection (nit-free) requirement if the administration determines the requirement is (a) unnecessary to successfully manage head lice and/or (b) results in unnecessary absences. Many nit-free requirements may unnecessarily exclude students from school. School nurses should discuss the following pros and cons of <i>No Nit Policies</i> with their Building Principals and/or Superintendents:</p> <p>Pros: A nit-free requirement simply eliminates any subjective call for school personnel as to whether the nit is dead or alive. The National Pediculosis Association recommends the <i>No Nit Policy</i> as the public health standard intended to keep children lice free, nit free, and in school, www.headlice.org/downloads/nonitpolicy.htm.</p> <p>Cons: The National Association of School Nurses takes the position that the management of head lice should not disrupt the educational process. No disease is associated with head lice, and in-school transmission is considered to be rare. Further, when transmission occurs, it is generally found among younger-age children with increased head-to-head contact:</p>

Actor	Action
	www.nasn.org/nasn/advocacy/professional-practice-documents/position-statements/ps-head-lice .
Building Principal	Notifies parent(s)/guardian(s) whose excluded student has not returned to school within five days of the following: School attendance laws Action that may be taken if absence continues Resources for treatment information

Draft

Students

Administrative Procedure - Managing Students with Communicable or Infectious Diseases

If a student’s communicable or infectious disease affects his or her ability to participate in the District’s educational programs, he or she shall be treated as a *disabled person* under Section 504 of the Rehabilitation Act of 1973, unless the student has already qualified for and is receiving services through an IEP under the Individuals with Disabilities in Education Act. For students with an IEP, the District’s [Administrative Procedure, 6:120-AP1, Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities](#), must also be followed and it will control whenever there is a conflict with these procedures.

Rules and guidance from the Ill. State Board of Education (ISBE) and Ill. Dept. of Public Health (IDPH) should be consulted and supersede these procedures. Guidance documents and important information include:

1. *Communicable Disease School Nurse Guide*, revised 202302, available at <https://dph.illinois.gov/topics-services/diseases-and-conditions/infectious-diseases/cd-school-nurse-guidance.html>www.idph.state.il.us/health/infect/comm_disease_guide.pdf.
2. *Management of Chronic Infectious Diseases in Schoolchildren*, revised in 2003 by ISBE and IDPH, available at <https://wordpress.uchospitals.edu/infectionprevention/files/2011/05/IDPH-Chronic-ID-in-schoolchildren.pdf>www.isbe.net/Documents/chronic_diseases.pdf.
3. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois (20 ILCS 2310/) and the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/) both expanded the statutory authority of the governor and IDPH to respond to significant threats to the public health.

Managing Students with Communicable or Infectious Diseases

Actor	Action
Parents/Guardians	Notifies the Building Principal where their child is enrolled if their child has a communicable or infectious disease. See eExhibit 7:280-E2, Reporting and Exclusion Requirements for Common Communicable Diseases , for a list of communicable or infectious diseases.
Building Principal or designee	Upon having knowledge of a known or suspected case or carrier of a communicable disease: <ol style="list-style-type: none"> a. Notifies the <i>local health authority</i> as required by 77 Ill.Admin.Code §690.200. The <i>local health authority</i> is a full-time official health department, as recognized by IDPH, having jurisdiction over a particular area, including city, village, township, and county boards of health. If there is not a local health authority recognized by IDPH, the local health authority is IDPH. 77 Ill.Admin.Code §690.10. See also eExhibit 7:280-E2, Reporting and Exclusion Requirements for Common Communicable Diseases, identifying the diseases for which there is mandatory reporting. Note: The Communicable Disease Report Act, 745 ILCS 45/,

Actor	Action
	<p>grants immunity from slander or libel to persons who in good faith make such reports.</p> <p>b. Follows directions for temporarily excluding a student from school according to the local health authority direction and 77 Ill.Admin.Code Part 690.</p> <p>Keeps the school open where a student with a communicable disease attends, except in the event of an emergency. 77 Ill.Admin.Code §690.30(c)(1).</p>
District staff	<p>Observes all rules of IDPH regarding communicable and chronic infectious disease. See the Legal References below for a list of these rules.</p> <p>Collects and maintains the student’s medical information in a manner that ensures the strictest confidentiality and in accordance with federal and State laws regarding student records. Consult with the Board Attorney to ensure compliance with such laws.¹ 77 Ill.Admin.Code 690.30(c)(5).</p>
Superintendent or designee	<p>Confirms that all required and appropriate notices are made.²</p> <p>Convenes the Communicable and Chronic Infectious Disease Review Team. This Superintendent committee is composed of the District’s medical advisor, a school nurse, the Building Principal, and the Superintendent or designee (see administrative procedure 2:150-AP, Superintendent Committees).</p>
Communicable and Chronic Infectious Disease Review Team	<p>Arranges a meeting with the student’s parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of the meeting is to:</p> <p>a. Determine when an excluded student will return to school. This determination shall be based on whether the student poses a high risk of transmission of a communicable and chronic infectious disease to other students and staff. A student suspected of being infected with a notifiable disease for which isolation is required shall be refused admittance until fever-free and diarrhea and vomiting-free for 24 hours without the use of fever reducing, antidiarrheal, or antiemetic medications and other medications while acute symptoms are present. 77 Ill.Admin.Code §690.30(c)(2).</p> <p>b. Perform a pre-placement evaluation. 34 C.F.R. §104.35.</p> <p>c. Make a placement decision based on the pre-placement evaluation. The placement decision shall include any needed related services. 34 C.F.R. §104.35.</p>

The footnotes should be removed before the material is used.

¹ [IDPH regulations provide that, "Identifiable information on a student or staff \[member\], such as name and contact information \(including current address and phone\), seating charts on \[buses\] and in the classroom, and rosters for extracurricular activities, shall be reported to the Department or local public health authority for any notifiable disease or condition within the timeframes specified in this Part." 77 Ill.Admin.Code §690.30\(c\)\(5\). Consult with the board attorney to ensure that any reports required by this provision to IDPH or the local public health authority comply with federal and State laws regarding student records.](#)

² The Centers for Disease Control and Prevention (CDC) makes sample letters to parents available for certain infectious diseases, such as measles and pertussis, on its website at www.cdc.gov.

Actor	Action
	<p>d. If there is a reason to believe that the student may have a disability requiring special education and related services, the child shall be referred for a special education evaluation. Referrals may also be made, at any time, by any concerned person, including but not limited to District personnel, the student's parent(s)/guardian(s), a community service agency employee, a professional having knowledge of a child's problems, a child, or an ISBE employee. See the District's <i>Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities</i>.³ 23 Ill.Admin.Code §226.110.</p> <p>Reports the meeting results to the Superintendent.</p>
<p>Superintendent or designee</p>	<p>Notifies the student's parents/guardians when an excluded student can return to school and of the placement decision. If the student will not attend school, every reasonable effort shall be made to provide the student with an adequate alternative education. State regulations and school policy regarding homebound instruction shall apply.</p>
<p>Communicable and Chronic Infectious Disease Review Team</p>	<p>At least annually while a student has a contagious or infectious disease, arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the student's education placement and the provision of related services.</p>

Managing a Student with a Communicable or Infectious Disease Who Demonstrates Behavior that Could Result In Infecting Other Students or Staff Members

Actor	Action
<p>Parents/Guardians or any staff member</p>	<p>Notifies the Building Principal if a student with a communicable or infectious disease shows a lack of control of bodily secretions, has open sores that cannot be covered, or demonstrates behavior (e.g., biting) that could result in direct inoculation of potentially infected body fluids into the bloodstream.</p>
<p>Building Principal</p>	<p>Immediately notifies the Superintendent of the above.</p>
<p>Superintendent or designee</p>	<p>Upon being notified that a student is demonstrating behavior that could spread his or her disease, convenes the Communicable and Chronic Infectious Disease Review Team.</p> <p>If appropriate, notifies parents of students of possible exposure if their student may have been exposed to a communicable or infectious disease due to behaviors exhibited by a student having such a disease.</p>

The footnotes should be removed before the material is used.

³ Sample *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities* are available at: www.iasb.com/law/icaspeced.cfm.

Actor	Action
Communicable and Chronic Infectious Disease Review Team	<p>Arranges a meeting with the student’s parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of this meeting is to:</p> <ol style="list-style-type: none"> Determine whether the student’s temporary removal from the classroom is appropriate because the student poses a high risk of transmitting a communicable and chronic infectious disease or whether another response exists to reduce the risk of transmission. A student suspected of being infected with a <u>notifiable</u> disease for which isolation is required shall be refused admittance <u>until fever-free and diarrhea and vomiting-free for 24 hours without the use of fever reducing, antidiarrheal, or antiemetic medications and other medications, while acute symptoms are present</u> 77 Ill.Admin.Code §690.30(c)(2). Perform a pre-placement evaluation if the student will continue to attend school. 34 C.F.R. §104.35. Make a placement decision based on the pre-placement evaluation. The placement decision shall include any needed related services. 34 C.F.R. §104.35. If the student will continue to attend school, determine the student’s appropriate educational placement. The team shall also determine if the student needs related services or placement outside the regular classroom. <p>Reports the meeting’s results to the Superintendent.</p>
Superintendent or Designee	<p>Notifies the student’s parent(s)/guardian(s) whether the student will attend school. If the student will not attend school or participate in school activities with other students, every reasonable effort shall be made to provide the student with an adequate alternative education; however, an individual student’s Individualized Education Program (IEP) will control. State regulations and school policy regarding homebound instruction apply.</p>
Communicable and Chronic Infectious Disease Review Team	<p>At least once a month while a student is removed from normal school attendance, arranges a meeting with the student’s parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the removal and to determine whether the condition precipitating the removal has changed.</p>

General Post-Evaluation Procedures

Actor	Action
Parents/Guardians	<p>May appeal their child’s exclusion from school or educational placement to the School Board within 10 days of being notified of the action.</p>
Parents/Guardians	<p>When their child returns to school after an absence due to a communicable and chronic infectious disease, present a certificate from a physician licensed in Illinois stating that the child qualifies for re-admission to school under the rules of IDPH that regulate periods of incubation, communicability, quarantine, and reporting.</p>

LEGAL REF.: [105 ILCS 5/10-21.11](#), 20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
29 U.S.C. §701 et seq., Rehabilitation Act of 1973.
42 U.S.C. §12101 et seq., Americans with Disabilities Act of 1990.
34 C.F.R. §§104.34 and 104.35.
[105 ILCS 5/10-21.11](#).
410 ILCS 315/, Communicable Disease Prevention Act.
23 Ill.Admin.Code Part 226.
77 Ill.Admin.Code Parts 665, 690, 693, 695, 696, and 697.

CROSS REF.: ~~2:150-(Committees)~~, 5:40 (Communicable and Chronic Infectious Disease)

ADMIN PROC.: 2:150-AP (Superintendent Committees), 4:180-AP1 (School Action Steps for Pandemic Influenza or Other Virus/Disease)

Draft

Community Relations

Administrative Procedure - Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

Requests from Community, Educational, Charitable, Recreational, or Other Organizations

Actor	Action
Community, Educational, Charitable, Recreational, or Other Organizations	<p>Direct to the Building Principal all requests to advertise events pertinent to students' interests or involvement.</p> <p>Specifically describe the material or content proposed to be displayed, distributed, included in the school's website, and/or included on District-issued electronic learning devices.</p> <p>Request specific dates for the material to be displayed or distributed.</p>
Building Principal	Refers all materials to the Superintendent or designee for screening to ensure compliance with the District's policy and procedures. ¹
Superintendent or designee	<p>Screens all material before distributing or posting it to ensure compliance with the District's policy and procedures, including that all material and content be student-oriented, have the sponsoring organization's name prominently displayed, and clearly state that the organization is not affiliated with the District.</p> <p>Rejects all requests to post or distribute material or content that would: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent. ²</p> <p>Determines the appropriate location for the content, provided that any distribution by staff is done without discussion.</p> <p>Informs the organization whether its request is accepted or rejected.</p> <p>Removes all materials and/or content that are out-of-date from the building, website, and/or District-issued learning devices.</p>

The footnotes should be removed before the material is used.

¹ An administrator in the central office enhances coordination and ensures that all buildings in the district are operating uniformly. For districts that wish to leave the screening of materials to building principals, replace: "Superintendent or designee" in the next row with "Building Principal" and delete this row.

² Consult the Board Attorney. Allowing one organization to distribute non-religious materials at school, but prohibiting the distribution of religious materials by another, may negate indemnification for school administrators and the district. See Morgan v. Swanson, 755 F.3d 757 (5th Cir. 2014) (granting, after several years of reversals, remands, and procedural motions, qualified immunity to an elementary school principal who allowed parents to distribute non-religious materials but prohibited another parent from distributing religious materials during an in-class winter party).

Community, Educational, Charitable, Recreational, or Other Organizations	<p>Deliver the material or content to the school. The school will not make copies.</p> <p>Provide in electronic format any information that the Building Principal agreed to publish on the school's website or District-issued learning devices.</p>
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Requests from Commercial Companies to Advertise and/or Distribute Material

Actor	Action
Commercial Companies	<p>Direct to the Superintendent all requests to advertise on school grounds, in school publications, or on District-issued learning devices.</p> <p>Specifically identify the requested location for advertisements, i.e.: (a) athletic field fences, (b) athletic, theater, or music programs, (c) student newspapers or yearbooks, (d) scoreboards, and/or (e) other appropriate locations. ³</p> <p>Prominently display the company's name on all advertising.</p> <p>Provide a copy of the proposed advertisement to the Superintendent.</p>
Superintendent	<p>Screens all proposed ads to ensure that they follow Board policy 8:25, <i>Advertising and Distributing Materials in Schools Provided by Non-School Related Entities</i>, and will not: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent.</p> <p>May approve a commercial request related to graduation, class pictures, or class rings.</p> <p>For all other commercial requests, makes a dispositional recommendation during an open School Board meeting.</p> <p>After the Board's decision, takes all appropriate steps.</p>

The footnotes should be removed before the material is used.

³ The Student Online Personal Protection Act (SOPPA) (105 ILCS 85/ ~~added by P.A. 100-315~~) provides safeguards to protect the privacy and security of data about students when it is collected by educational technology companies. It specifically prohibits *targeted advertising* (presenting advertisements to students where they are selected based on information obtained or inferred over time from that students' online behaviors, usage of applications, or *covered information* (as defined by SOPPA)). For more discussion about SOPPA, see f/n 5 in [sample](#) policy 8:25, *Advertising and Distributing Materials in Schools Provided by Non-School Related Entities*.

Actor	Action
School Board	<p>From time-to-time, by Board resolution, determines minimum fees for advertising space. All fees are subject to negotiation and Board approval. Current minimum fees are:</p> <p style="padding-left: 40px;">Athletic field fences \$ _____</p> <p style="padding-left: 40px;">Athletic, theater, or music programs \$ _____</p> <p style="padding-left: 40px;">Student newspapers or yearbooks \$ _____</p> <p style="padding-left: 40px;">Scoreboards \$ _____</p> <p style="padding-left: 40px;">Other appropriate locations \$ _____</p>

Draft

School Board

Exhibit - Checklist for Filling Board Vacancies by Appointment

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

Confirm that the Board must fill the vacancy by appointment.

Guidelines	Explanation
Review Board policy 2:70, <i>Vacancies on the School Board - Filling Vacancies</i> , to determine if a vacancy on the Board occurred and, if so, whether the successor will be selected by election or Board appointment. Consult the Board Attorney as needed.	Filling a vacancy by Board appointment or election depends upon when the vacancy occurred. If a vacancy occurs with less than: (1) 868 days remaining in the term of office, or (2) 88 days before the next regularly scheduled election for the vacant office, no election to fill the vacancy is held and the appointee serves the remainder of the term. At all other times, an appointee serves until the next regular school election, at which election a successor is elected to serve the remainder of the unexpired term. See 105 ILCS 5/10-10.
In the event a seat on the board goes unfilled at an election, consult the Board Attorney to determine (1) how long the seat can be <i>held over</i> by the incumbent member, and (2) the process by which the Board will fill the seat.	The School Code partially addresses the concept of a <i>holdover seat</i> ; it states “no elective office...becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified.” 105 ILCS 5/10-11.

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

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

Guidelines	Explanation
At a minimum, a candidate must meet the following qualifications: <ul style="list-style-type: none"> • Be a United States citizen • Be at least 18 years of age • Be a resident of Illinois and District for at least one year immediately preceding the appointment 	While the School Code does not expressly set forth eligibility requirements for appointment to a Board vacancy, the Board may want to use the qualifications for elected Board members listed in 105 ILCS 5/10-3 and 5/10-10. For guidance discussing other qualifications that the Board may want to consider, see IASB’s <i>Recruiting</i>

Guidelines	Explanation
<ul style="list-style-type: none"> • Be a registered voter • Not be a child sex offender • Not hold another incompatible public office • Not have a prohibited interest in any contract with the District • Not be a school trustee • Not hold certain types of prohibited State or federal employment 	<p><i>School Board Candidates</i>, available at: www.iasb.com/training/recruiting.cfm</p> <p>For guidance regarding conflict of interest and incompatible offices, see Conflict of Interest and Incompatible Offices FAQ <i>Answers to FAQs Regarding Conflict of Interest and Incompatible Offices</i> (ICSA), available at: www.iasb.com/IASB/media/Documents/COI_FAQ.pdf.</p>
<p>When additional qualifications apply, the following items may be included in the Board’s list of qualifications:</p> <ul style="list-style-type: none"> • Meet all qualifications based upon the distribution of population among congressional townships in the district. • Meet all qualifications based upon the distribution of population among incorporated and unincorporated areas. 	<p>Board members of some community unit school districts may be subject to historical residential qualifications based on the distribution of population among congressional townships in the district or between the district’s incorporated and unincorporated areas. 105 ILCS 5/10-11.</p> <p>Note: If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5(c), added by P.A. 100-800.</p>

Decide who will receive completed vacancy applications.

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

Create the Board member vacancy announcement.

Announcement	Explanation
<p>School District _____ Board Member Vacancy</p>	<p>The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board’s sole discretion.</p>

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

- Publicize the vacancy announcement by placing it on the District's website, announcing it at a meeting, and/or advertising it in the local newspaper(s).**
- Accept and review applications from prospective candidates (see *Decide who will receive completed vacancy applications* above).**
- Contact appropriate applicants for interviews (see *Decide who will receive completed vacancy applications* above).**
- Develop interview questions.**

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

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

Interview Plan	Explanation
<p>In each interview, the Board President will:</p> <p>Introduce Board members to the candidate at the beginning of the interview.</p> <p>Describe the Board’s interview process, selection process, and ask the candidate if he or she has questions about the Board’s process for filling a vacancy by appointment.</p> <p>Describe the District’s philosophy or mission statement.</p> <p>Describe the vacancy for the candidate by reviewing the: (1)</p>	<p>The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, <i>Qualifications, Term, and Duties of Board Officers</i>. The president presides at all meetings. 105 ILCS 5/10-13.</p> <p>The Board may also want to consider allowing an equal amount of time for each interview.</p>

Interview Plan	Explanation
<p>qualifications, and (2) general duties and responsibilities of the Board and the Board members, including fiduciary responsibilities, conflict of interest, ethics and gift ban, and general Board member development.</p> <p>Begin asking the interview questions that the Board developed.</p> <p>Ask the candidate whether he or she has any questions for the Board.</p> <p>Thank the candidate and inform the candidate when the Board expects to make a decision and how the candidate will be contacted regarding the Board's decision.</p>	

- Fill vacancy by a vote during an open meeting of the Board before the 60th day (105 ILCS 5/10-10, ~~amended by P.A. 101-67, eff. 1-1-20~~).**
- Assist the appointed Board member in filing his or her statement of economic interest (5 ILCS 420/4A-105(c)).**
- Announce the appointment to District staff and community.**

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

- Administer the Oath of Office and begin orientation.**

Guidelines	Explanation
See Board policy 2:80, <i>Board Member Oath and Conduct</i> .	Each individual, before taking his or her seat on the Board, must take an oath in substantially the form given in 105 ILCS 5/10-16.5.
See Board policy 2:120, <i>Board Member Development</i> , and exhibit 2:120-E1, <i>Guidelines for Serving as a Mentor to a New School Board Member</i> .	Orientation assists new Board members to learn, understand, and practice effective governance principles. See the IASB Foundational Principles of Effective Governance, available at: www.iasb.com/principles_popup.cfm .

- Inform IASB of the newly appointed Board member’s name and directory information.**

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School Board

Exhibit - Board Member Expense Reimbursement Form

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

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

Departure Date: _____ Return Date: _____

- Receipts attached Request Date: _____
- Estimated expenses attached (Completed 2:125-E2, Board Member Estimated Expense Approval Form) (pre-approval is required for federal and State grants).
- Approved expense advancement (voucher) attached, if applicable* (Completed 2:125-E2, Board Member Estimated Expense Approval Form.)

Actual Expense Report										
*Board members will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, board members will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 2:125, Board Member Compensation; Expenses.										
Auto Travel Allowance: _____ per mile										
Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other		Daily Total
	Miles	Cost			Bkfst	Lunch	Dinner	Item	Cost	
Subtotal										
Advances										
TOTAL (a negative amount indicates refund due from Board member)										

Submitting Board Member's Signature Date

Superintendent Signature

Date

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

Comments: _____

Draft

School Board

Exhibit - Board Member Estimated Expense Approval Form

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

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

Departure Date: _____ Return Date: _____

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

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

Purchase Order Requested Purchase Order #: _____

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

Voucher Amount: _____

Estimated Expense Report

Auto Travel Allowance: _____ per mile

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

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

Submitting Board Member's Signature

Date

Superintendent Signature

Date

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

Comments: _____

Draft

School Board

Exhibit - Checklist for Selecting a Board Attorney

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

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

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

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

Develop the RFP.

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

Announce the RFP.

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

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

Receive and manage responses to the RFP.

1. Review [Board](#) policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The Board President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts applications is at the Board's sole discretion and should be decided by the Board prior to posting the RFP announcement.
2. The Board will discuss, at an open meeting, its process to review the applications and who will contact RFP responders for an interview.
3. The designated person will contact RFP responders for interviews.

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

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

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

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

1. The Board President will lead the Board as it interviews responders to its RFP. See 105 ILCS 5/10-13 stating that the Board President presides at all meetings and [Board policy 2:110, Qualifications, Term, and Duties of Board Officers](#).
2. The Board may also want to consider allowing an equal amount of time for each interview.
3. Discuss the following items with each responder during the interview:
 - Introduce Board members to the responder
 - Describe the Board’s interview process, selection process, and ask the responder if he or she has questions about the Board’s process for selecting its attorney
 - Describe the District’s philosophy or mission statement
 - Describe the Board Attorney position by reviewing the RFP
 - Begin asking the interview questions (see *Develop interview questions*, above)
 - Ask the responder whether he or she has any questions for the Board
 - Thank the responder and inform him or her when the Board expects to make its decision and how the responder will be contacted regarding the Board’s decision

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

1. The Board President may perform this check or direct the Superintendent to:
 - Check the ARDC’s master roll of attorneys as “Authorized to Practice Law” (To do this, enter the attorney’s name into the ARDC’s registration and public disciplinary records database at: www.iardc.org/Lawyer/Searchwww.iarde.org/lawyersearch.asp.)
 - Click on the attorney’s name to review whether any disciplinary actions are pending or resolved; current and prior actions will appear at the bottom of the screen
 - If disciplinary actions are listed, ask the attorney or law firm for more information
 2. There are other online attorney review services available. These services may be overly subjective and/or the attorney may have control over the content in these services. Always check with the ARDC.
 3. Call references provided by the responder.
- Enter into a written agreement or engagement letter with the selected attorney or law firm.**
1. All *agreements for legal services* should be in writing. At minimum, the agreement should provide the fee arrangement and the scope of services. *Agreements for legal services* and individual billing statements from the Board Attorney are subject to disclosure pursuant to a Freedom of Information Act request (PAO 14-02).
 2. Discuss the fee arrangements with the responder and decide:
 - Whether to enter into a fee arrangement and/or a retainer agreement (**Note:** Attorneys typically bill by a pre-determined percentage of the hour, e.g., in one-tenth of an hour increments. Many districts enter into a retainer agreement for legal services or an engagement letter that requires them to pay the attorney a pre-determined fee every month. In return, the attorney provides a pre-determined amount of legal services whenever the district needs him or her. Districts find this useful because (1) they can budget for legal expenses, (2) legal advice is available up to the pre-determined amount for lower fees, and (3) this arrangement often provides for an enhanced, long-term relationship with the attorney.)
 - The appropriate scope of services
 3. Review the written contract or memorialized relationship (*agreement for legal services or engagement letter*) for these provisions:
 - Fee arrangement
 - Scope of services
 - Which attorneys will be providing legal services
 - A statement that the Board controls all legal decisions
 - A statement that the attorney and his or her law firm have no conflicts of interest or, if a conflict exists, that the Board understands the conflict and waives it
 - Board’s right to terminate the services of the attorney and law firm at any time for any reason
 4. Approve the *agreement for legal services or engagement letter* during an open Board meeting.
- Announce the appointment to District staff and community.**
1. The contents of the announcement and length of time it is displayed are at the Board’s sole discretion.
 2. The Board may want to consider announcing during an open meeting. See [Board](#) policy 8:10, *Connection with the Community*.
 3. The Board may want to include the following information in its announcement:
 - The Board appointed [attorney’s name or law firm name] as the Board Attorney
 - The appointment will begin on [date] for [length of time]

- The Board previously established qualifications for the Board Attorney in a careful and thoughtful manner, e.g., “[*Attorney or law firm’s name*] meets these qualifications and has demonstrated the willingness to accept its duties and responsibilities. [*Attorney or law firm’s name*] brings a clear understanding of the demands and expectations of the Board Attorney position along with a constructive attitude toward the challenge.”

Draft

General Personnel

Exhibit - Resolution to Prohibit Sexual Harassment

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

WHEREAS, Section 1-5 of the State Officials and Employees Ethics Act (5 ILCS 430/1 -5) includes school districts within the definition of a *governmental entity*;

WHEREAS, Section 5-65 of the State Officials and Employees Ethics Act (5 ILCS 430/5 -65, ~~added by P.A. 100-554~~) provides that all persons have a right to work in an environment free from sexual harassment;

WHEREAS, Section 70-5 of the State Officials and Employees Ethics Act (5 ILCS 430/70-5, ~~amended by P.A.s 100-554 and 101-221~~) requires governmental entities to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment which, at a minimum, includes: (1) a prohibition on sexual harassment; (2) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the Act, the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/); (4) the consequences: (a) of a violation of the prohibition on sexual harassment; and (b) for knowingly making a false report; and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against a Board member by a fellow Board member or other elected official;

THEREFORE, BE IT RESOLVED, by the Board of Education of [insert name], [insert county] County, Illinois, as follows:

Section 1: The Board adopts Board policies 2:105, *Ethics and Gift Ban*, and 5:20, *Workplace Harassment Prohibited*, attached as Exhibit A, which collectively contain the following: (1) a prohibition on sexual harassment; (2) detail regarding how an individual can report an allegation of sexual harassment, including options for making a confidential report to an immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, a Complaint Manager, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations and a statement regarding the availability of whistleblower protections under the State Officials and Employees Ethics Act, the Whistleblower Act, and the Ill. Human Rights Act; and (4) the consequences: (a) of a violation of the prohibition on sexual harassment; and (b) for knowingly making a false report, and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against a Board member by a fellow Board member or other elected official.

Section 2: Any prior versions of Board policies 2:105, *Ethics and Gift Ban*, and 5:20, *Workplace Harassment Prohibited*, adopted by the Board are superseded by this Resolution.

Adopted this ____ day of _____, 20 ____.

Attested by: _____, Board President

Attested by: _____, Board Secretary

General Personnel

Exhibit - Volunteer Agreement Executed by a Non-Exempt Employee

I would like to serve as a volunteer for the School District. I understand that:

1. I may **not** volunteer to perform a job that is the same or similar job for which I am employed.
2. My time and service as a volunteer are given without promise, expectation, or receipt of any form of compensation.
3. My volunteer services are not being performed in the course and scope of my regular employment and are not in any way required by the School District.
4. Either the District or I may terminate my volunteer services at any time for any reason. My withdrawal will not affect my continued employment with the School District.

This agreement will continue in force until terminated by either the employee or School District.

 Volunteer Signature _____
Date

 Supervisor _____
Date

Draft

General Personnel

Exhibit - Code of Ethics for Illinois Educators

Code of Ethics for Illinois Educators, Illinois State Board of Education (ISBE) (23 Ill.Admin.Code §22.20)

a) Responsibility to Students

The Illinois educator is committed to creating, promoting, and implementing a learning environment that is accessible to each student, enables students to achieve the highest academic potential, and maximizes their ability to succeed in academic and employment settings as a responsible member of society. Illinois educators:

1. Embody the Standards for the School Support Personnel Endorsements (23 Ill.Admin.Code Part 23), the Illinois Professional Teaching Standards (23 Ill.Admin.Code Parts 24 and 130), and Standards for Administrative Endorsements (23 Ill.Admin.Code Part 29), as applicable to the educator, in the learning environment;
2. Respect the inherent dignity and worth of each student by assuring that the learning environment is characterized by respect and equal opportunity for each student, regardless of race, color, national origin, sex, sexual orientation, disability, religion, language or socio-economic status;
3. Maintain a professional relationship with students at all times;
4. Provide a curriculum based on high expectations for each student that addresses individual differences through the design, implementation, and adaptation of effective instruction; and
5. Foster in each student the development of attributes that will enhance skills and knowledge necessary to be a contributing member of society.

b) Responsibility to Self

Illinois educators are committed to establishing high professional standards for their practice and striving to meet these standards through their performance. Illinois educators:

1. Assume responsibility and accountability for their performance and continually strive to demonstrate proficiency and understanding of current trends in both content knowledge and professional practice;
2. Develop and implement personal and professional goals with attention to professional standards through a process of self-assessment and professional development;
3. Represent their professional credentials and qualifications accurately; and
4. Demonstrate a high level of professional judgment.

c) Responsibility to Colleagues and the Profession

The Illinois educator is committed to collaborating with school and district colleagues and other professionals in the interest of student learning. Illinois educators:

1. Collaborate with colleagues in their respective schools and districts to meet local and State educational standards;
2. Work together to create a respectful, professional, and supportive school climate that allows all educators to maintain their individual professional integrity;
3. Seek out and engage in activities that contribute to the ongoing development of the profession;

4. Promote participation in educational decision-making processes;
 5. Encourage promising candidates to enter the education profession; and
 6. Support the preparation, induction, mentoring, and professional development of educators.
- d) Responsibility to Parents, Families and Communities

The Illinois educator will collaborate, build trust, and respect confidentiality with parents, families, and communities to create effective instruction and learning environments for each student. Illinois educators:

1. Aspire to understand and respect the values and traditions of the diversity represented in the community and in their learning environments;
 2. Encourage and advocate for fair and equal educational opportunities for each student;
 3. Develop and maintain professional relationships with parents, families, and communities;
 4. Promote collaboration and support student learning through regular and meaningful communication with parents, families, and communities; and
 5. Cooperate with community agencies that provide resources and services to enhance the learning environment.
- e) Responsibility to ISBE

Illinois educators are committed to compliance with the School Code (105 ILCS 5/) and its implementing regulations, and to State and federal laws and regulations relevant to their profession. Illinois educators:

1. Provide accurate communication to ISBE concerning all educator licensure matters;
2. Maintain appropriate educator licensure for employment; and
3. Comply with State and federal laws and regulations.

Educational Support Personnel

Exhibit - Agreement to Receive Compensatory Time-Off

The School Board has a policy of granting compensatory time-off to non-exempt employees in lieu of overtime pay for time worked in excess of 40 hours in any workweek. I have either received a copy of the policy or been told where it may be found or downloaded. I understand that:

1. I must obtain my supervisor’s express authorization to work overtime before working in excess of 40 hours in any workweek.
2. I will earn compensatory time-off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked.
3. I will be allowed to use accrued compensatory time-off within a reasonable period after making a request to use it, provided that my absence would not unduly disrupt operations considering factors like emergency requirements for staff and the availability of qualified substitute staff.
4. My supervisor may require that I use my accrued compensatory time-off within a certain time period, may prohibit my use of accrued compensatory time-off on certain days, may require that I cash out my compensatory time-off after a particular time period, and may otherwise limit my use of compensatory time-off.

I agree to receive compensatory time-off in lieu of overtime pay for time worked in excess of 40 hours in any workweek, and I accept this as a condition of my employment.

Employee Signature

Date

Supervisor Signature (or designee)

Date

Instruction

Exhibit - Application for a Diploma for a Service Member Killed in Action or for Veterans of WWII, the Korean Conflict, or the Vietnam Conflict

Complete and submit to the Superintendent.

Please print:

_____			_____		
Name to Appear on Diploma			Phone		
_____			_____		
Address			Birth Date		
_____			_____		
City	State	Zip			

For Veterans of WWII, the Korean Conflict, or the Vietnam Conflict

The applicant is requesting a high school diploma and attests that he or she meets the following criteria as established by School Board policy:

1. Served in the U.S. Armed Forces during World War II, the Korean Conflict, or the Vietnam Conflict.
Please check one or more of the following: ¹
 - World War II: December 7, 1941 – December 31, 1946, including the induction period of September 16, 1940 – December 6, 1941
 - Korean Conflict: June 27, 1950 – January 31, 1955, including the induction period of January 1, 1947 – June 26, 1950
 - Vietnam Conflict: January 1, 1961 – May 7, 1975
2. Left high school in order to serve in the U.S. Armed Forces.
3. Resided within an area currently within the School District at the time he or she withdrew from high school.
4. Has not received a high school diploma or a GED (high school equivalency).

_____		_____	
Applicant's Name (<i>printed</i>)	Signature	Date	

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

¹ This exhibit uses dates of eligible service listed in Ill. Dept. of Veterans Affairs administrative rules at 95 Ill.Admin.Code §101.10.

For Service Members Killed in Action

The applicant is requesting a high school diploma on behalf of a service member who was killed in action and attests that the deceased service member meets each of the following criteria as established by Board policy:

1. Was killed in action while performing active military duty with the U.S. Armed Forces.
2. Left high school in order to serve in the U.S. Armed Forces.
3. Resided within an area currently within the School District at the time he or she withdrew from high school.
4. Has not received a high school diploma or a GED (high school equivalency).

Applicant's Name (*printed*) Signature

Date

Draft

Students

Exhibit - School Medication Authorization Form - Medical Cannabis

To be completed by the child's parent(s)/guardian(s). A new form must be completed every school year. Keep in the school nurse's office or, in the absence of a school nurse, the Building Principal's office.

Student's Name: _____ Birth Date: _____

Address: _____

Home Phone: _____ Cell Phone: _____ Emergency Phone: _____

School: _____ Grade: _____ Teacher: _____

To be completed by the student's physician, physician assistant with prescriptive authority, or advanced practice RN with prescriptive authority.

Prescriber's Printed Name: _____

Office Address: _____

Office Phone: _____ Emergency Phone: _____

Medication name: _____

Purpose: _____

Dosage: _____ Frequency: _____

IDPH registry ID card for student is valid [insert dates]: _____

IDPH registry ID card for designated caregiver is valid [insert dates]: _____

Attach copies of both registry identification cards

Time medication is to be administered or under what circumstances: _____

Prescription date: _____ Order date: _____ Discontinuation date: _____

Diagnosis requiring medication: _____

Is it necessary for this medication to be administered during the school day? Yes No

Expected side effects, if any: _____

Time interval for re-evaluation: _____

Other medications student is receiving: _____

Prescriber's Signature _____

Date _____

For only parents/guardians of students who want to grant their child permission to self-administer a medical cannabis infused product under direct supervision by a school nurse or administrator:

I grant permission for my child to self-administer his or her medical cannabis infused product required under an asthma action plan, an Individual Health Care Action Plan, an ~~Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form~~, a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or a plan pursuant to the federal Individuals with Disabilities Education Act. 105 ILCS 5/10-22.21b, amended by P.A. ~~103-175401-205, eff. 1-1-20~~. I understand that my child's self-administration will only occur under direct supervision by a school nurse or school administrator. 105 ILCS 5/22-33(b-5), ~~amended by P.A. 101-370, eff. 1-1-20~~.

Medical cannabis infused product child is permitted to self-administer:

Please initial to indicate (1) receipt of this information, and (2) authorization for your child to self-administer a medical cannabis infused product.

Parent/Guardian Initials

By signing below, I acknowledge, understand and agree as follows:

1. The only individual(s) who may possess and administer medical cannabis to my child at school or on the school bus is: a) his/her registered designated caregiver as identified by the Ill. Dept. of Public Health (IDPH); or b) a school nurse or school administrator.
2. Both my child and his/her registered designated caregiver possess valid registry identification cards issued by the IDPH, copies of which I have provided/will provide to the District.
3. After administering the medical cannabis to my child, the designated caregiver shall immediately remove the product from school premises or the school bus.
4. The designated caregiver may not administer a medical cannabis infused product in a manner that, in the opinion of the District or school, would create a disruption to the school's educational environment or would cause exposure of the product to other students.
5. Children under age 18 cannot smoke or vape medical cannabis. Medical cannabis-infused products include oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped.
6. The District reserves the right to restrict or otherwise stop allowing the administration of medical cannabis to my child if the District or school would lose federal funding as a result.
7. I agree to indemnify and hold harmless the School District and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration of medical cannabis that I authorize by my signature below.

Parent/Guardian Printed Name: _____

Address (if different from Student's above): _____

Home Phone: _____ Cell Phone: _____ Emergency Phone: _____

Parent/Guardian Signature

Date

Students

Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases

The following chart contains requirements from rules adopted by the Ill. Dept. of Public Health (IDPH). They provide routine measures for the control of communicable diseases by establishing progressive initiatives for implementing disease-reporting and exclusions measures. School personnel must notify the local health authority if they have knowledge of a known or suspected case or carrier of communicable disease, and such reports must be kept confidential. 77 Ill.Admin.Code §690.200.

Diseases and Conditions, 77 Ill.Admin.Code §690.100

The following are declared to be contagious, infectious, or communicable and may be dangerous to the public health. The Section number associated with the listed diseases [or conditions](#) indicates the Section of the rules explaining the ~~reportable-notifiable~~ disease [or condition](#). Diseases and conditions are listed alphabetically by class. Every class has a different timeframe for mandatory reporting to IDPH.

Standard precautions refers to infection prevention and control measures for healthcare settings that apply to all patients regardless of diagnosis or presumed infection status. 77 Ill.Admin.Code §690.10.

Contact precautions refers to infection control measures for healthcare settings designed to reduce the risk of transmission of infectious agents that can be spread through direct contact with the [suspected or known case patient](#) or indirect contact with potentially infectious items or surfaces. 77 Ill.Admin.Code §690.10.

Droplet precautions refers to infection [prevention and](#) control measures for healthcare settings designed to reduce the risk of transmission of infectious agents via large particle droplets that do not remain suspended in the air and are usually generated by coughing, sneezing, or talking. 77 Ill.Admin.Code §690.10.

Case refers to any living or deceased person having a recent illness due to a ~~communicable disease~~ [notifiable condition](#). 77 Ill.Admin.Code §690.10.

Class I(a) Diseases [or Conditions](#)

The following [notifiable](#) diseases [or conditions](#) shall be reported by telephone immediately (within three hours) upon initial clinical suspicion of the disease [or condition](#) to the local health authority, who shall then report to IDPH immediately (within three hours).

<u>Disease or Condition</u>	<u>Precaution and Exclusion Rules</u>
Any unusual case of a disease or condition caused by an infectious agent not listed in IDPH regulations that is of urgent public health significance (including, but not limited to, cowpox, Reye’s syndrome, glanders, amoebic meningoencephalitis, orf, monkeypox, hemorrhagic fever viruses, infection from a laboratory-acquired	Contacts shall be evaluated to determine the need for quarantine and/or for symptoms monitoring follow-up for a period of time following exposure . The local health authority shall implement appropriate control measures.

recombinant organism, or any disease <u>or condition</u> non-indigenous to the United States), §690.295	
Anthrax, §690.320	Standard precautions shall be followed. Contact precautions shall be followed for care of persons with cutaneous anthrax when dressing does not adequately contain drainage. <u>No restrictions if exposure is from infected animals or animal products. A search shall be made for history of exposure to infected animals or animal products and traced to the place of origin. All anthrax cases shall be reviewed carefully for consideration of a bioterrorist event. No restrictions on contacts.</u> If there is a suspected bioterrorist threat or event, contacts will be evaluated to determine need for quarantine.
Botulism, Foodborne, Intestinal, §690.327	Standard precautions shall be followed. No restrictions.
Brucellosis (if suspected to be a bioterrorist event or part of an outbreak), §690.330	Standard precautions shall be followed. Contact precautions shall be followed when dressing does not adequately contain drainage. <u>No restrictions.</u>
Coronavirus, Novel, including Coronavirus Disease 19 (COVID-19); Severe Acute Respiratory Syndrome (SARS), and Middle Eastern Respiratory Syndrome (MERS), ₂ §690.361	<u>IDPH will make recommendations as information becomes known about the transmissibility of the novel coronavirus. IDPH will make recommendations for control of contacts based on transmissibility and severity of illness caused by the novel strain. Standard Precautions, Contact Precautions, Droplet Precautions including eye protection, and Airborne Infection Isolation Precautions shall be followed for cases or suspect cases in a health care facility (includes any public or private building or portion of a building used, operated, or designed to provide health services, medical treatment or nursing, rehabilitative or preventative care. 77 Ill. Admin. Code §690.10).</u> All cases, including suspect cases, should be isolated at home or in an alternative setting for housing. Contacts shall be placed under surveillance and may be quarantined, with close observation for fever and COVID-like respiratory symptoms in consultation with IDPH or the local health department. <u>IDPH has frequently updated its school exclusion guidance and rules for COVID-19 during the COVID-19 pandemic; school personnel should monitor them regularly.</u>

	<p>Guidance – www.dph.illinois.gov/covid19/community-guidance/school-guidance</p> <p>Rules – www.dph.illinois.gov/covid19/governor-pritzkers-executive-orders-and-rules</p>
Diphtheria, §690.380	<p>Standard precautions shall be followed. The case shall be isolated until two successive cultures from both throat and nose (and skin lesions in cutaneous diphtheria) are negative for diphtheria bacilli or when a virulence test proves the bacilli to be avirulent. The first culture shall be taken not less than 24 hours after completion of antibiotic therapy and the second culture shall be taken not less than 24 hours after the first. <u>If culturing is unavailable or impractical, isolation may be ended after 14 days of effective appropriate antimicrobial therapy.</u></p>
Influenza A, Novel <u>or Variant</u> Virus, §690.469	<p>Standard precautions, including routine use of eye protection, and droplet precautions shall be followed for patients in health care settings, e.g., hospitals, long term care facilities, outpatient offices, emergency transport vehicles.</p> <p>Control of contacts is based on transmissibility and severity of the illness that caused the influenza strain. IDPH will make recommendations as information becomes known about the transmissibility of the novel or variant influenza virus. IDPH will make recommendations for control of contacts based on transmissibility and severity of the illness caused by the novel or variant influenza A strain.</p> <p>(See the f/ns of <u>sample</u> policy 4:180, <i>Pandemic Preparedness; Management; and Recovery</i>, for information and resources regarding influenza epidemics in schools; <u>administrative procedure</u> 4:180-API, <i>School Action Steps for Pandemic Influenza or Other Virus/Disease</i>; and <u>administrative procedure</u> 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>.)</p>
<u>Measles, suspect, probable or confirmed</u> , §690.520	<p><u>All cases, including suspect cases, with measles shall isolate themselves at home and shall be excluded from school, work, and childcare facilities for at least four days after appearance of the rash.</u></p>
Plague, §690.570	<p>Standard precautions shall be followed. For all patients, droplet precautions shall be followed until pneumonia has been determined not to be present.</p> <p><u>For patients with pneumonic plague, droplet precautions shall be followed until 48 hours after initiation of effective</u></p>

	<p>antimicrobial therapy and the patient has a favorable clinical response. Antimicrobial susceptibility testing is recommended.</p> <p>A strict, seven day quarantine is required for contacts to pneumonic plague who refuse chemoprophylaxis. Cases, their clothing, their living quarters and any pets shall be treated to eliminate fleas. Contacts to pneumonic plague and bubonic plague shall be monitored daily for seven days by the local health authority or other designated individual.</p>
Poliomyelitis, §690.580	<p>Occurrence of a single case of poliomyelitis due to wild polio virus shall be recognized as a public health emergency, prompting immediate investigation and response.</p> <p>Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks for the duration of hospitalization. Cases or suspected cases with polio who are not in the hospital shall isolate themselves at home, and shall be excluded from school, work, or any child care facility until IDPH determines the person is no longer infectious and isolation is no longer needed.</p>
Q-fever (if suspected to be a bioterrorist event or part of an outbreak), §690.595	<p>Standard precautions shall be followed. The local health authority should investigate. No specific restrictions on contacts.</p>
Smallpox, §690.650	<p>Post exposure immunization, within three to four days after exposure, provides some protection against disease and significant protection against a fatal outcome. Any person with significant exposure to a person with probable or confirmed smallpox during the infectious stage of illness requires immunization as soon after exposure as possible, but within the first four days after exposure. Cases shall be admitted to a health care setting.</p>
Tularemia (if suspected to be a bioterrorist event or part of an outbreak), §690.725	<p>Standard precautions shall be followed. No specific restrictions.</p>
Any suspected bioterrorist threat or event, §690.800	<p>Cases and contacts shall be evaluated to determine need for isolation.</p>

Class I(b) Diseases or Conditions

The following notifiable diseases or conditions shall be reported as soon as possible during normal business hours by telephone (some rules state that facsimile or electronic reporting are also acceptable, the Disease column indicates “F” for facsimile or “E” for electronic in those instances), but within 24

hours, i.e., within eight regularly scheduled business hours after identifying the case, to the local health authority, who shall then report to IDPH as soon as possible, but within 24 hours.

Disease	Precaution and Exclusion Rules
Acute Flaccid Myelitis (AFM), §690.290	No general restrictions.
Botulism (intestinal, wound and other), §690.327 (F or E)	Standard precautions shall be followed. No restrictions.
Brucellosis (not part of suspected bioterrorist event or part of an outbreak), §690.330	Standard precautions shall be followed. Contact precautions shall be followed when dressing does not adequately contain drainage. No restrictions on contacts.
Chickenpox (Varicella), §690.350 (F or E)	Children shall be excluded from school or child care facilities for a minimum of five days after the appearance of eruption (with day zero being the first day of rash appearance) or until vesicles become dry/ crusted, whichever is longer . Standard precautions, contact precautions and airborne infection isolation precautions shall be followed for patients in a health care facility until all lesions are dry and crusted.
Cholera, §690.360 (F)	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours. Contacts should be asked about symptoms during the period of household exposure and for five days after last exposure.
Cronobacter, including C. sakazakii and C. malonaticus, infants younger than 12 months of age, §690.362	No specific restrictions.
Escherichia coli infections (E. coli O157:H7 and other Shiga toxin-producing E. coli), §690.400 (F)	Cases shall avoid public swimming pools while symptomatic and for two weeks after the date diarrhea has ceased. Specific precautions for food handlers must be followed.
Haemophilus influenzae, meningitis and other invasive disease, §690.441 (F)	Standard precautions and droplet precautions shall be followed. No specific restrictions. Droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Hantavirus pulmonary syndrome, §690.442 (F)	Standard precautions shall be followed. No specific restrictions on contacts.
Hemolytic uremic syndrome, post-diarrheal, §690.444 (F)	See requirements for the applicable disease that preceded the HUS (when preceding cases are either E.Coli (Section §690.400) or Shigellosis (Section §690.640) standard precautions shall be followed and contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours).

<p>Hepatitis A, §690.450 (F or E)</p>	<p>Standard precautions shall be followed. In diapered or incontinent persons, the following contact precautions shall be followed:</p> <ul style="list-style-type: none"> • Infants and children less than three years of age for duration of hospitalization; • Children 3 to 14 years of age, until two weeks after onset of symptoms; and <p>Those greater than 14 years of age, for one week after onset of symptoms. See §690.450</p>
<p><u>Influenza, (Laboratory Confirmed Deaths in persons younger than 18 years of age), §690.465</u></p>	<p><u>The death of a child younger than 18 years of age with laboratory-confirmed influenza shall be reported.</u></p>
<p><u>Influenza, (Laboratory Confirmed Testing via Electronic Laboratory Reporting (ELR) only and Intensive Care Unit Admissions)-admissions into intensive care unit, §690.468 (F or E)</u></p>	<p><u>Standard and droplet precautions shall be followed. IDPH may distribute additional recommendations in conjunction with CDC guidance. No specific restrictions. IDPH will recommend control of contacts based on transmissibility and severity of the illness caused by the influenza strain.</u></p>
<p><u>Melioidosis due to <i>Burkholderia pseudomallei</i>, §690.530</u></p>	<p><u>No specific restrictions.</u></p>
<p>Measles, §690.520</p>	<p>Children with measles shall be kept out of school or child care facilities for at least four days after appearance of the rash.</p>
<p>Mumps, §690.550 (F or E)</p>	<p>Cases shall be excluded from school, child care facilities or workplace until five days after onset of symptoms (parotitis).</p> <p><u>Susceptible contacts should be excluded from school or the workplace from days 12 through 25 after exposure. Suspect, probable, and confirmed cases as defined in Section 690.10 shall be excluded from school, child care facilities or the workplace until five days after onset of symptoms (parotitis). Susceptible close contacts to confirmed and probable cases shall be excluded from school, child care facilities or the workplace from days 12 through 25 after exposure.</u></p>
<p>Neisseria meningitidis, meningitis and <u>invasive disease and purpura fulminans,</u> §690.555 (F or E)</p>	<p>Standard precautions shall be followed. Droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy. <u>No specific restrictions.</u></p>
<p><u>Any suspected or Confirmed Outbreak of a Disease of Known or Unknown Etiology that may be a Danger to the Public Health, Whether the Disease, Infection, Microorganism, or Condition is specified in the Rule <u>Outbreaks for public health significance</u> (including but not limited to, foodborne, healthcare-</u></p>	<p>Make a report to local health authority within 24 hours for investigation. If outbreak has occurred, the local health authority makes a final report to IDPH. Cases are evaluated to determine need for isolation.</p>

associated, zoonotic disease, and waterborne outbreaks), §690.565 (E)	
Pertussis (whooping cough), §690.750	Standard precautions shall be followed. Droplet precautions shall be followed for known cases until the patient has received at least five days of a course of appropriate antibiotics. Case shall be excluded from school until five days of appropriate antibiotic therapy is complete. Suspected cases who do not receive antibiotics should be isolated for three weeks after onset of paroxysmal cough or until the end of the cough, whichever comes first. Cases shall be excluded from school, child care facilities, or the workplace until five days of appropriate antibiotic therapy has been completed. All household contacts and community-based contacts determined by the local health authority to be at risk should receive at least five days of a course of appropriate antibiotics.
Q-fever (not suspected in bioterrorist attack or part of an outbreak), §690.595	Standard precautions shall be followed. No restrictions for contacts.
Rabies, human, §690.600 (F or E)	Standard precautions shall be followed. Cases of suspect human rabies should be admitted to a health care facility.
Rabies, potential human exposure <u>and animal rabies</u> , §690.601 (F or E) Definition of exposed person to be reported is lengthy and available in §690.601-	The local health authority determines whether rabies post-exposure prophylaxis for the exposed person is needed.
<u>Respiratory Syncytial Virus (RSV) Infection (Laboratory Confirmed Testing via ELR only, Pediatric Deaths, and Intensive Care Unit Admissions).</u> , §690.605 (F or E)	<u>No specific restrictions.</u>
Rubella, §690.620 (F or E)	Cases shall <u>isolate themselves and</u> be excluded from school, child care facilities or the workplace for seven days after rash onset. Susceptible contacts shall be excluded from school <u>or the workplace</u> from days seven through 23 following rash onset after last exposure.
<u>SARS-CoV2 Infection (COVID-19) (Laboratory Confirmed Testing via ELR Only, Pediatric Deaths, and Intensive Care Unit Admissions).</u> , §690.635	<u>All cases shall isolate themselves at home per CDC recommendations or as directed by the local health authority.</u>
Smallpox vaccination, complications of §690.655 (E)	Precautions for individuals with vaccination complications vary depending upon the type of complication. See Smallpox, §690.650 above.
Staphylococcus aureus infections with intermediate or high level resistance to Vancomycin, §690.661 (F)	<u>No specific restrictions. IDPH</u> The Department will issue specific recommendations <u>for the control of contacts</u> on a case-by-case basis.

Streptococcal infections, Group A, invasive and sequelae to Group A streptococcal infections <u>In Persons Admitted to the Hospital or Residing in a Residential Facility, including antibiotic susceptibility test results</u> , §690.670 (F)	Standard Precautions shall be followed. Droplet Precautions shall be followed for persons with necrotizing fasciitis or toxic shock syndrome until 24 hours after initiation of effective antimicrobial therapy. In cases of necrotizing fasciitis, when dressing does not adequately contain drainage, contact precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy. No specific restrictions.
Tularemia (not suspected to be bioterrorist event or part of an outbreak), §690.725	Standard precautions shall be followed. No restrictions on contacts.
Typhoid fever <u>and Paratyphoid fever (including S. Typhi, S. Paratyphi A, S. Paratyphi B (tartrate negative), and S. Paratyphi C cases)</u> , §690.730 (F)	Cases with typhoid fever in non-sensitive occupations shall not return to their occupation until the following are completed: i) termination of the acute illness (absence of fever); and ii) receipt of education on transmission of the bacterium that causes typhoid fever from the local health authority. All persons living in the household of a newly identified chronic carrier and other contacts living outside the home must submit two consecutive negative specimens of feces. If persons required to be tested refuse to comply within one week after notification, they shall be restricted from their occupations, school attendance or day care (adult or child) attendance until compliance is achieved.
Typhus, §690.740 (F or E)	Standard precautions shall be followed. Proper delousing for louse borne typhus is required. Proper delousing for louse-borne typhus is required. The local health authority shall monitor all immediate contacts for clinical signs for two weeks.

Class II Diseases or Conditions

The following diseases shall be reported as soon as possible by mail, telephone, facsimile or electronically during normal business hours, but within seven days, to the local health authority which shall then report to the IDPH within threeseven days.

Arboviral Infections (including, but not limited to, California encephalitis, St. Louis encephalitis and West Nile virus) , §690.322	Standard precautions shall be followed. No restrictions on contacts. No general restrictions.
Campylobacteriosis, §690.335	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea is absent for 24 hours. No specific restrictions.
Cryptosporidiosis, §690.365	Standard precautions shall be followed. Cases shall avoid swimming in public recreational water venues (e.g., swimming pools, whirlpool spas, wading pools, water

	parcs, interactive fountains, lakes) while symptomatic and for 2 weeks after cessation of diarrhea.
Cyclosporiasis, §690.368	Standard precautions shall be followed. <u>No specific restrictions for contacts.</u>
Hepatitis B and Hepatitis D , §690.451	Standard precautions shall be followed. <u>No specific restrictions.</u> No restrictions on contacts. <u>Contacts to cases or carriers of hepatitis B should be tested for susceptibility to hepatitis B virus.</u>
Hepatitis C <u>Acute Infection, Perinatal and Non-Acute Confirmed Infection</u> , §690.452	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Histoplasmosis, §690.460	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Influenza, Deaths in persons less than 18 years of age (lab confirmed and no recovery between illness and death), §690.465	N/A
Legionellosis, §690.475	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Leptospirosis, §690.490	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Listeriosis (when both mother and newborn are positive, report mother only) , §690.495	No specific restrictions. <u>Standard precautions shall be followed. No restrictions on contacts.</u>
Malaria, §690.510	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
<u>Multi-drug resistant organisms considered to be of epidemiologic importance due to either severity of clinical disease, potential for transmission of genetic elements, or opportunities for effective control effects, §690.445</u>	<u>Patients in health care facilities, including, but not limited to, long-term acute care hospitals and skilled nursing facilities, should comply with the local health authority's recommendations for control measures as supported by IDPH or CDC procedures and best practices for control of transmission.</u>
Psittacosis due to chlamydia psittaci, §690.590	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Salmonellosis <u>including Paratyphi V var. L(+)</u> tartrate+ (other than <u>S. typhi</u> and A. , <u>S. Paratyphi B</u> (tartrate negative), and <u>S. Paratyphi C</u> cases- <u>fever</u>), §690.630	<u>Cases shall avoid swimming in public recreational water venues (e.g., swimming pools, whirlpool spas, wading pools, water parks, interactive fountains, lakes) while symptomatic and for two weeks after cessation of diarrhea.</u> Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent

	persons or during institutional outbreaks until absence of diarrhea for 24 hours.
Shigellosis, §690.640	<u>Cases shall avoid swimming in public recreational water venues (e.g., swimming pools, whirlpool spas, wading pools, water parks, interactive fountains, lakes) while symptomatic, and for two weeks after cessation of diarrhea. Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea is absent for 24 hours.</u>
Toxic shock syndrome due to Staphylococcus aureus infection, §690.695	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Streptococcus pneumoniae, invasive disease in children less younger than five years, §690.678	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Tetanus, §690.690	Standard precautions shall be followed and post injury patients at risk should receive human tetanus immune globulin and/or toxoid. <u>No specific restrictions.</u> No restrictions on contacts.
Tickborne Disease, including <u>African Tick Bite Virus</u> ehrlichiosis , <u>Anaplasmosis</u> , <u>Babesiosis</u> , <u>Bourbon Virus</u> , <u>Ehrlichiosis</u> , <u>Heartland Virus</u> , Lyme disease, and <u>Rocky Mountain spotted fever</u> <u>Rickettsiosis</u> , §690.698	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Trichinosis, §690.710	Standard precautions shall be followed. No restrictions on contacts. <u>No specific restrictions.</u>
Tuberculosis, §696.170	Reporting requirement is limited to health care professionals (includes nurses and health coordinators or health care settings). Report electronically or by facsimile, followed up with a phone call to local TB authority, or if none, to IDPH. Exclude case if considered to be infectious according to IDPH's rules and regulations for the control of TB or as recommended by the local health authority.
Vibriosis (<u>Other than Toxigenic Vibrio cholera O1 or O139</u> Non-cholera Vibrio infections), §690.745	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea ceases. <u>No specific restrictions.</u>

Reporting of Sexually Transmissible Infections, 77 Ill.Admin.Code 693.30

The following sexually transmitted infections are reportable by health care professionals only (which includes advanced practice nurses, licensed nurses (including school nurses), or other persons licensed or certified to provide health care services of any kind to the local health department, or if none exists, to IDPH. Reports are strictly confidential and must be made within seven days after the diagnosis or treatment.

Infection	Exclusion Rules
Acquired Immunodeficiency Syndrome (AIDS)	A person may only be isolated with that person’s consent or upon order of a court in those cases where the public’s health and welfare are significantly endangered and where all other reasonable means have been exhausted and no less restrictive alternative exists. 77 Ill.Admin.Code §693.60(b).
HIV Infection	See above.
Syphilis	See above.
Gonorrhea	See above.
Chlamydia	See above.
Chancroid	See above.

Exclusion Criteria for Non-Reportable Diseases and Illnesses

There are a number of diseases and illnesses that have either never been reportable or no longer need to be reported under IDPH rules. However, some of these conditions may still pose a health risk and require exclusion from school. IDPH has published a chart which includes diseases and illnesses that do not require reporting of individual cases (as well as more common diseases those that do need to be reported), but may still require exclusion from school. Please refer to [77 Ill.Admin.Code §690.110](#), and the following link for further guidance at:

<http://dph.illinois.gov/sites/default/files/publications/commchartschool-032817.pdf>.<https://dph.illinois.gov/content/dam/soi/en/web/idph/files/publications/commchartschool-032817.pdf>

Community Relations

Exhibit - Letter Notifying Parents/Guardians of School Visitation Rights

On District letterhead

Date

Dear Parents/Guardians:

The School Visitation Rights Act permits employed parents/guardians, who are unable to meet with educators because of a work conflict, the right to time off from work to attend necessary educational or behavioral conferences at their child’s school. Please review the following copy of this Act to determine if you are entitled to a school visitation leave.

Sincerely,

Superintendent

SCHOOL VISITATION RIGHTS ACT
820 ILCS 147/, ~~amended by P.A. 101-486, eff. 8-1-20~~

147/1. Short title

This Act may be cited as the School Visitation Rights Act.

147/5. Policy

The General Assembly of the State of Illinois finds that the basis of a strong economy is an educational system reliant upon parental involvement. The intent of this Act is to permit employed parents and guardians who are unable to meet with educators because of a work conflict the right to an allotment of time during the school year to attend necessary educational or behavioral conferences at the school their children attend.

147/10. Definitions

As used in this Act:

- (a) “Employee” means a person who performs services for hire for an employer for:
 - (1) at least 6 consecutive months immediately preceding a request for leave under this Act; and
 - (2) an average number of hours per week equal to at least one-half the full-time equivalent position in the employer’s job classification, as defined by the employer’s personnel policies or practices or in accordance with a collective bargaining agreement, during those 6 months.
 “Employee” includes all individuals meeting the above criteria but does not include an independent contractor.
- (b) “Employer” means any of the following: a State agency, officer, or department, a unit of local government, a school district, an individual, a corporation, a partnership, an association, or a nonprofit organization.

- (c) “Child” means a biological, adopted or foster child, a stepchild or a legal ward of an employee and who is enrolled in a primary or secondary public or private school in this State or a state which shares a common boundary with Illinois.
- (d) “School” means any public or private primary or secondary school or educational facility located in this State or a state which shares a common boundary with Illinois.
- (e) “School administrator” means the principal or similar administrator who is responsible for the operations of the school.

147/15. School conference and activity leave

- (a) An employer must grant an employee leave of up to a total of 8 hours during any school year, and no more than 4 hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the employee’s child if the conference or meeting cannot be scheduled during non-work hours; however, no leave may be taken by an employee of an employer that is subject to this Act unless the employee has exhausted all accrued vacation leave, personal leave, compensatory leave and any other leave that may be granted to the employee except sick leave and disability leave. Before arranging attendance at the conference or activity, the employee shall provide the employer with a written request for leave at least 7 days in advance of the time the employee is required to utilize the visitation right. In emergency situations, no more than 24 hours’ notice shall be required. The employee must consult with the employer to schedule the leave so as not to disrupt unduly the operations of the employer.
- (b) Nothing in this Act requires that the leave be paid.
- (c) For regularly scheduled, non-emergency visitations, schools shall make time available for visitation during regular school hours and evening hours.

147/20. Compensation

An employee who utilizes or seeks to utilize the rights afforded by this Act may choose the opportunity to make up the time so taken as guaranteed by this Act on a different day or shift as directed by the employer. An employee who exercises his rights under this Act shall not be required to make up the time taken, but if such employee does not make up the time taken, such employee shall not be compensated for the time taken. An employee who does make up the time taken shall be paid at the same rate as paid for normal working time. Employers shall make a good faith effort to permit an employee to make up the time taken for the purposes of this Act. If no reasonable opportunity exists for the employee to make up the time taken, the employee shall not be paid for the time. A reasonable opportunity to make up the time taken does not include the scheduling of make-up time in a manner that would require the payment of wages on an overtime basis. Notwithstanding any other provision of this Section, if unpaid leave under this Act conflicts with the unreduced compensation requirement for exempt employees under the federal Fair Labor Standards Act, an employer may require an employee to make up the leave hours within the same pay period.

147/25. Notification

The State Superintendent of Education shall notify each public and private primary and secondary school of this Act. Each public and private school shall notify parents or guardians of the school’s students of their school visitation rights. The Department of Labor shall notify employers of this Act.

147/30. Verification

Upon completion of school visitation rights by a parent or guardian, the school administrator shall provide the parent or guardian documentation of the school visitation. The parent or guardian shall

submit such verification to the employer. The State Superintendent and the Director of the Department of Labor shall suggest a standard form of documentation of school visitation to schools for use as required by this Section. The standard form of documentation shall include, but not be limited to, the exact time and date the visitation occurred and ended. Failure of a parent or guardian to submit the verification statement from the school to his or her employer within 2 working days of the school visitation subjects the employee to the standard disciplinary procedures imposed by the employer for unexcused absences from work.

147/35. Employee rights

No employee shall lose any employee benefits, except as provided for in Section 20 of this Act, for exercising his or her rights under this Act. Nothing in this Act shall be construed to affect an employer's obligation to comply with any collective bargaining agreement or employee benefit plan. Nothing in this Act shall prevent an employer from providing school visitation rights in excess of the requirements of this Act. The rights afforded by this Act shall not be diminished by any collective bargaining act or by any employee benefit plan.

An employer may not terminate an employee for an absence from work if the absence is due solely to the employee's attendance at a school conference, behavioral meeting, or academic meeting, as provided in Section 15.

147/40. Applicability

This Act applies solely to public and private employers that employ at least 50 or more individuals in Illinois, and to their employees.

147/45. Violation

Any employer who violates this Act is guilty of a petty offense and may be fined not more than \$100 for each offense.

147/49. Limits on leave

No employer that is subject to this Act is required to grant school visitation leave to an employee if granting the leave would result in more than 5% of the employer's work force or 5% of an employer's work force shift taking school conference or activity leave at the same time.

School Board

Vacancies on the School Board - Filling Vacancies ¹

Vacancy

Elective office of a School Board member becomes vacant before the term's expiration when any of the following occurs: ²

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

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

¹ State law controls this policy's content. A helpful publication is on the IASB website, *Vacancies on the Board of Education*, published by the Ill. Council of School Attorneys (ICSA), available at: www.iasb.com/law/vacancies.cfm.

² 105 ILCS 5/10-11. See also 10 ILCS 5/25-2.

³ *Id.* *Legal disability* is not defined, but must be interpreted consistently with other laws, e.g., laws prohibiting discrimination on the basis of a disability. A similar statute regarding the occurrence of vacancies on the State Board of Education provides guidance. It states that a vacancy occurs when: "a member is adjudicated to be a person under legal disability under the Probate Act of 1975, ~~as amended~~, or a person subject to involuntary admission under the Mental Health and Developmental Disabilities Code." 105 ILCS 5/1A-2.1.

⁴ *Id.* at f/n 2. See also Ill. Constitution, Art. XIII, and 5 ILCS 280/1. Depending on the authority, *infamous crime* has different meanings. Pursuant to 10 ILCS 5/25-2 felony, bribery, and perjury ~~fall~~ are *infamous crimes*. An *infamous crime* is one that is inconsistent with commonly accepted principles of honesty and decency. *People ex rel. City of Kankakee v. Morris*, 126 Ill.App.3d 722 (3rd Dist. 1984). An admission of guilt, pursuant to a plea agreement, to an otherwise office-disqualifying offense, constitutes a resignation. 10 ILCS 5/25-2. An Ill. ~~A~~ appellate court twice found that a felony forgery conviction in another state constituted an infamous crime rendering the individual ineligible to hold the office of school board member. *Alvarez v. Williams*, 23 N.E.3d 544 (Ill.App.1 2014); *Williams v. Cook Co. Officers Electoral Board*, 35 N.E.3d 82 (Ill.App.1 2015).

A board member commits official misconduct if he/she intentionally or recklessly fails to perform any mandatory duty required by law, knowingly performs an act forbidden by law, performs an act in excess of his or her lawful authority in order to obtain personal advantage for oneself or another, or solicits or knowingly accepts for doing any act a fee or reward which he or she knows is not authorized by law. 720 ILCS 5/33-3.

⁵ See *Miceli v. Lavelle*, 114 Ill.App.3d 311 (1st Dist. 1983).

⁶ *Id.* at f/n 2 and 50 ILCS 105/3. 105 ILCS 5/10-9 contains limited exceptions to the laws prohibiting board member interest in contracts (explained in footnotes to [sample policy 2:100, Board Member Conflict of Interest](#)). Virtually the same exceptions are stated in 50 ILCS 105/3. For more information, see [Answers to FAQs Regarding Conflict of Interest and Incompatible Offices-FAQ](#) (Ill. Council of School Attorneys), available at: www.iasb.com/law/COI_FAQ.pdf.

9. Acceptance of a second public office that is incompatible with Board membership. ⁷

Filling Vacancies ⁸

Whenever a vacancy occurs, the remaining members shall notify the Regional Superintendent of Schools of that vacancy within five days after its occurrence and shall fill the vacancy until the next regular board election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term or less than 88 days before the next regularly scheduled election, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Members appointed by the remaining members of the Board to fill vacancies shall meet any residential requirements as specified in the School Code. The Board shall fill the vacancy within 60 days after it occurred by a public vote at a meeting of the Board.

Immediately following a vacancy on the Board, the Board will publicize it and accept résumés from District residents who are interested in filling the vacancy.⁹ After reviewing the applications, the Board may invite the prospective candidates for personal interviews to be conducted during duly scheduled closed meetings. ¹⁰

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

⁷ An individual may not ~~hold~~ simultaneously hold two offices that are incompatible; acceptance of the second office is a constructive resignation of the first office (Ill. Constitution, Art. IV, Sec. 2(e), and Art. VI, Sec. 13(b)). The offices of alderman, school board member, and park district commissioner are incompatible. People ex. Rel. Alvarez v. Price, 408 Ill.App.3d 457 (1st Dist. 2011). The court found that offices can be incompatible absent an actual conflict; the eventuality of a conflict is enough. See People v. Wilson, 357 Ill.App.3d 204 (3rd Dist. 2005)(simultaneously holding offices as a county board member and a school board member violates the Public Officer Prohibited Activities Act; this legislation prohibits a county board member from holding a second office). For more information on incompatible offices, see the FAQ referenced in f/n 6.

A board member may participate in a group health insurance program provided to an employee of the district that the board member serves if the board member is a dependent of that employee. 105 ILCS 5/10-22.3a.

⁸ This paragraph restates the requirements in 105 ILCS 5/10-10, ~~amended by P.A. 101-67, eff. 1-1-20~~. If the board fails to act within 60 days after the vacancy occurs, the regional superintendent, under whose supervision and control the district is operating, must then fill the vacancy within 30 days. Id.

105 ILCS 5/9-11.2 provides that in any school district that elects its board member according to area of residence and that has one or more unexpired term(s) to be filled at an election, the winner(s) of the unexpired term(s) shall be determined first and independently of those running for full terms.

If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5, ~~amended by P.A. 100-800~~.

Questions arise when fewer individuals run for seats on the board than are up for election. 105 ILCS 5/10-11 partially addresses this issue; it states “no elective office...becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified.” Id. A board with potential *holdover* incumbent members should seek advice from the board attorney regarding (1) how long the seat can be held over by the incumbent member, and (2) the process by which the Board should fill the seat.

Use this alternative for districts in suburban Cook County: replace “Regional Superintendent” with “appropriate Intermediate Service Center Executive Director.”

⁹ The process for filling a vacancy is at the board’s discretion. See sample exhibit 2:70-E, Checklist for Filling Board Vacancies by Appointment.

¹⁰ The Open Meetings Act allows a board to consider in closed session the appointment of someone to fill a vacancy. 5 ILCS 120/2(c)(3).

LEGAL REF.: 105 ILCS 5/10-10 and 5/10-11.

CROSS REF.: 2:40 (Board Member Qualifications), 2:60 (Board Member Removal from Office), 2:120 (Board Member Development)

DRAFT

School Board

Board Member Compensation; Expenses ¹

Board Member Compensation Prohibited ²

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

Roll Call Vote ³

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

Regulation of School District Expenses ⁴

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution.⁵ No later than approval of the annual budget and when necessary,⁶ the Superintendent will

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¹ State law controls this policy’s content (105 ILCS 5/10-9, 5/10-10 and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); the Local Government Travel Expense Control Act (ECA), 50 ILCS 150/10 (regulation of travel expenses); and the Grant Accountability and Transparency Act, 30 ILCS 708/130 (regulation of travel expenses under grants)).

² The legal limit for board secretary compensation is \$500 per year. 105 ILCS 5/10-14.

³ 50 ILCS 150/15. 105 ILCS 5/10-7 also states, “[o]n all questions involving the expenditure of money, the yeas and nays shall be taken and entered on the records of the proceedings of the board,” i.e., a *roll call vote*.

Although the School Code has always required a roll call vote on public expenditures, the ECA requires a roll call vote for any:

1. Officer or employee of the board that exceeds the *maximum allowable reimbursement amount* (MARA) set by the board in its resolution to regulate expenses, or
2. Board member (50 ILCS 150/15).

See f/n 13, below, for more discussion about amending or adopting another resolution when expenses exceed the MARA required by the ECA.

⁴ 50 ILCS 150/10 requires boards to regulate the reimbursement of expenses by *resolution* or *ordinance*. Unlike like the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies*. 105 ILCS 5/10-20.5. Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. 105 ILCS 5/10-20. Therefore, to effectuate the intent of the ECA’s requirement to *regulate* expenses with an ordinance or resolution and stay within the confines of the School Code and best practice (minimize liability while aligning with the IASB “Foundational Principles of Effective Governance”), the language in this subhead:

1. Retains with the board its duty to *regulate* expenses through policy with a reference to a resolution that will define and set the types of allowable expenses in the district through the adoption of board policies 2:125, *Board Member Compensation; Expenses*, and 5:60, *Expenses* (105 ILCS 5/10-20)(see f/n 5, below);
2. Delegates to the superintendent the duty to recommend an appropriate MARA to the board for adoption in its resolution to regulate expenses (see f/n 7, below).

⁵ *Id.* For a sample resolution, see [sample exhibit 2:125-E3, Resolution to Regulate Expense Reimbursements](#). Consult the board attorney about how often the board should adopt or revisit its resolution (see f/ns 6 and 8, below). For discussion about setting an annual time of year to adopt the resolution, see f/n 6, below.

⁶ 50 ILCS 150/10 allows boards to determine this timeline locally.

recommend a maximum allowable reimbursement amount for expenses to be included in the resolution.⁷ The recommended amount should be based upon the District's budget and other financial considerations.⁸

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member,⁹ (2) anyone's personal expenses,¹⁰ or (3) entertainment expenses.¹¹ Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or

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While the ECA does not require boards to adopt an *annual* resolution to regulate expenses, an annual review provides a way for the board to monitor this policy's implementation and its duties under the ECA and [sample](#) policy 2:240, *Board Policy Development*.

This sample policy uses "No later than approval of the annual budget" to align with 105 ILCS 5/17-1 (annual budget adoption within the first quarter of each fiscal year). The words *and when necessary* allow for flexibility in situations discussed in f/n 13, below (*emergency and/or an extraordinary circumstance*).

Consider consulting the board's auditors to assist with this decision. Other options for the timing of when boards should set the MARA include ~~deleting No later than approval of the annual budget and replacing it with:~~

1. ~~Deleting No later than approval of the annual budget and replacing it with "At the start of each fiscal year"~~
2. ~~Deleting No later than approval of the annual budget and replacing it with "At the start of each school year"~~
3. ~~Deleting No later than approval of the annual budget and replacing it with "At the start of each calendar year"~~
or
4. ~~Deleting "No later than approval of the annual budget" and replacing it with "When presenting the proposed budget"~~

⁷ For practical purposes, this duty is delegated to the superintendent because:

1. The School Code:
 - a. Allows the board to delegate duties to the superintendent (105 ILCS 5/10-16.7), and
 - b. Assigns to the superintendent the duty to make recommendations to the board concerning the budget (105 ILCS 5/10-21.4); and
2. The MARA should be based upon a district's financial resources and other considerations important to the local district.

⁸ The ECA does not define MARA or how to determine it (see the first sentence of f/n 6, above). The board and superintendent should have a conversation that addresses at minimum the following topics:

1. Should the superintendent use and refer to line items from the current budget?
2. Would the board set per diems or set a very large number for the board and/or all of the district employees – both have their advantages and disadvantages.
3. Should the board categorize MARA by activity?
4. Will it categorize by individual responsibilities to the district or job titles/classes?
5. Should there be an amount category for each type of travel: airfare, train, automobile, taxi, etc.?
6. Will there be a special category for recurring and/or required training opportunities for teachers and board members?

These choices will depend upon many factors, including the budget, perhaps an auditor's recommendation, the community's preferences, and advice from the board attorney.

Amend the language throughout this subhead and in the fourth WHEREAS paragraph in [sample exhibit](#) 2:125-E3, *Resolution to Regulate Expense Reimbursements*, to reflect local preferences. Consider that inserting the actual MARA into the policy would likely require more formal continual policy updates as opposed to amending the resolution if a board needs to increase its MARA for any reason. For example, see the discussion in f/n 13, below.

⁹ 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses from being advanced or reimbursed to any person other than a board member or employee of the district.

¹⁰ Optional. *Personal expenses* are not defined in 50 ILCS 150/25 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

¹¹ 50 ILCS 150/25.

any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event. ¹²

Exceeding the Maximum Allowable Reimbursement Amount(s)

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

1. The Board’s resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting. ¹³

Advancements

The Board may advance to its members actual and necessary expenses to be incurred while attending.¹⁴

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools; ¹⁵
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board’s standardized estimated expense approval form. After spending expense advancements, Board members must use the Board’s standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an expense advancement not used.¹⁶ If an expense advancement is not requested, expense reimbursements may be issued by the

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¹² Id.

¹³ 50 ILCS 150/10 and 15. A board may need to revisit its resolution to regulate expenses more often than annually if (a) an expense reimbursement amount exceeds the MARA set in the board’s resolution, and (b) an *emergency* or an *extraordinary circumstance* does not exist. Consult the board attorney in these circumstances to determine whether the board may need to revisit and amend its resolution to increase the MARA before approving the expenses exceeding it.

Emergency or an *extraordinary circumstance* is not defined by the ECA, but these terms are meant to allow boards flexibility when expenses exceed the MARA. Yet approving expense reimbursement requests that exceed the MARA as *emergencies* or *extraordinary circumstances* when the board or superintendent “did not plan well” or “an organization’s conference fees went up more than expected this year after the board adopted its resolution,” may open the board to public relations and other legal challenges. See Laukhuf v. Bd. of Educ., 2003 WL 23936148 (Ill.Cir. 2003)(addressing what constitutes an *emergency* in the context of the Open Meetings Act (OMA)(5 ILCS 120/), which similar to the ECA, also does not define the term, and holding an emergency meeting to cure a situation that a school board created itself is not an emergency within the confines of OMA).

While the ECA does not provide for specific legal penalties for the wrongful approval of expenses, it is not clear whether a court may find in circumstances of poor MARA planning, that an *emergency* or *extraordinary circumstance* under the ECA did not exist and grant relief requested by a challenger as allowed under State law.

¹⁴ 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This advancement language pre-dates the ECA and is narrower than the ECA. A reasonable interpretation is that the MARA required in the ECA would apply to any advancement amount. This policy seeks to reconcile and highlight the differences between the School Code and the ECA requirements by separating School Code advancements into a separate subhead from ECA reimbursements (estimated and actual). For more distinctions between these laws and further discussion, see f/n 20, below.

¹⁵ Use this alternative for districts in suburban Cook County: replace “Regional Superintendent of Schools” with “appropriate Intermediate Service Center Executive Director.”

¹⁶ 105 ILCS 5/10-22.32 requires the return of excess advancements that are issued.

Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code (see the Reimbursements and Purchase Orders subhead, below).¹⁷ Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses¹⁸ by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Credit and Procurement Cards ¹⁹

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

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¹⁷ Boards have this power under 105 ILCS 5/10-20; this statute specifies that the grant of powers to school boards is not exclusive and that school boards may exercise other powers that are not inconsistent with duties. A board may expand this provision's scope by amending and adding to the sentence as follows:

“~~and~~ other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list.”

See also f/n 8 in sample policy 2:120, *Board Member Development* for an example of a board member professional development opportunity that is encouraged by the School Code.

¹⁸ Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: “an *estimate* if expenses have not been incurred ...” or “a *receipt* ... if the expenses have already been incurred,” suggesting no pre-approval is necessary. However, pre-approval is a best practice, and a board member who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements*, reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see sample exhibit 2:125-E2, *Board Member Estimated Expense Approval Form*. The form provides three methods for board members to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

¹⁹ Optional. Consult the board attorney about issuing credit and procurement cards to board members. See f/n 1 of sample policy 4:55, *Use of Credit and Procurement Cards*.

If in consultation with the board attorney credit and procurement cards will be issued to board members, delete “~~Credit and procurement cards shall not be issued to Board members.~~” and insert “Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.”

Standardized Expense Form(s) Required ²⁰

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

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants. ²¹
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

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

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
 - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Fees for the first checked bag will be reimbursed. ²² Copies of airline tickets and baggage receipts must be attached to the expense form.
 - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
 - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
 - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.

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²⁰ 50 ILCS 150/20. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32). The **PRESS** materials on expenses marry the School Code's advancement voucher requirement into the ECA's requirement for a standardized estimated expense form. For an example, see [sample exhibits](#) 2:125-E2, *Board Member Estimated Expense Approval Form*, and 5:60-E2, *Employee Estimated Expense Approval Form*. These forms provide three methods for board members or district employees to submit anticipated/estimated expenses:

1. Providing estimated expenses under 50 ILCS 150/ (including for grant-related travel, see f/n 24, below),
2. Requesting expense advancements for the activities listed under 105 ILCS 5/10-22.32, or
3. Obtaining a purchase order (highly unlikely for anticipated board member expenses but possible).

²¹ 50 ILCS 150/20(2) and (3).

²² Optional. This language reflects the standard for expenses permitted for federal and State grants. 41 C.F.R. §301-12.2. If the board does not reimburse baggage fees, delete this sentence and ~~and baggage receipts~~ from the next sentence.

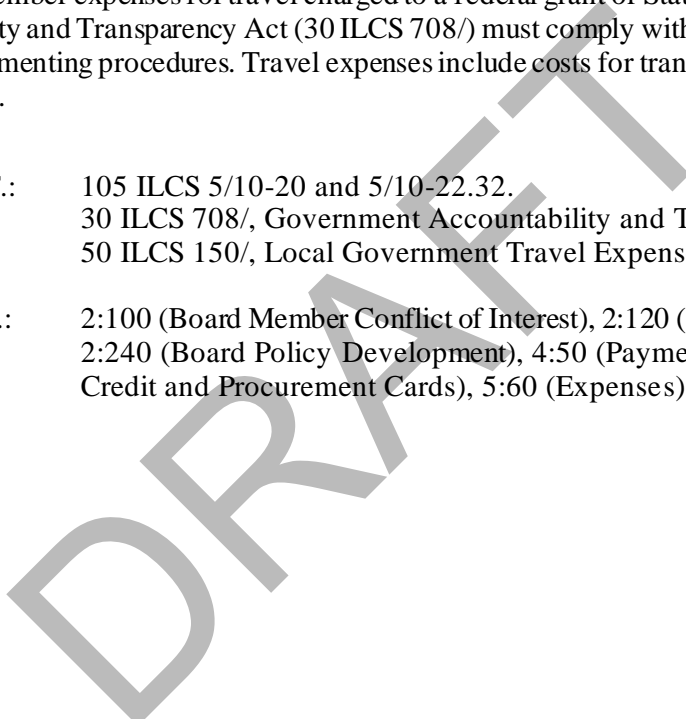
- e. Taxis, airport limousines, ride sharing or other local transportation costs.
3. Meals. Meals charged to the School District should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement amount set by the Board.²³ Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.
4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

Additional Requirements for Travel Expenses Charged to Federal and State Grants ²⁴

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

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

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



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²³ Alternatively, a board could set a daily limit on meal costs, such as:

Board members will be reimbursed for meal costs ~~and tips~~ up to \$ _____ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

But see also f/n 8, above and ensure this amount is consistent with the MARA set by the board resolution.

²⁴ Required by 30 ILCS 708/130. See sample policy 5:60, *Expenses*, and its f/ns 22-36 for details. Federal travel regulations state that requests for authorization for actual expense reimbursement should be made in advance of travel. 2 C.F.R. §301-11.302. Sample exhibit 2:125-E2, Board Member Estimated Expense Approval Form, can be used as a form for pre-approval.

School Board

Board Attorney ¹

The School Board may retain legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the ~~School~~ Board in its capacity as the governing body for the School District.² The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services or as memorialized by an engagement letter.³ The District will only pay for legal services that are provided in accordance with the agreement for legal services, as memorialized by an engagement letter, or that are otherwise authorized by this policy or a majority of the Board.

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

The Superintendent may authorize the Board Attorney to represent the District in any legal matter until the Board has an opportunity to be informed of and/or consider the matter.

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

² Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct, at ~~www.illinoiscourts.gov/supremecourt/rules/art_viii/default_new.asp~~ www.illinoiscourts.gov/rules/supreme-court-rules?a=viii, address concurrent conflicts of interest. Board presidents, superintendents, and board attorneys should be prepared to ask potential board attorneys whether they will have the ability to declare that representation of the board and district will be to the exclusion of all other clients having potential conflicts with the board and district’s interests. See exhibit 2:160-E, *Checklist for Selecting a Board Attorney*.

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

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

The attorney will:

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

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

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

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

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

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

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

DRAFT

Operational Services

Identity Protection ¹

The collection, storage, use, and disclosure of social security numbers by the School District shall be consistent with State and federal laws. The goals for managing the District's collection, storage, use, and disclosure of social security numbers are to: ²

1. Limit all activities involving social security numbers to those circumstances that are authorized by State or federal law.

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

¹ **Consult the board attorney before adoption of this policy.** Districts may choose to provide or implement more protections than the statutory requirements outlined in this sample policy. While the laws that apply to this policy govern current management of sensitive information, best practices may outpace the law's ability to keep up. See also f/n 19 to sample policy 2:250, *Access to District Public Records*, detailing the preservation requirements of the Local Records Act (50 ILCS 205/3), the Family Educational Rights and Privacy Act (20 U.S.C. §1232g), and the Ill. School Student Records Act (105 ILCS 10/), and litigation holds or document preservation requirements pursuant to Federal Rules of Civil Procedure (Rules 16 and 26).

The Identity Protection Act (IPA) (5 ILCS 179/) requires that this subject matter be covered in policy and controls its content. 5 ILCS 179/35. The Act places greater limits on the use of social security numbers (SSNs) than federal law. The IPA defines *identity-protection policy* as "any policy created to protect social security numbers from unauthorized disclosure." *Social security number* is not capitalized in the IPA. 5 ILCS 179/5. Much of a district's collection, storage, use, and disclosure of SSNs applies to employee records only. But limited exceptions may exist where a school district may need to ask students or their parents/guardians to provide SSNs, and any collection and retention of students' SSNs must also be in accordance with this policy.

Another State law, the Personal Information Protection Act (PIPA) (815 ILCS 530/, ~~amended by P.A. 101-343, eff. 1-1-20,~~) requires *data collectors of personal information* to provide certain notice to Illinois residents, and in certain cases, the Ill. Attorney General, when the collector's system data is breached. 815 ILCS 530/10, ~~amended by P.A. 101-343, eff. 1-1-20.~~ Under PIPA, *data collector* is broadly defined to include government agencies and any entities that deal with nonpublic *personal information*. *Personal information* is defined as: (1) an individual's first name or first initial combined with an SSN, driver's license number or State identification card number, financial account information (including without limitation, credit or debit card numbers), medical or health insurance information or biometric data; or (2) a username or email address in combination with a password or security question and answer that would permit access to an online account. *Id.* at 530/5. Depending on whether the *data collector* owns or merely maintains or stores the information, additional notification requirements will also apply. Finally, PIPA requires *units of local governments* to dispose of personal information so that it may not be read or reconstructed. *Id.* at 530/40. It is unclear whether Section 530/40 applies to school districts because PIPA does not specifically identify school districts as *units of local governments* (Ill. Constitution Article VII, Sec. 1). However, the Ill. State Board of Education (ISBE) considers PIPA to apply to the handling of personally identifiable information under grant awards. See the ISBE *Checklist for Protection of Personally Identifiable Information Review*, referenced in f/n 9, below. **Consult the board attorney for advice on the applicability of PIPA's various mandates to your district.** See f/n 4, below for more information about options to include PIPA requirements in this sample policy.

[The U.S. Cybersecurity & Infrastructure Security Agency \(CISA\) recommends that K-12 districts have an incident response plan \(IRP\) that details what a district needs to do before, during, and after an actual or potential security incident. See www.cisa.gov/online-toolkit-partnering-safeguard-k-12-organizations-cybersecurity-threats. In the case of a data breach, it is critical for a district to have an IRP in place that is customized to local conditions and to practice the plan. Having an IRP may also be required for cyber liability insurance coverage. For resources and templates, see https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-61r2.pdf, www.ilcillinois.org/resources/k12-incident-response-plan-template-security-studio, https://studentprivacy.ed.gov/resources/data-breach-scenario-trainings, and www.k12six.org/essentials-series.](https://www.cisa.gov/online-toolkit-partnering-safeguard-k-12-organizations-cybersecurity-threats)

- ² The list of goals is optional; it may be deleted, augmented, or otherwise amended.

2. Protect each social security number collected or maintained by the District from unauthorized disclosure.

The Superintendent is responsible for ensuring that the District complies with the Identity Protection Act, 5 ILCS 179/. Compliance measures shall include each of the following: ^{3 4}

1. All employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information containing social security numbers from the time of collection through the destruction of the information.
2. Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
3. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if the record is required to be released as part of a public records request.
4. When collecting a social security number or upon request by an individual, a statement of the purpose(s) for which the District is collecting and using the social security number shall be provided. The stated reason for collection of the social security number must be relevant to the documented purpose. ⁵

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³ The IPA requires items #1-4 to be covered in a policy. 5 ILCS 179/35(a).

⁴ For boards that want to include PIPA mandates in this Policy, insert the following option after the IPA items #1-4, or if the board includes items #5 and #6 (discussed in f/n 6, below), after items #1-6, and add “815 ILCS 530/, Personal Information Protection Act” to the Legal References:

The Superintendent is also responsible for ensuring the District complies with the Personal Information Protection Act, 815 ILCS 530/. Compliance measures shall include each of the following:

1. Written or electronic notification to an individual and, if applicable, the owner of the information, as required by 815 ILCS 530/10 whenever his or her personal information was acquired by an unauthorized person; *personal information* means either:
 - a. An individual’s first name or first initial and last name in combination with any one or more of his or her (i) social security number, (ii) driver’s license number or State identification card number, (iii) financial account information (with any required security codes or passwords), (iv) medical information, (v) health insurance information, and/or (vi) unique biometric data or other unique physical or digital representation of biometric data, when either the name or the data elements are not encrypted or redacted or are encrypted or redacted but the keys to unencrypt or unredact or otherwise read the name or data elements have been acquired through the breach of security; or
 - b. An individual’s username or email address, in combination with a password or security question and answer that would permit access to an online account, when either the username or email address or password or security question and answer are not encrypted or redacted or are encrypted or redacted but the keys to unencrypt or unredact or otherwise read the data elements have been obtained through the breach of security.
2. Notification to the Ill. Attorney General as required by 815 ILCS 530/10, if a single breach of the security system requires the District to notify more than 500 Illinois residents.
3. Cooperation with the owner of the information in matters relating to the breach, if applicable, as required by 815 ILCS 530/10.
4. Disposal of materials containing personal information in a manner that renders the personal information unreadable, unusable, and undecipherable; personal information has the meaning stated in #1, above.

⁵ See [sample exhibit 4:15-E2](#), *-Statement of Purpose for Collection of Social Security Numbers*.

5. All employees must be advised of this policy’s existence, and a copy of the policy must be made available to each employee. The policy must also be made available to any member of the public, upon request. ⁶
6. If this policy is amended, employees will be advised of the existence of the amended policy and a copy of the amended policy will be made available to each employee. ⁷

No District employee shall collect, store, use, or disclose an individual’s social security number unless specifically authorized by the Superintendent. ⁸ This policy shall not be interpreted as a guarantee of the confidentiality of social security numbers and/or other personal information. The District will use best efforts to comply with this policy, but this policy should not be construed to convey any rights to protection of information not otherwise afforded by law.

Treatment of Personally Identifiable Information Under Grant Awards ⁹

The Superintendent ensures that the District takes reasonable measures to safeguard: (1) *protected personally identifiable information*,¹⁰ (2) other information that a federal awarding agency, pass-through agency or State awarding agency designates as sensitive, such as *personally identifiable information* (PII)¹¹ and (3) information that the District considers to be sensitive consistent with

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⁶ Items #5 and #6 are not required to be in policy but districts are required to perform the described action(s). 5 ILCS 179/35(b). These compliance measures are covered in [sample administrative procedure 4:15-AP1, Protecting the Privacy of Social Security Numbers](#).

⁷ Optional. See f/n 6 above.

⁸ This sentence is optional. Its intent is to inform employees of the need to have proper authority before collecting, storing, using, or disclosing SSNs. A board may attach a sanction to the paragraph by adding the following option:

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

⁹ While the federal regulations on procurement standards in 2 C.F.R. Part 200 do not specifically require a written policy on the treatment of *personally identifiable information* (PII) under grant-funded programs, the Ill. State Board of Education’s (ISBE’s) *Checklist for Protection of Personally Identifiable Information Review* (ISBE Checklist), at www.isbe.net/Pages/Federal-and-State-Monitoring.aspx ~~www.isbe.net/Pages/Audit-and-Monitoring-Review-Requirements-and-Tools.aspx~~, requires an approved policy or policies related to the identification, handling, storage, access, disposal, and overall protection of PII as evidence of legal compliance with the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) and federal regulations. The ISBE Checklist is specific to PII handled by districts in connection with their administration of grants. The uniform federal rules on procurement standards in 2 C.F.R. Part 200 apply to eligible State grants through the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/). This [sample](#) policy and accompanying [sample](#) administrative procedure 4:15-AP2, *Treatment of Personally Identifiable Information Under Grant Awards*, are designed to help districts meet the standard set forth in 2 C.F.R. 200.303(e) and the documentation items on the ISBE Checklist.

¹⁰ *Protected personally identifiable information* (Protected PII) means an individual’s first name or first initial and last name in combination with any one or more types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother’s maiden name, criminal records, medical records, financial records, or educational transcripts. Protected PII does not include *personally identifiable information* (PII) that is required by law to be disclosed. 2 C.F.R. §200.182. See [sample administrative procedure 4:15-AP2, Treatment of Personally Identifiable Information Under Grant Awards](#). Protected PII is similar to, but broader than, the definition of *personal information* under PIPA.

¹¹ PII is a broader concept than Protected PII. Said another way, Protected PII is a subset of PII.

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

The Superintendent shall establish procedures for the identification, handling, storage, access, disposal and overall confidentiality of sensitive information.¹² The Superintendent shall ensure that employees and contractors responsible for the administration of a federal or State award for the District receive regular training in the safeguarding of sensitive information.¹³ Employees mishandling sensitive information are subject to discipline, up to and including dismissal.

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

CROSS REF: 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records), [7:345 \(Use of Educational Technologies; Student Data Privacy and Security\)](#)

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PII means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books and public websites, and it is considered to be Public PII. Public PII includes, for example, first and last name, address, work telephone number, email address, home telephone number, and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual. 2 C.F.R. §200.179.

In addition to 2 C.F.R. 200.303(e), depending upon the type of record being created or used in connection with a grant-funded program, multiple laws may govern the treatment of *personally identifiable information* (PII) under a grant, including the IPA (5 ILCS 179/), PIPA (815 ILCS 530/), Family Educational Rights and Privacy Act, (20 U.S.C. §1232g), Ill. School Student Records Act (105 ILCS 10/), Student Online Personal Protection Act, (105 ILCS 85/~~amended by P.A. 101-516, eff. 7-1-21~~), Personnel Record Review Act (820 ILCS 40/), and Local Records Act (50 ILCS 205/3).

¹² See [sample administrative procedure](#) 4:15-AP2, [Treatment of Personally Identifiable Information Under Grant Awards](#).

¹³ The ISBE Checklist requires districts to maintain documentation of training of all employees/contractors on the handling of PII, including evidence of the date(s) of the training and attendance/completion of the training. See [www.isbe.net/Pages/Federal-and-State-Monitoring.aspx](#)~~www.isbe.net/Pages/Audit-and-Monitoring-Review-Requirements-and-Tools.aspx~~. Because many individuals in a district can be involved in day-to-day administration of activities supported by a federal or State grant, best practice is to regularly train all employees on the safeguarding of such sensitive information, e.g., upon hire and then annually or semi-annually.

Operational Services

Incurring Debt ¹

The Superintendent shall provide early notice to the School Board of the District's need to borrow money. The Superintendent or designee² shall prepare all documents and notices necessary for the Board, at its discretion, to: (1) issue State Aid Anticipation Certificates,³ tax anticipation warrants,⁴ working cash fund bonds,⁵ bonds,⁶ notes,⁷ and other evidence of indebtedness,⁸ or (2) establish a line of credit with a bank or other financial institution.⁹ The Superintendent shall notify the III. State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law. ¹⁰

Bond Issue Obligations ¹¹

In connection with the Board's issuance of bonds, the Superintendent shall be responsible for ensuring the District's compliance with federal securities laws, including the anti-fraud provisions of the

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¹ State law controls this policy's content. School districts are subject to a statutory debt limitation (105 ILCS 5/19-1(a)); other provisions in 5/19-1 contain exceptions. Not all forms of indebtedness are subject to the statutory debt limitations. Before incurring any debt, the board must be certain that the debt will be within the district's debt limitation.

² Boards that employ business managers may want to substitute "Business Manager", "Chief School Business Official", or another locally-equivalent title for "Superintendent or designee" and "Superintendent" as they appear throughout this policy; the business manager most commonly performs the duties described in this policy.

³ 50 ILCS 420/1 et seq. and 105 ILCS 5/18-18.

⁴ 105 ILCS 5/17-16.

⁵ 105 ILCS 5/20-2, 5/20-4, and 5/20-5, amended by P.A. 101-416; 30 ILCS 305/2.

⁶ 105 ILCS 5/19-1 et seq.; 30 ILCS 350/.

⁷ 50 ILCS 420/0.01 et seq. A district may borrow money and issue bonds for the purposes stated in 105 ILCS 5/19-3, provided the board properly adopted an election referendum and subsequently the voters approved the proposition. 10 ILCS 5/28-2. Districts have the authority to issue bonds for certain purposes without a direct referendum, e.g., School Fire Prevention and Safety Bonds, Working Cash Fund Bonds, Funding Bonds, and Insurance Reserve Bonds. However, as is the case with Working Cash Fund Bonds, certain types of bonds still require boards to follow *backdoor referendum* procedures.

⁸ Other types of indebtedness include funding bonds and refunding bonds (105 ILCS 5/19-1 et seq.), as well as debt certificates and alternate bonds authorized by the Local Government Debt Reform Act (30 ILCS 350/).

⁹ 105 ILCS 5/17-17.

¹⁰ 105 ILCS 5/19-1(q).

¹¹ Optional. This subhead is offered for boards that want to: (1) expressly address their obligations to comply with federal securities laws; and (2) authorize the creation of written procedures to protect the status of tax-exempt (or otherwise tax-advantaged) bonds issued by the board. As a matter of best practice and to reduce potential future liabilities, many attorneys recommend that board policy address these obligations. Consult the board attorney and/or bond counsel for guidance.

The Internal Revenue Service strongly encourages, but does not currently require, issuers of tax-exempt bonds to establish written post-issuance compliance monitoring procedures. For guidance regarding the recommended content of such procedures, see *IRS Publication 4079, Tax-Exempt Governmental Bonds*, at: www.irs.gov/pub/irs-pdf/p4079.pdf. Such procedures may be included in a written bond resolution for a specific bond issue, and/or they may be established more generally. Consult the board attorney and/or bond counsel regarding the establishment of such procedures for tax-exempt bonds.

Securities Act of 1933, as amended¹² and, if applicable, the continuing disclosure obligations under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended. ¹³

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

The Board may contract with outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection. ¹⁴

LEGAL REF.: ~~Securities Act of 1933~~, 15 U.S.C. §77a *et seq.*, ~~Securities Act of 1933~~.
~~Securities Exchange Act of 1934~~, 15 U.S.C. §78a *et seq.*, ~~Securities Exchange Act of 1934~~.
17 C.F.R. §240.15c2-12.
~~Bond Authorization Act~~, 30 ILCS 305/2, ~~Bond Authorization Act~~.
~~Bond Issue Notification Act~~, 30 ILCS 352/, ~~Bond Issue Notification Act~~.
~~Local Government Debt Reform Act~~, 30 ILCS 350/, ~~Local Government Debt Reform Act~~.
~~Tax Anticipation Note Act~~, 50 ILCS 420/, ~~Tax Anticipation Note Act~~.
105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 *et seq.*

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

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

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If a board does not accept this subhead, delete the Administrative Procedure Reference and the following Legal References: ~~Securities Act of 1933~~, 15 U.S.C. §77a *et seq.*, ~~Securities Act of 1933~~; ~~Securities Exchange Act of 1934~~, 15 U.S.C. §78a *et seq.*, ~~Securities Exchange Act of 1934~~; and 17 C.F.R. §240.15c2-12.

¹² 15 U.S.C. §77q.

¹³ 17 C.F.R. §240.15c2-12. See [sample administrative procedure 4:40-AP, Preparing and Updating Disclosures](#), for a detailed set of sample procedures designed to facilitate a district's compliance with disclosure requirements of federal securities laws.

¹⁴ Delete the last paragraph of this subhead if the board does not want to include a sentence in this policy that addresses the use of outside professionals for assistance with compliance. Boards that regularly utilize outside professionals to assist them in meeting bond disclosure requirements may want to include this language to memorialize their current practice. Contracts for the services of individuals possessing a high degree of professional skill, such as attorneys and financial consultants, are exempt from competitive bidding requirements. 105 ILCS 5/10-20.21(a)(i).

Operational Services

Resource Conservation ¹

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

1. Periodic review of procurement procedures and specifications to ensure that purchased products and supplies are reusable, durable, or made from recycled materials, if economically and practically feasible. ²
2. Purchasing recycled paper and paper products in amounts that will, at a minimum, meet the specifications in the School Code, if economically and practically feasible. ³
3. Periodic review of procedures on the reduction of solid waste generated by academic, administrative, and other institutional functions. These procedures shall: (a) require recycling the District’s waste stream, including landscape waste, computer paper, and white office paper, if economically and practically feasible; (b) include investigation of the feasibility of potential markets for other recyclable materials that are present in the District’s waste stream; and (c) establish a goal for the be designed to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that is generated by the District, when it is economically and practically feasible to do so. ⁴
4. ~~Adherence to e~~Energy conservation measures. ⁵

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¹ State or federal law controls this policy’s content. 105 ILCS 5/10-20.19c.

² Required by 105 ILCS 5/10-20.19c(a-5).

³ Required by 105 ILCS 5/10-20.19c(b) - (e).

⁴ ~~Required by~~ 105 ILCS 5/10-20.19c(e-5). ~~Everything in this paragraph is~~ Item (a) is mandatory. ~~Item (b) except that this is not mandatory because the~~ statute only “encourages” districts to investigate “potential markets for other recyclable materials that are present in the school district’s waste stream.” 105 ILCS 5/10-20.19c(e-5) required districts to have waste reduction procedures designed to achieve at least a 50% reduction in the amount of solid waste generated by the district before 7-1-20, but it was unclear ~~about~~ what year or baseline number ~~or year that~~ a district ~~must needed to~~ use to determine whether it ~~has achieved at least a 50% reduction in the amount of solid waste that it generates by 7-1-20~~ the reduction. One option for a baseline ~~may be to~~ was to use the date this law became effective, which was 7-18-08, or the year closest to it for which the district ~~still retains~~ retains relevant records; ~~however, consult the board attorney for assistance in determining these baselines.~~ Item (c) is optional. The statute does not establish any reduction goals past 7-1-20, therefore item (c) gives districts the flexibility to establish additional goals when it is economically and practically feasible to do so.

⁵ Districts are authorized to enter into *guaranteed energy savings contracts* to implement *energy conservation measures*, including any improvement, repair, or alteration of any school district building, or any equipment or fixture to be added to a district building, that is designed to reduce energy consumption or operation costs. 105 ILCS 5/19b. The guaranteed energy savings contract must provide that all payments are to be made over time, and energy cost savings must be specified and guaranteed to the extent necessary to pay the costs of the energy conservation measures. State law provides the process for requesting proposals and entering into contracts. Any contract is valid whether or not funding has been appropriated in any budget adopted by the board.

LEGAL REF.: 105 ILCS 5/10-20.19c and 5/19b.

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

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Consult the board attorney about whether an energy conservation measure qualifies for funding as an energy conservation project under the Ill. Finance Authority Act (FAA). 20 ILCS 3501/. The FAA specifically includes energy conservation projects in school districts. 20 ILCS 3501/820-10(c). The FAA's definition of *energy conservation project* is very similar to the School Code's definition of *energy conservation measure* (105 ILCS 5/19b-1.1); it also includes measures that reduce the amount of electricity or natural gas required to achieve a given end use, consistent with the definition of *energy efficiency* in the Ill. Power Agency Act. 20 ILCS 3855/1-10. Funding under the FAA requires a certification that the project will be a cost-effective energy-related project that will lower energy or utility costs in connection with the operation or maintenance of such building or facility, and will achieve energy cost savings sufficient to cover bond debt service and other project costs within 10 years from the date of project installation. 20 ILCS 3501/820-10(c).

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Operational Services

Accounting and Audits¹

The School District’s accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Ill. State Board of Education (ISBE), State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District’s financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit²

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

Annual Financial Report³

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

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¹ State or federal law controls this policy’s content. A board policy or resolution is required concerning revolving funds and petty cash. 23 Ill.Admin.Code §100.70. This policy is intended to facilitate the board’s fiscal oversight role. The last sentence of the first paragraph should be modified to align with local conditions. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* at 23 Ill.Admin.Code Part 100 replaced 23 Ill.Admin.Code Part 110, *Program Accounting Manual* and 23 Ill.Admin.Code Part 125, *Student Activity Funds and Convenience Accounts*.

² Audit requirements are found in 105 ILCS 5/3-7 and 5/3-15.1, and 23 Ill.Admin.Code §100.110. The federal Single Audit Act adds audit requirements for federal programs. 31 U.S.C. §7501 *et seq.* [Grant Accountability Transparency Act \(GATA\) \(30 ILCS 708/\)](#) rules also require districts that receive federal pass-through and State-issued awards to have a financial statement audit conducted in accordance with 23 Ill.Admin.Code §100.110, regardless of the amount of award expenditures. 44 Ill.Admin.Code §7000.90(c)(3). See f/n 5, below, for additional information regarding GATA.

~~Use this alternative for~~For districts in suburban Cook County, replace “Regional Superintendent of Schools” with “appropriate Intermediate Service Center [Executive Director](#).”

The following optional sentence establishes an audit committee: “The Board will annually establish an audit committee to help the Board select an external auditor, confer with the auditor regarding the audit’s scope, and oversee the audit process.”

Note: All board committees are subject to the Open Meetings Act (5 ILCS 120/).

The following optional sentence establishes a competitive process for selecting the external auditor; it prevents a long-term relationship with an auditor and reduces the possibility of audits being too routine or friendly: “The Board will annually advertise a request for proposals to perform the external audit.” Substitute “periodically” for “annually” if desired.

³ Requirements for the annual financial report are found in 105 ILCS 5/2-3.27 and 5/3-15.1; 23 Ill.Admin.Code §100.100. The last sentence of this section should be modified to align with local conditions.

Inventories ⁴

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost, unless the supplies and equipment are acquired by the District pursuant to a federal or State grant award, in which case the inventory record shall also include the information required by 2 C.F.R. §200.313, if applicable.⁵ The Superintendent shall establish procedures for the management of property acquired by the District under grant awards that comply with federal and State law. ⁶

Capitalization Threshold ⁷

To be considered a capital asset for financial reporting purposes, a capital item must be at or above a capitalization threshold of \$5,000 and have an estimated useful life greater than one year.

Disposition of District Property ⁸

The Superintendent or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) District personal property (property other than buildings and land) that

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⁴ ~~The Ill. Program Accounting Manual (IPAM) was repealed and replaced with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*. While these rules contain much of the IPAM information, the information about inventories was not included. That information is still useful and may be found at: www.isbe.net/Documents/ipam.pdf. The last sentence of this section should be modified to align with local conditions. The content of inventory records is at the district's discretion, with the exception of supplies and equipment that are governed by 2 C.F.R. §200.313. See f/n 5, below.~~

⁵ 2 C.F.R. §200.313. The uniform federal rules that govern federal grant awards in 2 C.F.R. Part 200 apply to State-issued grant awards through the Grant Accountability Transparency Act (GATA) (30 ILCS 708/), unless exempted in whole or in part by the Governor's Office of Management of Budget. 30 ILCS 708/55. See www.isbe.net/gata for further information about the scope of GATA's application to federal awards and State-funded grant programs administered by the Ill. State Board of Education (ISBE). See [sample administrative procedure 4:80-AP3, Inventory Management for Federal and State Awards](#). ISBE guidance is available at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf and www.isbe.net/Pages/Federal-and-State-Monitoring.aspx ~~www.isbe.net/Pages/Audit and Monitoring Review Requirements and Tools.aspx.~~

⁶ *Id.* In connection with ISBE's grant monitoring function, ISBE published a *Checklist for Equipment and Inventory Review* which requires an approved policy (or procedure) related to the management of equipment at: ~~www.isbe.net/Pages/Federal-and-State-Monitoring.aspx www.isbe.net/Pages/Audit and Monitoring Review Requirements and Tools.aspx.~~

⁷ Optional. 23 Ill.Admin.Code §100.60 requires school boards to adopt a capitalization threshold, which can be done through policy. The capitalization threshold is a dollar figure above which the cost of an item will be included on financial statements and depreciated. A minimum threshold of \$5,000 and useful life greater than one year complies with the definition of *equipment* under federal grant rules, but may be adjusted, and/or multiple thresholds can be established, for different categories of capital assets. 2 C.F.R. §§200.133 and 200.313(e). The Government Accounting Standards Board (GASB) Statement No. 34 at para. 115(e) states that a government should disclose its policy "for capitalizing assets and for estimating the useful lives of those assets." See GASB Statement 34 and *Guide to Implementation of GASB Statement 34 on Basic Financial Statements* (p.28), both available at: www.gasb.org. ~~There are no specific requirements for such policies; however, District auditors may require or recommend a district have a more comprehensive capitalization policy and/or procedure. Such an accounting policy or procedure should be developed in consultation with the district's accounting professional(s) and tailored to reflect local conditions.~~

⁸ The requirements in this section are specified in 105 ILCS 5/5-22 (allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements), 5/10-22.8 ([sale of personal property](#)); and 2 C.F.R. §200.313(e) for federal awards and State awards governed by GATA. See f/n 5, above, regarding grant award requirements. A board that desires to act on the disposition of property having *any* value should use the following alternative to this section's last sentence: "Notwithstanding the above, the Superintendent or designee may unilaterally dispose of worthless personal property."

is no longer needed for school purposes, and (2) school site, building, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Superintendent or designee may unilaterally dispose of personal property of a diminutive value. The Superintendent shall establish procedures for the disposition of property acquired by the District under grant awards that comply with federal and State law.

Taxable Fringe Benefits⁹

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

Controls for Revolving Funds and Petty Cash¹⁰

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Superintendent shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and ISBE rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Bank accounts for revolving funds are limited to a maximum balance of ~~\$500,000~~\$1,000. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Superintendent or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

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The recipient (through either sale or donation) of any discarded school bus must immediately: (1) remove, cover, or conceal the "SCHOOL BUS" signs and any other insignia or words indicating the vehicle is a school bus; (2) render inoperable or remove entirely the stop signal arm and flashing signal system; and (3) paint the school bus a different color from those under 625 ILCS 5/12-801. 625 ILCS 5/12-806(b).

⁹ The intent of this optional section is twofold: (1) to control personal use of district property and equipment; and (2) to ensure compliance with IRS rules. As to the first point, allowing personal use of district property or equipment is arguably prohibited by the Ill. Constitution, Art. VIII, Sec. 1 which states: "Public funds, property or credit shall be used only for public purposes." As to the second point, any fringe benefit an employer provides is taxable and must be included in the recipient's pay unless the law specifically excludes it. See Publication 15-B (2019), *Employer's Tax Guide to Fringe Benefits*, at: www.irs.gov/pub/irs-pdf/p15b.pdf.

¹⁰ 105 ILCS 5/10-20.19(2); 23 Ill.Admin.Code §100.70. This paragraph's contents are mandatory, except for the ~~\$1,000~~\$500 cap on the maximum balance of revolving funds. The cap amount may be changed or the following alternative used: "Each revolving fund shall be maintained in a bank that has been approved by the Board and established in an amount approved by the Superintendent consistent with the annual budget."

The School Code defines petty cash as a type of revolving fund. Id. It and other revolving funds carry a standard balance and are regularly reimbursed to maintain the standard balance amount (generally referred to as an *imprest system* of financial accounting). In practice, petty cash is paid out of a *de minimis* cash amount maintained by a fund custodian. Disbursement from a revolving fund other than petty cash is typically made against an imprest checking account, by an authorized signor who is readily available in the district, e.g., a superintendent or building principal. The authorized signor manages the revolving fund and requests the board to reimburse the fund for expenses incurred to bring the imprest account back to its standard balance.

Control Requirements for Checks ¹¹

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

Internal Controls ¹²

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

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¹¹ This section is largely up to the local board's discretion; additional controls may be added. The following alternative to the second sentence will mandate two signatories for checks:

Two of the following individuals: the Treasurer, Board President, and/or Board Vice-President, shall sign all checks issued by the School District, except that checks from accounts containing student activity funds or fiduciary funds and checks from revolving accounts may be signed by their respective account custodians.

See [sample](#) policy 4:90, *Student Activity and Fiduciary Funds*, for more information about a board's responsibilities for *student activity funds* and *fiduciary funds*. A board must comply with State law requirements concerning the use of facsimile or electronic signatures on checks. The Secretary of State, Index Department, maintains certified manual signatures of officers authorized to sign checks. Uniform Facsimile Signature of Public Officials Act, 30 ILCS 320/. Electronic records and signatures are governed by the Uniform Electronic Transactions Act, 815 ILCS 333/-, ~~added by P.A. 102-38~~. Attorneys disagree about the applicability of these laws to school districts.

¹² This section is largely up to the local board's discretion. The annual audit must include a "review and testing of the internal control structure." 23 Ill.Admin.Code §100.110. This review's limited scope means that boards should not rely on it to reveal uncontrolled financial risks. The board's responsibility is to establish policy to safeguard the district's financial condition. Indeed, the oath of office includes this promise: "I shall respect taxpayer interests by serving as a faithful protector of the school district's assets." In this sample policy, the board sets the control objectives and the superintendent is responsible for developing an internal controls system. In addition, ISBE has issued guidance on internal controls pursuant to its administration of the Grant Accountability and Transparency Act (GATA), 30 ILCS 708/. See ~~the~~ [ISBE's State and Federal Grant Administration Policy, Fiscal Requirements, and Procedures—Fiscal Procedures Handbook](#), at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf, which states that "to establish a strong control environment, grantees must...[d]esign internal controls that are in compliance with guidance in *Standards for Internal Control in the Federal Government* issued by the Comptroller General of the United States" (a free resource, available at: www.gao.gov/assets/670/665712.pdf) or the *Internal Control Integrated Framework* issued by the Committee of Sponsoring Organizations of the Treadway Commission (a fee-based resource, available at: www.coso.org/guidance-on-ic <https://www.coso.org/Pages/ic.aspx>). Boards that wish to take a larger oversight role regarding internal controls may list the numbered sentences in the IASB sample administrative procedure 4:80-API, *Checklist for Internal Controls*, as required inclusions in the superintendent's program for internal controls. This alternative, for insertion at the end of this section's first paragraph, follows:

The District's system of internal controls shall include the following:

1. All financial transactions must be properly authorized and documented.
2. Financial records and data must be accurate and complete.
3. Accounts payable must be accurate and punctual.
4. District assets must be protected from loss or misuse.
5. Incompatible duties should be segregated, if possible.
6. Accounting records must be periodically reconciled.
7. Equipment and supplies must be safeguarded.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
9. Any unnecessary weaknesses or financial risks must be promptly corrected.

waste, and abuse,¹³ as well as employee error, misrepresentation by third parties, or other imprudent employee action.

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

LEGAL REF.: 2 C.F.R. §200 et seq.
30 ILCS 708/, Grant Accountability and Transparency Act, implemented by 44 Ill.Admin.Code 7000 et seq.
105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-22.8, and 5/17-1 et seq.
23 Ill.Admin.Code Part 100.

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

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¹³ Unless specifically exempted, grantees receiving funds from any State agency, including ISBE, must comply with GATA and annually complete a *Fiscal and Administrative Internal Controls Questionnaire* (ICQ). The ICQ covers a number of different topics related to internal controls. Districts that are identified as having one or more areas of elevated risk based on their answers to the ICQ, are required to develop and implement corrective action to address the area(s). Districts that fail to take necessary corrective action to address weak areas of internal control put their grant funding at risk. One of the sections of the ICQ may address a grantee's internal controls for fraud, waste, and abuse, including whether the grantee has a *fraud awareness program*. See sample administrative procedures 4:80-AP1, *Checklist for Internal Controls*, and 4:80-AP2, *Fraud, Waste, and Abuse Awareness Program*, which incorporate ISBE-recommended practices related to fraud, waste, and abuse.

Operational Services

Waiver of Student Fees¹

The Superintendent will recommend to the School Board a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay fines for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education, as well as fines for the loss or damage of school property are waived for students who meet the eligibility criteria for a waiver as described in this policy.² In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees and fines, the Superintendent will recommend

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¹ State law requires this subject matter be covered by policy and controls its content. 105 ILCS 5/10-20.13, amended by P.A.s 102-1032, ~~and 102-805, and 103-154~~ ~~eff. 1-1-23~~; 23 Ill.Admin.Code §1.245. ~~Though 105 ILCS 5/10-20.13 has been amended by P.A.s 102-1032 and 102-805, eff. 1-1-23, the Illinois State Board of Education (ISBE) has yet to update its implementing rules at 23 Ill.Admin.Code §1.245 in response. Fees~~ are “any monetary charge collected by a public school, public school district, or charter school from a student or the parents or guardian of a student as a prerequisite for the student’s participation in any curricular or extracurricular program of the school or school district as defined [at 23 Ill.Admin.Code §1.245(1) and (2)].” 105 ILCS 5/1-3, amended by P.A. 102-805, ~~eff. 1-1-23~~. ~~Fines include “charges for the loss of school property assessed by a district.” 23 Ill.Admin.Code §1.245.~~

State law provides that “[n]o discrimination or punishment of any kind, including, but not limited to: the lowering of grades, exclusion from classes, or withholding of student records, transcripts, or diplomas may be exercised against a student because the student’s parents or guardians are unable to purchase required textbooks or instructional materials or to pay required fees.” 105 ILCS 5/28-19.2, amended by P.A. 102-805, ~~eff. 1-1-23~~; 23 Ill.Admin.Code §1.245(g). This policy concerns an area in which the law is unsettled (see footnotes 2 and 3). If the fee ~~or fine~~ waiver policy ~~and~~ or procedures are substantively amended, then parents/guardians must be notified in writing within 30 calendar days following the adoption of the amendments. 23 Ill.Admin.Code §1.245(e).

² Districts must waive textbooks fees and all fees and fines for the loss of school property for students whose parents/guardians are unable to afford them and for homeless children and youth. 105 ILCS 5/10-20.13, amended by P.A.s 102-1032, ~~and 102-805, and 103-154~~ ~~eff. 1-1-23~~. While districts are only required to waive fines for the *loss* of school property and not the *damage* of school property, this sample policy extends fine waivers to both for ease of implementation and to encourage students to return school property even if damaged (instead of claiming property is lost to avoid a fine). ~~Delete or damage if the board, after consulting with the board attorney, decides to only waive fines for the loss of school property.~~

In order to effectuate the law’s intent, the term “textbook” should be interpreted broadly to include fees for instructional materials, laboratory fees, and workbooks. The enforceability of 105 ILCS 5/10-20.13(b) and ISBE regulations (23 Ill.Admin.Code §1.245) requiring districts to waive “other fees” is questionable because they are unfunded mandates. ISBE regulations on school fees may not be enforceable because the General Assembly failed to make necessary appropriations. See the Weekly Message from State Superintendent Robert Schiller, 8-15-03 (contact a **PRESS** Asst. Editor for a copy).

The textbook block grant program operated by ISBE is found at 105 ILCS 5/2-3.155, ~~amended by P.A. 101-227~~.

A school district may charge up to \$50 to students who participate in the driver education course. The fee may be increased up to \$250, provided the district completes the requirements in Section 27-24.2. The fee must be waived for any student whose parent(s)/guardian(s) ~~is/are~~ unable to afford it. 105 ILCS 5/27-24.2; 23 Ill.Admin.Code §252.30.

Resident tuition fees are not permissible, but a board’s authority under 105 ILCS 5/10-20.13 to charge for textbooks and towel fees does not violate the Ill. Constitution’s provision guaranteeing free public education through the secondary level. Hamer v. Board of Ed., Sch. Dist. No. 109, 9 Ill.App.3d 663 (2nd Dist. 1973).

to the Board which additional fees and fines, if any, the District will waive for students who meet the eligibility criteria for a waiver. ³

Notification

The Superintendent shall ensure that a notice of waiver applicability is provided to parents/guardians with every bill for fees and/or fines,⁴ and that applications for waivers are widely available and distributed according to State law and Ill. State Board of Education (ISBE) rule and that provisions for assisting parents/guardians in completing the application are available.

Eligibility Criteria

A student shall be eligible for a fee and fine waiver when: ⁵

1. The student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program;
2. The student's parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line; or
3. The student is homeless, as defined in the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a).

The Superintendent or designee will give additional consideration when one or more of the following factors are present: ⁶

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

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³ 105 ILCS 5/10-20.13(b) was added by P.A. 83-603 in 1983 to require districts to waive "other fees" in addition to the costs of textbooks and then amended by P.A. 102-805, ~~eff. 1-1-23~~, to waive "other fees and fines." The General Assembly, however, never appropriated the necessary funds. Thus, the amendment may be unenforceable because it violated the State Mandates Act. 30 ILCS 805/1; see above footnote. Use the following alternative if the board wants to make a longstanding commitment to waive specific fees, amending the list of fees that will be waived as desired:

In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees and fines, the following fees are also waived for students who meet the eligibility criteria for waiver: athletic participation fees, lock fees, towel fees, shop fees, laboratory fees, and registration fees.

Alternatively, a board may decide to waive all school student fees and fines and substitute the following sentence for this paragraph:

All school student fees and fines as defined by the Ill. State Board of Education (ISBE) are waived for students who meet the eligibility criteria for a waiver contained in this policy.

⁴ Required by 105 ILCS 5/10-20.13(b), as amended by P.A. 102-805, ~~eff. 1-1-23~~; 23 Ill.Admin.Code §1.245(c)(2)(A).

⁵ Required by 105 ILCS 5/10-20.13(b), amended by P.A.s 102-1032 and 102-805, ~~eff. 1-1-23~~, to add numbers 2 and 3 as eligibility criteria; 23 Ill.Admin.Code §1.245(c)(1). 105 ILCS 5/10-20.13(b), as amended by P.A. 102-1032, does not specify whether the *income* at or below 200% of the federal poverty line is the household income or solely the income of the veteran/active-duty military parent/guardian. Consult the board attorney for guidance.

Though 105 ILCS 5/10-20.13(b) was amended by P.A. 102-805, ~~eff. 1-1-23~~, to make homeless students statutorily eligible for school fee and fine waivers, non-regulatory ISBE guidance states that students who are homeless, migrant, in foster care, runaway, or participating in Head Start are categorically eligible for school fee waivers. See www.isbe.net/Documents/guidance_reg.pdf.

The federal free meals program is found at 42 U.S.C. §1758; 7 C.F.R. Part 245. See f/n 7.

⁶ This paragraph is optional and may be omitted.

Verification ⁷

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees and fines in accordance with State law requirements.

If a student receiving a waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student a prorated amount based upon the number of school days remaining in the school year.

Determination and Appeal ⁸

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the ISBE rule on waiver of fees.

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⁷ Districts have two income verification options to determine eligibility for fee and fine waivers: (1) establish an application process that is completely independent of a student's application for, eligibility for, or participation in the federal free meals program, or (2) tie the application process to the federal free meals program application and only ask for *verification* in accordance with the meals program. 105 ILCS 5/10-20.13(c), amended by P.A.s 102-1032 and 102-805, ~~eff. 1-1-23~~. See www.isbe.net/Pages/School-Fee-Waivers.aspx for further explanation. For option #1, see [sample](#) exhibit 4:140-E1, *Application for Fee Waiver*. For option #2, see [sample](#) exhibit 4:140-E2, *Application for Fee Waiver Based on Federal Free Meals Program*.

By using option #1, a district may require income verification at the time an application is submitted for a waiver and may do so thereafter, but not more than once per academic year. 105 ILCS 5/10-20.13, as amended by P.A. 102-805, ~~eff. 1-1-23~~. An application using option #1 cannot ask whether a student lives in a household that meets free lunch eligibility guidelines and request income verification with reference to *free lunch* eligibility guidelines. Instead, the district should supply its own income guidelines with the same limits based on household size that are used for the federal meals program and have the parents/guardians indicate if they meet the income guidelines used to determine eligibility for *fee and fine waivers*. The independent fee and fine waiver income guidelines should not be any higher than those for eligibility for free lunch (or reduced-price, if the district voluntarily provides fee and fine waivers for those students who qualify), but the district should not reference or indicate that the guidelines are for the free meals program. In this completely independent waiver application process, the district may ask for verification, but cannot use any information it receives through this process for determining eligibility for free or reduced meals.

By using option #2, the district must follow the verification requirements of the federal free meals program at 7 C.F.R. §245.6a. 105 ILCS 5/10-20.13(c), amended by P.A.s 102-1032 and 102-805, ~~eff. 1-1-23~~.

Income verification may include such things as payroll stubs, tax returns, or evidence of receipt of food stamps or Temporary Assistance for Needy Families. 23 Ill.Admin.Code §1.245(d).

⁸ An ISBE rule requires that the policy state that the district will mail a copy of a denial notice within 30 calendar days after the receipt of the waiver request. 23 Ill.Admin.Code §1.245(c)(3). This rule also specifies timelines and procedures, including a requirement that "the person who decides the appeal shall not be the person who initially denied the fee *or fine* waiver or a subordinate of this person." Thus, a board may be required to hear an appeal if the superintendent made the initial decision to deny a waiver. The board's participation is avoided by the principal making initial waiver decisions and the superintendent or other main office administrator deciding the appeals.

LEGAL REF.: 42 U.S.C. §11434a, McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.
23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:140 (Education of Homeless Children), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct)

DRAFT

General Personnel

Responsibilities Concerning Internal Information¹

District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed School Board meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees. The Superintendent or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

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¹ State and federal law controls the content of this policy to the extent that: (1) the unauthorized disclosure of student school records is prohibited by the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) and the Ill. School Student Records Act (105 ILCS 10/); (2) the Freedom of Information Act (FOIA) (5 ILCS 140/) exempts from disclosure certain private or personal information, employee evaluations, school security and response plans, and maps; (3) if a district offers a self-insured group health plan or flexible spending account, it must establish clear procedures to protect the employees' health information (45 C.F.R. §164.502); (4) the Ill. Personnel Record Review Act governs the release of an employee's disciplinary action (820 ILCS 40/); ~~(5) the Student Online Personal Protection Act requires a district and third party operators with whom it contracts to take reasonable measures to protect certain online student data and~~ (56) any person who knowingly destroys, removes, conceals, or alters any public record with the intent to defraud any party commits a Class 4 felony (50 ILCS 205/4). These are examples of the laws requiring the safekeeping of district and school records.

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. If a local collective bargaining agreement contains a provision on these responsibilities, it will supersede this policy and the board policy should state, "Please refer to the applicable collective bargaining agreement." For employees not covered, the policy should reflect the board's current practice.

This sample policy's intent is to safeguard district records accessed or created by employees. This includes protecting the district from unauthorized release of confidential records or the destruction of records. While the legal guidance is sparse, districts should take steps to avoid security breaches. Some districts may have more legal obligations than others. School districts that are considered *covered entities* under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub.L. 104-191) are required to comply with the HIPAA Privacy Rule. See f/n 1 of [sample policy 7:340, Student Records](#), for further discussion of HIPAA. Furthermore, districts that allow foreign exchange students to attend their schools may need to put safeguards in place in order to protect data that is transferred to the Student and Exchange Visitor Information System (SEVIS). See f/n 18 of [sample policy 7:50, School Admissions and Student Transfers To and From Non-District Schools](#), for further discussion of SEVIS.

To help maintain the integrity of records, districts should prevent their over-accumulation. Not all internal information must be preserved even if it is a *public record* for purposes of FOIA. According to the Local Records Act (50 ILCS 205/) a record must be retained only when it contains: (1) evidence of the district's organization, function, policies, procedures, or activities; or (2) informational data appropriate for preservation. While this is a slippery slope without definitive parameters, recorded information may generally be deleted that are conversational or personal, meeting notices, spam, email of a transient nature, duplicate material sent from other staff members, and draft material. However, no district record, no matter its form, may be destroyed if it is subject to a litigation hold. See [sample administrative procedure 2:250-AP2, Protocols for Record Preservation and Development of Retention Schedules](#). For guidance on Board member use and retention of email, see [sample exhibit 2:140-E, Guidance for Board Member Communications, Including Email Use](#).

LEGAL REF.: ~~Family Educational and Privacy Rights Act~~, 20 U.S.C. §1232g, Family Educational and Privacy Rights Act.
~~Uses and Disclosures of Protected Health Information; General Rules~~, 45 C.F.R. §164.502-, Uses and Disclosures of Protected Health Information; General Rules.
~~Ill. Freedom of Information Act~~, 5 ILCS 140/, Ill. Freedom of Information Act.
~~Local Records Act~~, 50 ILCS 205/, Local Records Act.
105 ILCS 10/, Ill. School Student Records Act.
105 ILCS 85, Student Online Personal Protection Act.
~~Personnel Record Review Act~~, 820 ILCS 40/, Personnel Record Review Act.

CROSS REF.: 2:140 (Communications To and From the Board), 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

DRAFT

General Personnel

Temporary Illness or Temporary Incapacity ¹

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits.² However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will be deducted from the District's compensation liability to the employee. The School Board's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of his or her gross salary. Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

If illness, incapacity, or any other condition causes a teacher or other licensed employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act.³ The Superintendent

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¹ State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. When a policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the applicable collective bargaining agreement." For employees not covered, the policy should reflect the board's current practice.

² Temporary mental or physical incapacity as determined by a medical examination is not cause for dismissing a teacher. 105 ILCS 5/10-22.4 and 5/24-13.

³ A teacher's contractual continued service status is not affected by an absence caused by temporary illness or temporary incapacity. 105 ILCS 5/24-13. Two cases, decided before the Americans with Disabilities Act (ADA) (42 U.S.C. §12101 et seq.) was enacted, held that this statute grants school boards the power to define, through policy, temporary illness or incapacity. School Dist 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); Elder v. School Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

Important: Until February 2014, this paragraph in the **PRESS** sample policy applied to all employees. We limited its application to teachers in response to feedback that the paragraph should align with the statute. Section 105 ILCS 5/24-13, which this paragraph implements, applies only to teachers and, thus, we amended the paragraph to make it applicable only to teachers. **This change may trigger a bargaining requirement with a bargaining unit for educational support personnel.**

Despite the statute's limitation to licensed employees, many boards apply this language to educational support personnel. **Consult the board attorney** about whether to apply this language to educational support personnel. For boards that wish to apply this language to both licensed and educational support personnel, strike ~~teacher or other licensed~~ from the text of the first two sentences of this paragraph and correct the grammar.

The Illinois appellate court decisions cited above upheld a board policy designating when a temporary [illness or] incapacity becomes permanent for the purpose of being a cause of dismissal. The court approved using 90 days of absence due to illness, after the exhaustion of sick days, as the point at which the district considers termination. The court upheld a hearing officer decision noting that a policy providing for a 90-school-day absence following exhaustion of sick leave was sufficient under Section-105 ILCS 5/24-13. The court noted that applying that particular policy over a two-year period would not be appropriate because the two-year period would have the effect of allowing the school board to define a temporary illness or incapacity out of existence; i.e., making it impossible for a teacher to qualify for such an absence. **Important:** a district should consult the board attorney before determining that a teacher's temporary illness or incapacity became permanent.

may recommend this paragraph's use when circumstances strongly suggest that the teacher or other licensed employee returned to work intermittently in order to avoid this paragraph's application. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by State and federal law.

Any employee may be required to have an examination, at the District's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant if the examination is job-related and consistent with business necessity. ⁴

LEGAL REF.: 42 U.S.C. §12101 et seq., Americans with Disabilities Act.
105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.
Elder v. School Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).
School District No. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

DRAFT

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

The point at which any employee's temporary disability becomes permanent must be analyzed using the Americans with Disabilities Act (42 U.S.C. §12101 et seq.), also referred to as the ADA or the ADA Amendments Act (ADAAA)(Pub. L. 110-325). This federal law prohibits employers from discriminating against individuals with a disability who can perform the essential functions of a job with or without reasonable accommodation. A district should regularly analyze each position's job description to ensure that it identifies the position's essential functions. Consult the board attorney concerning compliance with the ADA.

⁴ The State law (105 ILCS 5/24-5, ~~amended by P.A. 100-513~~), allowing boards to require physicals of current employees *from time to time*, has been superseded by the ADA, 42 U.S.C. §12112(d)(4). The ADA allows medical inquiries of current employees only when they are job-related and consistent with business necessity or part of a voluntary employee wellness program. Id. Districts may deny jobs to individuals with disabilities who pose a direct threat to the health or safety of others in the workplace, provided that a reasonable accommodation would neither eliminate the risk nor reduce it to an acceptable level. 42 U.S.C. §12113; 29 C.F.R. §1630.2(r).

Note that while examination by a spiritual leader/practitioner is sufficient for leaves, the statute does not authorize an examination by a spiritual leader/practitioner for district-ordered physicals of an employee. The difference may present a constitutional issue; contact the board attorney for an opinion if the employee wants to use an examination by a spiritual leader/practitioner.

Professional Personnel

Terms and Conditions of Employment and Dismissal ¹

The School Board delegates authority and responsibility to the Superintendent to manage the terms and conditions for the employment of professional personnel. The Superintendent shall act reasonably and comply with State and federal law as well as any applicable individual employment contract or collective bargaining agreement in effect. The Superintendent is responsible for making dismissal recommendations to the Board consistent with the Board’s goal of having a highly qualified, high performing staff. ²

School Year

Teachers shall work according to the school calendar adopted by the Board, which shall have a minimum of 176 student attendance days and a minimum of 180 teacher work days, including teacher institute days.³ Teachers are not required to work on legal school holidays unless the District has followed applicable State law that allows it to hold school or schedule teachers’ institutes, parent-teacher conferences, or staff development on the third Monday in January (the Birthday of Dr. Martin Luther King, Jr.); February 12 (the Birthday of President Abraham Lincoln); the first Monday in March (known as Casimir Pulaski’s birthday); the second Monday in October (Columbus Day); and November 11 (Veterans Day). ⁴

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¹ State or federal law controls this policy’s content. This policy contains items on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. The local collective bargaining agreement may contain provisions that exceed these requirements. In such cases, the board policy should be amended to state, “Please refer to the applicable collective bargaining agreement.”

Evaluation, tenure, and dismissals changed significantly from 2013 to 2016 as P.A.s 96-861, 97-8, and 98-513 were implemented. These public acts are referred to as *Education Reform* or *Education Reform Acts*.

² This paragraph is consistent with the IASB’s *Foundational Principles of Effective Governance*, at: www.iasb.com/principles_popup.cfm www.iasb.com/IASB/media/Documents/found_prin.pdf. Boards have three options for using this paragraph: (1) use it as an introduction to the policy; (2) use it alone leaving the specific other topics for administrative implementation; or (3) do not use it.

³ 105 ILCS 5/10-19. See sample policy 6:20, *School Year Calendar and Day*.

⁴ 105 ILCS 5/24-2(b). See sample policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, for a holiday listing as well as a discussion of the case finding the State-mandated school holiday on Good Friday unconstitutional. 105 ILCS 5/24-2, amended by P.A.s 102-14, 102-15, 102-334, 102-411, and 103-395, prohibits districts from making a deduction “from the time or compensation of a school employee on account of any legal or special holiday.”

10 ILCS 5/1-24, added by P.A. 103-467 and scheduled to be repealed on 1-1-25, designated 2024 Election Day as a legal school holiday for the purposes of 105 ILCS 5/24-2 and requires any school closed on 2024 Election Day to make itself available to an election authority as a polling place on that date. No waiver exists for 2024 Election Day. 105 ILCS 5/24-2(b) and (e), amended by P.A.s 102-15 and 103-467.

School Day

Teachers are required to work the school day adopted by the Board.⁵ Teachers employed for at least four hours per day shall receive a duty-free lunch equivalent to the student lunch period, or 30 minutes, whichever is longer.⁶

The District accommodates employees who are nursing mothers according to provisions in State and federal law.⁷

Salary

Teachers shall be paid according to the salaries fixed by the Board, but in no case less than the minimum salary provided by the School Code.⁸ Teachers shall be paid at least monthly on a 10- or 12-month basis.⁹

Assignments and Transfers¹⁰

The Superintendent is authorized to make teaching, study hall, extra class duty, and extracurricular assignments. In order of priority, except as otherwise provided by law, assignments shall be made based on the District's needs and best interests, employee qualifications, and employee desires.

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⁵ A school day is required to consist of a minimum of five clock hours under the direct supervision of a teacher or non-teaching personnel or volunteer personnel that provides non-teaching or supervisory duties as specified in 105 ILCS 5/10-22.34(a) in order to qualify as a full day of attendance. 105 ILCS 5/10-19.05(a) and (j-5), amended by P.A. 103-560, ~~eff. 1-1-24~~. See www.isbe.net/school-calendar for Ill. State Board of Education's (ISBE) instructional day changes notice regarding this law. See 105 ILCS 5/10-19.05, amended by P.A. 103-560, ~~eff. 1-1-24~~, for additional exceptions to the attendance calculation.

⁶ 105 ILCS 5/24-9.

⁷ 29 U.S.C. §218(d), added by Pub.L. 117-328; 42 U.S.C. §2000gg *et seq.*, added by Pub.L. 117-328; 740 ILCS 137/; 820 ILCS 260/. Consult the board attorney to ensure the district is properly accommodating nursing mothers. See sample administrative procedure 5:10-AP, *Workplace Accommodations for Nursing Mothers*.

⁸ 105 ILCS 5/10-20.7, 5/10-21.1, 5/24-1, and 5/24-8, amended by P.A. 103-515. The Commission on Government Forecasting and Accountability is required to annually certify and publish the teacher minimum salary to be used for the 2024-2025 school year and each year thereafter. Salaries are a mandatory subject of collective bargaining. 115 ILCS 5/10. Annually, by Oct. 1, each district must: (1) during an open school board meeting, report salary and benefits information for the superintendent, administrators, and teachers; (2) publish that information on the district's website, if any; and (3) provide this information to ISBE. 105 ILCS 5/10-20.47. According to a Public Access Counselor (PAC) *Informal Mediation* letter interpreting 5 ILCS 120/7.3, an IMRF employer must post on its website the names of employees having a total compensation package that exceeds \$75,000 per year. 2012 PAC 19808 (Informal Mediation by the Ill. Attorney General's Public Access Counselor (PAC)); see PAC Annual Report for 2012 at https://foiাপac.ilag.gov/viewpdf.aspx?P=~/content/pdf/Public_Access_Counselor_Annual_Report_2012.pdf.

⁹ 105 ILCS 5/24-21.

¹⁰ Districts are required to have a policy on the distribution of the listed assignments. 23 Ill.Admin.Code §1.420(d).

Absent an individual or collective bargaining agreement, the board has unilateral discretion to assign or retain a teacher to or in an extracurricular duty. *Betebner v. Bd. of Educ.*, 336 Ill.App. 448 (4th Dist. 1949); *Dist. 300 Educ. Assoc. v. Bd. of Educ.*, 31 Ill.App.3d 550 (2nd Dist. 1975); *Lewis v. Bd. of Educ.*, 181 Ill.App.3d 689 (5th Dist. 1989).

School Social Worker Services Outside of District Employment

School social workers may not provide services outside of their District employment to any student(s) attending school in the District. *School social worker* has the meaning stated in 105 ILCS 5/14-1.09a.¹¹

Dismissal

The District will follow State law when dismissing a teacher. ¹²

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105 ILCS 5/22-9~~65(a)~~, added by P.A. 103-46, ~~eff. 1-1-24 and amended by P.A. 103-564~~, requires school districts, when hiring or assigning educators for physical education, music, or visual arts, to prioritize the hiring or assigning of educators who hold an educator license and endorsement in those areas. The law also requires educators in these areas to obtain short-term approval if they are not licensed in the content area, or, if no short-term approval is available, they must meet criteria specified by ISBE. Id. at (b). Educators must obtain an endorsement in the area being taught prior to the end of the short-term approval period to continue to maintain the educator's employment for subsequent school years. professional educator licensure applicants to pass the licensure content area test for the content area the educator is assigned to teach or complete nine semester hours of coursework in the content area prior to the educator's employment start date, among other requirements. Id. at (b). In the alternative, educators do not need to be licensed, obtain short-term approval, or meet other ISBE requirements if they meet the requirements of Title 23 of the Illinois Administrative Code except for Section 1.710. Id. at (d). However, the law does not make clear whether the licensure requirements in 105 ILCS 5/22-95(b), added by P.A. 103-46, eff. 1-1-24, apply only to physical education, music, and visual arts. Consult the board attorney to determine the applicability of these provision

¹¹ Optional. This subhead provides information to district employees and the community that 105 ILCS 5/14-1.09a prohibits school social workers from moonlighting by providing services to students attending the districts in which they are employed. Delete “5/10-20.65, 5/14-1.09a,” from the Legal References if the board deletes this subhead.

¹² All dismissal laws in the chart below were amended by the *Education Reform Acts*. 105 ILCS 5/24A-5.5, requires districts to develop and implement a local appeals process for unsatisfactory ratings issued to teachers under 105 ILCS 5/24A-5, amended by P.A.s 102-252, and 102-729. Districts must: (1) develop the process in cooperation with the bargaining unit or teachers, if applicable, and (2) include an assessment of the original rating by a panel of qualified evaluators agreed to by the PERA joint committee (105 ILCS 5/24A-4(b)).

Non-tenure Teacher Discharge	105 ILCS 5/24-11, amended by P.A.s 102-552 and 103-500.
Tenured and Non-tenure Teachers Reduction in Force	105 ILCS 5/24-12(b), amended by P.A.s 103-398, eff. 1-1-24 , and 103-500, and (c)
Tenured Teacher Discharge Where Cause Remediable	105 ILCS 5/24-12(d) (prior reasonable warning required), amended by P.A.s 102-708 and 103-354, eff. 1-1-24 . 105 ILCS 5/24-12(d) (procedural mandates), amended by P.A.s 102-708 and 103-354, eff. 1-1-24 . 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge Where Cause Irremediable	105 ILCS 5/24-12(d) (no prior warning required) amended by P.A.s 102-708 and 103-354, eff. 1-1-24 . 105 ILCS 5/24-12(d) (procedural mandates), amended by P.A.s 101-531, 101-643, and 102-708 and 103-354, eff. 1-1-24 . 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge Failure to complete remediation plan with a rating of <i>Proficient or Excellent</i>	105 ILCS 5/24A-5(m) (participation in remediation plan after unsatisfactory evaluation) 105 ILCS 5/24-12(d)(1) 105 ILCS 5/24-12(d) (procedural mandates), amended by P.A.s 102-708 and 103-354, eff. 1-1-24 . 105 ILCS 5/10-22.4 (general authority)

Evaluation

The District’s teacher evaluation system will be conducted under the plan developed pursuant to State law. ¹³

On an annual basis, the Superintendent will provide the Board with a written report which outlines the results of the District’s teacher evaluation system.

LEGAL REF.: 29 U.S.C. §218(d), Pub. L. 117-328, Pump for Nursing Mothers Act.
42 U.S.C. §2000gg et seq., Pub. L. 117-328, Pregnant Workers Fairness Act.
105 ILCS 5/10-19, 5/10-19.05, 5/10-20.65, 5/14-1.09a, 5/22-9~~65~~, 5/22.4, 5/24-16.5, 5/24-2, 5/24-8, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.
820 ILCS 260/, Nursing Mothers in the Workplace Act.
23 Ill.Admin.Code Parts 50 (Evaluation of Educator Licensed Employees) and 51 (Dismissal of Tenured Teachers).
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).

CROSS REF.: 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

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

Tenured Teacher Discharge – Optional Alternative Evaluative Dismissal Process for PERA Evaluation Failure to complete remediation plan with a <i>Proficient</i> or better rating 105 ILCS 5/24A-2.5	105 ILCS 5/24-16.5(d) (provide written notice) 105 ILCS 5/24-16.5 (pre-remediation and remediation procedural mandates) 105 ILCS 5/24-16.5(e) and (f) (school board makes final decision with only PERA-trained board members participating in vote)
Tenured Teacher Discharge – <i>Unsatisfactory</i> PERA evaluation within 36 months of completing a remediation plan 105 ILCS 5/24A-2.5	105 ILCS 5/24A-5(n), amended by P.A. 102-252 (forego remediation and proceed to dismissal) 105 ILCS 5/24-12(d) (procedural mandates), amended by P.A. 102-708. 105 ILCS 5/10-22.4 (general authority)
Educational Support Personnel Employees (non-licensed)	105 ILCS 5/10-23.5, amended by P.A. 102-854.
Probationary Teacher (non-tenure teacher)	105 ILCS 5/24-11, amended by P.A.s 102-552, 102-854, and 103-500.

Various components of a RIF (e.g., impact and decision to RIF) and an evaluation plan (e.g., development, implementation, and impact) may be subject to mandatory collective bargaining. Central City Educ. Assoc. v. IELRB, 149 Ill.2d 496 (Ill. 1992).

105 ILCS 5/22-9~~65~~, amended by PA 103-46, eff. 1-1-24, provides that in the event of a reduction in force, schools may follow the employee contract language for filling positions.

Teacher RIF procedures were changed by 105 ILCS 5/24-12(b), amended by P.A. 103-398 and 103-500, and (c). See *PERA Overview for School Board Members*, question 15, “What is the process for selecting teachers for a reduction in force/layoff (RIF)” at: www.iasb.com/law/PERAoverview.pdf.

State law does not prohibit a PERA joint committee from agreeing to put a teacher on a remediation plan if the teacher receives a second *needs improvement* (rather than *unsatisfactory*) rating after being on a professional development plan. Bd. of Educ. Rockford Public Sch. v. Rentsch, 212 N.E.3d 565 (Ill. App. Ct. 2nd Dist. 2022).

According to a binding opinion from the Ill. Public Access Counselor, a board must identify an employee by name in a motion to dismiss him or her. PAO 13-16. As this may be a significant change in practice with possible other legal consequences, a board should consult with the board attorney on this issue before dismissing an employee.

¹³ 105 ILCS 5/24A-5, amended by P.A.s 102-252, 102-729, and 103-85. Teacher evaluation plans are covered in *PERA Overview for School Board Members* at: www.iasb.com/law/PERAoverview.pdf.

Educational Support Personnel

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers¹

The District shall adhere to State and federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers. The Superintendent or designee manages a program to implement State and federal law defining the circumstances and procedures for the testing.²

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

¹ State and federal law controls this policy’s content. The federal Omnibus Transportation Testing Act of 1991 requires that all persons subject to commercial driver’s license requirements be tested for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). Cannabis remains a *Schedule I* (c)(17) controlled substance under federal law (21 U.S.C. §812) meaning it has no currently accepted medical use in treatment. Federal drug testing requirements for commercial and school bus drivers, including random testing, are unaffected by the legalization of cannabis for medical and recreational use at the State level. See [sample procedure 5:285-AP, Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers](#) and U.S. Dept. of Transportation’s *Recreational Marijuana Notice* (12-3-12) (“We want to make it perfectly clear that the state initiatives will have no bearing on the Department of Transportation’s regulated drug testing program. **The Department of Transportation’s Drug and Alcohol Testing Regulation – 49 CFR Part 40 – does not authorize the use of Schedule I drugs, including marijuana, for any reason.**”) (emphasis added) and *Medical-Recreational Marijuana Notice* (4-259-129), available at: www.transportation.gov/odapc/program-guidance. State law continues to permit the imposition of civil and criminal penalties for being school bus permit drivers who use cannabis while on duty. 410 ILCS 705/10-35(a)(9).

625 ILCS 5/6-106.1c contains State law requirements for reasonable suspicion drug and alcohol testing of school bus driver permit holders. If an employer has reasonable suspicion to believe that a school bus driver permit holder is under the influence of alcohol, drugs, or intoxicating compounds, the employer must require the permit holder to undergo testing at a licensed testing facility before driving any vehicle for which a school bus driver permit is required. The employer’s reasonable suspicion must be based on specific, contemporaneous observations of the appearance, behavior, speech, or body odors. 49 CFR §382.307. State law makes employers of school bus driver permit holders who do not hold commercial driver’s licenses subject to federal law regarding reasonable suspicion testing. The employer must report to the Ill. Secretary of State if the permit holder refuses testing or if the testing reveals the presence of alcohol, drugs, or intoxicating compounds. A school bus permit holder whose test discloses any amount of alcohol or drugs, or who refuses testing, will have his or her school bus permit suspended for three years.

State law also allows for drug and alcohol testing for any driver on a public roadway; i.e., *implied consent*. 625 ILCS 5/11-501.1.

Drug testing by government entities constitutes a search of an individual, thereby invoking State and federal constitutional law. In determining whether post-employment testing of a school bus driver is permissible, a court will balance the privacy interests of the employee against the district’s interest. *International Brotherhood of Teamsters v. Department of Transportation*, 932 F.2d 1292 (9th Cir. 1991). For districts that employ staff members in positions requiring a commercial driver’s license, see the U.S. Dept. of Transportation - Office of the Secretary, Office of Drug and Alcohol Policy and Compliance’s guidance and best practices document titled **What Employers Need to Know About DOT Drug and Alcohol Testing**, available at: www.transportation.gov/odapc/employer_handbook.

² An optional provision for districts that contract-out their transportation services:

This policy shall not be implemented, and no administrative procedures will be needed, until it is reasonably foreseeable that the District will hire staff for a position(s) requiring a commercial driver’s license.

LEGAL REF.: [625 ILCS 5/6-106.1 and 5/6-106.1c.](#)

49 U.S.C. §31306, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991, P.L. 102-143).
49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled Substance and Alcohol Use and Testing), and 395 (Hours of Service of Drivers).
[625 ILCS 5/6-106.1 and 5/6-106.1c.](#)

CROSS REF.: 4:110 (Transportation), 5:30 (Hiring Process and Criteria), 5:280 (Duties and Qualifications)

DRAFT

Educational Support Personnel

Compensatory Time-Off ¹

This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act, 29 U.S.C. §201 *et seq.*, and (2) are not represented by an exclusive bargaining representative.

Employees may be given 1-1/2 hours of compensatory time-off in lieu of cash payment for each hour of overtime worked. Other than as provided below, at no time may an employee's accumulated compensatory time-off exceed 240 hours, which represents compensation for 160 hours of overtime.² An employee whose work regularly includes public safety, emergency response, or seasonal activities may accumulate a maximum of 480 hours of compensatory time, which represents compensation for 320 hours of overtime.³ If an employee accrues the maximum number of compensatory time-off hours, the employee: (1) is paid for any additional overtime hours worked, at the rate of one and one half times the employee's regular hourly rate of pay, and (2) does not accumulate compensatory time-off until the employee uses an equal amount of accrued time-off.⁴

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

¹ The federal regulations implementing the Fair Labor Standards Act (FLSA) governs the use of *comp-time*. 29 C.F.R. §§553.21-553.28 and 553.50. See [sample](#) policy 5:35, *Compliance with the Fair Labor Standards Act*, for discussion of the FLSA. In order for a district to offer comp-time, it must have a compensatory time-off policy or the topic must be covered in an applicable collective bargaining agreement. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. School officials should consult with the board attorney before adopting this policy.

The terms *comp-time* and *compensatory time-off* mean paid time-off that is earned and accrued by a non-exempt employee in lieu of overtime pay for over 40 hours worked in one workweek. Compensatory time-off in lieu of overtime pay must be at the premium rate of 1.5 hours of compensatory time for each hour of overtime worked (just as the monetary rate for overtime is calculated at 1.5 times the regular rate of pay). As a condition for using comp-time in lieu of overtime pay, the employer and employee must have an *agreement or understanding* before the work is performed. Further, the employee's decision to accept comp-time must be made freely. For employees represented by an exclusive bargaining agent, the agreement to use comp-time must be between the district and the bargaining agent.

For non-exempt employees who are not covered by a collective bargaining agreement, the *agreement or understanding* concerning comp-time must be between the district and employee. See [sample](#) exhibit 5:310-E, *Agreement to Receive Compensatory Time-Off*. If the district had a regular practice of comp-time before April 15, 1986, that is deemed an agreement. Notice to the non-exempt employees that comp-time will be given in lieu of overtime pay for overtime through bulletin board notices is sufficient to constitute an *agreement or understanding*, provided that the decision to accept compensatory time-off is made freely.

² This sample policy contains the maximum hours that the FLSA allows an employee to accumulate. It is a ceiling that an employee may hit several times, but never go over without using some of the time-off. A school board may forfeit flexibility and set this ceiling lower.

³ *Seasonal activities* include activities during periods of significantly increased demand, that are of a regular and recurring nature. A seasonal activity is not limited strictly to those operations that are very susceptible to changes in the weather. However, mere periods of short but intense activity do not make an employee's job seasonal. However, the 480 hour accrual limit will not apply to office personnel or other employees who may perform such seasonal activities only in emergency situations, even if they spend substantially all of their time in a particular workweek engaged in such activities.

⁴ The FLSA permits a board to require that employees reduce their accumulated compensatory time or face having their supervisor schedule the compensatory time-off for them. *Christensen et al. v. Harris County et al.*, 529 U.S. 576 (2000). Such an optional provisions follows:

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District's operations.⁵ The employee's supervisor must approve a request to use compensatory time-off.

Upon termination of employment, an employee will be paid for unused compensatory time at the higher of:

1. The average regular rate received by such employee during the last three years of employment;
or
2. The final regular rate received by such employee.

Compensatory time-off is time during which the employee is not working and is, therefore, not counted as "hours worked" for purposes of overtime compensation.

Implementation

The Superintendent or designee shall implement this policy in accordance with the FLSA. In the event of a conflict between the policy and the FLSA, the latter shall control.

LEGAL REF.: ~~Fair Labor Standards Act~~, 29 U.S.C. §201 et seq., [Fair Labor Standards Act](#); 29 C.F.R. Part 553.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act), 5:185 (Family and Medical Leave), 5:270 (Employment At-Will, Compensation, and Assignment)

DRAFT

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

Notwithstanding the above and to avoid hardship to the District, an employee's supervisor may require the employee to reduce accumulated compensatory time, or schedule the compensatory time-off for the employee, so that the employee does not accumulate more than 75 hours of compensatory time, which represents compensation for 50 hours of overtime.

⁵ Optional.

Instruction

Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program ¹

The Superintendent or designee shall develop, maintain, and supervise a program for students at risk of academic failure or dropping out of school. The program shall include education and support services addressing individual learning styles, career development, and social needs, and may include without limitation one or more of the following:

- Parent-teacher conferences
- Counseling services by social workers and/or guidance counselors
- Counseling services by psychologists
- Psychological testing
- Truants’ alternative and optional education program ²
- Alternative school placement
- Community agency services
- Alternative learning opportunities program, in conformity with the Alternative Learning Opportunities Law, as it may be amended from time to time ³
- Graduation incentives program ⁴
- Remediation program ⁵

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

¹ State law controls this policy’s content.

² 105 ILCS 5/2-3.66, ~~amended by P.A. 100-465~~, authorizes the Ill. State Board of Education (ISBE) to award grants to school districts, educational service regions, and community college districts.

³ 105 ILCS 5/13B-1 et seq. Districts are not required to establish an alternative learning opportunities program. However, if they do, State law requires that the program “provide a flexible standards-based learning environment, innovative and varied instructional strategies, a student-centered curriculum, social programs, and supplemental social, health, and support services to improve the educational achievement of students at risk of academic failure.” 105 ILCS 5/13B-20. The program must also meet the requirements in 105 ILCS 5/13B-45. Alternative learning opportunities programs “may include, without limitation, evening high school, in-school tutoring and mentoring programs, in-school suspension programs, high school completion programs to assist high school dropouts in completing their education, high school completion programs to allow students eligible for remote learning under Section 34-18.81 to complete their education while incarcerated in an institution or facility of the Department of Corrections, support services, parental involvement programs, and programs to develop, enhance, or extend the transition for students transferring back into the regular school program, an adult education program, or a post-secondary education program.” 105 ILCS 5/13B-20.5, ~~amended by P.A. 102-966~~. See 105 ILCS 5/13B-25.10, as well as other requirements for general State aid and evidence-based funding (the statute references both types of funding), for additional requirements to receive State funds for creating this program.

⁴ Required by 105 ILCS 5/26-16, ~~amended by P.A. 100-465~~.

⁵ 105 ILCS 5/10-20.9a(b) requires remedial assistance for students who are not promoted to the next higher grade.

Any student who is below the age of 20 years is eligible to enroll in a graduation incentives program if he or she: ⁶

1. Is considered a dropout according to State law;
2. Has been suspended or expelled;
3. Is pregnant or is a parent;
4. Has been assessed as chemically dependent; or
5. Is enrolled in a bilingual education or English Language Learners program.

LEGAL REF.: 105 ILCS 5/2-3.41, 5/2-3.66, 5/10-20.9a, 5/13B, 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

CROSS REF.: 6:280 (Grading and Promotion), 6:300 (Graduation Requirements), 7:70 (Attendance and Truancy)

DRAFT

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

⁶Required by 105 ILCS 5/26-16, ~~amended by P.A. 100-465~~. Graduation incentives programs are entitled to claim general State aid and evidence-based funding (the statute references both types of funding). A district must ensure that its graduation incentives program receives supplemental general State aid, transportation reimbursements, and special education resources, if appropriate, for students enrolled in the program. 105 ILCS 5/26-2a defines *dropout* as “any child enrolled in grades 9 through 12 whose name has been removed from the district enrollment roster for any reason other than the student’s death, extended illness, removal for medical non-compliance, expulsion, aging out, graduation, or completion of a program of studies and who has not transferred to another public or private school and is not known to be home-schooled by his or her parents or guardians or continuing school in another country.”

6:110

Page 2 of 2

Instruction

Education of Homeless Children ¹

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education.² A *homeless child* is defined as provided in the McKinney-Vento Homeless Assistance Act and the Education for Homeless Children Act.³ The Superintendent or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation. ⁴

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

¹ State and federal law control this policy's content. This sample policy contains the basic requirements of the Education for Homeless Children Act (105 ILCS 45/), as well as the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11431 *et seq.*). Other policies that are relevant to the education of homeless children are listed in the Cross References, e.g., school admissions and immunizations.

² For high school districts, delete "including a public pre-school education" at the end of the sentence.

³ Under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(2)), *homeless children and youths* ~~(A)~~ means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of ~~section 42 U.S.C. §11302(a)(1)~~); and ~~(B)~~ includes:

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C));
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

Note: Section §11434a(2) no longer includes children "awaiting foster care placement" within the definition of *homeless children and youths*.

Under the Education for Homeless Children Act (105 ILCS 45/1-5), *Homeless person, child, or youth* includes, but is not limited to, any of the following:

- (1) An individual who lacks a fixed, regular, and adequate nighttime place of abode.
- (2) An individual who has a primary nighttime place of abode that is:
 - (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);
 - (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (C) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

See www.isbe.net/Pages/Homeless.aspx for helpful informational resources and training with regard to the education of homeless children in Illinois. See <https://nche.ed.gov/legislation/mckinney-vento/www2.ed.gov/programs/homeless/legislation.html> for the U.S. Dept. of Education's information about federal requirements.

⁴ 42 U.S.C. §11432(g)(l)(J)(ii).

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school. ⁵

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.⁶ Transportation shall be provided in accordance with the McKinney-Vento Homeless Assistance Act and State law.⁷ The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.⁸ If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent and provide the child or his or her parent/guardian with a written explanation for the denial.⁹ Whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the Liaison for Homeless Children shall, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist in accordance with State law. ¹⁰

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⁵ 105 ILCS 45/1-10.

⁶ The first two sentences in this paragraph are required by 42 U.S.C. §11432(g)(7). 410 ILCS 535/25.3, ~~amended by P.A. 100-506~~, requires fees for certified copies of birth records be waived for individuals whose homeless status has been verified. A public school homeless liaison or school social worker may verify homeless status, in accordance with procedures established by the State Registrar of Vital Records. Id.

⁷ 42 U.S.C. §11432(g)(l)(J)(iii), 42 U.S.C. §11432(g)(4)(A), and 105 ILCS 45/1-15. The School Code and Education for Homeless Children Act permit school districts to use their State transportation funds to provide financial assistance to children who are homeless or who qualify as *at risk of becoming homeless* when: (1) the financial assistance is not in excess of the district's actual costs for providing the transportation to the student, and (2) the district is not otherwise claiming the expenditures through another State or federal grant. 105 ILCS 5/29-5 (transportation reimbursement), amended by P.A. 102-539, and 105 ILCS 45/1-17 (homeless assistance). A child is considered *at risk of becoming homeless* if the child's parent/guardian, other person who enrolls the child, or unaccompanied minor provides documented evidence that the child's living situation will no longer be fixed, regular, and adequate within eight weeks, resulting in the child becoming homeless. 105 ILCS 45/1-17(d). Prior to providing such financial assistance, a district must enter into a written housing plan with the parent/guardian, person who enrolled the child, or unaccompanied minor. Id. at 1-17(c). Financial assistance may include: (1) mortgage or rental assistance that will allow a child to remain permanently in his/her living situation or obtain a new living situation; and/or (2) assistance with unpaid bills, loans, or other financial debts that results in housing being inadequate. Id. at 1-17(a). See sample administrative procedure 6:140-AP, *Education of Homeless Children*, f/n 1, for a discussion of issues that districts should consider in developing such plans.

⁸ Required by 42 U.S.C. §11432(g)(7)(C).

⁹ Required by 105 ILCS 45/1-25; 23 Ill.Admin.Code §1.241. The Ill. State Board of Education's *Homeless Dispute Resolution Procedures* (~~published September 2017 and updated December/February 2024~~) are available at: www.isbe.net/Pages/Homeless.aspx.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "Intermediate Service Center Executive Director."

¹⁰ Optional. 105 ILCS 45/1-25(a-5). As an alternative, a school board may omit this sentence or use a permissive verb, such as, "...the Liaison for Homeless Children may, after the passage of 18 months and annually thereafter, conduct....change the word "shall" to "may." Any change required as a result of this review becomes effective at the close of the school year. Any person who knowingly or willfully presents false information in any review commits a Class C misdemeanor.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 45/, Education for Homeless Children Act.
[23 Ill.Admin.Code §1.241.](#)

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), [4:140 \(Waiver of Student Fees\)](#), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

ADMIN. PROC.: 6:140-AP (Education of Homeless Children)

DRAFT

Instruction

Home and Hospital Instruction ¹

A student who is absent from school, or whose physician, physician assistant, or advanced practice registered nurse anticipates that the student will be absent from school, because of a medical condition may be eligible for instruction in the student's home or hospital.² Eligibility shall be determined by State law and the Illinois State Board of Education rules governing (1) the continuum of placement options for students who have been identified for special education services or (2) the home and hospital instruction provisions for students who have not been identified for special education services.³ Appropriate educational services from qualified staff will begin no later than five school days after receiving a written statement from: (1) a physician licensed to practice medicine in all of its branches, (2) a licensed physician assistant, or (3) a licensed advanced practice registered nurse.⁴ Instructional or

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¹ State or federal law controls this policy's content. The following State laws and ISBE rules govern homebound and hospital instruction: 105 ILCS 5/14-13.01 (reimbursement for home and hospital instruction along with factors to qualify for it); 105 ILCS 5/18-4.5 (reimbursement for home and hospital instruction); 105 ILCS 5/10-19.05(e), ~~added by P.A. 100-12~~ (an instructional session of one clock hour may be counted as ½ day of attendance, however, a student must receive four or more instructional clock hours to count as a full day of attendance); 23 Ill.Admin.Code §226.300 (home/hospital service for a special education student); 23 Ill.Admin.Code §1.520.

See ISBE guidance, *Home/Hospital Instruction and Reimbursement Questions and Answers* available at: www.isbe.net/Documents/Home-Hospital_QA.pdf.

² 105 ILCS 5/14-13.01, ~~amended by P.A. 100-443~~, defines the standards for determining when a student is eligible to receive home or hospital instruction. A student qualifies when a physician, physician assistant, or advanced practice ~~registered~~ nurse *anticipates* a student's absence due to a medical condition. The law defines "ongoing intermittent basis" to mean a medical condition of such a nature and severity that it is anticipated that the student will be absent from school due to the medical condition for periods of at least two days at a time multiple times during the school year totaling at least 10 days or more of absences. ~~225 ILCS 65/50-10, amended by P.A. 100-513, revised the Nurse Practice Act to add registered to the definition of advanced practice registered nurse; accordingly, this policy reflects that change in terminology, even though Section 5/14-13.01 similarly has not been amended.~~

³ 105 ILCS 5/14-13.01(a-5), ~~amended by P.A. 100-443~~, requires that all students provide a written statement from a physician, physician assistant, or advanced practice registered nurse stating the existence of a medical condition, the impact on the child's ability to participate in education, and the anticipated duration or nature of the child's absence from school. However, ISBE rules at 23 Ill.Admin.Code §226.300 (students qualifying for special education services) and 23 Ill.Admin.Code §1.520 (students not qualifying for special education services) have not yet been amended to reflect that this written statement may come from a physician assistant or an advanced practice registered nurse; they still state that such a written statement must come from a physician. ISBE's *Medical Certification for Home/Hospital Instruction* form, form 34-58, reflects that the written statement may come from a "physician licensed to practice medicine in all its branches, APRN, or PA." Available at: www.isbe.net/Documents/Medical-certification-home-hospital-instruction.pdf.

A student with health needs may be protected by the Individuals with Disabilities Education Act (20 U.S.C. §1401(3) or Section 504 of the Rehabilitation Act (29 U.S.C. §794(a)).

⁴ 105 ILCS 5/14-13.01(a-5), ~~amended by P.A.s 100-443 and 100-863~~. There is no requirement that a student be absent from school for a minimum number of days before he or she qualifies for home or hospital instruction. 105 ILCS 5/14-13.01(a). The statute, ~~amended by P.A. 100-443~~, allows schools to begin home or hospital instruction upon receipt of a written statement from a physician, physician assistant, or advanced practice registered nurse but requires it to begin no later than five school days after receipt of the written statement.

Both 23 Ill.Admin.Code §§226.300(g) and 1.520(f) require home or hospital instructors to meet the requirements listed in 23 Ill.Admin.Code §1.610, i.e., proper licensure as required by ~~Section 21B-15 of the School Code~~ (105 ILCS 5/21B-15).

related services for a student receiving special education services will be determined by the student's individualized education program.

A student who is unable to attend school because of pregnancy will be provided home instruction, correspondence courses, or other courses of instruction (1) before the birth of the child when the student's physician, physician assistant, or advanced practice registered nurse indicates, in writing, that she is medically unable to attend regular classroom instruction, and (2) for up to three months after the child's birth or a miscarriage. ⁵

Periodic conferences will be held between appropriate school personnel, parent(s)/guardian(s), and hospital staff to coordinate course work and facilitate a student's return to school.

LEGAL REF.: 105 ILCS 5/10-19.05(e), 5/10-22.6a, 5/14-13.01, and 5/18-4.5.
23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity), 7:280 (Communicable and Chronic Infectious Disease)

DRAFT

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

⁵ 105 ILCS 5/10-22.6a, ~~amended by P.A. 100-443~~. Number (2) does not require a written statement from a physician, physician assistant, or advanced practice registered nurse.

6:150

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Instruction

Library Media Program ¹

The Superintendent or designee shall manage the District's library media program to comply with (1) State law and Ill. State Board of Education (ISBE) rule and (2) the following standards:

1. The program includes an organized collection of resources available to students and staff to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served.

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

¹ ~~State law and ISBE rule controls some aspects of this policy's content; however, districts are not required to adopt a policy on any subject matter covered in it that want to be eligible for the State school library grant funding must adopt Standard #5 or its alternative (see the next paragraph, below); otherwise, no policy is required. 75 ILCS 10/8.7, added by P.A. 103-100. Standards #1-4 restate requirements in 23 Ill.Admin.Code §1.420(o). Standard #2 implements the rule's requirement that each "district's annual budget shall include an identifiable allocation for resources and supplies for the program." However, the rule allows a unit district serving fewer than 400 students or an elementary or high school district serving fewer than 200 students to forego the allocation requirement; thus, they may use the following alternative to standard #2: "Resources are sufficient to meet students' needs."~~

~~Standard #5 or an alternative written statement prohibiting the practice of banning books is required for a district to be eligible for State library grants (e.g., school library grants under 75 ILCS 10/8.4). 75 ILCS 10/8.7, added by P.A. 103-100, eff. 1-1-24. Regarding Standard #5, in order to be eligible for a School Library Grant, a district must also be a member in good standing of a regional multitype library system (e.g., Illinois Heartland Library System or Reaching Across Illinois Library System) or have applied for membership and been approved for membership in such a system within specific timeframes. 23 Ill.Admin.Code §3035.120. The American Library Association's (ALA) *Library Bill of Rights* (available at <https://www.ala.org/advocacy/intfreedom/librarybill>) includes the following:~~

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
7. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use.
8. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

If the board prefers the alternative language permitted by 75 ILCS 10/8.7, added by P.A. 103-100, ~~eff. 1-1-24~~, for Standard #5, substitute with the following:

The practice of banning books or other materials within the District's library media program is prohibited.

~~If a board adopts the alternative language for Standard #5, the district must also implement administrative procedure 6:230-AP, Responding to Complaints About Library Media Resources, using the alternative language in its f/n 1. A district that utilizes the alternative language and is applying for a State School Library Grant should submit policy 6:230, Library Media Program, and administrative procedure 6:230-AP, Responding to Complaints About Library Media Resources to the Ill. State Library as part of the eligibility certification for the grant.~~

Standards #6 and #7 may be customized or deleted, and other standards may be added.

2. Financial resources for the program's resources and supplies are allocated to meet students' needs.
3. Students in all grades served have equitable access to library media resources.
4. The advice of an individual who is qualified according to ISBE rule is sought regarding the overall direction of the program, including the selection and organization of materials, provision of instruction in information and technology literacy, and structuring the work of library paraprofessionals.
5. The program adheres to the principles of the American Library Association's *Library Bill of Rights*, which indicate that materials should not be proscribed or removed because of partisan or doctrinal disapproval.
6. Staff members are invited to recommend additions to the collection.
7. Students may freely select resource center materials as well as receive guided selection of materials appropriate to specific, planned learning experiences.

Parents/guardians, employees, and community members who believe that library media program resources violate rights guaranteed by any law or Board policy may file a complaint using Board policy 2:260, *Uniform Grievance Procedure*.²

The Superintendent or designee shall establish criteria consistent with this policy for the review of objections. Parents/guardians, employees, and community members with suggestions or complaints about library media program resources may complete a *Library Media Resource Objection Form*. The Superintendent or designee shall inform the parent/guardian, employee, or community member, as applicable, of the District's decision.³

LEGAL REF.: 75 ILCS 10/8.7.
23 Ill.Admin.Code §1.420(o).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:60 (Curriculum Content), 6:170 (Title I Programs), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs)

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

² Limiting the scope of complainants in this policy to parents/guardians, employees, and community members aligns with sample policy 2:260, *Uniform Grievance Procedure*.

³ The issue of school library book removals is an unsettled area of law that is often litigated; consult the board attorney for advice regarding challenges to school library books or other library resources. In the only U.S. Supreme Court case to address this issue, *Island Trees Union Free Sch. Dist. No. 26 v. Pico*, 457 U.S. 853 (1982), the Court issued a plurality (not a majority) opinion finding a board could not remove books it had characterized as "anti-American, anti-Christian, anti-Semitic, and just plain filthy," if the removal was motivated by partisan or political reasons; to do so would violate students' Constitutional right to receive information and ideas. Four dissenting justices, however, disagreed that students have a right to receive information and ideas under the First Amendment and would have deferred to the judgment of the local school board.

Students

Vandalism ¹

The School Board will seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to school property. ²

LEGAL REF.: 740 ILCS 115/. [Parental Responsibility Law](#).

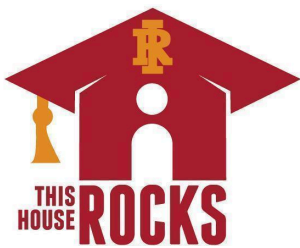
CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

DRAFT

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

¹ State or federal law controls this policy's content.

² The Parental Responsibility Law makes parents/guardians of unemancipated minors who are 11 through 18 years of age liable for actual damages. Parents/guardians may be liable up to \$20,000 for the first act or occurrence of a willful or malicious act. If a pattern or practice of willful or malicious acts by a minor is found by a court to exist for another separate act or occurrence, parents/guardians may be liable up to \$30,000. 740 ILCS 115/5.

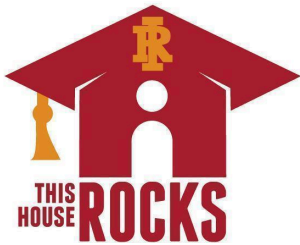


Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
 From: Dr. Sharon Williams
 Date: November 12, 2024
 Re: Press Policy First Reading - Issue 116

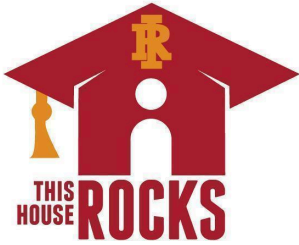
The Board of Education reviews policies in two readings: the first to discuss the policies and make changes as necessary, and the second to finalize any changes and adopt new policies. The following policies are presented for the Board’s first reading. The policies have been modified due to changes in the law, legal references, and a review to ensure policies are up to date. The Press documentation is attached for this agenda item. The second reading will occur at the first meeting in December 2024.

Policy	Description	Recommendation
2:260, Uniform Grievance Procedure	The policy, Legal References, and footnotes are updated based on final Title IX regulations requiring all Title IX sex discrimination complaints to be processed using sample policy 2:265. Footnote 4 is updated in response to final regulations implementing Title II of the ADA, requiring school districts to implement the Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA for their web content and mobile apps.	Review
2:265, Title IX Grievance Procedure	Rewritten. Updated in response to final regulations implementing Title IX.	Review
2:265-AP1, Title IX Response	Rewritten. The procedure is updated for the reason stated in 2:265.	Review
2:265-AP2, Formal Title IX Complaint Grievance Process	Rewritten. The procedure is updated for the reason stated in 2:265.	Review
2:265-AP3, Title IX	New. The procedure is created for the reason	Review



Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Description	Recommendation
Coordinator	stated in 2:265.	
2:265-E, Title IX Glossary of Terms	Rewritten. The exhibit is updated for the reason stated in 2:265.	Review
5:100, Staff Development Program	<p>The policy, Administrative Procedure References, and footnotes are updated to reflect:</p> <ol style="list-style-type: none"> 1. Deleting “chronic health conditions of students” from the list of required staff training regarding health conditions of students; 2. Requiring in-service training on the definition of trauma, trauma-responsive learning environments, and whole child and 3. Updating Title IX training requirements for staff. <p>The footnotes are also updated to reflect:</p> <ol style="list-style-type: none"> 1. Providing immunity for trained employees using a trauma kit; 2. Requiring districts to provide staff with information on emergency procedures and life-saving techniques within 30 days after the first day of each school year; and 3. Continuous improvement. 	Review
7:10-AP1, Accommodating Transgender, Nonbinary, or Gender Nonconforming Students	The procedure is updated for the reason stated in 2:265, Title IX Grievance Procedure.	Review
7:10-AP2, Accommodating Breast-feeding Students	The procedure is updated for the reason stated in 2:265, Title IX Grievance Procedure.	Review



Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Description	Recommendation
7:20, Harassment of Students Prohibited	The policy and footnotes are updated for the reason stated in 2:265, Title IX Grievance Procedure and for continuous improvement.	Review
7:20-AP, Harassment of Students Prohibited	The procedure is updated to ensure alignment with continuous improvement updates made to sample policy 2:260, Uniform Grievance Procedure.	Review
7:185, Teen Dating Violence Prohibited	The policy is updated for the reason stated in 2:265, Title IX Grievance Procedure, and for continuous improvement.	Review

School Board

Administrative Procedure – Title IX Response ¹

The District responds to all reports of alleged Title IX Sex Discrimination regardless of whether a Complaint is filed. Use this procedure to implement the District’s response to reports of Title IX Sex Discrimination, as that term is defined in 34 C.F.R. §106.10.

The response steps outlined in this procedure include: Notice of Nondiscrimination, Training, Notification and Information, Response to Allegations, Supportive Measures, Title IX Complaint Initiation, Consideration of Removal of a Respondent, and Recordkeeping.

Title IX Complaints are processed using the District’s Title IX Complaint Grievance Process (Grievance Process) under administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

Glossary of Terms

Use exhibit 2:265-E, *Title IX Glossary of Terms*, in conjunction with this procedure.

Notice of Nondiscrimination

Actor	Action
Superintendent or Designee	<p>Develops a notice of nondiscrimination that includes the following elements (34 C.F.R. §106.8(c)(1)(i)):</p> <ol style="list-style-type: none"> 1. A statement that the District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in employment; 2. A statement that inquiries about the application of Title IX to the District may be referred to the District’s Title IX Coordinator, the U.S. Dept. of Education’s Office for Civil Rights, or both; 3. The name, office address, email address, and telephone number of the District’s Title IX Coordinator; 4. How to locate Board policy 2:265, <i>Title IX Grievance Procedure</i>, and the Grievance Process; and 5. How to report information about conduct that may constitute sex discrimination under Title IX and how to make a complaint of sex discrimination. <p>The following sample notice of nondiscrimination meets the minimum requirements of Title IX regulations: ²</p>

The footnotes should be removed before the material is used.

¹ Ensure that this sample Title IX response is aligned with the district’s policies, procedures, and practices.

² See p. 3 of *Resource for Drafting Nondiscrimination Policies, Notices of Nondiscrimination, and Grievance Procedures under 2024 Amendments to the U.S. Department of Education’s Title IX Regulations*, U.S. Dept. of Education (4-19-24), at: www2.ed.gov/about/offices/list/ocr/docs/resource-nondiscrimination-policies.pdf.

Actor	Action
	<p>The District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in employment. Inquiries about Title IX may be referred to the District's Title IX Coordinator, the U.S. Dept. of Education's Office for Civil Rights, or both. The District's Title IX Coordinator is <i>[insert name, office address, email address, and telephone number]</i>. The District's nondiscrimination policy and grievance procedures can be located at <i>[insert link to location(s) on website or otherwise describe location(s)]</i>. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to <i>[insert link to location(s) on website or otherwise describe location(s)]</i>.</p> <p>Provides the notice of nondiscrimination to students, parents/guardians, or other authorized legal representatives of students, employees, applicants for employment,³ and all unions and professional organizations holding collective bargaining or professional agreements with the District. 34 C.F.R. §106.8(c).</p> <p>Ensures that all elements of the notice of nondiscrimination are prominently included on the District's website and in each handbook, catalog, announcement, bulletin, and application form that the District makes available to persons entitled to receive the notice, or which are otherwise used in connection with the recruitment of employees. Alternatively, where necessary due to the format or size of a particular publication, a publication may include a statement that the District prohibits sex discrimination in any education program or activity that it operates and that individuals may report concerns or questions to the Title IX Coordinator, and provide the location of the notice on the District's website. 34 C.F.R. §106.8(c)(2)(i)-(ii).</p> <p>The following sample abbreviated nondiscrimination statement meets the minimum requirements of Title IX regulations:⁴</p> <p>The District prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at <i>[insert website address]</i>.</p>

The footnotes should be removed before the material is used.

³ Subpart C of Title IX applies to *institutions of vocational education*, defined as a school or institution "which has as its primary purpose preparation of students to pursue a technical, skilled, or semiskilled occupation or trade, or to pursue study in a technical field, whether or not the school or institution offers certificates, diplomas, or degrees and whether or not it offers fulltime study." 34 C.F.R. §§106.15(d), 106.2. If Subpart C applies, add "admission and" before "employment."

⁴ See p. 4 of *Resource for Drafting Nondiscrimination Policies, Notices of Nondiscrimination, and Grievance Procedures under 2024 Amendments to the U.S. Department of Education's Title IX Regulations*, U.S. Dept. of Education (4-19-24), at: www2.ed.gov/about/offices/list/ocr/docs/resource-nondiscrimination-policies.pdf.

Actor	Action
	Ensures that the District does not use or distribute a publication stating that the District treats applicants, students, or employees differently on the basis of sex, except as such treatment is permitted by Title IX. 34 C.F.R. §106.8(c)(2)(iii).

Training

Actor	Action
Superintendent or Designee	<p>Ensures that upon hiring or a change of position that alters a below-identified person's duties under Title IX, and annually thereafter (34 C.F.R. §106.8(d)):</p> <ol style="list-style-type: none"> 1. <u>Tier 1</u>: all District employees receive training on: <ol style="list-style-type: none"> a. The District's obligation to address Title IX Sex Discrimination in its education program or activity; b. The scope of conduct that constitutes Title IX Sex Discrimination, including the definition of sex-based harassment; and c. All applicable notification and information requirements under the Notification and Information subhead, below (34 C.F.R. §§106.40(b)(2) and 106.44). 2. <u>Tier 2</u>: in addition to Tier 1 training, above, all designated Investigators, Decisionmakers, Appeal Decisionmakers, and other persons responsible for implementing the Grievance Process, or who have the authority to modify or terminate supportive measures under 34 C.F.R. § 106.44(g)(4) receive training on, to the extent related to their responsibilities: <ol style="list-style-type: none"> a. The District's obligations under 34 C.F.R. §106.44 (see this administrative procedure, 2:265-AP1, <i>Title IX Response</i>); b. The District's Grievance Process under 34 C.F.R. §106.45 (see administrative procedure 2:265-AP2, <i>Formal Title IX Complaint Grievance Process</i>); c. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and d. The meaning and application of the term <i>relevant</i> in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 C.F.R. §106.45 (see exhibit 2:265-E, <i>Title IX Glossary of Terms</i>). 3. <u>Tier 3</u>: in addition to Tier 1 training, above, all facilitators of an informal resolution process under 34 C.F.R. §106.44(k) receive training on: <ol style="list-style-type: none"> a. The rules and practices associated with the District's informal resolution process; and b. How to serve impartially, including by avoiding conflicts of interest and bias.

	<p>4. Tier 4: in addition to Tier 1-3 training, above, the Title IX Coordinator and any designees receive training on:</p> <ol style="list-style-type: none"> a. Their specific responsibilities under Title IX (see 34 C.F.R. §§106.8(a), 106.40(b)(3), 106.44(f) and (g)); b. The District's recordkeeping system and the recordkeeping requirements under 34 C.F.R. § 106.44(f); and c. Any other training necessary to coordinate the District's compliance with Title IX and its implementing regulations.⁵ <p>5. All materials used to provide the training outlined in Nos. 1-4 are made available upon request for inspection by members of the public. See exhibit 2:250-E2, <i>Immediately Available District Public Records and Web-Posted Reports and Records</i>.</p>
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Notification and Information

Actor	Action
<p>All District employees who are not <i>confidential employees</i> (see below)</p>	<p>Upon receiving information about conduct that reasonably may constitute Title IX Sex Discrimination:</p> <ol style="list-style-type: none"> 1. Immediately report a suspicion of child abuse or neglect to the Ill. Dept. of Children and Family Services on its Child Abuse Hotline 1-800-25-Abuse (1-800-252-2873 (within Illinois); 1-217-524-2606 (outside Illinois); or 1-800-358-5117 (TTY)). 2. Promptly notify the Title IX Coordinator. 34 C.F.R. § 106.44(c)(1). <p>Upon receiving information of a student's pregnancy or related conditions from the student or a person who has a legal right to act on behalf of the student, promptly (34 C.F.R. § 106.40(b)(2)):</p> <ol style="list-style-type: none"> 1. Provide that person with the Title IX Coordinator's contact information; and 2. Inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's program or activity.
<p><i>Confidential employees</i>, if any⁶</p>	<p>Upon receiving information about conduct that reasonably may constitute Title IX Sex Discrimination:</p> <ol style="list-style-type: none"> 1. Immediately report a suspicion of child abuse or neglect to the Ill. Dept. of Children and Family Services on its Child Abuse Hotline 1-800-25-Abuse (1-800-252-2873 (within Illinois); 1-217-524-2606 (outside Illinois); or 1-800-358-5117 (TTY)).

The footnotes should be removed before the material is used.

⁵ The district has discretion to choose the content and substance of any additional training needed. 89 Fed. Reg. 33487.

⁶ Optional. Title IX regulations do not require districts to designate confidential employees. See sample exhibit 2:265-E, *Title IX Glossary of Terms*, for the definition of *confidential employee*. **Consult the board attorney about whether to designate any employees as confidential employees and its practical implications.**

	<p>2. Explain the following to the person who informs the confidential employee of conduct that reasonably may constitute Title IX Sex Discrimination (34 C.F.R. § 106.44(d)(2)):</p> <ol style="list-style-type: none"> a. The employee’s status as confidential for purposes of Title IX, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination; b. How to contact the District’s Title IX Coordinator and how to make a Complaint of sex discrimination; and c. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the Grievance Process. See Section F. Informal Resolution of Title IX Complaint in administrative procedure 2:265-AP2, <i>Formal Title IX Complaint Grievance Process</i>.
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Response to Allegations

Actor	Action
<p>Title IX Coordinator or Designee</p>	<p>Upon being notified of conduct that the notifying party believes reasonably may constitute Title IX Sex Discrimination, analyzes the allegation(s) to determine whether the conduct as alleged could constitute Title IX Sex Discrimination.</p> <p>Where the Title IX Coordinator reasonably determines that the conduct as alleged could constitute Title IX Sex Discrimination, takes the following actions to promptly and effectively end any Title IX Sex Discrimination in the District’s education program or activity, prevent its recurrence, and remedy its effects:</p> <ol style="list-style-type: none"> 1. Treats the Complainant and Respondent equitably. 34 C.F.R. §106.44(f)(1)(i). 2. Offers and coordinates supportive measures, as appropriate, for the Complainant. 34 C.F.R. §106.44(f)(1)(ii). See Supportive Measures, below. 3. If the District has initiated the Grievance Process or offered an informal resolution process to the Respondent, offers and coordinates supportive measures, as appropriate, for the Respondent. <u>Id.</u> See Supportive Measures, below. 4. Notifies the Complainant or, if the Complainant is unknown, the individual who reported the conduct, of: the Grievance Process; and the informal resolution process, if available and appropriate. 34 C.F.R. §106.44(f)(1)(iii)(A). <p>Note: The U.S. Dept. of Education anticipates that during such conversations the Title IX Coordinator will confirm whether the individual reporting the alleged discrimination wants the District to conduct an investigation, and notes that "nothing in the final regulations would preclude the Title IX Coordinator</p>

	<p>from memorializing in writing the outcome of that conversation to help avoid any possible confusion about agreed upon next steps." 89 Fed. Reg. 33487.</p> <ol style="list-style-type: none"> 5. If a Complaint is made, notifies the Respondent of: the Grievance Process; and the informal resolution process, if available and appropriate. 34 C.F.R. §106.44(f)(1)(iii)(B). 6. In response to a Complaint, initiates: the Grievance Process; or the informal resolution process, if available and appropriate and requested by all parties. 34 C.F.R. §106.44(f)(1)(iv). 7. In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process, determines whether to initiate a Complaint of Title IX Sex Discrimination under the Grievance Process, considering the factors outlined in Initiation of a Title IX Complaint, below. 34 C.F.R. §106.44(f)(1)(v). 8. If initiating a Complaint under No. 7, above, notifies the Complainant prior to doing so and appropriately addresses reasonable concerns about the Complainant's safety or the safety of others, including by providing supportive measures. 34 C.F.R. §106.44(f)(1)(vi). 9. Regardless of whether a Complaint is initiated, takes other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual Complainant, if any, to ensure that Title IX Sex Discrimination does not continue or recur within the District's education program or activity. 34 C.F.R. §106.44(f)(1)(vii). <p>Regardless of whether the Title IX Coordinator reasonably determines that the conduct as alleged could constitute Title IX Sex Discrimination, considers whether action under any of the following policies is required, either in lieu of or in addition to any action under Board policy 2:265, <i>Title IX Grievance Procedure</i>:</p> <ul style="list-style-type: none"> 2:260, <i>Uniform Grievance Procedure</i> 5:10, <i>Equal Employment Opportunity and Minority Recruitment</i> 5:20, <i>Workplace Harassment Prohibited</i> 5:90, <i>Abused and Neglected Child Reporting</i> 5:120, <i>Employee Ethics; Code of Professional Conduct; and Conflict of Interest</i> 7:10, <i>Equal Educational Opportunities</i> 7:20, <i>Harassment of Students Prohibited</i> 7:180, <i>Prevention of and Response to Bullying, Intimidation, and Harassment</i> 7:185, <i>Teen Dating Violence Prohibited</i> 7:190, <i>Student Behavior</i> <p>Answers the following question(s):</p> <ol style="list-style-type: none"> 1. Does another appropriate method exist for processing and reviewing the sex discrimination allegation?
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	<p>2. If yes, does that other method govern the District's response in addition to or at the exclusion of Board policy 2:265, <i>Title IX Grievance Procedure</i>?</p> <p>See exhibit 2:265-E, <i>Title IX Glossary of Terms</i>, for a discussion of sex discrimination governed by laws other than Title IX. Consult the board attorney for guidance.</p>
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Supportive Measures

Actor	Action
<p>Title IX Coordinator or Designee</p>	<p>Where the Title IX Coordinator has knowledge of conduct that reasonably may constitute Title IX Sex Discrimination in the District's education program or activity, offers and coordinates supportive measures, as appropriate, for the Complainant. 34 C.F.R. §106.44(g). Where the District has initiated the Grievance Process or offered an informal resolution process to the Respondent, offers and coordinates supportive measures, as appropriate, for the Respondent. <i>Id.</i></p> <p>Note: For allegations of Title IX Sex Discrimination other than sex-based harassment or retaliation, the District is not required to alter the alleged discriminatory conduct for the purposes of providing a supportive measure. This is because "such discrimination will likely relate to either sex discrimination allegations arising out of alleged unequal access to resources or facilities or allegations arising out of alleged sex discrimination in an educational setting such as different treatment on the basis of sex" and there "will be few appropriate supportive measures for such discrimination, other than eliminating the source of the discrimination" but eliminating the source of the discrimination "may only be provided as a remedy." 89 Fed. Reg. 33863.</p> <p>When determining appropriate supportive measures, considers relevant factors, including the following:</p> <ol style="list-style-type: none"> 1. Supportive measures may vary depending on what the District deems reasonably available. These measures may include, but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of school grounds; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment. 34 C.F.R. §106.44(g)(1). <ul style="list-style-type: none"> Note: Many actions taken by school personnel to quickly intervene and correct behavior, i.e., having educational conversations with students or changing student seating, may be considered reasonable supportive measures. 89 Fed. Reg. 33608. 2. Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or the District's educational environment, or to provide support during the Grievance Process or during the informal resolution process. Supportive

	<p>measures may not be imposed for punitive or disciplinary reasons. 34 C.F.R. §106.44(g)(2).</p> <p>If the Complainant or Respondent is a student with a disability, consults with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team (34 C.F.R. §300.321), if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 C.F.R. §104.35(c), if any. This consultation is needed to determine how to comply with the requirements of the Individuals with Disabilities Education Act (20 U.S.C. §1400 <u>et seq.</u>) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) in the implementation of supportive measures. 34 C.F.R. §106.44(g)(6).</p> <p>At the conclusion of the Grievance Process or at the conclusion of the informal resolution process, determines whether to modify or terminate, as appropriate, any supportive measures previously implemented, or whether to continue such measures beyond that point. 34 C.F.R. §106.44(g)(3).</p> <p>Provides a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially. 34 C.F.R. §106.44(g)(4).</p> <p>Provides the parties with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the decision to provide, deny, modify, or terminate supportive measures applicable to them. 34 C.F.R. §106.44(g)(4).</p> <p>The impartial employee must be someone other than the employee who made the challenged supportive decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures under Title IX. <u>Id.</u></p> <p>The impartial employee must receive Tier 2 training (see the Training subhead, above).</p> <p>If a party requests modification or reversal of a decision regarding a supportive measure by submitting a written request to the Title IX Coordinator, identifies an impartial employee who will:</p> <ol style="list-style-type: none"> 1. Review the request and other relevant information to determine: whether the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures under Title IX; and if so, whether modification or reversal of the supportive measures decision is appropriate; 2. Upon conclusion of the review, notify the requesting party and the Title IX Coordinator of the outcome of the review; and 3. As appropriate, notify the other party of any modifications to a supportive measure applicable to that party that results from the review. <p>Ensures that information about supportive measures is not disclosed to persons other than the person to whom they apply, including informing</p>
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	one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception in 34 C.F.R. §106.44(j)(1) through (5) applies, in conjunction with any response required by this procedure. 34 C.F.R. §106.44(g)(5).
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Title IX Complaint Initiation

A *Complaint* for purposes of Board policy 2:265, *Title IX Grievance Procedure*, and this procedure, means an oral or written request to the District that can objectively be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.

The following persons have a right to make a Complaint (34 C.F.R. §106.45(a)(2)):

1. A Complainant (see Board policy 2:265, *Title IX Grievance Procedure*, and exhibit 2:265-E, *Title IX Glossary of Terms*);
2. A parent/guardian, or other legal representative with the legal right to act on behalf of a Complainant;
3. The Title IX Coordinator, after making the determination specified in No. 7 under the **Response to Allegations** subhead, above; and
4. For complaints of Title IX Sex Discrimination other than sex-based harassment, in addition to the persons listed under Nos. 1-3, above:
 - a. Any student or employee; or
 - b. Any person other than a student or employee who was participating or attempting to participate in the District's education program or activity at the time of the alleged Title IX Sex Discrimination.

Actor	Action
Title IX Coordinator or Designee	<p>In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process:</p> <p>Determines whether to initiate a Complaint of Title IX Sex Discrimination under the Grievance Process, considering, at a minimum, the following factors (34 C.F.R. §106.44(f)(1)(v)(A)):</p> <ol style="list-style-type: none"> 1. The Complainant's request not to proceed with initiation of a Complaint; 2. The Complainant's reasonable safety concerns regarding initiation of a Complaint; 3. The risk that additional acts of sex discrimination would occur if a Complaint is not initiated; 4. The severity of the alleged Title IX Sex Discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence; 5. The age and relationship of the parties, including whether the Respondent is an employee of the District; 6. The scope of the alleged discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals; 7. The availability of evidence to assist a Decisionmaker in determining whether Title IX Sex Discrimination occurred; and

	<p>8. Whether the District could end the alleged discrimination and prevent its recurrence without initiating the Grievance Process.</p> <p>When a Complaint is filed by an eligible person or initiated by the Title IX Coordinator:</p> <p>Proceeds to and follows the Grievance Process (34 C.F.R. §106.44(f)(1)(iv)) in conjunction with any response required by this procedure and other applicable District policies. See administrative procedure 2:265-AP2, <i>Formal Title IX Complaint Grievance Process</i>.</p>
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Consideration of Removal of the Respondent

Actor	Action
Title IX Coordinator or Designee	<p>Emergency Removal of Student Respondent:</p> <p>If the Respondent is an identified student, considers whether the student-Respondent should be removed from the District’s education program or activity on an emergency basis in accordance with 34 C.F.R. §106.44(h).</p> <p>Before removing a student-Respondent on an emergency basis, conducts an individualized safety and risk analysis to determine whether removal is justified by an immediate⁷ and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination.</p> <p>If the student-Respondent is removed on an emergency basis:</p> <ol style="list-style-type: none"> 1. Provides the student-Respondent with written⁸ notice and an opportunity to challenge the decision immediately following the removal; and 2. Follows requirements set forth in 105 ILCS 5/10-22.6. See Board policies 7:200, <i>Suspension Procedures</i>, and 7:210, <i>Expulsion Procedures</i>. <p>Administrative Leave for Employee Respondent:</p> <p>If the Respondent is an identified non-student employee, in conjunction with the District's human resources administrator, considers whether the employee-Respondent should be placed on administrative leave in accordance with 34 C.F.R. §106.44(i), relevant District policies and procedures, and any applicable collective bargaining agreements. See</p>

The footnotes should be removed before the material is used.

⁷ *Immediate threats* “involve emergency situations in which there is not time for recipients to assess risks and in which an immediate law enforcement response is necessary” whereas *imminent threats* “are those that while not active, are likely to occur soon but not immediately, and thus are appropriate for an individualized risk assessment.” 89 Fed. Reg. 33615. For further information on individualized threat assessment, see sample administrative procedure 4:190-AP2, *Threat Assessment Team*.

⁸ While Title IX regulations do not require written notice to the Respondent, most attorneys agree providing written notice is a best practice. If the district does not want to provide written notice, consult the board attorney.

	<p>Board policies 5:240, <i>Suspension</i>, and 5:290, <i>Employment Termination and Suspensions</i>.</p> <p>Note: While Title IX regulations do not impose a time limit on the duration of an emergency removal, time limits may apply based upon District policies and procedures, any applicable collective bargaining agreements, and other laws and regulations, e.g., the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and 105 ILCS 5/10-22.6.</p>
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Recordkeeping

Actor	Action
<p>Title IX Coordinator or Designee</p>	<p>Maintains, for a period of at least seven (7) years (34 C.F.R. §106.8(f)):</p> <ol style="list-style-type: none"> 1. For each Complaint of Title IX Sex Discrimination, records documenting the informal resolution process or the Grievance Process, and the resulting outcome. Records should include: complaints (formal and informal), supportive measures, the informal resolution process, investigations, final determinations, appeals, remedies, and any other relevant information related to allegations of Title IX Sex Discrimination. 2. For each notification the Title IX Coordinator receives about conduct that reasonably may constitute Title IX sex discrimination, records documenting the actions the District took to meet its obligations under 34 C.F.R. §106.44. 3. All materials used to provide the training outlined in Nos. 1-4 under the Training subhead, above. <p>See Board policy 5:150, <i>Personnel Records</i>, and administrative procedure 5:150-AP, <i>Personnel Records</i>, addressing the identification, storage, and access to personnel records.</p> <p>See Board policy 7:340, <i>Student Records</i>, along with administrative procedures 7:340-AP1, <i>School Student Records</i>, and 7:340-AP2, <i>Storage and Destruction of School Student Records</i>, addressing the District's legal obligations regarding the identification, confidentiality, safeguarding, access, and disposal of school student records.</p>

School Board

Administrative Procedure – Formal Title IX Complaint Grievance Process ¹

This procedure implements the District’s grievance process for a Title IX Complaint after a decision to pursue one has been made using administrative procedure 2:265-AP1, *Title IX Response*. See 34 C.F.R. Part 106. Use this procedure to comply with 34 C.F.R. §106.45, *Grievance procedures for complaints of sex discrimination*. Use exhibit 2:265-E, *Title IX Glossary of Terms*, and administrative procedure 2:265-AP3, *Title IX Coordinator*, in conjunction with this procedure. **Consult the Board Attorney as needed throughout the grievance process.**

This procedure contains a **Table of Contents** and lettered **Sections**.

Table of Contents

- A. Overview of Title IX Complaint Grievance Process
- B. Evaluation of Title IX Complaint
- C. Notice of Allegations
- D. Consolidation of Title IX Complaints
- E. Dismissal of Title IX Complaint
- F. Informal Resolution of Title IX Complaint
- G. Investigation and Determination of Title IX Complaint
- H. Appeals
- I. Recordkeeping

Sections

A. Overview of Title IX Complaint Grievance Process

The District’s Title IX Complaint Grievance Process (Grievance Process) adheres to the following guidelines:

1. Treat Parties Equitably. The District shall treat Complainants and Respondents equitably. 34 C.F.R. §106.45(b)(1).
2. No Conflict of Interest or Bias. The District shall require that any person designated as a Title IX Coordinator, Investigator, or Decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent. 34 C.F.R. §106.45(b)(2).
3. Presumption of Non-Responsibility. The Respondent is presumed not responsible for the alleged Title IX Sex Discrimination until a determination is made at the conclusion of the Grievance Process. 34 C.F.R. §106.45(b)(3).
4. Grievance Process Required Before Imposing Sanctions. The District shall comply with this Grievance Process before imposing any disciplinary sanctions against a Respondent for Title IX Sex Discrimination. 34 C.F.R. §106.45(h)(3), (h)(4).

The footnotes should be removed before the material is used.

¹ Ensure that this sample Title IX sex discrimination grievance process is aligned with the district’s policies, procedures, and practices.

5. **Supportive Measures.** The District shall offer and coordinate supportive measures, as appropriate, for a Complainant upon being notified of conduct that reasonably may constitute Title IX Sex Discrimination and for a Respondent if the District has initiated the Grievance Process or has offered the Respondent an informal resolution process. 34 C.F.R. §§106.44(f)(1)(ii), 106.44(g), 106.45(l)(1). See administrative procedure 2:265-AP1, *Title IX Response*, for more on supportive measures. See exhibit 2:265-E, *Title IX Glossary of Terms*, for the definition of *supportive measures*.
6. **Timeframe.** This Grievance Process shall be concluded within 90 school business days² after receipt of a Complaint. As used in this Grievance Process, *school business days* means days on which the District’s main office is open. On a case-by-case basis, this Grievance Process may be temporarily delayed or extended for good cause only if the Complainant and the Respondent, as appropriate, are provided written notice of the delay/extension and the reasons for it. Good cause may include, but is not limited to: the unavailability of a party or a witness; concurrent law enforcement or other agency activity; or the need for language assistance or accommodation of disabilities. 34 C.F.R. §106.45(b)(4).
7. **Privacy Protection.** The District shall take reasonable steps to protect the privacy of a Complainant and a Respondent and witnesses during the Grievance Process. These steps shall not restrict the ability of a Complainant or a Respondent to obtain and present evidence, including by speaking to witnesses; consulting with their family members, confidential resources, or advisors; or otherwise preparing for or participating in the Grievance Process. 34 C.F.R. §106.45(b)(5).
8. **Evidence Considered.** The District shall objectively evaluate all relevant evidence – including both inculpatory and exculpatory evidence – that is not otherwise impermissible. Credibility determinations are not based on a person’s status as a Complainant, Respondent, or witness. The District shall exclude (not disclose or otherwise use) impermissible evidence and questions seeking that evidence, regardless of whether the evidence is relevant. The District may access or consider impermissible evidence solely to determine whether an exception that would allow its consideration exists. 34 C.F.R. §106.45(b)(6), (7). See exhibit 2:265-E, *Title IX Glossary of Terms*, for the definition of *impermissible evidence*.
9. **Standard of Proof.** All determinations are based upon the *preponderance of the evidence* standard. 34 C.F.R. §106.45(h)(1). See exhibit 2:265-E, *Title IX Glossary of Terms*, for the definition of *preponderance of the evidence*.
10. **Right to Appeal.** Each party may appeal any determination or dismissal as described in **Section H. Appeals**, below. 34 C.F.R. §§106.45(d)(3), (i).
11. **Remedies and Disciplinary Sanctions.** Following a determination that Title IX Sex Discrimination occurred, the District must provide, as appropriate, remedies to a Complainant and other persons the District identifies as having had their equal access to the District’s education program or activity limited or denied by Title IX Sex Discrimination. 34 C.F.R. §106.45(h)(3). Additionally, the District may implement, as appropriate, disciplinary sanctions

The footnotes should be removed before the material is used.

² The length of the grievance process and its method of calculation may be customized locally. This sample uses 90 school business days. If the district uses a different length and/or calculation method, e.g., 60 or 90 calendar days, insert it. The Grievance Process must include “reasonably prompt timeframes for the major stages of the grievance procedures,” including the evaluation of the complaint of sex discrimination, investigation, determination, and appeal. 34 C.F.R. §106.45(b)(4). **Consult the board attorney for advice on the most appropriate timeframe for the district.**

on a Respondent, up to and including: discharge for an employee-Respondent; expulsion for a student-Respondent; and termination of any existing contracts and/or prohibition from District property and activities for a third-party Respondent. The District may not impose discipline on a Respondent for Title IX Sex Discrimination unless there is a determination at the conclusion of the Grievance Process that the Respondent engaged in prohibited Title IX Sex Discrimination. 34 C.F.R. §106.45(h)(3), (1)(2). See exhibit 2:265-E, *Title IX Glossary of Terms*, for the definitions of *remedies* and *disciplinary sanctions*.

12. **Training Requirements.** The District ensures certain training requirements are met at the time of hiring or change of position that alters an employee's Title IX duties and annually thereafter. 34 C.F.R. §106.8(d). See administrative procedures 2:265-AP1, *Title IX Response*, and 2:265-AP3, *Title IX Coordinator*, for details on training requirements.

B. Evaluation of Title IX Complaint

When a Complaint is filed, the Title IX Coordinator shall, within 10 school business days, evaluate whether to investigate or dismiss the Complaint. 34 C.F.R. §106.45(b)(4). In evaluating the Complaint, the Title IX Coordinator shall analyze the allegations to determine whether the conduct as alleged could constitute Title IX Sex Discrimination and whether any of the bases for dismissal apply as set forth in **Section E. Dismissal**, below.

Where the Title IX Coordinator reasonably determines that the conduct as alleged could constitute Title IX Sex Discrimination, this Grievance Process shall be initiated. Where the Title IX Coordinator reasonably determines that the conduct as alleged does not constitute Title IX Sex Discrimination, the Title IX Coordinator shall dismiss the Complaint, or allegation(s) therein, as set forth in **Section E. Dismissal**, below.

C. Notice of Allegations

Upon initiating this Grievance Process, the Title IX Coordinator:

1. Provides written³ notice to all known parties with the following information (34 C.F.R. §106.45(c)(1)):
 - a. This procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*, including any available informal resolution process.
 - b. The allegations of Title IX Sex Discrimination. This includes sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Title IX Sex Discrimination, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the District.
 - c. Retaliation is prohibited. See exhibit 2:265-E, *Title IX Glossary of Terms*, for the definition of *retaliation*.
 - d. The parties have an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of the evidence. If the District opts to

The footnotes should be removed before the material is used.

³ Optional. Title IX regulations only require that the determination of whether sex discrimination occurred be provided in writing. 34 C.F.R. §106.45(h)(2). Many attorneys agree that providing written notice at all stages of the Grievance Process is a best practice. **Consult the board attorney for guidance on this issue, especially if the district does not want to provide written notice.**

provide a description of the evidence, the parties have an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

- e. The District's behavior policies prohibit knowingly making false statements or knowingly submitting false information during the Grievance Process.
2. Provides a second written notice to all known parties if, during the investigation, the District decides to investigate allegations not included in the first written notice. 34 C.F.R. §106.45(c)(2).
3. Decides whether to personally conduct the investigation or appoint a qualified investigator. If the Title IX Coordinator appoints a qualified investigator, provides written notice of the appointment to the Investigator.

When the Complainant's Identity Is Unknown

If the Complainant's identity is unknown, e.g., where an anonymous person or third-party reports conduct that reasonably may constitute Title IX Sex Discrimination, the Grievance Process may proceed if the Title IX Coordinator determines it is necessary to initiate a Complaint, even though the written notice provided in **Section C.1**, above, will not include the Complainant's identity. If the Complainant's identity is later discovered, the Title IX Coordinator provides another written notice to the parties.

When the Respondent's Identity is Unknown

If the Respondent's identity is unknown, e.g., where a Complainant does not know the Respondent's identity, the Grievance Process shall proceed because an investigation might reveal the Respondent's identity, even though the written notice provided in **Section C.1**, above, will not include the Respondent's identity. If the Respondent's identity is later discovered, the Title IX Coordinator provides another written notice to the parties.

D. Consolidation of Title IX Complaints

When the allegations of Title IX Sex Discrimination arise out of the same facts or circumstances, the Title IX Coordinator may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party. 34 C.F.R. §106.45(e).

E. Dismissal of Title IX Complaint

At any time, the Title IX Coordinator may dismiss a Complaint made under this Grievance Process, or any allegations contained in it, for any of the following reasons (34 C.F.R. §106.45(d)(1)):

1. The District is unable to identify the Respondent after taking reasonable steps to do so.
2. The Respondent is no longer enrolled in or employed by the District.
3. The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the Title IX Coordinator declines to initiate a complaint, and the Title IX Coordinator determines any remaining allegations in the Complaint would not constitute Title IX Sex Discrimination even if proven.
4. The District determines the alleged conduct, even if proven, would not constitute Title IX Sex Discrimination. Prior to dismissing the Complaint under this paragraph, the District must make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the Title IX Coordinator must promptly notify the Complainant in writing of the basis for the dismissal and the right to appeal the dismissal on the bases as described in **Section H. Appeals**, below. If the dismissal occurs after the Respondent has been notified of the allegations, the Title IX Coordinator shall simultaneously notify the Respondent in writing of the dismissal, its basis, and the right to appeal the dismissal on the bases as described in **Section H. Appeals**, below. 34 C.F.R. §106.45(d)(2), (3).

Upon dismissal, the Title IX Coordinator also must (34 C.F.R. §106.45(d)(4)):

1. Offer supportive measures to the Complainant, as appropriate;
2. Offer supportive measures to the Respondent, as appropriate, if the dismissal was pursuant to **Section E.3** or **Section E.4**, above, and the Respondent has been notified of the allegations;
3. Take other appropriate prompt and effective steps to ensure that Title IX Sex Discrimination does not continue or recur within the District's education program or activity.

See administrative procedure 2:265-AP1, *Title IX Response*, for more on supportive measures. See exhibit 2:265-E, *Title IX Glossary of Terms*, for the definition of *supportive measures*.

F. Informal Resolution of Title IX Complaint

At any time prior to determining if sex discrimination occurred under this Grievance Process, the District may offer to the Complainant and Respondent an informal resolution process. The District is prohibited from offering an informal resolution process when the Complaint includes allegations that an employee engaged in sex-based harassment of a student, or when such a process would conflict with federal, State, or local law.

The District has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute Title IX Sex Discrimination or when a Complaint is made, and may decline to offer informal resolution despite one or more of the parties' wishes. Such circumstances may include, but are not limited to, when the District determines the alleged conduct would present a future risk of harm to others. 34 C.F.R. §§106.44(k), 106.45(k)(1).

To offer an informal resolution process, the District must:

1. Provide the parties written notice explaining (34 C.F.R. §106.44(k)(3)):
 - a. The allegations;
 - b. Informal resolution process requirements;
 - c. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the Grievance Process;
 - d. That if the parties agree to a resolution at the conclusion of the informal resolution process, the parties' agreement precludes the parties from initiating or resuming the Grievance Process arising from the same allegations;
 - e. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding; and
 - f. The information that will be maintained and whether and how the information could be disclosed for use in the Grievance Process if the Grievance Process is initiated or resumed.

2. Obtain the parties' voluntary, written consent to the informal resolution process. The District cannot require a waiver by the parties of the right to an investigation and determination of a complaint under the Grievance Process as a condition of enrollment or continuing enrollment in the District or employment or continuing employment in the District, or exercise of any other right. 34 C.F.R. §106.44(k)(2).
3. Assign a facilitator for the informal resolution process who is not the Investigator or Decisionmaker in the Grievance Process. 34 C.F.R. §106.44(k)(4).
4. Require the Title IX Coordinator, to the extent necessary, to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity. 34 C.F.R. §106.44(k)(1).

Potential Terms for Informal Resolution Agreement

The following are potential terms that an informal resolution agreement may include, but are not limited to (34 C.F.R. §106.44(k)(5)):

1. Restrictions on contact; and
2. Restrictions on the Respondent's participation in one or more of the District's programs or activities or attendance at specific events, including restrictions the District could have imposed as remedies or disciplinary sanctions had the District determined at the conclusion of the Grievance Process that Title IX Sex Discrimination occurred.

G. Investigation and Determination of Title IX Complaint

The Investigator/Decisionmaker⁴ follows these steps when investigating the allegations in a Complaint. The Investigator/Decisionmaker shall make all reasonable efforts to complete the investigation and issue a written determination regarding whether Title IX Sex Discrimination occurred under Title IX within 30 school business days. This timeframe can be extended for good cause as provided in **Section A.6**, above.

If the allegations are against the Superintendent or against a Board Member, an independent Investigator/Decisionmaker (e.g., an attorney or retired school administrator) shall be appointed.

Actor	Action
Investigator/	<u>Investigation</u> ⁵

The footnotes should be removed before the material is used.

⁴ The Decisionmaker may be the same person as the Title IX Coordinator or Investigator. 34 C.F.R. §106.45(b)(2). As a result, this Grievance Process uses a single investigator/decisionmaker template, whether that person is the Title IX Coordinator or appointed by the Title IX Coordinator. Consult the board attorney if the district wishes to separate the roles of Investigator and Decisionmaker for Title IX Complaints. Additional steps under the Grievance Process are required if different people serve in the Investigator and Decisionmaker roles, and this sample administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*, will need to be amended to reflect those steps. For example, the district must allow the Decisionmaker to question the parties and the witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. 34 C.F.R. §106.45(g). Under a single investigator/decisionmaker template, that person will question the parties and witnesses as part of the Grievance Process investigation. If the roles are separated, then an additional opportunity for the parties and witnesses to be questioned by the Decisionmaker, after being questioned by the Investigator, must be provided under the Grievance Process. **Consult the board attorney for guidance.**

⁵ See f/n 4. If the district does not use a single investigator/decisionmaker template, add the following paragraph to the list of investigation requirements:

Actor	Action
Decisionmaker	<p data-bbox="618 258 1463 352">During an investigation and throughout the Grievance Process, provides an adequate, reliable, and impartial investigation by (34 C.F.R. §106.45(f)):</p> <ol data-bbox="618 373 1463 1150" style="list-style-type: none"> <li data-bbox="618 373 1463 468">1. Ensuring the burden of gathering sufficient evidence to determine whether Title IX Sex Discrimination occurred is on the District and not the parties. 34 C.F.R. §106.45(f)(1). <li data-bbox="618 489 1463 583">2. Providing an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible. 34 C.F.R. §106.45(f)(2). <li data-bbox="618 604 1463 699">3. Reviewing all evidence gathered through the investigation and determining what evidence is relevant and what evidence is impermissible regardless of relevance. 34 C.F.R. §106.45(f)(3). <li data-bbox="618 720 1463 919">4. Providing the parties an equal opportunity to access the evidence that is relevant to the allegation(s) and not otherwise impermissible, or an accurate description of this evidence. If a description of the evidence is provided, the parties must be provided an equal opportunity to access the relevant and not otherwise impermissible evidence upon request. 34 C.F.R. §106.45(f)(4)(i). <li data-bbox="618 940 1463 1035">5. Providing the parties a reasonable opportunity to respond to the evidence or to the accurate description of the evidence. 34 C.F.R. §106.45(f)(4)(ii). <li data-bbox="618 1056 1463 1150">6. Taking reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through this Grievance Process. 34 C.F.R. §106.45(f)(4)(iii). <p data-bbox="618 1171 1271 1203"><u>Determination and Written Notice of Determination</u></p> <p data-bbox="618 1224 1463 1318">Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, does the following (34 C.F.R. §106.45(h)(1), (2)):</p> <ol data-bbox="618 1339 1463 1518" style="list-style-type: none"> <li data-bbox="618 1339 1463 1371">1. Bases all decisions on the <i>preponderance of evidence</i> standard. <li data-bbox="618 1392 1463 1518">2. Notifies the parties in writing of the determination regarding whether Title IX Sex Discrimination occurred, including the rationale for such determination and permissible bases for the Complainant and the Respondent to appeal as described in Section H. Appeals, below.
Title IX Coordinator or Designee	<p data-bbox="618 1539 1463 1602">If there is a determination that Title IX Sex Discrimination occurred (34 C.F.R. §106.45(h)(3)):</p> <ol data-bbox="618 1623 1463 1682" style="list-style-type: none"> <li data-bbox="618 1623 1463 1682">1. Coordinates the provision and implementation of remedies for the Complainant and other persons identified as having had their equal

The footnotes should be removed before the material is used.

7. Providing a process that enables the Decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. 34 C.F.R. §106.45(g).

Actor	Action
	<p>access to the District’s education program or activity limited or denied by Title IX Sex Discrimination.</p> <ol style="list-style-type: none"> 2. Coordinates the imposition of any disciplinary sanctions on a Respondent, including notification to the Complainant of any such disciplinary sanctions. The District may not impose discipline on a Respondent for Title IX Sex Discrimination unless there is a determination at the conclusion of the Grievance Process that the Respondent engaged in prohibited Title IX Sex Discrimination. 3. Takes other appropriate prompt and effective steps to ensure that Title IX Sex Discrimination does not continue or recur within the District’s education program or activity.

H. Appeals

The determination regarding whether Title IX Sex Discrimination occurred becomes final either on the date on which an appeal would no longer be considered timely if an appeal is not filed, or the date that the Appeal Decisionmaker provides the parties with the written decision of the result of the appeal if an appeal is filed. 34 C.F.R. §106.45(b)(4).

Complainant or Respondent	<p>Within five (5) school business days⁶ after receiving either (1) notice of the determination of whether Title IX Sex Discrimination occurred, or (2) notice of dismissal of a Complaint, or allegations therein, makes a written request to the Title IX Coordinator appealing the determination/dismissal based on (34 C.F.R. §§106.45(d)(3), 106.46(i)(1)):</p> <ol style="list-style-type: none"> 1. Procedural irregularity that would change the outcome. 2. New evidence now available that would change the outcome but that was not reasonably available at the time of the determination. 3. The Title IX Coordinator or Investigator/Decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.
Title IX Coordinator or Designee	<p>Upon receiving an appeal from one party (34 C.F.R. §106.45(d)(3), (i)):</p> <ol style="list-style-type: none"> 1. Notifies the parties in writing that an appeal has been filed, including notice of the allegations if notice consistent with Section C. Notice of Allegations, above, was not previously provided to the Respondent. 2. Provides both parties five (5) school business days to submit a written statement and/or new evidence in support of, or challenging, the outcome to the Title IX Coordinator.

The footnotes should be removed before the material is used.

⁶ These timelines are optional and suggested for ease of use to align with the appeal timelines in sample policy 2:260, *Uniform Grievance Procedure*.

	<p>3. Promptly forwards all materials relative to the appeal to the Appeal Decisionmaker.</p> <p>Ensures that the Appeal Decisionmaker is not the same person as the Investigator/Decisionmaker or the Title IX Coordinator. 34 C.F.R. §106.45(d)(3)(iii).</p> <p>Note: The Board may, but is not required to, hear and decide the appeal; it is a suggestion that aligns with the appeal provisions in policy 2:260, <i>Uniform Grievance Procedure</i>, and with Ill. State Board of Education sex equity regulations requiring districts to “provide for final appeal of grievance decisions made at the system level to the system’s governing board.” 23 Ill.Admin.Code §200.40(c)(1). If the Board acts as the Appeal Decisionmaker, the Board must receive the training in Section A.12, above. Some school attorneys recommend that the appeal not go to the Board, so that the Board’s objectivity is not called into question if it needs to conduct a hearing related to recommended disciplinary sanctions resulting from the Grievance Process. Consult the board attorney regarding these options.</p>
Appeal Decisionmaker	<p>Within 30 school business days, affirms, reverses, or amends the written determination regarding whether Title IX Sex Discrimination occurred or the notice of dismissal.</p> <p>Within five (5) school business days after its decision, notifies the parties in writing of the result of the appeal and the rationale for the result. 34 C.F.R. §106.45(d)(3)(vi).</p>

I. Recordkeeping

Actor	Action
Title IX Coordinator or Designee	See the Recordkeeping subhead in administrative procedure 2:265-AP1, <i>Title IX Response</i> .

School Board

Administrative Procedure – Title IX Coordinator

*This procedure centralizes all Title IX Coordinator responsibilities that appear throughout the 2:265 suite of **PRM** materials into one document. Use this procedure in conjunction with exhibit 2:265-E, Title IX Glossary of Terms, and administrative procedures 2:265-AP1, Title IX Response, and 2:265-AP2, Formal Title IX Grievance Procedure.*

The Title IX Coordinator directs the District’s compliance with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106), and assists the Superintendent in implementing Board policy 2:265, *Title IX Grievance Procedure*. If the District has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight to ensure the District’s consistent compliance with its responsibilities under Title IX and its implementing regulations. 34 C.F.R. §106.8(a)(1). The Title IX Coordinator with ultimate oversight should be listed in Board policy 2:265, *Title IX Grievance Procedure*. The District may delegate, or permit the Title IX Coordinator to delegate, specific duties to one or more designees. 34 C.F.R. §106.8(a)(2).

Title IX Coordinator’s General Responsibilities

1. Coordinates the District’s efforts to comply with its responsibilities under Title IX and 34 C.F.R. Part 106 to provide educational programs and activities free from sex discrimination. 34 C.F.R. §106.8(a)(1). Includes, as needed, coordinating compliance with Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 7:10, *Equal Educational Opportunities*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*.
2. Assists the Superintendent in developing and managing a program that notifies all students, parents/guardians, or other authorized legal representatives of students, employees, applicants for employment, and all unions and professional organizations holding collective bargaining or professional agreements with the District about the District’s commitment to equal employment and educational opportunities and a discrimination-free environment, including by posting a Notice of Nondiscrimination on the District’s website and in each handbook, catalog, announcement, bulletin, and application form that the District makes available to persons entitled to notice, or which are otherwise used in connection with the recruitment of employees. 34 C.F.R. §106.8(c). See the **Notice of Nondiscrimination** subhead of administrative procedure 2:265-AP1, *Title IX Response*.
3. Assists the Superintendent in developing and managing a staff training program (see the **Title IX Coordinator’s Responsibilities for Training Staff** subhead, below). 34 C.F.R. §106.8(d).
4. When a Complainant or Respondent is a student with a disability, consults with one or more members, as appropriate, of the student’s Individualized Education Program (IEP) team (34 C.F.R. §300.321), if any, or one or more members of the group of persons responsible for the student’s placement decision under 34 C.F.R. §104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 *et seq.*) and Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) throughout the implementation of the District’s Title IX Complaint Grievance Process (Grievance Process) under

administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*. 34 C.F.R. §106.8(e).

5. Maintains, for a period of at least seven (7) years (34 C.F.R. §106.8(f)):
 - a. For each Complaint of Title IX Sex Discrimination, records documenting the informal resolution process or the Grievance Process, and the resulting outcome. Records should include: complaints (formal and informal), supportive measures, the informal resolution process, investigations, final determinations, appeals, remedies, and any other relevant information related to allegations of Title IX Sex Discrimination.
 - b. For each notification the Title IX Coordinator receives about conduct that reasonably may constitute Title IX Sex Discrimination, records documenting the actions the District took to meet its obligations under 34 C.F.R. §106.44.
 - c. All materials used to provide the training outlined in Nos. 1-4 under the **Training** subhead in administrative procedure 2:265-AP1, *Title IX Response*.
Records shall only be destroyed in accordance with Board policies and administrative procedures governing the destruction of records. 34 C.F.R. §106.8(f). See the **Recordkeeping** subhead in administrative procedure 2:265-AP1, *Title IX Response*.
6. Provides ongoing consultation, technical assistance, and information services regarding Title IX compliance requirements and programs.
7. Makes recommendations for action by appropriate decision makers.
8. Establishes a positive climate for nondiscrimination compliance efforts, including by encouraging individuals to come forward with suggestions and complaints.

Title IX Coordinator's Responsibilities for Training Staff

The Title IX Coordinator assists the Superintendent to ensure that upon hiring or a change of position that alters a below-identified person's duties under Title IX, and annually thereafter (34 C.F.R. §106.8(d)):

1. Tier 1: all District employees receive training on:
 - a. The District's obligation to address Title IX Sex Discrimination in its education program or activity;
 - b. The scope of conduct that constitutes Title IX Sex Discrimination, including the definition of sex-based harassment; and
 - c. All applicable notification and information requirements under 34 C.F.R. §§106.40(b)(2) and 106.44.
2. Tier 2: in addition to Tier 1 training above, all designated Investigators, Decisionmakers, Appeal Decisionmakers, and other persons responsible for implementing the Grievance Process, or who have the authority to modify or terminate supportive measures under 34 C.F.R. § 106.44(g)(4) receive training on, to the extent related to their responsibilities:
 - a. The District's obligations under 34 C.F.R. §106.44 (see administrative procedure 2:265-AP1, *Title IX Response*);
 - b. The District's Grievance Process under 34 C.F.R. §106.45 (see administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*);
 - c. How to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias; and
 - d. The meaning and application of the term *relevant* in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 C.F.R. §106.45 (see exhibit 2:265-E, *Title IX Glossary of Terms*).
3. Tier 3: in addition to Tier 1 training, above, all facilitators of an informal resolution process under 34 C.F.R. § 106.44(k) receive training on:

- a. The rules and practices associated with the District's informal resolution process; and
 - b. How to serve impartially, including by avoiding conflicts of interest and bias.
4. **Tier 4:** in addition to Tier 1-3 training, above, the Title IX Coordinator and any designees receive training on:
- a. Their specific responsibilities under Title IX (see 34 C.F.R. §§106.8(a), 106.40(b)(3), 106.44(f) and (g));
 - b. The District's recordkeeping system and the recordkeeping requirements under 34 C.F.R. §106.8(f); and
 - c. Any other training necessary to coordinate the District's compliance with Title IX and its implementing regulations.

See the **Training** subhead in administrative procedure 2:265-AP1, *Title IX Response*.

Title IX Coordinator's Responsibilities for Responding to Reports of Sex Discrimination

1. Implements and administers administrative procedure 2:265-AP1, *Title IX Response*.
2. Monitors the District's education program and activity for barriers to reporting information about conduct that may reasonably constitute Title IX Sex Discrimination, and takes steps reasonably calculated to address such barriers. 34 C.F.R. §106.44(b). Strategies to identify barriers may include, for example: conducting regular climate surveys, seeking targeted feedback from students and employees who have reported sex discrimination, participating in public awareness events to receive feedback from student and employee attendees, and regularly publicizing and monitoring an email address designated for receiving anonymous feedback about barriers to reporting sex discrimination. 87 Fed. Reg. 41436.
3. Receives reports of conduct that reasonably may constitute Title IX Sex Discrimination (34 C.F.R. §106.44(c)) and analyzes the allegation(s) to determine whether the conduct as alleged could constitute Title IX Sex Discrimination.
4. Where the Title IX Coordinator reasonably determines that conduct as alleged could constitute Title IX Sex Discrimination, takes the following actions to promptly and effectively end any Title IX Sex Discrimination in the District's education program or activity, prevent its recurrence, and remedy its effects (34 C.F.R. §106.44(f); see the **Response to Allegations** subhead in administrative procedure 2:265-AP1, *Title IX Response*):
 - a. Treats the Complainant and Respondent equitably.
 - b. Offers and coordinates supportive measures, as appropriate, for the Complainant.
 - c. If the District has initiated the Grievance Process, or offered an informal resolution process to the Respondent, offers and coordinates supportive measures, as appropriate, for the Respondent.
 - d. Notifies the Complainant or, if the complainant is unknown, the individual who reported the conduct, of the Grievance Process, and the informal resolution process, if available and appropriate.
 - e. If a Complaint is made, notifies the Respondent of the Grievance Process and the informal resolution process, if available and appropriate.
 - f. In response to a Complaint, initiates the Grievance Process or the informal resolution process, if available and appropriate and requested by all parties.
 - g. In the absence of a Complaint or the withdrawal of any or all the allegations in a Complaint, and in the absence or termination of an informal resolution process, determines whether to initiate a Complaint of Title IX Sex Discrimination under the Grievance Process, considering the factors outlined in the **Initiation of a Title IX Complaint** subhead of administrative procedure 2:265-AP1, *Title IX Response*.

- h. If initiating a Complaint, notifies the Complainant prior to doing so and appropriately addresses reasonable concerns about the Complainant's safety or the safety of others, including by providing supportive measures.
 - i. Regardless of whether a Complaint is initiated, takes other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual Complainant, if any, to ensure that Title IX Sex Discrimination does not continue or recur within the District's education program or activity.
5. Offers and coordinates supportive measures, as appropriate, consistent with 34 C.F.R. §106.44(g) and as described in the **Supportive Measures** subhead in 2:265-AP1, *Title IX Response*.
 6. In the absence of a Complaint or the withdrawal or any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process, determines whether to initiate a Complaint of Title IX Sex Discrimination under the Grievance Process, considering, at a minimum, the factors set forth in 34 C.F.R. §106.44(f)(1)(v)(A) and described in the **Title IX Complaint Initiation** subhead in administrative procedure 2:265-AP1, *Title IX Response*.
 7. When a Complaint is filed by an eligible person or initiated by the Title IX Coordinator, follows the Grievance Process (34 C.F.R. §106.44(f)(1)(iv)) in 2:265-AP1, *Formal Title IX Complaint Grievance Process*, in conjunction with any response required by administrative procedure 2:265-AP1, *Title IX Response* and applicable District policies.
 8. If the Respondent is an identified student, considers whether the student-Respondent should be removed from the District's education program or activity on an emergency basis in accordance with 34 C.F.R. §106.44(h) and the **Consideration of Removal of the Respondent** subhead in administrative procedure 2:265-AP1, *Title IX Response*.
 9. If the Respondent is an identified non-student employee, in conjunction with the District's human resources administrator, considers whether the employee-Respondent should be placed on administrative leave in accordance with 34 C.F.R. §106.44(i), relevant District policies and procedures, any applicable collective bargaining agreements, and the **Consideration of Removal of the Respondent** subhead in administrative procedure 2:265-AP1, *Title IX Response*. See Board policies 5:240, *Suspension*, and 5:290, *Employment Termination and Suspensions*.

Title IX Coordinator's Responsibilities for Processing Grievances

1. Implements and administers the Title IX Complaint Grievance Process (Grievance Process) under administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.
2. Receives Complaints and evaluates whether to investigate or dismiss the Complaint. See **Section B. Evaluation of Title IX Complaint** in administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.
3. Upon initiating the Grievance Process, provides written notice to all known parties consistent with 34 C.F.R. §106.45(c). See **Section C. Notice of Allegations** in administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.
4. Considers whether to offer the Complainant and Respondent an informal resolution process. 34 C.F.R. §106.45(k). See **Section F. Informal Resolution of Title IX Complaint** in administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.
5. Investigates and makes determinations regarding complaints, or appoints a qualified Investigator/Decisionmaker to do so on the Title IX Coordinator's behalf, consistent with 34 C.F.R. §106.45(f) - (h). See **Section G. Investigation and Determination of Title IX Complaint** in administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.
6. Receives a request from a party to appeal the final determination or dismissal, and appoints an Appeal Decisionmaker to review the appeal. 34 C.F.R. §106.45(i). See **Section H. Appeals** in administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

Title IX Coordinator's Responsibilities for Students who are Pregnant or have Pregnancy-Related Conditions

1. Upon notice of a student's pregnancy or related conditions, the Title IX Coordinator (34 C.F.R. §106.40(b)(3)):
 - a. Informs the student and, if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and who has a legal right to act on behalf of the student, of the student's right to be free from discrimination based on their status, the District's obligations under 34 C.F.R. §106.40(b)(1) - (5), and the District's Notice of Nondiscrimination. 34 C.F.R. §106.40(b)(3)(i).
 - b. Offers reasonable modifications, based on the student's individualized needs, to the District's policies, practices, or procedures as necessary to prevent Title IX Sex Discrimination and ensure equal access to the District's education program or activity. 34 C.F.R. §106.40(b)(3)(ii). Reasonable modifications may include, but are not limited to: breastfeeding accommodations (see administrative procedure 7:10-AP2, *Accommodating Breastfeeding Students*), breaks during class to attend to health needs associated with pregnancy or related conditions; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests or examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies; elevator access; alternative educational programming; voluntary leaves of absence; or other changes to policies, practices, or procedures. 34 C.F.R. §106.40(b)(3)(ii)(C).
2. Ensures the District does not require supporting documentation in order to offer reasonable modifications, unless the documentation is necessary and reasonable for the District to determine the reasonable modifications or whether to take additional specific actions. 34 C.F.R. §106.40(b)(3)(vi).
3. Ensures the District treats pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the District administers, operates, offers, or participates in with respect to students admitted to the District's education program or activity. 34 C.F.R. §106.40(b)(4).
4. Ensures the District does not require a student who is pregnant or has pregnancy related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the recipient's class, program, or extracurricular activity unless (34 C.F.R. §106.40(b)(5)):
 - a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
 - b. The District requires such certification of all students participating in the class, program, or extracurricular activity; and
 - c. The information obtained is not used as a basis for discrimination prohibited by Title IX and 34 C.F.R. Part 106.

Students

Administrative Procedure - Accommodating Transgender, Nonbinary, or Gender Nonconforming Students¹

This procedure’s accommodation and support guidelines advance the District’s goals of: (1) providing all students equal access to a safe, non-hostile learning environment, and (2) implementing risk management controls in a developing and unsettled area of the law in which the federal Office of Civil Rights (OCR) and Dept. of Justice (DOJ) have issued guidance.

While there is no mandate requiring procedures for accommodating transgender, nonbinary, and gender nonconforming students, this procedure guides school officials through the: (1) application of State and federal anti-discrimination laws to this student population, and (2) common needs for which transgender, nonbinary, or gender nonconforming students may request accommodations and support at school. This procedure applies to all school activities, school-provided transportation, and school-sponsored events regardless of where they occur.

The Building Principal, Nondiscrimination Coordinator,² and/or Complaint Manager, with input from others as appropriate, will implement this procedure. They will work with each transgender, nonbinary, or gender nonconforming student, and as appropriate with the student’s parent(s)/guardian(s), to manage a student’s accommodations and supports on a case-by-case basis. The Board Attorney will be consulted concerning legal compliance.

Gender-Based Discrimination Is Prohibited

School districts must provide equal educational opportunities to transgender, nonbinary, and gender nonconforming students. Under State law, *sex discrimination* extends to claims of discrimination based on *sexual orientation* and *gender identity*. 775 ILCS 5/1-103(O-1); 775 ILCS 5/5-101(11); 23 Ill.Admin.Code §1.240. The Ill. Human Rights Act (IHRA) defines *sexual orientation* as the “actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person’s designated sex at birth.” 775 ILCS 5/1-103(O-1). IHRA permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103.

Federal law prohibits exclusion and discrimination on the basis of *sex*. 20 U.S.C. §1681(a), Title IX of the Education Amendments of 1972 ([Title IX](#)). [Updated Title IX regulations explain that discrimination on the basis of sex “includes discrimination on the basis of sex stereotypes, sex characteristics,](#)

The footnotes should be removed before the material is used.

¹ Administrative procedures guide the district administration’s implementation of board policy. To implement a policy, the purpose and function of the policy must be understood. The purpose and function of 7:10, *Equal Educational Opportunities* is three-fold:

1. to ensure legal compliance with equal educational opportunity (EEO) laws,
2. to direct or authorize the superintendent or staff members to implement EEO laws, and
3. to establish board processes, and/or provide information about EEO laws to staff members and students.

This administrative procedure provides considerations for supports and accommodations that transgender students or gender nonconforming students may need as required by policy 7:10, *Equal Educational Opportunities*.

² If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, insert “Title IX Coordinator,” here.

pregnancy or related conditions, sexual orientation, and gender identity.” 34 C.F.R. §106.10. The U.S. Dept. of Education has taken varying positions on the application of Title IX to transgender or gender nonconforming students depending upon the administration in power. However, the Seventh Circuit U.S. Court of Appeals (which has jurisdiction over the State of Illinois) has ruled that a school’s practice of denying a transgender student access to the bathroom that aligned with his gender identify violated Title IX because it was a sex-based classification. See Whitaker by Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ., 858 F.3d 1034 (7th Cir. 2017); A.C. v. Metropolitan Sch. Dist. of Martinsville, 45 F.4th 760 (7th Cir. 2023), *cert. denied*, 2024 WL 156480 (2024).

Board policy 7:10, *Equal Educational Opportunities*, recognizes the legal requirements described above. This procedure’s guidance on accommodating transgender, nonbinary, or gender nonconforming students is based on non-regulatory guidance from the Ill. State Board of Education (ISBE) and the Ill. Dept. of Human Rights (IDHR), as well as OCR pronouncements. See the last section, **Resources**.

Gender-Based Bullying and/or Discrimination, Harassment, and/or Bullying Prohibited

The laws prohibiting gender discrimination require the District to protect transgender, nonbinary, and gender nonconforming students from bullying and sex discrimination, sex-based harassment, and bullying by other students. Under Title IX ~~of the Education Amendments of 1972 (Title IX), discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or other related conditions, sexual orientation, and gender identity. Title IX also makes~~ a school district ~~is~~ responsible for damages suffered by a student who was the victim of ~~protected prohibited~~ sex-based hostile environment harassment: unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively determined by a reasonable person to be so severe, pervasive, and objectively offensive and is so severe or pervasive that it effectively limits or denies a person's ability to participate in or benefit from equal access to the District’s educational program or activity. 34 C.F.R. §106.230(a). Board policy 2:265, *Title IX Grievance Procedure*, and its accompanying procedures are used to address sex-based harassment as defined in Title IX.

The School Code prohibits bullying on the basis of actual or perceived sexual orientation, gender-related identity or expression, and/or association with a person or group with one of the aforementioned actual or perceived characteristics. 105 ILCS 5/27-23.7(a). The Board policy on bullying and the District’s suite of bullying prevention materials are used to address and resolve peer bullying and harassment of transgender or gender nonconforming students. See Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

Terminology and Definitions

The District uses the following terms and definitions when discussing accommodations for a transgender, nonbinary, or gender nonconforming student (from the *Arcadia Resolution Agreement*, 7-24-13, at: www.justice.gov/crt/about/edu/documents/arcadiaagree.pdf and ISBE Non-Regulatory Guidance, *Supporting Transgender, Nonbinary and Gender Nonconforming Students*, at: www.isbe.net/supportallstudents). **Note:** Definitions are not intended to label students, but rather to assist with understanding.

Gender-based discrimination – a form of sex discrimination, refers to differential treatment or harassment of a student based on the student’s sex, including gender identity, gender expression, and nonconformity with gender stereotypes, that results in the denial or limitation of education services, benefits, or opportunities. Conduct may constitute gender-based discrimination regardless of the actual

or perceived sex, gender identity, or sexual orientation of the persons experiencing or engaging in the conduct.

Sex assigned at birth and assigned sex – a label a person is given at birth, often based on a medical professional’s interpretation of the newborn’s physical characteristics. Common examples may be *male* or *female*. This is typically the sex reflected on one’s original birth certificate.

Gender expression – an individual’s characteristics and behaviors such as appearance, dress, grooming, mannerisms, voice or speech patterns, activities, and social interactions that are perceived as masculine, feminine, both, or neither.

Gender identity – a person’s internal, deeply held sense or psychological knowledge of their own gender that can include being female, male, another gender, nonbinary, gender nonconforming, or no gender, and is unrelated to the person’s sex assigned at birth. Gender identity is an innate part of a person’s identity, and the responsibility for determining an individual’s gender identity rests with the individual. Unlike gender expression, gender identity is not visible to others.

Nonbinary – a term used to describe people whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

Transgender – an individual whose gender identity is different from the individual’s assigned sex at birth. Being transgender is not dependent on appearance, body parts, or medical procedures. Transgender can also be used as an umbrella term that encompasses diversity of gender identities and expressions. For purposes of this procedure, a *transgender student* is a student who consistently and uniformly asserts a gender identity different from the student’s assigned sex, or for whom there is documented legal or medical evidence that the gender identity is sincerely held as part of the student’s core identity.

Intersex – a term used for a variety of conditions in which a person is born with a reproductive and/or sexual anatomy that does not seem to fit the typical, binary definitions of female or male. Intersex conditions are not always discernable at birth or the awareness of internal anatomy present at birth may not be known to the person until puberty, if it is known at all. A derogatory term previously used for intersex individuals is hermaphrodite.

Gender transition – the process whereby people may change their gender expression, bodies, and/or identity documents to match their gender identity. Transition can be social (changing gender expression, using facilities, using a different name/pronouns), medical (hormones and/or surgeries), and/or legal (changing name/gender marker on identity documents), and is different for every individual. It is common for gender transition to be an ongoing process and is unique to each person.

Gender stereotypes – stereotypical notions of masculinity and femininity, including expectations of how boys or girls represent or communicate one’s gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

Gender nonconforming or gender expansive – one’s gender expression or gender identity that does not conform to traditional, societal, or stereotyped expectations based on the sex assigned at birth. Gender expansive individuals may identify as male, female, some combination of both, or neither.

Gender pronouns – the set of words used to refer to someone without using their name. Common examples include, but are not limited to, “she/her/hers,” “he/him/his,” “they/them/theirs,” and “ze/zir/zirs.”

Gender support plan – a document that may be used to create a shared understanding about the way in which a student’s gender identity will be accounted for and supported at school.

Facilities – refers to facilities and accommodations used by students at school or during school-sponsored activities and trips, and include, but are not limited to, restrooms, locker rooms, and overnight facilities.

Relevant Board Policies for Accommodations, Supports, and Inclusion of Transgender, Nonbinary, or Gender Nonconforming Students

- 2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably.
- 2:265, *Title IX Grievance Procedure*, contains the process for an individual to report or complain of sexual harassment discrimination in violation of Title IX, including sex-based harassment. The District Nondiscrimination Title IX Coordinator³ shall address the report or complaint promptly and equitably.
- 6:60, *Curriculum Content*, requires the history curriculum to include a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois and, if offered by the District, requires the implementation of a comprehensive health education program in accordance with State law, which may include the National Sex Education Standards (NSES) sex education curriculum. If NSES is offered, it must be inclusive and sensitive to students’ needs on many bases, including based on their status as intersex and based on their gender, gender identity, and gender expression. See 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.
- 6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District’s curriculum and other educational programs.
- 7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.
- 7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.
- 7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.
- 7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.
- 7:165, *Student Uniforms*, encourages students to wear school uniforms in order to maintain and promote orderly school functions, school safety, and a positive learning environment, if adopted.

The footnotes should be removed before the material is used.

³ ~~If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, replace “Nondiscrimination Coordinator” with “Title IX Coordinator.”~~

- 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District’s bullying prevention program.
- 7:185, *Teen Dating Violence Prohibited*, prohibits students 13-19 years of age from using or threatening to use physical, mental, or emotional abuse to control an individual in the dating relationship, and from using or threatening to use sexual violence in the dating relationship.
- 7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students’ social, emotional, or mental health needs that impact learning.
- 7:290, *Suicide and Depression Awareness and Prevention*, directs the Superintendent to develop, implement, and maintain a suicide and depression awareness and prevention program.
- 7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of school premises for their meetings, under specified conditions.
- 7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

Common Needs for Transgender, Nonbinary, or Gender Nonconforming Students: Accommodations and Supports

The goal of an accommodation is to allow a transgender, nonbinary, or gender nonconforming student to equally participate in educational and extracurricular opportunities. The right of transgender students to accommodations is generally found in legislation (IHRA and Title IX) but has not been fully interpreted by the courts. Determining appropriate accommodations must be made on a case-by-case basis depending upon the needs expressed by the student.

The Superintendent may establish a gender support team that will identify accommodations for a specific student. Those accommodations may be documented in a gender support plan or other written document. The Board Attorney should be consulted and may be invited to be a member of the team.

This following list of possible accommodation considerations is not exhaustive, and each student’s request must be managed on a case-by-case basis. A particular student may not be interested in an accommodation for each item listed. This area of law is rapidly evolving. **Seek the Board Attorney’s advice concerning the scope and extent of accommodations.**

1. Gender transition
2. Names and gender pronouns
3. School student records
For managing demographic information in the ISBE Student Information System, see www.isbe.net/Documents/student_demographics.pdf. ISBE is not required to collect student sex, sexual orientation, or gender identity data for its major programs, unless required for federal reporting. 20 ILCS 65/20-15(a-5), amended by P.A. 103-175
4. Student privacy and confidentiality
5. Access to gender-segregated areas, e.g., locker rooms and restrooms
6. Sports and physical education classes - participation in competitive athletic activities and contact sports is resolved pursuant to IHSA policy #34, *Policy and School Recommendations for Transgender Participation* at: www.ihsa.org/About-the-IHSA/Constitution-By-laws-Policies.
7. Dress codes
8. Gender segregation in other activities, e.g., class discussions and field trips (including any overnight school trips)

9. Communication with a new school about gender-specific accommodations upon transfer or graduation

Training for School Staff Members

Professional development for staff members should include regular opportunities to gain a better understanding of equal educational opportunity laws, gender identity, gender expression, and gender diversity; the development of gender identity in children and adolescents; developmentally appropriate strategies for communicating with students and parents/guardians about issues related to gender identity; gender-affirming approaches to ensuring the safety and support of transgender, nonbinary, and gender nonconforming students; developmentally appropriate strategies for preventing and intervening in bullying incidents; and Board policies regarding equal educational opportunities, bullying, discrimination, and student privacy.

Resources

IDHR, *Non-Regulatory Guidance Relating to Protection of Transgender, Nonbinary, and Gender Nonconforming Students Under the Ill. Human Rights Act* (December 2021), at:

<https://dhr.illinois.gov/publications/guidance-re-illinois-students-1221.html>.

ISBE, *Supporting Transgender, Nonbinary and Gender Nonconforming Students* (March 1, 2020), at: www.isbe.net/supportallstudents.

Gender Spectrum, an organization whose mission is to [help create gender sensitive and inclusive environments](http://www.genderspectrum.org) create a gender-inclusive world for all children and youth/teens, at: www.genderspectrum.org.

Mass. Dept. of Elementary and Secondary Education, *Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment Nondiscrimination on the Basis of Gender Identity* (undated Oct. 2021), at: www.doe.mass.edu/sfs/lgbtq/GenderIdentity.html.

OCR Resources for LGBTQI+ Students, at: www2.ed.gov/about/offices/list/ocr/lgbt.html

Ill. Association of School Boards, *Transgender, Nonbinary, and Gender Nonconforming Students: Legal Issues* (Sept. 2023), at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/transgender,-nonbinary,-and-gender-nonconforming-s/.

Students

Administrative Procedure - Accommodating Breastfeeding Students¹

The Superintendent or designee shall ensure that students who choose to breastfeed an infant after returning to school are provided reasonable accommodations. A student who is a nursing mother may take reasonable breaks during the school day to express breast milk or breastfeed an infant. The District’s Title IX Coordinator, in consultation with the Building Principal, will implement reasonable accommodations for the nursing mother in a manner that minimizes disruption to the student’s education.

Reasonable accommodations for breastfeeding students, include, but are not limited to:

1. Access to a private and secure room, other than a bathroom, to express breast milk or breastfeed an infant child.
2. Permission to bring onto the school campus a breast pump or other equipment used to express breast milk.
3. Access to a power source for a breast pump or any other equipment used to express breast milk.
4. Access to a place to store expressed breast milk safely.
5. Reasonable breaks to accommodate the student’s need to express breast milk or breastfeed an infant child, or attend to health needs associated with breastfeeding (including eating, drinking, or using the restroom).²
6. The opportunity to make up work missed to due to the student’s use of reasonable accommodations for breastfeeding.

Complaints

The District’s Complaint Manager or Non-Discrimination Coordinator or designee will process any complaints regarding reasonable accommodations for breastfeeding students in accordance with Board policy 2:260, Uniform Grievance Procedure, and/or policy 2:265, Title IX Grievance Procedure. In those cases where a complainant appeals the Superintendent’s decision to the Board, the Superintendent will inform the complainant that he or she may appeal the Board’s decision to the Regional Superintendent and, thereafter, to the State Superintendent, in accordance with 23 Ill.Admin.Code §200.40.

LEGAL REF.: 34 C.F.R. §106.40.
105 ILCS 5/10-20.60.

The footnotes should be removed before the material is used.

¹ This procedure is appropriate for inclusion in a student handbook. The Illinois Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/resources/model-student-handbook. Consult ~~with~~ the board attorney for advice regarding what accommodations a school may have to provide to breastfeeding students at off-campus extracurricular activities, such as field trips or recreational trips. There is currently a lack of case law guidance in this area. Protections in the School Code are limited to reasonable accommodations “on a school campus.” 105 ILCS 5/10-20.60. However, Title IX regulations generally prohibit fund recipients from applying any rule concerning a student’s parental status which treats students differently on the basis of sex. 34 C.F.R. §106.40.

² 34 C.F.R. §106.40(b)(3)(ii)(C).

Students

Administrative Procedure - Harassment of Students Prohibited

This procedure informs: (1) the Building Principal of specific steps to prevent harassment of students, and (2) staff members of the appropriate response to allegations of harassment.

Actor	Action
Building Principal or Designee	<p>Informs staff members and students that the District prohibits harassment of students. Distributes or references School Board policies 2:260, <i>Uniform Grievance Procedure</i>; 2:265, <i>Title IX Grievance Procedure</i>; 2:270, <i>Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited</i>; and 7:20, <i>Harassment of Students Prohibited</i>, using various methods. Takes measures to prevent harassment of students, which may include:</p> <ol style="list-style-type: none"> 1. Conducts regular harassment awareness training for all school staff, including administrators, teachers, and school counselors, and ensures all new employees are trained. ¹ 2. Conducts regular² age-appropriate harassment awareness training for students. 3. Provides a means for students to learn and discuss what constitutes harassment and how to respond to it in the school setting. 4. Surveys students to determine if harassment is occurring at school. 5. Conducts regular³ harassment awareness training for parents/guardians. 6. Works with parents/guardians and students to develop and implement age-appropriate, effective measures for addressing harassment. 7. Determines when extra supervision and precaution should be taken, such as when: two or more students seem to be in conflict with each other; there have been previous incidents of harassment, sexual assaults, threats, or bullying around perceived sexual orientation; or a specific student has had multiple disciplinary violations. 8. Has a process in place to: (1) inform a staff member when a student that he or she supervises has a history of violent or sexually inappropriate behavior, and (2) keep such a student constantly supervised.

The footnotes should be removed before the material is used.

¹ The term *regular* and phrase “ensuring all new employees are trained” are a best practice. Amend these terms to reflect the district’s practice. See sample policy 5:100, *Staff Development Program, for specific harassment prevention training requirements for employees.*

² ~~Id~~ The term *regular* is a best practice.

³ Id.

Actor	Action
	<p>9. Regularly trains staff members regarding: (1) their classroom and non-classroom supervisory responsibilities, e.g., during a school-sponsored event, before and after school, while students wait for the school bus, between classes, during lunch, and at recess, (2) behaviors that may be an indicator of sexual or physical violence against another student, and (3) what to do when they observe an unusual and disruptive student.</p> <p>10. Identifies areas in the school building that are isolated, e.g., restrooms, locker rooms, hallways while classes are in session, stairwells, and empty rooms, and takes extra steps to make them safe.</p> <p>11. Immediately notifies the police and relevant parents/guardians when an assault or attempted assault has occurred.</p>
<p>Nondiscrimination Coordinator and/or Complaint Manager(s)</p>	<p>Thoroughly and promptly investigates allegations of harassment by:</p> <ol style="list-style-type: none"> 1. Distributing Board policies 2:260, <i>Uniform Grievance Procedure</i>; 2:265, <i>Title IX Grievance Procedure</i>; 2:270, <i>Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited</i>; and 7:20, <i>Harassment of Students Prohibited</i>, to any person upon request; 2. Following Board policies 2:260, <i>Uniform Grievance Procedure</i>; 2:265, <i>Title IX Grievance Procedure</i>; 2:270, <i>Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited</i>; and 7:20, <i>Harassment of Students Prohibited</i>; 3. Notifying a student's parents/guardians that they may attend any investigatory meetings in which their child is present; 4-3. Keeping the complaining parents/guardians informed of any investigation's progress; and 5-4. Keeping confidential all information about an investigation and the statements of students and other witnesses. The Superintendent shall be kept informed of an investigation's progress, unless the Superintendent is the subject of the complaint. If a complaint contains allegations involving the Superintendent, the Board President shall be kept informed of an investigation's progress.
<p>All District Staff Members</p>	<p>Immediately reports to the Ill. Dept. of Children and Family Services any situation that provides you with reasonable cause to believe that a child may be an abused child or a neglected child. See Board policy 5:90, <i>Abused and Neglected Child Reporting</i>.</p> <p>Promptly notifies the Superintendent or Building Principal that you made a report. If a report contains allegations involving the Superintendent, only notifies the Building Principal who shall contact the Board President. If a report contains allegations involving the Building Principal, only notifies the Superintendent.</p>

Commented [MB1]: This sentence is deleted because it is not legally required and it is not practical for districts to seek parent/guardian attendance at every investigatory meeting involving their child.

School Board

Exhibit – Title IX Glossary of Terms

Use this exhibit to educate employees and students about Title IX terms, and with the required Title IX response and grievance process in Board policy 2:265, *Title IX Grievance Procedure*, implemented by administrative procedures 2:265-AP1, *Title IX Response*, 2:265-AP2, *Formal Title IX Complaint Grievance Process*, and 2:265-AP3, *Title IX Coordinator*.

Glossary of Terms

Appeal Decisionmaker – An individual or group, e.g., an administrator or the Board, appointed by the Title IX Coordinator, who reviews an appeal of the Decisionmaker’s determination regarding responsibility or a dismissal of a Complaint (defined below). The Appeal Decisionmaker cannot be the same person as the Decisionmaker, the Investigator, or the Title IX Coordinator. 34 C.F.R. §106.45(d)(3)(iii). The Appeal Decisionmaker must be: free from conflicts of interest or bias against complainants and respondents generally or against an individual Complainant or Respondent; and be trained as set out in 34 C.F.R. §106.8(d)(2) (see the **Training** subhead in administrative procedure 2:265-AP1, *Title IX Response*). 34 C.F.R. §106.45(d)(3)(iv).

Complainant – (1) A student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination; or (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination and who was participating or attempting to participate in the District’s education program or activity at the time of the alleged Title IX Sex Discrimination. 34 C.F.R. §106.2.

Complaint – An oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX. 34 C.F.R. §106.2.

Consent – Knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Consent may not be inferred from silence, passivity, or a lack of verbal or physical resistance. A person’s manner of dress does not constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may be withdrawn at any time. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: (1) the person is incapacitated due to the use or influence of alcohol or drugs; (2) the person is asleep or unconscious; (3) the person is underage; or (4) the person is incapacitated due to a mental disability. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Coercion, force, or the threat of either invalidates consent.

Note: The 2024 Title IX regulations do not define *consent*, leaving the definition to the District's discretion. Nothing precludes the District from using a definition of consent that takes into account a student's age or developmental level, but the definition should consider relevant State law and be consistent with applicable disability laws. See 89 Fed Reg. 33519-33521. **Consult the Board Attorney if the District would like to customize this definition.**

Confidential Employee – An employee of the District that the District has designated as confidential for the purpose of providing services to persons related to Title IX Sex Discrimination. If the employee also has a duty not associated with providing those services, the employee’s confidential status is only with respect to information received about Title IX Sex Discrimination in connection with providing those services.¹ 34 C.F.R. §106.2.

Disciplinary Sanctions – Consequences imposed on a Respondent following a determination under Title IX that the respondent violated the District’s prohibition on Title IX Sex Discrimination. 34 C.F.R. §106.2.

Impermissible Evidence – Evidence which must not be accessed or considered (except by the District to determine whether: an exception applies, it must not be disclosed, and/or must not otherwise be used), regardless of whether it is relevant because it is (34 C.F.R. §106.45 (b)(7)(i)-(iii)):

1. Evidence that is protected under a privilege as recognized by federal or State law or is evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
2. A party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party’s or witness’s voluntary, written consent for use in the District’s Title IX Complaint Grievance Process (Grievance Process) under administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*; or
3. Evidence that relates to the Complainant’s sexual interests or prior sexual conduct, unless evidence about the Complainant’s prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant’s prior sexual conduct with the Respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant’s consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Decisionmaker – An individual designated by the Title IX Coordinator to make a written determination regarding whether Title IX Sex Discrimination occurred using the preponderance of the evidence standard. 34 C.F.R. §106.45(h)(1). The Decisionmaker may be the same person as the Title IX Coordinator or Investigator. 34 C.F.R. §106.45(b)(2). The Decisionmaker cannot have served as the Informal Resolution Facilitator for the same Complaint. 34 C.F.R. §106.44(k)(4). The Decisionmaker must be: free from conflicts of interest or bias against complainants and respondents generally or against an individual Complainant or Respondent; and be trained as set out in 34 C.F.R. §106.8(d)(2) (see the **Training** subhead in administrative procedure 2:265-AP1, *Title IX Response*). 34 C.F.R. §§106.45(b)(2), 106.8(d)(2)(iii).

Investigator – An individual designated by the Title IX Coordinator to investigate a Complaint using the Grievance Process. The Investigator may be the same person as the Title IX Coordinator or Decisionmaker. 34 C.F.R. §106.45(b)(2). The Investigator cannot have served as the Informal Resolution Facilitator for the same Complaint. 34 C.F.R. §106.44(k)(4). The Investigator must be: free from conflicts of interest or bias against complainants and respondents generally or against an

The footnotes should be removed before the material is used.

¹ Title IX regulations do not require districts to designate confidential employees. Consult the board attorney about whether to designate any employees as *confidential employees* and the practical implications of doing so.

individual Complainant or Respondent; and be trained as set out in 34 C.F.R. §106.8(d)(2) (see the **Training** subhead in 2:265-AP1, *Title IX Response*). 34 C.F.R. §§106.8(d)(2), 106.45(b)(2).

Informal Resolution Facilitator – An individual designated by the Title IX Coordinator to facilitate the District’s informal resolution process, detailed in **Section F. Informal Resolution of Title IX Sex Discrimination Complaint** of 2:265-AP2, *Formal Title IX Complaint Grievance Process*. The Informal Resolution Facilitator must: not be the same person as the Investigator or Decisionmaker; be trained on the rules and practices associated with the District’s informal resolution process; be trained to serve impartially; and be free of conflicts of interest and bias. 34 C.F.R. §§106.8(d)(3).

Parental Status – The status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is: a biological parent; an adoptive parent; a foster parent; a stepparent; a legal custodian or guardian; in loco parentis with respect to such a person; or actively seeking legal custody, guardianship, visitation, or adoption of such a person. 34 C.F.R. §106.2.

Party – A Complainant or Respondent. 34 C.F.R. §106.2.

Peer Retaliation – Retaliation by a student against another student. 34 C.F.R. §106.2.

Preponderance of the Evidence – Preponderance of the evidence is defined to mean “the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force.” Black’s Law Dictionary, 11th ed. 2019.

Pregnancy or Related Conditions – Pregnancy, childbirth, termination of pregnancy, or lactation; medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions. 34 C.F.R. §106.2.

Relevant – Related to the allegations of Title IX Sex Discrimination under investigation. Relevant questions are those which seek evidence that may aid in showing whether the alleged Title IX Sex Discrimination occurred. Evidence is relevant when it may aid a Decisionmaker in determining whether the alleged Title IX Sex Discrimination occurred. 34 C.F.R. §106.2.

Remedies – Measures provided, as appropriate, to a Complainant or any other person the District identifies as having had their equal access to the District’s education program or activity limited or denied by Title IX Sex Discrimination. These measures are provided to restore or preserve that person’s access to the District’s education program or activity after a District determines that Title IX Sex Discrimination occurred. 34 C.F.R. §106.2.

Respondent – A person who is alleged to have violated the District’s prohibition on Title IX Sex Discrimination. 34 C.F.R. §106.2.

Retaliation – Intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. Nothing in this definition precludes the District from requiring an employee or other person authorized by the District to provide aid, benefit, or service under the District’s education program or activity to participate as a witness in, or otherwise assist with, an investigation or proceeding under Title IX. 34 C.F.R. §106.2.

Sex-based Harassment – Prohibited conduct which is a form of Title IX Sex Discrimination and means sexual harassment and other harassment on the basis of sex (including based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity), that is (34 C.F.R. §106.2):

1. **Quid pro quo harassment.** An employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the recipient’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct;
2. **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant’s ability to access the District’s education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. The parties’ ages, roles within the District’s education program or activity, previous interaction, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the recipient’s education program or activity; or
3. **Specific offenses.**
 - a. *Sexual assault*, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.²
 - b. *Dating violence*, meaning violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (2) where the existence of such a relationship shall be determined based on a consideration of the following factors: (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the persons involved in the relationship.
 - c. *Domestic violence*, meaning felony or misdemeanor crimes committed by a person who: (1) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim; (2) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (3) shares a child in common with the victim; or (4) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
 - d. *Stalking*, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person’s safety or the safety of others; or (2) suffer substantial emotional distress.

Supportive Measures – Individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that party’s access to the District’s education program or activity, including measures that are designed to protect

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² See www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr.

the safety of the parties or the District's educational environment; or (2) provide support during the Grievance Process or during the informal resolution process. Supportive measures may vary depending on what the District deems to be reasonably available. These measures may include, but are not limited to: counseling, extensions of deadlines and other course-related adjustments, campus escort services, increased security and monitoring of certain areas of the campus, restrictions on contact applied to one or more parties, leaves of absence, changes in schedules (work, class, housing, extracurricular, or any other activity) regardless of whether there is or is not a comparable alternative, and training or education programs related to sex-based harassment. 34 C.F.R. §§106.2, 106.44(g)(1). If the Grievance Process or informal resolution process has been initiated, the Title IX Coordinator must offer and coordinate supportive measures for the Respondent. 34 C.F.R. §106.44(f)(i)(ii).

Sex Discrimination Governed by Laws Other Than Title IX – The District must also address sex discrimination that does not meet the definition of Title IX Sex Discrimination, including but not limited to sex discrimination and/or sexual harassment in violation of the State Officials and Employees Ethics Act (5 ILCS 430/), Illinois Human Rights Act (775 ILCS 5/), and Title VII of the Civil Rights Act of 1964 (42 U.S.C. §2000e et seq.).

For each report or complaint received, the Title IX Coordinator reviews the following Board policies³ to determine if they require additional action by the District in addition to or at the exclusion of policy 2:265, *Title IX Grievance Procedure*:

- 2:260, *Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the School Board, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
- 5:10, *Equal Employment Opportunity and Minority Recruitment*. This policy requires that equal employment opportunities be available to all persons without regard to, among other protected statuses: sex; sexual orientation; being a victim of domestic violence, sexual violence, gender violence, or any other crime of violence; and pregnancy, childbirth, or related medical conditions.
- 5:20, *Workplace Harassment Prohibited*. This policy prohibits harassment by employees on the basis of, among other protected statuses: sex; sexual orientation; and pregnancy.
- 5:90, *Abused and Neglected Child Reporting*. This policy requires employees who suspect or receive knowledge that a student may be an abused or neglected child to immediately report their suspicion to the Ill. Dept. of Children and Family Services (DCFS). If an employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, it further requires the District to coordinate with the local Children's Advocacy Center.⁴
- 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*. This policy sets forth standards for employee ethics and conduct, and incorporates by reference the Code of Ethics for Illinois Educators.
- 7:10, *Equal Educational Opportunities*. This policy requires that equal educational and extracurricular opportunities be available for all students without regard to, among other

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³ Ensure the referenced locally adopted board policies contain the language paraphrased in this exhibit. If not, either substitute similar language from the locally adopted board policies on the same topics, or insert the titles from relevant locally adopted policies.

⁴ Delete the second sentence if your district is not within a county served by an accredited Children's Advocacy Center. For further discussion see f/n 14 in sample policy 5:90, *Abused and Neglected Child Reporting*.

protected statuses: sex; sexual orientation; gender identity; and actual or potential parental status, including pregnancy.

- 7:20, *Harassment of Students Prohibited*. This policy prohibits harassment, intimidation, or bullying of students on the basis of, among other protected statuses, actual or perceived: sex; sexual orientation; gender identity; gender-related identity or expression; and actual or potential parental status, including pregnancy.
- 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events, and electronically. Prohibited conduct includes stalking, sexual harassment, sexual violence, or retaliation for asserting or alleging an act of bullying.
- 7:185, *Teen Dating Violence Prohibited*. This policy prohibits students 13-19 years of age⁵ from using or threatening to use physical, mental, or emotional abuse to control an individual in the dating relationship, and from using or threatening to use sexual violence in the dating relationship.
- 7:190, *Student Behavior*. This policy sets forth student conduct rules, prohibited student conduct, and behavioral interventions and disciplinary measures designed to address the causes of misbehavior and teach students positive behavioral skills.

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⁵ Ensure the age range stated here aligns with the age range stated in locally adopted board policy 7:185, *Teen Dating Violence Prohibited*.

School Board

Uniform Grievance Procedure¹

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the School Board, its employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy², or has ~~has~~ a complaint regarding any one of the following:³

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*⁴

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

¹ State or federal law requires this subject matter be covered by policy and controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Employee grievance procedures are a mandatory subject of bargaining and cannot be changed without the employee exclusive representative's consent. This policy and its companion sample policy 2:265, *Title IX Grievance Procedure*, are in addition to, and not a substitute for, the employee grievance procedure contained in a collective bargaining agreement.

A grievance procedure is required by many civil rights acts and implementing regulations, including those listed. For the sake of consistency and ease of administration, this policy consolidates all board grievance procedures, excluding Title IX sexual harassment complaints (see sample policy 2:265, *Title IX Grievance Procedure*) into one policy, except those contained in collective bargaining agreements. See the cross references for the policies referring to this uniform grievance procedure policy.

² Including the phrase "guaranteed by the State or federal Constitution, State or federal statute, or Board policy" broadens the scope of this policy beyond the items listed. Consult the board attorney regarding whether to retain this phrase and/or to otherwise limit the scope of this policy.

³ The Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §1400 *et seq.*) is not included in the list of statutes that may serve as the basis of a grievance, and attorneys disagree whether it should be. Many believe that IDEA provides the exclusive remedy; others believe that including IDEA allows parents/guardians an opportunity to get their position before the board. Unique and specific complaint resolution mechanisms are expressly provided under IDEA, Article 14 of the School Code, and their respective implementing regulations. These mechanisms follow: (1) IDEA at 20 U.S.C. §1415 (procedural safeguards-mediation and due process); (2) IDEA regulations at 34 C.F.R. §§300.151-300.153 (state complaints), 300.506 (mediation), and 300.507 *et seq.* (due process); (3) School Code at §§14/8.02a (mediation and due process) and 14/8.02b (expedited due process); and (4) special education regulations at 23 Ill.Admin.Code §§226.560 (Mediation), 226.570 (State Complaint Procedures), and Subpart G (due process). A board that would like to include IDEA should consult the board attorney.

⁴ The Americans with Disabilities Act Amendments Act (ADAAA) (Pub. L. 110-325), made significant changes to the Americans with Disabilities Act's definition of disability by broadening the scope of coverage. The ADAAA also overturned a series of U.S. Supreme Court decisions that interpreted the Americans with Disabilities Act of 1990 in a way that made it difficult to prove that impairments were a disability. The U.S. Equal Employment Opportunity Commission's (EEOC) regulations, 29 C.F.R. Part 1630, are at: www.eeoc.gov/laws/types/disability_regulations.cfm.

Boards should consult with their attorneys regarding how the ADAAA and its implementing regulations impact their districts.

~~2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints governed by Board policy 2:265, Title IX Grievance Procedure~~

~~3.2. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.~~⁵

~~4.3. Discrimination and/or harassment on the basis of race, color, or national origin prohibited by the Illinois Human Rights Act, 775 ILCS 5/; Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.; and/or Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (see Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*)~~⁶

~~5.4. Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (see also number 4, above, for discrimination and/or harassment on the basis of race, color, or national origin)~~

~~6.5. Sexual harassment prohibited by the State Officials and Employees Ethics Act⁷, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of~~

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Title II of the ADA of 1990 also includes website accessibility. ~~Addressing website accessibility is complicated. Many entities addressing website accessibility use~~ The Web Content Accessibility Guidelines (WCAG) 2.0 or Version 2.1, Level AA a frequently cited accessibility standard that contains guidelines developed by a private group of accessibility experts. ~~See www.w3.org/WAI/standards-guidelines/wcag/. While WCAG is not adopted as~~ the formal federal legal standard for public accommodation websites, including school districts. The compliance date for districts is 4-24-26 or 4-26-27, depending upon the size of the population where the district is located, 28 C.F.R. §§35.104 and 35.200 et seq. ~~The U.S. Dept. of Justice's *Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments* (3-8-24), WCAG 2.1 is available at: www.w3.org/TR/WCAG21 it has been used in many consent decrees and settlement agreements, and it is required by the School Code. 105 ILCS 5/10-20.75, added by P.A. 102-238, also requires school districts to ensure their Internet websites or web services comply with Level AA of the WCAG 2.1 or any revised version of those guidelines. Internet website or web service means "any third party online curriculum that is made available to enrolled students or the public by a school district through the Internet."~~ Id.

⁵ See fn 4's discussion of website accessibility above. See also the discussion in fn 2 of sample policy 8:70, *Accommodating Individuals with Disabilities*.

⁶ 105 ILCS 5/22-95(b)(1)(B) ~~(final citation pending)~~, added by P.A. 103-472, ~~eff. 8-1-24~~, requires a district to have an internal process for filing a complaint regarding a violation of its policy (or policies) prohibiting discrimination and harassment on the basis of race, color, national origin, and retaliation. Sample policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, utilizes this policy as an internal complaint process. See also sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*, which includes additional procedures to be followed when responding to complaints of discrimination and harassment on the basis of race, color, and national origin.

⁷ 5 ILCS 430/70-5(a) requires governmental entities (including school districts) to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment that contains certain prescribed elements. See sample policy 5:20, *Workplace Harassment Prohibited*, at fn 3 and subhead **Complaints of Sexual Harassment Made Against Board Members by Elected Officials** in sample policy 2:105, *Ethics and Gift Ban*, for further detail. Complaints of sexual harassment made against board members by fellow board members or other elected officials of governmental units must undergo an *independent review*, which is not a term defined in the statute. Unlike the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies*. 105 ILCS 5/10-20.5. Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. 105 ILCS 5/10-20. School districts are also required to create, maintain, and implement an age-appropriate sexual harassment policy. 105 ILCS 5/10-20.69. See sample policy 7:20, *Harassment of Students Prohibited*, and its fn 9 for further information.

50 ILCS 205/3c requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was "found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964." Consult the board attorney about the word *found*. It raises many practical application questions, e.g., when does the word *found* trigger a board's compliance responsibility pursuant to this law. Such questions include, but are not limited to:

1. Must a school board make a *finding* to trigger this requirement? If the severance agreement is entered into post-termination, a record of board *findings* rarely exists.
2. Are charges for termination *findings*? Often superintendents submit charges for termination, but these are not technically *findings*.

- 1964, 42 U.S.C. §2000e *et seq.* (Title IX sexual harassment complaints are addressed under Board policy 2:265, *Title IX Grievance Procedure*)⁸
- ~~7-6.~~ Breastfeeding accommodations for students, 105 ILCS 5/10-20.60⁹
- ~~8-7.~~ Bullying, 105 ILCS 5/27-23.7¹⁰
- ~~9-8.~~ Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children¹¹
- ~~10-9.~~ Curriculum, instructional materials, and/or programs
- ~~11-10.~~ Victims' Economic Security and Safety Act, 820 ILCS 180/
- ~~12-11.~~ Illinois Equal Pay Act of 2003, 820 ILCS 112/
- ~~13-12.~~ Provision of services to homeless students
- ~~14-13.~~ Illinois Whistleblower Act, 740 ILCS 174/¹²

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3. Are charges based on a complaint manager's report and determination(s) *findings* under the law when a board still has the ability to review and reject the complaint manager's determination(s)?

Next, contrast the above publication law with the Government Severance Pay Act (GSPA), 5 ILCS 415/10(a)(2). GSPA prohibits an employee of a school district with contract provisions for severance pay from receiving any severance if he or she is fired for *misconduct* by the board. GSPA defines *misconduct* to include sexual harassment and/or discrimination. *Id.* at 415/5.

Consult the board attorney about how to reconcile whether sexual harassment and/or sexual discrimination is misconduct for which a severance would be prohibited under the GSPA, and therefore, not available to be published under 50 ILCS 205/3c. And for further discussion and other applicable transparency laws that apply to this issue, see also f/n 16 in sample policy 5:20, *Workplace Harassment Prohibited*.

⁸ Consult the board attorney regarding proper filing and storage of these investigation documents, including whether certain student-related investigation documents are *sole possession records*, a Family Policy Compliance Office (FPCO)-created an exemption to the Family Education Rights Privacy Act (FERPA) (20 U.S.C. §1232g). See *Letter to Ruscio*, 115 LRP 18601 (FPCO 12-17-14).

⁹ 105 ILCS 5/10-20.60 requires schools to implement the Ill. sex equity grievance procedures when processing student complaints about breastfeeding accommodations. Complainants must be informed that the board's decision may be appealed to the Regional Superintendent (or appropriate Intermediate Service Center Executive Director) and, thereafter, to the State Superintendent. 23 Ill.Admin.Code §200.40. **Note:** Certain claims brought under 105 ILCS 5/10-20.60 may also be covered by the anti-discrimination protections of Title IX; consult the board attorney for further advice. Guidance from U.S. Dept. of Education on Title IX requirements for pregnant and parenting students (June 2013) is available at: www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/issues/sex-issue03.html.

¹⁰ All districts must have a policy on bullying, 105 ILCS 5/27-23.7. See sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The inclusion of *bullying* in the list of topics that may serve as the basis of a grievance furthers the obligation to communicate this policy to students and their parents/guardians.

¹¹ Parents/guardians of educationally disadvantaged children may sue a district for misuse of funds allocated by State law for the benefit of such children. *Noyola v. Bd. of Educ.*, 179 Ill.2d 121 (Ill. 1997) (affirming the appellate court's conclusion in *Noyola v. Bd. of Educ.*, 284 Ill.App.3d 128 (1st Dist. 1996) that parents/guardians may pursue a claim to enforce the requirements of the School Code but holding that the proper action for enforcement is by means of mandamus not an implied right of action).

¹² The Whistleblower Act (740 ILCS 174/) includes school districts in the definition of employer. It protects employees from employer retaliation for disclosing information to a government or law enforcement agency. Section 15 also contains language prohibiting employers from retaliating against employees who disclose information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding where the employee has reasonable cause to believe that the information reveals a violation of a State or federal law, rule or regulation. The Ill. False Claims Act (740 ILCS 175/) includes school districts in its definition of *State*. A strict interpretation of this language appears to allow school boards to collect civil penalties and costs against someone making a false claim. Before disciplining any employee, boards should thoroughly investigate the ramifications of these acts in consultation with their attorney and liability insurance carriers.

~~15.14.~~ _____ Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq. ¹³

~~16.15.~~ _____ Employee Credit Privacy Act, 820 ILCS 70/ ¹⁴

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

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable¹⁵ resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a

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¹³ The Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff et seq.) is a federal law. Title I addresses the use of genetic information pertaining to health insurance. Title II protects job applicants, current and former employees, labor union members, and apprentices and trainees from discrimination based on their genetic information. GINA covers employers with 15 or more employees.

GINA broadly defines genetic information to include information about an individual's genetic tests, their family members, and, among other things, the manifestation of a disease or disorder in the individual or the individual's family members. Information about an individual's or family member's age or gender is excluded from genetic information. Its remedies mirror those available under a Title VII of the Civil Rights Act claim: back pay, reinstatement, attorneys' fees and compensatory and punitive damages. Retaliation against an individual who brings a claim under GINA is also prohibited. Federal regulations are available at 29 C.F.R. Part 1635, and background information on these regulations is available at: www.eeoc.gov/regulations-related-genetic-discrimination. An FAQ entitled *FAQs on the Genetic Information Nondiscrimination Act* is available at: www.dol.gov/agencies/ebsa/laws-and-regulations/laws/gina.

The Ill. Genetic Information Protection Act (GIPA) (410 ILCS 513/) also prohibits employers from making employment decisions on the basis of any employee's genetic testing information and from penalizing employees who do not want to disclose their genetic information as part of a workplace wellness program. GIPA includes the federal GINA's definition of genetic information and creates more stringent obligations on Ill. employers. While the federal GINA exempts small employers (those with less than 15 employees), Illinois' GIPA covers all employers, even those with one employee. GIPA also provides penalties for negligent and intentional mishandling of genetic information. Note that Title II of GINA does not preempt GIPA's greater protections to Illinois employees.

Before using any sort of genetic information, consult the board attorney for guidance regarding GINA's and GIPA's specific applications to the district and how these laws integrate with other related federal laws, such as the Family and Medical Leave Act (29 U.S.C. §2612 et seq.) and the ADA, and State laws governing time off for sickness and workers' compensation.

¹⁴ 820 ILCS 70/. Unless a satisfactory credit history is an *established bona fide occupational requirement* of a particular position, an employer may not: (1) refuse to hire, discharge, or otherwise discriminate against an individual with respect to employment because of the individual's credit history or credit report; (2) inquire about an applicant's or employee's credit history; or (3) order or obtain an applicant's or employee's credit report from a consumer reporting agency. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, when the position's duties include custody of or unsupervised access to cash or marketable assets valued at \$2,500 or more. 820 ILCS 70/10(b). A person who is injured by a violation of this Act may bring a civil action to obtain injunctive relief and/or damages. 820 ILCS 70/25. The court must award costs and reasonable attorneys' fees to a prevailing plaintiff. Id.

¹⁵ The phrase "prompt and equitable resolution" comes from Title IX implementing regulation 34 C.F.R. §106.8(eb)(2) which requires schools to "adopt, ~~and~~ publish, ~~and~~ implement grievance procedures ... that provide for the prompt and equitable resolution of complaints made by students, and employees, or other individuals who are participating or attempting to participate in the recipient's education program or activity ~~complaints~~" ~~of alleging~~ sex discrimination.

person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

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

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender.¹⁶ The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager ~~or designee~~ shall process and review the complaint ~~according to~~ Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

~~For any complaint alleging sex discrimination that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Title IX Coordinator or designee¹⁷ shall process and review the complaint under Board policy 2:265, *Title IX Grievance Procedure*.~~

~~For any complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint under Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, in addition to any response required by this policy.~~

For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the ~~Nondiscrimination Coordinator or a~~ Complaint Manager ~~or designee~~ shall process and review the complaint according to that policy, in addition to any response required by this policy, ~~and shall consider whether an investigation under Board policy 5:120, *Employee Ethics: Code of Professional Conduct; and Conflict of Interest*,¹⁸ should be initiated.~~

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf.¹⁹ The Complaint Manager shall ensure both parties have an equal

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¹⁶ This is a best practice.

¹⁷ "Title IX Coordinator or designee" is used where Title IX is implicated. In contrast, if Title IX is not implicated, "Nondiscrimination Coordinator or a Complaint Manager or designee" is used (see the last paragraph under the **Filing a Complaint** subhead).

¹⁸ See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*, and its exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

¹⁹ This policy gives complaint managers the flexibility to appoint another individual to conduct an investigation, which may be appropriate in cases where the neutrality or efficacy of the complaint manager is an issue, and/or where the district wishes to have the expertise and related attorney-client and work product privileges that an in-house or outside attorney may afford an investigation. Such alternative appointments are often made in consultation with the superintendent or other district-level administrator (except in cases involving complaints about those individuals).

opportunity to present evidence during an investigation. ~~If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parents/guardians that they may attend any investigatory meetings in which their child is involved.~~ The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

Commented [MB1]: This sentence is deleted because it is not legally required and it is not practical for districts to seek parent/guardian attendance at every investigatory meeting involving their child.

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

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time [from the Superintendent](#).

The Superintendent will keep the Board informed of all complaints.

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

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall [mail provide](#) his or her written decision to the Complainant and the accused ~~by registered mail, return receipt requested, and/or personal delivery~~²⁰ as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.²¹

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board.

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

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall [mail provide](#) its written decision to the Complainant and the accused ~~by registered mail, return receipt requested, and/or personal delivery~~²² as well as to the Complaint Manager.

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²⁰ ~~Optional; u~~Using a [consistent](#) delivery method that allows the district to verify the date of receipt is a best practice, e.g., [registered mail, return receipt requested, and/or personal delivery](#).

²¹ *Preponderance of evidence* is a standard used in civil cases. It means "the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force." See *Black's Law Dictionary, 11th ed. 2019*.

²² See f/n ~~20~~¹⁸, above.

This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.²³

Appointing a Nondiscrimination Coordinator and Complaint Managers²⁴

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.²⁵

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

The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.²⁶

Nondiscrimination Coordinator:

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²³ The Ill. sex equity regulations require districts to have "specific timelines for completion of each step and rendering of a written decision, and shall provide for final appeal of grievance decisions made at the system level to the system's governing board." 23 Ill.Admin.Code §200.40(c)(1). To avoid arguments over these timelines, this sample policy provides that the failure to strictly follow the timelines does not prejudice any party. The grievance procedure is worthless if complaints are not thoroughly and promptly investigated.

²⁴ Title IX regulations require districts to designate and authorize at least one employee to coordinate efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). Districts must identify the Title IX coordinator by name, office address, email address, and telephone number. *Id.*

A district must prominently display its Title IX non-discrimination policies (this policy 2:260, *Uniform Grievance Procedure*, and sample policy 2:265, *Title IX Grievance Procedure*) and contact information for its Title IX coordinator(s) on its website, if any, and in each handbook made available to students, applicants for employment, parents/guardians, employees, and collective bargaining units. 34 C.F.R. §106.8(a) and (b). Notifications must state that nondiscrimination extends to employment, and that inquiries about the application of Title IX and its regulations may be referred to the district's Title IX coordinator, to the U.S. Dept. of Education's Assistant Secretary of Education, or both. 34 C.F.R. §106.8(b). See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

²⁵ The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "~~The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.~~," insert a hard return to create a new paragraph, and insert "The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

Best practice is that throughout the board policy manual, the same individual be named as Nondiscrimination Coordinator. In contrast, Complaint Managers identified in individual policies may vary depending upon local district needs.

²⁶ The board may include the following option to address publication of such contact information:
"The Superintendent or designee shall ensure that students, parents/guardians, employees, and members of the community are informed of the contact information for the District's Nondiscrimination Coordinator and Complaint Managers on an annual basis."

Publicizing the contact information for the Nondiscrimination Coordinator and Complaint Managers through personnel handbooks, student handbooks, and/or on the district's website is a best practice. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh/.

Name

Address

Email

Telephone

Complaint Managers:

Name

Address

Email

Telephone

Name

Address

Email

Telephone

Draft

LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
 20 U.S.C. §1232g, Family Education Rights Privacy Act.
 20 U.S.C. §1400, The Individuals with Disabilities Education Act.
 20 U.S.C. §1681 et seq., Title IX of the Education Amendments; 34 C.F.R. Part 106.
 29 U.S.C. §206(d), Equal Pay Act.
 29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
 29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
 29 U.S.C. §2612, Family and Medical Leave Act.
 42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964.
 42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964.
 42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.
 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
 42 U.S.C. §12101 et seq., Americans With Disabilities Act; [28 C.F.R. Part 35](#).
 105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69,
 5/10-20.75, 5/10-22.5, 5/22-19, 5/22-95 (final citation pending), 5/24-4, 5/27-1,
 5/27-23.7, and 45/1-15.
 5 ILCS 415/10(a)(2), Government Severance Pay Act.
 5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
 410 ILCS 513/, Ill. Genetic Information Privacy Act.
 740 ILCS 174/, Whistleblower Act.
 740 ILCS 175/, Ill. False Claims Act.
 775 ILCS 5/, Ill. Human Rights Act.
[820 ILCS 70/, Employee Credit Privacy Act.](#)
[820 ILCS 112/, Equal Pay Act of 2003.](#)
 820 ILCS 180/, Victims' Economic Security and Safety Act; 56 Ill.Admin.Code Part
 280.
~~820 ILCS 112/, Equal Pay Act of 2003.~~
~~820 ILCS 70/, Employee Credit Privacy Act.~~
 23 Ill.Admin.Code §§1.240, 200.40, 226.50, and 226.570.

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Grievance Procedure), 2:270
 (Discrimination and Harassment on the Basis of Race, Color, and National Origin
 Prohibited), 5:10 (Equal Employment Opportunity and Minority Recruitment),
 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90
 (Abused and Neglected Child Reporting), 6:120 (Education of Children with
 Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs),
 6:260 (Complaints About Curriculum, Instructional Materials, and Programs),
 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights),
 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to
 Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence
 Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 7:315
 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals
 with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and
 Concerns)

School Board

Title IX Grievance Procedure ¹

Discrimination on the basis of sex, including sex-based harassment, affects a student’s ability to learn and an employee’s ability to work. Providing an educational and workplace environment free from discrimination on the basis of sex is an important District goal.

The District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106), including against applicants for employment,² students, parents/guardians, employees, and third parties.

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

¹ Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. §1681 *et seq.*) requires this subject matter to be covered by policy and controls this policy’s content. This policy contains items on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Employee grievance procedures are a mandatory subject of bargaining and cannot be changed without the employee exclusive representative’s consent. This sample policy and its companion sample policy 2:260, *Uniform Grievance Procedure*, are in addition to, and not a substitute for, the employee grievance procedure contained in a collective bargaining agreement.

For the sake of consistency and ease of administration, this policy addresses only Title IX grievances, except those contained in collective bargaining agreements. See the cross references for the policies referring to this Title IX grievance procedure policy.

A district must have at least one policy explicitly stating it does not discriminate on the basis of sex in its education programs or activities under Title IX and its implementing regulations (34 C.F.R. Part 106). 34 C.F.R. §106.8(b)(1). A district must prominently display its Title IX notice of nondiscrimination on its website and in each handbook, catalog, announcement, bulletin, and application form made available to students, applicants for employment, parents/guardians, employees, and collective bargaining units. 34 C.F.R. §106.8(c)(2)(i). The notice must state that nondiscrimination extends to any program or activity operated by the district, including employment; that inquiries about the application of Title IX and its regulations may be referred to the district’s Title IX Coordinator, to the U.S. Dept. of Education’s Office for Civil Rights, or both; the name or title, office address, email address, and telephone number of the district’s Title IX Coordinator; how to locate the district’s nondiscrimination policy and grievance procedures; how to report information about conduct that may constitute sex discrimination under Title IX; and how to make a complaint of sex discrimination. 34 C.F.R. §106.8(c)(1)(i). If necessary due to a publication’s format or size, districts may instead include a statement that it prohibits sex discrimination in any education program or activity that it operates and that individuals may report concerns or questions to the Title IX Coordinator and provide the location of the notice on the district’s website. 34 C.F.R. §106.8(c)(2)(ii). See the **Notice of Nondiscrimination** subhead of sample administrative procedure 2:265-AP1, *Title IX Response*, for a sample notice of nondiscrimination and nondiscrimination statement meeting the minimum requirements of Title IX regulations. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

Title IX jurisdiction is geographically limited to discrimination against a person in the United States. 34 C.F.R. §106.8(d). Though all complaints of sex discrimination may not constitute sex discrimination under Title IX, Title IX’s reach is broad because an alleged complainant or alleged respondent may be anyone *participating in or attempting to participate in* the district’s educational program or activity in the United States – including applicants for employment, students, parents/guardians, employees, volunteers, and third parties. Whether someone is *participating in or attempting to participate in* the district’s educational program or activity requires a fact-specific analysis made on a case-by-case basis. 89 Fed. Reg. 33483. A district is responsible only for alleged discriminatory conduct over which it exercises disciplinary authority or otherwise has substantial control. 89 Fed. Reg. 33529.

² Subpart C of Title IX applies *to institutions of vocational education*, defined as a school or institution "which has as its primary purpose preparation of students to pursue a technical, skilled, or semiskilled occupation or trade, or to pursue study in a technical field, whether or not the school or institution offers certificates, diplomas, or degrees and whether or not it offers fulltime study." 34 C.F.R. §§106.15(d), 106.2. If Subpart C applies, add "admission and" before "employment."

Title IX Sex Discrimination Prohibited

Sex discrimination as defined in Title IX (Title IX Sex Discrimination) is prohibited. A District employee, agent, or student violates this prohibition whenever that person engages in conduct on the basis of sex that causes another person to be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any education program or activity operated by the District. Title IX Sex Discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

Sex-based harassment is a form of Title IX Sex Discrimination. Sex-based harassment occurs whenever a person engages in conduct on the basis of sex that satisfies one or more of the following:³

1. A District employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditions the provision of an aid, benefit, or service on a person's participation in unwelcome sexual conduct;⁴ or
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive⁵ that it limits or denies a person's ability to participate in or benefit from the District's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 34 C.F.R. §106.2.⁶

Definitions from 34 C.F.R. §106.2⁷

Complainant means: (1) a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination; or (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination and who

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³ 34 C.F.R. §106.2. The definition of *sex-based harassment* in the policy and in Title IX includes *unwelcome* conduct. *Id.* However, case law does not always distinguish between *welcome* and *unwelcome* conduct. See Mary M. v. North Lawrence Community Sch. Corp., 131 F.3d 1220 (7th Cir. 1997) (8th grade student did not need to show that a school employee's sexual advances were *unwelcome* in order to prove sexual harassment).

⁴ 34 C.F.R. §106.2. See sample exhibit 2:265-E, *Title IX Glossary of Terms*. This behavior is commonly called *quid pro quo* sex-based harassment. *Quid pro quo* sex-based harassment "covers harassment by members of a recipient's leadership, including board members, paid or unpaid, to the extent those individuals are authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity." 89 Fed. Reg. 33496. Title IX regulations do not limit *quid pro quo* sexual harassment to situations where the provision of an aid, benefit or service is conditioned on a *student's* participation in unwelcome sexual conduct. By way of example, *quid pro quo* Title IX sexual harassment involving an employee and a person other than a student may be implicated when: an employee tells a former student she can only get a letter of recommendation if she participates in unwelcome sexual conduct; an employee selects a volunteer for a coveted field trip chaperone position if he participates in unwelcome sexual conduct; or a supervisory employee subjects a subordinate employee to unwelcome sexual conduct in exchange for a promotion.

⁵ Harassment can be pervasive if it is widespread, openly practiced, or well-known to students and staff, e.g., sex-based harassment occurring in hallways, graffiti in public areas, or harassment occurring during recess under a teacher's supervision. 89 Fed. Reg. 33509.

⁶ See sample exhibit 2:265-E, *Title IX Glossary of Terms*, for these definitions. Prior to 8-1-24, Title IX regulations tied these definitions to definitions contained within other federal statutes. That is no longer the case, and the definitions are fully set forth in 34 C.F.R. §106.2.

⁷ If the district uses sample exhibit 2:265-E, *Title IX Glossary of Terms*, or a similar document, the definitions of these terms within it should match the definitions used in this policy.

was participating or attempting to participate in the District's education program or activity at the time of the alleged Title IX Sex Discrimination.⁸

Complaint means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.

Respondent means a person who is alleged to have violated the District's prohibition on Title IX Sex Discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a Complaint, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.⁹

Making a Report

A person who wishes to make a report under this policy may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the person is comfortable speaking.¹⁰

School employees who receive information about conduct that reasonably may constitute Sex Discrimination under this policy shall promptly forward the report or information to the Title IX Coordinator. An employee who fails to promptly make or forward a report or information may be disciplined, up to and including discharge.

The Superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator.¹¹

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

⁸ The 2024 Title IX regulations shift the focus of the analysis from "whether the participation or attempted participation occurred at the time the complaint was filed" (as required under the 2020 Title IX regulations) to "the time of the alleged sex discrimination." 89 Fed. Reg. 33483.

⁹ This streamlined definition of retaliation is based upon an example in *Resource for Drafting Nondiscrimination Policies, Notices of Nondiscrimination, and Grievance Procedures under 2024 Amendments to the U.S. Department of Education's Title IX Regulations*, U.S. Dept. of Education (4-19-24), at: www2.ed.gov/about/offices/list/ocr/docs/resource-nondiscrimination-policies.pdf.

¹⁰ Using "or any employee with whom the Complainant is comfortable speaking" ensures Title IX compliance because Title IX requires "any employee" with information about conduct that may reasonably constitute sex discrimination to notify the Title IX Coordinator. Therefore, a report to any employee triggers a district's duty to respond. 34 C.F.R. §106.44(c)(1). This policy contains an item upon which collective bargaining may be required. Any policy that impacts wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

¹¹ Title IX regulations require districts to designate and authorize at least one employee to coordinate its efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). If a district has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight to ensure the district's consistent compliance with its responsibilities under Title IX and its implementing regulations. 34 C.F.R. §106.8(a)(1). The Title IX Coordinator with ultimate oversight should be listed in this policy.

Districts must identify the Title IX Coordinator by name or title, office address, email address, and telephone number. 34 C.F.R. §106.8(c)(1)(i)(C). Consistent with how Nondiscrimination Coordinators and Complaint Managers are listed in **PRESS** sample policies, this policy requires the Title IX Coordinator's name to be listed. The name and contact information are not part of the adopted policy and do not require board action. This allows for amendments to the name and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

Title IX Coordinator:

Name

Address

Email

Telephone

Processing and Reviewing a Report or Complaint

Upon receipt of a report of conduct that reasonably may constitute Title IX Sex Discrimination, the Title IX Coordinator and/or designee shall offer and coordinate supportive measures, as appropriate, for a Complainant.

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it.¹² For any report received, the Title IX Coordinator shall review Board policies 2:260, *Uniform Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*;¹³ 7:10, *Equal Educational Opportunities*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*, to determine if the allegations in the report require further action under those policies.

Reports of alleged Title IX Sex Discrimination will be confidential to the greatest extent practicable, subject to the District’s duty to investigate and maintain an educational program or activity that is productive, respectful, and free of Title IX Sex Discrimination.

Title IX Complaint Grievance Process

The Superintendent or designee shall implement procedures to ensure the prompt and equitable resolution of all Complaints according to a grievance process that fully complies with 34 C.F.R.

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

A district’s Nondiscrimination Coordinator often also serves as its Title IX Coordinator. See sample policy 2:260, *Uniform Grievance Procedure*.

¹² See sample exhibit 2:265-E, *Title IX Glossary of Terms*, for a discussion of Title IX Sex Discrimination and non-Title IX Sex Discrimination. If allegations of Title IX Sex Discrimination arise out of the same facts and circumstances as allegations of another type of discrimination, i.e., race discrimination in violation of Title VI of the Civil Rights Act of 1964, the district has the discretion to use this policy to address the sex and race discrimination or to choose a different process that complies with Title IX regulations. 89 Fed. Reg. 33642. Consult the board attorney for further guidance.

¹³ See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*.

§106.45.¹⁴ See the District's Title IX Complaint Grievance Process (Grievance Process) under administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.¹⁵

When a Complaint is filed, the Title IX Coordinator will investigate it and make a determination regarding the outcome of the Complaint, or appoint a qualified person(s) to undertake the investigation and make a determination regarding the outcome of the Complaint.¹⁶

Enforcement

Any District employee who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent/guardian, invitee, etc. Any District student who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies.¹⁷ Any person making a knowingly false accusation regarding Title IX Sex Discrimination will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the District or the parties to exercise any other rights under existing law.¹⁸

Retaliation Prohibited¹⁹

The District prohibits any form of retaliation, including peer retaliation, in its education program or activity. Any person should report claims of retaliation using this Board policy 2:265, *Title IX Grievance Procedure*.²⁰

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

¹⁴ 34 C.F.R. §106.45(b). For a Title IX complaint grievance process, see sample administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*. See also sample administrative procedures 2:265-AP1, *Title IX Response*, and 2:265-AP3, *Title IX Coordinator*.

¹⁵ 34 C.F.R. §106.45(b)(1) lists the basic requirements for a grievance process. While live hearings are only required for postsecondary institutions, elementary and secondary schools may choose to offer them as part of their grievance process. **Consult the board attorney if the board wants the district to use a live hearing in its grievance process.**

¹⁶ This policy gives Title IX Coordinators the flexibility to appoint another qualified individual to conduct an investigation. This may be appropriate when the neutrality or efficacy of the Title IX Coordinator is an issue, and/or where the district wishes to have the expertise that an in-house or outside attorney may afford to an investigation. Alternative appointments are often made in consultation with the Superintendent or other district-level administrator (except in cases involving Complaints about those individuals) and the board attorney. If a Complaint involves the Superintendent or other district-level administrator, alternative appointments are often made in consultation with the board and the board attorney.

¹⁷ See sample policies 7:190, *Student Behavior*, and 7:230, *Misconduct by Students with Disabilities*. See also sample policies 7:200, *Suspension Procedures*, and 7:210, *Expulsion Procedures*, for due process requirements when student suspension or expulsion is recommended following a determination of responsibility for Title IX Sex Discrimination.

¹⁸ Examples of rights the district or parties may exercise ancillary to this Title IX grievance procedure include, but are not limited to: disciplinary processes for suspensions and expulsions of students under 105 ILCS 5/10-22.6; tenured teacher dismissal proceedings under 105 ILCS 5/24-12; any other pre-termination process required by an applicable collective bargaining agreement, employment policy or procedure, or employment contract; and student appeal of a sex equity grievance decision under 23 Ill. Admin. Code §200.40 (see sample policy 7:10, *Equal Educational Opportunities*).

¹⁹ 34 C.F.R. §106.71.

²⁰ Retaliation complaints must be processed under this policy. 34 C.F.R. §106.71.

A student, employee, or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:200 (Terms and Conditions of Employment and Dismissal), 5:240 (Suspension), 5:290 (Employment Termination and Suspension), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior)

Draft

General Personnel

Staff Development Program ¹

The Superintendent or designee shall implement a staff development program. The goal of the program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for licensed staff members shall be designed to effectuate any School Improvement Plans so that student learning objectives meet or exceed goals established by the District and State.

Abused and Neglected Child Reporting Act (ANCRA) and Erin's Law Training

The staff development program shall include the Abused and Neglected Child Reporting Act (ANCRA) mandated reporter training and training on the awareness and prevention of child sexual abuse and grooming behaviors (*Erin's Law*) as follows (see Board policies 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, and 5:90, *Abused and Neglected Child Reporting*): ²

1. Within three months of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every three years.
2. By January 31 of every year, all school personnel must complete evidence-informed training on preventing, reporting, and responding to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*), and boundary violations.

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

¹ State or federal law controls this policy's content. A school board may set and enforce professional growth requirements. 105 ILCS 5/24-5. Failure to meet professional growth requirements is considered remediable. Morris v. Ill. State Bd. of Educ., 198 Ill.App.3d 51 (3rd Dist. 1990).

This policy contains items on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

105 ILCS 5/2-3.62 requires the Ill. State Board of Education (ISBE) to establish a regional network of educational service centers to coordinate and combine existing services in a manner that is practical and efficient for schools. Their purposes are to provide, among other things, continuing education, in-service training, and staff development services to all local school districts in Illinois.

² 325 ILCS 5/4(j), amended by P.A. 102-604; and 105 ILCS 5/10-23.13, amended by P.A. 102-610, a/k/a *Erin's Law*. Sexual misconduct under *Faith's Law* is defined in 105 ILCS 5/22-85.5(c), added by P.A. 102-676.

Mandated reporter training may be in-person or web-based and must include, at a minimum, information on the following topics: (1) indicators for recognizing child abuse and child neglect; (2) the process for reporting suspected child abuse and child neglect and the required documentation; (3) responding to a child in a trauma-informed manner; (4) understanding the response of child protective services and the role of the reporter after a call has been made; and (5) implicit bias. *Implicit bias* means the attitudes or internalized stereotypes that affect people's perceptions, actions, and decisions in an unconscious manner and that exist and often contribute to unequal treatment of people based on race, ethnicity, gender identity, sexual orientation, age, disability, and other characteristics. The implicit bias topic must include, at a minimum: (1) information on implicit bias; (2) information on racial and ethnic sensitivity; and (3) tools to adjust automatic patterns of thinking and ultimately eliminate discriminatory behaviors. 325 ILCS 5/4(j), amended by P.A. 102-604. Districts must provide mandated reporter training through either the Ill. Dept. of Children and Family Services (DCFS), an entity authorized to provide continuing education through the Dept. of Financial and Professional Regulation, ISBE, the Ill. Law Enforcement Training Standards Board, the Ill. State Police, or an organization approved by DCFS to provide mandated reporter training. Id. *Child-serving organizations*, which are not defined in ANCRA, are "encouraged to provide in-person annual trainings." Id.

In-Service Training Requirements

The staff development program shall provide, at a minimum, within six months of employment and renewed at least once every five years thereafter (unless required more frequently by other State or federal law), the in-service training of all District staff who work with pupils on: ³

1. Health conditions of students,⁴ including but not limited to training on:
 - ~~a.~~ ~~Chronic health conditions of students;~~
 - ~~b.~~~~a.~~ Anaphylactic reactions and management, conducted by a person with expertise on anaphylactic reactions and management;
 - ~~e.~~~~b.~~ Management of asthma, prevention of asthma symptoms, and emergency response in the school setting;
 - ~~d.~~~~c.~~ The basics of seizure recognition and first aid and emergency protocols, consistent with best practice guidelines issued by the Centers for Disease Control and Prevention;
 - ~~e.~~~~d.~~ The basics of diabetes care, how to identify when a diabetic student needs immediate or emergency medical attention, and whom to contact in case of emergency;

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³ This list of in-service trainings is required by State law but only Nos. 4, 5(d), and 7 are required to be specified in board policy. Beginning 7-1-24, 105 ILCS 5/10-22.39, amended by P.A. 103-542, requires all teachers, administrators, and school support personnel to complete these trainings during an in-service training program conducted by their board or through other training opportunities, including institutes provided by regional superintendents and intermediate service center executive directors under 105 ILCS 5/3-11, amended by P.A.s 103-542, ~~eff. 7-1-24~~, and 103-413. If teachers, administrators, or school support personnel obtain training outside of an in-service training program or from a previous school employer, they may present documentation showing current compliance to satisfy the requirement of receiving training within six months of first being employed. *Id.*

Different from the in-service training that school districts must provide to their staff, 105 ILCS 5/3-11, amended by P.A.s 103-542, ~~eff. 7-1-24~~, and 103-413, contains requirements that the regional superintendents and intermediate service center executive directors must include during institutes for teachers, administrators, and school support personnel. Instruction on prevalent student chronic health conditions, as well as educator ethics and teacher-student conduct training, is also required. See also f/ns 4-12 below discussing the board's requirements in 105 ILCS 5/10-22.39.

Both 105 ILCS 5/3-11 and 5/10-22.39 use the phrase *teachers, administrators, and school support personnel*, but for brevity this material uses the phrase *all District staff*. While the language of this paragraph is not required to be in board policy, including it provides a way for boards to monitor that it is being done. It also provides an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject.

In-service training programs on the topics listed in 105 ILCS 5/10-22.39, amended by P.A.s 103-542, ~~eff. 7-1-24~~, and 103-413, and 103-603, ~~eff. 1-1-25~~, shall be credited toward hours of professional development required for license renewal as outlined in 105 ILCS 5/21B-45(e). School support personnel may be exempt from in-service training if the training is not relevant to the work they do.

⁴ 105 ILCS 5/10-22.39(b-5), added by P.A. 103-542 and amended by P.A. 103-603, ~~eff. 1-1-25~~, ~~eff. 7-1-24~~. Nurses and school nurses, as defined by 105 ILCS 5/10-22.23 (school nurse), are exempt from training on health conditions of students under 105 ILCS 5/10-22.39(b-5), added by P.A. 103-542, ~~eff. 7-1-24~~. *Id.*

For No. 1(c), Consult the board attorney about whether:

1. All asthma action plans should require immediate 911 calls based upon *In re Estate of Stewart*, 406 Ill.Dec. 345 (2nd Dist. 2016); *In re Estate of Stewart*, 412 Ill.Dec. 914 (Ill. 2017) (school district's appeal denied). The court held that a teacher's failure to dial 911 immediately upon a student's asthma attack was willful and wanton conduct, subjecting the school district to liability under the Local Governmental and Governmental Employees Tort Immunity Act.
2. The duties and responsibilities of the district when it asks for but does not receive an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon *Stewart*, above.

For No. 1(d), see also 105 ILCS 150/25, amended by P.A. 103-542, ~~eff. 7-1-24~~, and No. 6 under the subhead **Additional Training Requirements**.

For No. 1(e), see also 105 ILCS 145/25, amended by P.A. 103-542, ~~eff. 7-1-24~~, and No. 7 under the subhead **Additional Training Requirements**.

- ~~f.e.~~ Current best practices regarding identification and treatment of attention deficit hyperactivity disorder; and
- ~~g.f.~~ How to respond to an incident involving life-threatening bleeding, including use of a school's trauma bleeding control kit, if applicable. ⁵
2. Social-emotional learning.⁶ Training may include providing education to all school personnel about the content of the Illinois Social and Emotional Learning Standards, how they apply to everyday school interactions, and examples of how social emotional learning can be integrated into instructional practices across all grades and subjects.
 3. Developing cultural competency,⁷ including but not limited to understanding and reducing implicit bias, including *implicit racial bias* as defined in 105 ILCS 5/10-20.61 (implicit bias training).
 4. Identifying warning signs of mental illness, trauma, and suicidal behavior in youth, along with appropriate intervention and referral techniques, including resources and guidelines as outlined in 105 ILCS 5/2-3.166 (*Ann Marie's Law*) and the definitions of *trauma*, *trauma-responsive learning environments*, and *whole child* as set forth in 105 ILCS 5/3-11. ⁸
 5. Domestic and sexual violence and the needs of expectant and parenting youth, conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth.⁹ Training shall include, but is not limited to:
 - a. Communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth;
 - b. Connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed;
 - c. Implementing the District's policies and procedures regarding such youth, including confidentiality; and
 - d. Procedures for responding to incidents of teen dating violence that take place at school, on school grounds, at school-sponsored activities, or in vehicles used for school-

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⁵ ~~From 6-30-23 through 7-1-24, 105 ILCS 5/10-22.39(g), added by P.A. 103-128, requires that at least once every two years, all District personnel be trained on methods to respond to trauma, including instruction on how to respond to an incident involving life-threatening bleeding and, if applicable, how to use a school's trauma kit. See 105 ILCS 5/10-20.85, added by P.A. 103-128, for a definition of *trauma kit*. To avoid confusion between trauma related to life-threatening bleeding and *trauma* as defined in 105 ILCS 5/3-11(b), added by P.A. 103-413, this policy uses the phrase *trauma bleeding control kit* instead of *trauma kit*.~~

Beginning with the 2024-25 school year, training on life-threatening bleeding must be completed within six months of employment and renewed within two years. Beginning with the 2027-28 school year, training on life-threatening bleeding must be completed within six months of employment and renewed at least once every five years thereafter. 105 ILCS 5/10-22.39(b-5)(7), added by P.A. 103-542 and amended by P.A. 103-603, eff. 1-1-25, eff. 7-1-24. *Trained employees using a trauma kit are generally immune from civil liability.* Id.

⁶ 105 ILCS 5/10-22.39(b-10), added by P.A. 103-542, ~~eff. 7-1-24.~~

⁷ 105 ILCS 5/10-22.39(b-15), added by P.A. 103-542, ~~eff. 7-1-24.~~

⁸ 105 ILCS 5/10-22.39(b-20), added by P.A. 103-542, ~~eff. 7-1-24~~ and amended by P.A. 103-603, eff. 1-1-25. Training on the implementation of trauma-informed practices satisfies the requirements of this subsection. Id. In addition, Illinois Mental Health First Aid training may satisfy the requirements of this subsection. If teachers, administrators, or school support personnel obtain mental health first aid training outside of an in-service training program, they may present a certificate of successful completion of that training to the school district to satisfy the requirements of this law. Id. For further information on Mental Health First Aid, see <https://namiillinois.org/resources/about-mental-illness/mental-health-first-aid/>.

⁹ 105 ILCS 5/10-22.39(b-25), added by P.A. 103-542, ~~eff. 7-1-24.~~ See sample policy 7:185, *Teen Dating Violence Prohibited*.

provided transportation as outlined in 105 ILCS 110/3.10 (see Board policy 7:185, *Teen Dating Violence Prohibited*).

6. Protections and accommodations for students,¹⁰ including but not limited to training on:
 - a. The federal Americans with Disabilities Act as it pertains to the school environment; and
 - b. Homelessness.
7. Educator ethics and responding to child sexual abuse and grooming behavior (see Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*);¹¹ including but not limited to training on:
 - a. Teacher-student conduct;
 - b. School employee-student conduct; and
 - c. Evidence-informed training on preventing, recognizing, reporting, and responding to child sexual abuse and grooming as outlined in 105 ILCS 5/10-23.13 (*Erin's Law*).
8. Effective instruction in violence prevention and conflict resolution,¹² conducted in accordance with the requirements of 105 ILCS 5/27-23.4 (violence prevention and conflict resolution education).

Additional Training Requirements

In addition, the staff development program shall include each of the following: ¹³

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¹⁰ 105 ILCS 5/10-22.39(b-30), added by P.A. 103-542, ~~eff. 7-1-24~~. Beginning with the 2024-25 school year, training on homelessness must be completed within six months of employment and renewed within two years. Beginning with the 2027-28 school year, training on homelessness must be completed within six months of employment and renewed at least once every five years thereafter. Boards may work with a community-based organization specializing in working with homeless children and youth to develop and provide this training. See 105 ILCS 5/10-22.39(b-30)(1) - (5), added by P.A. 103-542, ~~eff. 7-1-24~~, for homelessness training content requirements. **Note:** the homelessness training content requirements in 105 ILCS 5/10-22.39(b-30)(1) - (5), added by P.A. 103-542, ~~eff. 7-1-24~~, are nearly identical to the homelessness training content requirements in 105 ILCS 5/10-22.39(g) (final citation pending), added by P.A. 103-41, eff. 8-20-24.

Beginning with the 2016-17 school year, institutes under 105 ILCS 5/3-11 had to include instruction on the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 *et seq.*) as it pertains to the school environment at least every two years. Contact the Regional Superintendent or the appropriate Intermediate Service Center Executive Director with questions about online training for this component of a teachers' institute. Discuss with the board attorney the best practices of documenting trainings and evaluations of trainings; many attorneys in the field prefer documentation of ADA trainings to assist in their defense of any potential ADA claims against the district.

¹¹ 105 ILCS 5/10-22.39(b-35), added by P.A. 103-542, ~~eff. 7-1-24~~. Each board may want to have a conversation with the superintendent and direct him or her to develop a curriculum for the in-services that instructs all district staff to maintain boundaries and act appropriately, professionally, and ethically with students. See also sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, and f/n 11 in sample policy 4:110, *Transportation*. These expectations will be most effective when they reflect local conditions and circumstances. Employee conduct issues may be subjects of mandatory collective bargaining, therefore consulting the board attorney should be a part of this process. A district would commit an unfair labor practice by implementing new employee conduct rules without first offering to negotiate them with the applicable exclusive bargaining representative.

¹² 105 ILCS 5/10-22.39(b-40), added by P.A. 103-542, ~~eff. 7-1-24~~.

¹³ Optional. These in-services and/or trainings are required by State and/or federal law but are not required to be specified in board policy. The only non-School Code State and/or federal law training requirements listed are from the Abused and Neglected Child Reporting Act (325 ILCS 5/), Ill. Human Rights Act (775 ILCS 5/), Seizure Smart School Act (105 ILCS 150/), Care of Students with Diabetes Act (105 ILCS 150/), and Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*).

1. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates. ¹⁴
2. Annual continuing education and/or training opportunities (professional standards) for school nutrition program directors, managers, and staff. Each school food authority's director shall document compliance with this requirement by the end of each school year and maintain documentation for a three-year period. ¹⁵
3. All high school coaching personnel, including the head and assistant coaches, and athletic directors must obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15. Coaching personnel and athletic directors hired on or after 8-19-14 must be certified before their position's start date. ¹⁶
4. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses, licensed and/or non-licensed healthcare professionals serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team. ¹⁷
5. For school personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials. ¹⁸
6. For delegated care aides performing services in connection with a student's seizure action plan, training in accordance with 105 ILCS 150/, the Seizure Smart School Act. ¹⁹
7. For delegated care aides performing services in connection with a student's diabetes care plan, training in accordance with 105 ILCS 145/, the Care of Students with Diabetes Act. ²⁰
8. For all District staff, annual sexual harassment prevention training. ²¹

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Putting this optional list into the policy will help the board monitor that the required in-service and training topics are being covered. While it is possible to *pick and choose*, this practice is likely to add more confusion to an already confusing responsibility. Unless noted, the School Code does not mandate the frequency with which the training must occur. Several other trainings that are mentioned in laws other than the School Code are addressed in other sample policies and procedures. Many of those policies and procedures are listed in the cross-references to this policy, e.g., training requirements under the Care of Students with Diabetes Act, 105 ILCS 145/.

¹⁴ 105 ILCS 5/10-22.6(c-5). School board members are also included.

¹⁵ 7 C.F.R. Parts 210 and 235. 7 C.F.R. §210.2 defines school nutrition program directors, managers and staff. 7 C.F.R. §§210.15(b)(8) (recordkeeping requirements) and 210.31(a), (c), (d), and (e) (professional standards requirements); 210.31(g)(requiring school food authority director to keep records). Food service funds may be used for reasonable, allocable, and necessary training costs. 7 C.F.R. §210.31(f). The U.S. Dept. of Agriculture (USDA) has established implementation resources that contain training opportunities and resources covering the four core training areas: nutrition, operations, administration, and communications/marketing at: www.fns.usda.gov/cn/professional-standards.

¹⁶ Required only for districts with grades 9-12 by 105 ILCS 25/1.15. Delete for elementary school districts.

¹⁷ 105 ILCS 5/22-80(h).

¹⁸ 105 ILCS 5/10-20.17a; 23 Ill.Admin.Code §1.330.

¹⁹ 105 ILCS 150/25, amended by P.A. 103-542, ~~eff. 7-1-24~~.

²⁰ 105 ILCS 145/25, amended by P.A. 103-542, ~~eff. 7-1-24~~.

²¹ 775 ILCS 5/2-109. See f/n 5 in sample policy 5:20, *Workplace Harassment Prohibited*, for further detail about this training requirement.

9. Title IX requirements for training in accordance with 34 C.F.R. §106.8(d) as follows (see Board policy 2:265, *Title IX Grievance Procedure*).²²
 - ~~a. For all District staff, training on the definition of sexual harassment, the scope of the District's education program or activity, all relevant District policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX Coordinator.~~
 - ~~b. For school personnel designated as Title IX coordinators, investigators, decision-makers, or informal resolution facilitators, training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.~~
 - ~~c. For school personnel designated as Title IX investigators, training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.~~
 - ~~d. For school personnel designated as Title IX decision makers, training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.~~
10. Training for all District employees on the prevention of discrimination and harassment based on race, color, and national origin in school as part of new employee training and at least once every two years.²³
11. Training for at least one designated employee at each school about the Prioritization of Urgency of Need for Services (PUNS) database and steps required to register students for it.²⁴

The Superintendent shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.^{25 26}

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²² 34 C.F.R. §106.8(d45(b)(1)(iii)). For training requirement details, see sample administrative procedures 2:265-AP1, *Title IX Response*, and 2:265-AP3, *Title IX Coordinator*.

²³ 775 ILCS 5/5A-103(c), added by P.A. 103-472, ~~eff. 8-1-24~~. For training requirement details, see sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*.

²⁴ 105 ILCS 5/2-3.163(c), amended by P.A. 103-504.

²⁵ Required by 105 ILCS 5/2-3.166(c)(2) (*Ann Marie's Law*). See sample administrative procedures 6:60-AP1, *Comprehensive Health Education Program*, and 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*.

²⁶ Districts are not required to train staff on life-saving techniques, though 105 ILCS 110/3, amended by P.A. 103-608, eff. 1-1-25, requires that all teachers, administrators, and other school personnel, as determined by school officials, be provided with information about emergency procedures and life-saving techniques within 30 days after the first day of each school year. Id. Such life-saving techniques must include the Heimlich maneuver, hands-only cardiopulmonary resuscitation (CPR), and automated external defibrillator (AED) use. The information provided must be in accordance with standards of the American Red Cross, the American Heart Association (AHA), or another nationally recognized certifying organization. Id. See e.g., <https://cpr.heart.org/en/cpr-courses-and-kits/hands-only-cpr/hands-only-cpr-resources>, <https://cpr.heart.org/en/training-programs/aed-implementation>, and <https://www.redcross.org/take-a-class/resources/learn-first-aid/adult-child-choking>.

For districts that have a practice of providing instruction in life-saving techniques and first-aid in their staff development programs, insert the following optional paragraph that restates-aligns with 105 ILCS 5/3-11, 105 ILCS 110/3, amended by P.A. 103-608, eff. 1-1-25, and 77 Ill.Admin.Code §527.800:

An opportunity shall be provided for all staff members to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques and first aid, including the Heimlich maneuver, cardiopulmonary resuscitation, and the use of an automated external defibrillator, in accordance with a nationally recognized certifying organization. Physical fitness facilities' staff must be trained in cardiopulmonary resuscitation and use of an automated external defibrillator.

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Persons performing CPR are generally exempt from civil liability if they are trained in CPR, (745 ILCS 49/10). ~~Persons performing using an AED automated external defibrillation are generally exempt from civil liability if they were trained and acted according to the standards of the American Heart Association AHA. (745 ILCS 49/12).~~

The board may also want to address other staff development opportunities. While not required to be in policy, 105 ILCS 5/27-23.10, amended by P.A. 103-542, ~~eff. 7-1-24~~, requires a school board to collaborate with State and local law enforcement agencies on gang resistance education. It also states that ISBE may assist in the development of instructional materials and teacher training for gang resistance education and training, which may be helpful to include in the staff development program. Other mandated and recommended staff development opportunities that are not located in the School Code or ISBE rules are found in the Ill. Administrative Code or federal regulations. Many of them are cross referenced in this policy.

- LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
 42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010; 7 C.F.R. Parts 210 and 235.
 105 ILCS 5/2-3.62, 5/2-3.166, 5/3-11, 5/10-20.17a, 5/10-20.61, 5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/10-23.13, 5/22-80(h), 5/22-95, and 5/24-5.
 105 ILCS 25/1.15, Interscholastic Athletic Organization Act.
 105 ILCS 145/25, Care of Students with Diabetes Act
 105 ILCS 150/25, Seizure Smart School Act.
 105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.
 325 ILCS 5/4, Abused and Neglected Child Reporting Act.
 745 ILCS 49/, Good Samaritan Act.
 775 ILCS 5/2-109 and 5/5A-103, Ill. Human Rights Act.
 23 Ill.Admin.Code §§ 22.20, 226.800, and Part 525.
 77 Ill.Admin.Code §527.800.
- CROSS REF.: 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)
- ADMIN. PROC.: 2:265-AP1 (Title IX Response), 2:265-AP2 (Formal Title IX Complaint Grievance Process), [2:265-AP3 \(Title IX Coordinator\)](#), 2:270-AP (Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin), 4:160-AP (Environmental Quality of Buildings and Grounds), 4:170-AP6 (Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED), 5:100-AP (Staff Development Program), 5:120-AP2 (Employee Conduct Standards), 5:150-AP (Personnel Records), 6:120-AP4 (Care of Students with Diabetes), 7:250-AP1 (Measures to Control the Spread of Head Lice at School), 7:250-AP2 (Protocol for Responding to Students with Social, Emotional, or Mental Health Needs), 7:285-AP (Anaphylaxis Prevention, Response, and Management Program), 7:290-AP (Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program)

Students

Harassment of Students Prohibited¹

No person, including a School District employee, agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity²; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; physical appearance; socioeconomic status; academic status; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened

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¹ State or federal law requires this subject matter be covered by policy, controls this policy's content, and 105 ILCS 5/10-20.71 requires that every two years, each district within an Illinois county served by an accredited Children's Advocacy Center review all its existing sexual abuse investigation policies and procedures to ensure consistency with 105 ILCS 5/22-85. Each district must also have a policy on bullying. 105 ILCS 5/27-23.7, amended by P.A. 103-47; see sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

This policy's list of protected classifications aligns with the list in sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The protected classifications are found in 105 ILCS 5/27-23.7(a), amended by P.A. 103-47; 775 ILCS 5/1-103, amended by P.A.s 102-896; 23 Ill. Admin. Code §1.240.

The list of protected classifications in sample policy 7:10, *Equal Educational Opportunities*, is different – it does not contain the classifications that are exclusively identified in the bullying statute. 105 ILCS 5/27-23.7, amended by P.A. 103-47.

The Ill. Human Rights Act (IHRA) and an Ill. State Board of Education (ISBE) rule prohibit schools from discriminating against students on the basis of *sexual orientation* and *gender identity*. 775 ILCS 5/5-101(11); 23 Ill. Admin. Code §1.240. *Sexual orientation* is defined as the "actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person's designated sex at birth." 775 ILCS 5/1-103(O-1). *Gender identity* is included in the definition of sexual orientation in the Act. The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103. Additionally, *race* is defined to include traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists. 775 ILCS 5/1-103(M-5), added by P.A. 102-1102. 775 ILCS 5/1-102(A), added *order of protection status* to its list of protected categories. IHRA's jurisdiction regarding schools as a public accommodation is specifically limited to: (1) failing to enroll an individual, (2) denying access to facilities, goods, or services, or (3) failing to take corrective action to stop severe or pervasive harassment of an individual. 775 ILCS 5/5-102.2, amended by P.A. 102-1102. It is also a violation of IHRA if a district is aware of an employee or agent's harassment towards a student but fails to take appropriate action to stop the harassment. 775 ILCS 5/5A-101 and 102, amended by P.A. 103-472, ~~eff. 8-1-24~~.

² See f/n 3 in sample policy 7:10, *Equal Educational Opportunities*, for a discussion about Executive Order (EO) 2019-11 establishing the Affirming and Inclusive Schools Task Force (Task Force) that made policy and administrative procedure recommendations to ISBE that are discussed in its publication *Sample District Policy and Administrative Procedures* at www.isbe.net/supportallstudents.

For boards that want to incorporate ISBE's sample policy recommendation, insert the following in place of "gender identity;": gender; gender identity (whether or not traditionally associated with the student's sex assigned at birth);

If the board inserts this option, it must also insert the options in f/ns 3 and 8 of policy 7:10, *Equal Educational Opportunities*, but note the protected statuses list in this policy is different and should not be copied from here into 7:10, *Equal Educational Opportunities*.

or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.³

Sexual Harassment Prohibited

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.⁴ See Board policies 2:265, *Title IX Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidents of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with

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³ This list of examples of prohibited conduct is optional. While hate speech is not specifically mentioned in this paragraph, any hate speech used to harass or intimidate is banned. Hate speech without accompanying misconduct may be prohibited in response to actual incidents when hate speech interfered with the educational environment. *West v. Derby Unified Sch. Dist.*, 206 F.3d 1358 (10th Cir. 2000).

⁴ Two laws apply to sexual harassment of students in Illinois. Title IX of the Education Amendments of 1972 (Title IX) and IHRA prohibit discrimination on the basis of sex and sex-based harassment in any educational program or activity receiving federal financial assistance. 20 U.S.C. §1681. Title IX defines sexual harassment as conduct on the basis of sex that meets one or more of the following: (1) a district employee, agent, or other authorized person conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively determined by a reasonable person to be so severe, pervasive, and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from equal access to the District's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in federal law. 34 C.F.R. §106.230. See sample policy 2:265, *Title IX Grievance Procedure*, and sample exhibit 2:265-E, *Title IX Glossary of Terms*. Consult the board attorney to ensure the nondiscrimination coordinator and complaint managers are trained to appropriately respond to allegations of Title IX sex-based harassment. See sample procedures 2:265-AP1, *Title IX Response*, and 2:265-AP2, *Formal Title IX Complaint Grievance Process*, and 2:265-AP3, *Title IX Coordinator*.

IHRA prohibits any district employee or agent from sexually harassing a student, and defines sexual harassment as any unwelcome sexual advances or requests for sexual favors made to a student, or any conduct of a sexual nature toward a student, when: (1) such conduct has the purpose of substantially interfering with the student's educational performance or creating an intimidating, hostile or offensive educational environment; or (2) the district employee or agent either explicitly or implicitly makes the student's submission to or rejection of such conduct as a basis for making various enumerated education-related determinations. 775 ILCS 5/5A-101(E).

School districts are liable for damage awards for an employee's sexual harassment of a student in limited situations. Liability occurs only when a district official who, at a minimum, has authority to institute corrective action, has actual notice of and is deliberately indifferent to the employee's misconduct. *Gebser v. Lago Vista Independent Sch. Dist.*, 524 U.S. 274 (1998). Schools are liable in student-to-student sexual harassment cases when school agents are deliberately indifferent to sexual harassment, of which they have actual knowledge that is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school. *Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999). The Ill. Dept. of Human Rights investigates charges of sexual harassment in violation of the IHRA, and it is a civil rights violation when a district fails to take remedial or disciplinary action against an employee the district knows engaged in sexual harassment. 775 ILCS 5/5A-102.

whom the student is comfortable speaking.⁵ A student may choose to report to an employee of the student’s same gender.

Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager [or designee](#) shall process and review the report according to the appropriate grievance procedure.⁶ The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District’s current Nondiscrimination Coordinator and Complaint Managers.⁷ The Nondiscrimination Coordinator also serves as the District’s Title IX Coordinator.⁸

Nondiscrimination Coordinator:

Name

Address

Email

Telephone

Complaint Managers:

_____	_____
Name	Name
_____	_____

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

⁵ Using “or any employee with whom the student is comfortable speaking” ensures compliance with Title IX regulations providing that “any employee” of an elementary or secondary school who has notice of sexual harassment or allegations of sexual harassment is deemed to have *actual knowledge* which triggers a district’s duty to respond. 34 C.F.R. §106.30. By including “any employee” in this list, this policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

⁶ If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state “The Nondiscrimination Coordinator, Title IX Coordinator, and/or Complaint Manager [or designee](#) shall process and review the report according to the appropriate grievance procedure.”

⁷ While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

Each district must communicate its bullying policy to students and their parents/guardians. 105 ILCS 5/27-23.7, amended by P.A. 103-47; see sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

⁸ Title IX regulations require districts to [designate and authorize at least one employee, referred to as the Title IX Coordinator, who is responsible for coordinating the district’s compliance efforts](#)~~identify the name, office address, email address, and telephone number of the person who is responsible for coordinating the district’s compliance efforts.~~ 34 C.F.R. §106.8(a). [For further discussion of the Title IX Coordinator, see f/n 11 in sample policy 2:265, Title IX Grievance Procedure.](#)

The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete “~~The Nondiscrimination Coordinator also serves as the District’s Title IX Coordinator.~~” supplement the previous sentence to state “The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District’s current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers.” Then, list the Title IX and Nondiscrimination Coordinators’ names and contact information separately in this policy.

Address

Address

Email

Email

Telephone

Telephone

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District’s student handbook(s), on the District’s website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.⁹
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager.¹⁰ Any employee who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District’s duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sex-based harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*), the Nondiscrimination Coordinator or designee¹¹ shall consider whether action under Board policy 2:265, *Title IX Grievance Procedure*, should be initiated.

For any report or complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall investigate under Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*.

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

⁹ In addition to notifying students of policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Grievance Procedure*, a district must notify them of the name, office address, email address, and telephone number of district’s Title IX Coordinator. 34 C.F.R. §106.8(a). 105 ILCS 5/10-20.69 requires districts to maintain and implement an *age-appropriate* policy on sexual harassment that is included in the school district’s student handbook, as well as on a district’s website and, if applicable, other areas where such information is posted in each school. The law does not expressly state that the age-appropriate policy is for students; however, that is the most logical interpretation. In practice, most districts maintain a student handbook for each building. Because the law only requires one policy, this policy manages the age-appropriate requirement by directing age-appropriate explanations of the policy be included in the building-level student handbook(s). Student handbooks can be developed by the building principals, but should be reviewed and approved by the superintendent and school board. The Ill. Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh.

¹⁰ If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state “Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager.”

¹¹ “Nondiscrimination Coordinator or designee” is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then “Nondiscrimination Coordinator or a Complaint Manager or designee” is used (see next paragraph in policy text). If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, delete “~~Nondiscrimination~~” and insert “Title IX” in its place.

For any other alleged student harassment that does not require action under Board policies 2:265, *Title IX Grievance Procedure*, or 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under Board policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel¹²

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to Board policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under Board policy 2:265, *Title IX Grievance Procedure*, or Board policy 2:260, *Uniform Grievance Procedure*.

Enforcement

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent/[guardian](#), invitee, etc. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see Board policies 2:260, *Uniform Grievance Procedure*, 2:265, *Title IX Grievance Procedure*, and 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*).

Students should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

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

¹² Required for districts located within a county served by an accredited Children’s Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited CAC. 105 ILCS 5/22-85 (governing the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For a map of accredited CACs, and to identify a CAC that may serve your district, see www.childrensadvocacycentersofillinois.org/about/map. For further discussion see f/ns 14-16 in sample policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 34 C.F.R. Part 104.
42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
105 ILCS 5/10-20.12, 5/10-22.5, 5/10-23.13, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).
West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Draft

Students

Teen Dating Violence Prohibited ¹

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited.² For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.³

The Superintendent or designee shall develop and maintain a program to respond to incidents of teen dating violence that:⁴

1. Fully implements and enforces each of the following Board policies:⁵
 - a. 2:260, *Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the School Board, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
 - b. 2:265, *Title IX Grievance Procedure*. This policy prohibits ~~any person~~ District employee, agent, or student from engaging in ~~sexual~~ sexual discrimination, including sex-based harassment, in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
 - c. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person, including a District employee, agent, or student, from harassing, intimidating, or bullying a student

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

¹ All school boards must have a policy on teen dating violence. 105 ILCS 110/3.10. This sample policy is designed to align with a district's already-existing procedures for reporting bullying and school violence. See f/n 7. The curriculum components for teen dating violence education, which apply to districts with students enrolled in grades 7 through 12, are listed in 6:60-AP1, *Comprehensive Health Education Program*.

² 105 ILCS 110/3.10(b)(1). School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus conduct is much more limited than incidents that occur on school grounds. However, school officials may generally: (1) remove a student from extracurricular activities when the conduct code for participation requires students to conduct themselves at all times as good citizens and exemplars of the school (see sample policy 7:240, *Conduct Code for Participants in Extracurricular Activities*); and (2) suspend or expel a student from school attendance when the student's expression causes substantial disruption to school operations.

³ 105 ILCS 110/3.10(a). For districts that wish to broaden the ages (e.g., perhaps include 11-12 year olds in a middle school setting), delete the following phrase from the first sentence: "~~who is 13 to 19 years of age~~". The law defines *dating* or *dating relationship* as an "ongoing social relationship of a romantic or intimate nature between two persons." The terms do not include "a casual relationship or ordinary fraternization between two persons in a business or social context."

⁴ Required by 105 ILCS 110/3.10(b)(3).

⁵ Be sure the referenced board policies, as adopted locally, contain the language paraphrased in this policy. If not, either substitute similar language from the locally adopted board policies on the same topics, or just insert the titles from relevant locally adopted policies.

The statutory content requirements for a teen dating policy include "establish[ing] procedures for the manner in which employees of a school are to respond to incidents of teen dating violence." This policy fulfills this requirement by incorporating by reference the following administrative procedure: 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*. This means that 7:180-AP1 should be considered to be part of this policy.

- based on the student’s actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).
- d. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.
2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals: ⁶
 - a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the District’s established procedures for the prevention, identification, investigation, and response to bullying and school violence. ⁷
 - b. The Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*. ⁸
 3. Incorporates age-appropriate instruction in grades 7 through 12, in accordance with the District’s comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District’s educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*. ⁹
 4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. ¹⁰
 5. Notifies students and parents/guardians of this policy. ¹¹

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

⁶ 105 ILCS 110/3.10(b)(4), requires the policy to identify by job title which school officials are responsible for receiving reports related to teen dating violence.

⁷ *Id.* at f/ns 5 and 6. Sexual violence is one listed component of teen dating violence. 105 ILCS 110/3.10(a). Sexual violence has also been found by the Ill. Gen. Assembly to be a component of bullying and school violence. 105 ILCS 5/27-23.7. Thus, identifying *any school staff member* is consistent with 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*, which uses the student-friendly reporting system outlined in 7:180-AP1, E2, *Be a Hero by Reporting Bullying*.

⁸ *Id.* Under any reporting system, a report involving bullying and school violence that is based upon a protected status (often teen dating violence will involve conduct based upon the target’s sex) must be referred to the district’s Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager (7:20, *Harassment of Students Prohibited*). Customize this list to reflect local conditions. These individuals may also take reports directly from students.

⁹ Required by 105 ILCS 110/3.10(b)(2). The curriculum-specific components for teen dating violence education are listed in 6:60-AP1, *Comprehensive Health Education Program*.

¹⁰ *Id.* For boards that add the optional paragraphs in policy 5:100, *Staff Development Program*, add the phrase “and policy 5:100, *Staff Development Program*.”

¹¹ Required by 105 ILCS 110/3.10(b)(5). Boards must communicate this policy to students and their parents/guardians. This may be accomplished, in part, by (1) sending 7:185-E, *Memo to Parents/Guardians Regarding Teen Dating Violence*, and (2) amending the district’s anti-bullying campaign statement(s), such as the following, in the student handbook and school website:

Bullying, teen dating violence, intimidation, and harassment are not acceptable in any form and will not be tolerated at school or any school-related activity. The School District will take disciplinary action against any student who participates in such conduct or who retaliates against someone for reporting incidents of bullying, teen dating violence, intimidation, or harassment.

Incorporated
by Reference: 7:180-AP1 (Prevention, Identification, Investigation, and Response to Bullying)

LEGAL REF.: 105 ILCS 110/3.10.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Draft



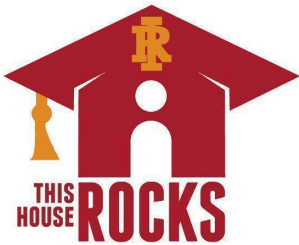
Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Joshua Becker, Director of Building Operations
Date: November 12, 2024
Re: School Building Maintenance Project Grant

Staff is seeking approval from the Board to apply for the School Building Maintenance Project Grant through the Illinois State Board of Education. The application must be submitted by 4 p.m. December 15th to be considered. This grant is a competitive dollar-for-dollar state matching program that provides up to \$50,000 to grantees exclusively for the maintenance or upkeep of buildings or structures for education purposes. A grant application submittal does not guarantee funding. Per the grant requirements, the project cannot begin until the grant has been submitted, as such, Staff recommends the funding be used for the replacement of the cafeteria flooring at Rock Island High School. This project is expected to be bid and awarded in late Spring for completion over the Summer.

Investment Period: N/A
Total Investment: N/A
Funding Source: School Maintenance Project Grant

Rock Island-Milan School District #41
2000 7th Avenue, Rock Island, IL 61201
309-793-5900 x10210 | 309-793-5905 fax
Sharon.williams@rimsd41.org
www.rimsd41.org



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education

From: Dr. Sharon Williams
Cabinet Champion: Dr. Dominique Moore, Assistant Superintendent of HR

Date: November 12, 2024

Re: Coordinator of Communications

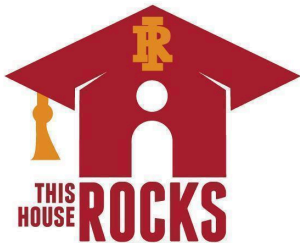
The selection process for the Coordinator of Communications yielded a pool of 20 candidates. six (6) candidates were invited to the interview process, of the six (6) candidates invited, five (5) accepted the invitation and were interviewed. Three candidates were invited to final interviews with Moo Soe selected as the recommended candidate. The selection process included screening, an in-person panel interview, and a secondary interview with the hiring manager and the Superintendent.

Moo Soe is an experienced communications specialist who has earned her Bachelor's of Arts degree in Public Relations and Strategic Communication. She has spent the last year and a half serving as a Communications Specialist with World Relief Quad Cities where she provided support with the creation of social media content, assisting in organizing marketing materials and developing strategies for growing and engaging social media audiences.

Moo Soe's references describe her as a self-starting problem solver who demonstrates the ability to use her journalistic and communicative skills to benefit everyone around her. Experiences gained through her internship and her strong website and social media management and design skills makes Moo Soe the ideal candidate to support the Communications Department.

It is recommended the Board of Education approve the appointment of Moo Soe to the position of Coordinator of Communications for the 2024-25 school year at the salary of \$61,718 prorated to start date.

Investment Period: One year contract
Total Investment: \$61,718
Funding Source: District



Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education

From: Dr. Sharon Williams
Cabinet Champion: Dr. Dominique Moore, Assistant Superintendent of HR

Date: November 12, 2024

Re: Coordinator of Human Resources

The selection process for the Coordinator of Human Resources yielded a pool of 18 candidates. Nine candidates were invited to the interview process, of the nine (9) candidates invited, eight (8) accepted the invitation and were interviewed. Three candidates were invited to final interviews. The selection process included screening, an in-person panel interview, and a secondary interview with the hiring manager and the Superintendent. Noelle Jones is being recommended for the Human Resources Coordinator position.

Noelle Jones holds a Bachelor of Arts degree in Human Resources Management and a Masters degree in Business Administration . She has hands-on experience in recruitment, employee onboarding, complaint resolution and has a demonstrated record of handling sensitive information with discretion while maintaining compliance with policies and procedure. She is sure to enhance the delivery of customer service in our HR department with skills she perfected while working as a teller for Wells Fargo bank.

Noelle Jones' references describe her as an effective communicator, trustworthy, and hardworking. She was also described by her references as being accountable, professional and someone who takes initiative. The combination of her experience as a substitute teacher, customer service agent and human resources intern makes Noelle Jones the ideal candidate to support the Human Resources Department.

It is recommended the Board of Education approve the appointment of Noelle Jones to the position of Coordinator of Human Resources for the 2024-25 school year at the salary of \$60,498.66, prorated to start date.

Investment Period: One year contract
Total Investment: \$60,498.66
Funding Source: District