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, JANUARY 13, 2026 **6:00 PM**

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...Action**

It is recommended that the Board of Education approve the December 9, 2025, regular meeting minutes as well as the executive session minutes, to remain confidential.

II. **Special Items**

A. **Illinois Student Assistance Commission (ISAC) State Scholar Recognition Program... Presentation**

Rock Island High School Principal, Dr. Patricia Ulrich will introduce the ISAC State Scholars.

B. **Facility Management Plan Update... Information**

Ms. Annaka Whiting, Chief Financial Officer, will present an update on the Facility Management Plan.

III. **Reports**

A. Board Members

B. Superintendent

C. RIEA President

IV. **Communications**

Requests from persons wishing to speak on certain agenda items will be called upon at the appropriate time. 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... Action**

C. Nomination for Future Agenda Items

D. **Blanket Motion... Action**

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-b) ... Action**

   a. **Educational Epiphany Contract Amendment... Action**

   It is recommended that the Board of Education approve the amended contract for service with Educational Epiphany, 1750 Pennsylvania Avenue, Washington, D.C. 20038 from $127,500 to $223,624 to purchase the supplementary resources as presented for the remainder of the 2025 - 26 school year.

   b. **Green Acres Lawn - Snow Removal Contract Amendment... Action**

   It is recommended that the Board of Education approve an amendment to the snow removal contract with Green Acres Lawn and Snow, 600 8th Ave. W, Milan, IL 61264, increasing the contract amount from $100,000 to $200,000, for snow removal services at District buildings and properties for Rock Island - Milan School District #41 for the remainder of the 2025 - 26 school year.

2. **Bills for Payment... Action**

It is recommended that the Board of Education authorize bills for payment dated December 15, 2025, in the amount of $6,327,317.17 as well as the bills for payment dated December 31, 2025, in the amount of $4,301,652.18.

3. **List of Donations... Action**

It is recommended that the Board of Education approve the attached list of donations.

4. **Overnight Field Trip Requests... Action**

It is recommended that the Board of Education approve the overnight field trip request for Rock Island High School Band and Choir students to attend the All State Music Festival in Peoria, Illinois, departing January 28 and returning January 31, 2026.

It is recommended that the Board of Education approve the overnight field trip request for the Rock Island High School Wrestling team to attend a meet in Sycamore, Illinois, departing January 9 and returning January 10, 2026.

It is recommended that the Board of Education approve the overnight field trip request for the Rock Island High School Dive team to attend the IHSA Sectional Meet. Location is still to be determined, departing February 20 and returning February 21, 2026.

It is recommended that the Board of Education approve the overnight field trip request for the Rock Island High School Girls Wrestling team to attend the IHSA

Girls Sectional at DeKalb High School, departing February 5 and returning February 7, 2026.

It is recommended that the Board of Education approve the overnight field trip request for the Rock Island High School Girls Wrestling team to attend the IHSA Girls State Series, location to be determined, departing February 12, 2026, and returning February 14, 2026.

It is recommended that the Board of Education approve the overnight field trip request for the Rock Island High School Girls Wrestling team to attend the IHSA State Tournament in Bloomington, Illinois, departing February 26 and returning February 28, 2026.

It is recommended that the Board of Education approve the overnight field trip request to attend the Battle at the Brickyard Softball Tournament in Bradley Bourbonnais, departing April 24, and returning April 26, 2026.

5. **Certified Appointments... Action**

It is recommended that the Board of Education approve the certified appointment of Janelle Cook for the 2025 - 26 school year.

6. **Non-Certified Appointments... Action**

It is recommended that the Board of Education approve the non-certified appointments of Marissa Geiger, Jinaya Houston, MaKyla Penderson, Adriana Perez, Sherry Rhoads, Nathaniel Richardson, and Aubrey Sherrod-Butler during the 2025 - 26 school year.

7. **Non-Certified Internal Transfers... Action**

It is recommended that the Board of Education approve the non-certified internal transfers of Ashly Ochoa and Kimberly Thomas during the 2025 - 26 school year.

8. **Non-Certified Coach Appointments... Action**

It is recommended that the Board of Education approve the non-certified coach appointments of Moses Robinson and Benjamin Stockwell during the 2025 - 26 school year.

9. **Non-Certified Resignations... Action**

It is recommended that the Board of Education accept the following non-certified resignations during the 2025 - 26 school year: Erica Franzen, Paraprofessional at Horace Mann Early Learning Center with one (1) year of service, Candice Jackson, Head Start Assistant Teacher at Horace Mann Early Learning Center with two and a half (2.5) years of service, Carlie Marsh, Security Personnel/Hall Monitor at Rock Island High School with less than one (1) year of service and Jeffrey Whitten, Special Education Paraprofessional at Earl Hanson Elementary School with two and a half

(2.5) years of service.

10. **Certified Retirements... Action**

It is recommended that the Board of Education accept the certified retirement of Ann Schulenberg, Adaptive Physical Education Teacher at Ridgewood Elementary School, with twenty-two (22) years of service during the 2025 - 26 school year.

11. **Non-Certified Retirements... Action**

It is recommended that the Board of Education accept the non-certified retirement of Melody Mote, Secretary at Thurgood Marshall Learning Center with ten (10) years of service during the 2025 - 26 school year.

12. **Audit Services Recommendation... Action**

It is recommended that the Board of Education approve staff to engage services from Lauterbach & Amen, LLP, 668 N. River Road, Naperville, IL 60563 for auditing services for approximately $281,000 over a five-year contracted period.

13. **Chiller Purchase... Action**

It is recommended that the Board of Education approve the purchase of a new YORK chiller through the JCI/Sourcewell Co-op for a cost not to exceed $343,605 to replace the unit at Rock Island High School.

14. **Memorandum of Understanding with RIEA ... Action**

It is recommended that the Board of Education approve the Memorandum of Understanding with the Rock Island Education Association (RIEA) clarifying how group health insurance benefits shall generally operate with respect to teachers who resign effective at the end of the school year.

15. **RIHS Activity Account Additional Sub Account Recommendation... Action**

It is recommended that the Board of Education approve the creation of the sub account for Rock Island High School as presented.

16. **Washington Junior High School Floor Replacement Recommendation... Action**

It is recommended that the Board of Education approve the Washington Junior High School Gym and Stage floor work with an overall construction cost not to exceed $417,105 during the 2025 - 26 school year.

VI. **Operations**

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

It is recommended that the Board of Education approve the PRESS 120 Board Policies received from the Illinois Association of School Boards as presented.

B. **Freedom of Information Act (FOIA) Requests... Information**

The district received a FOIA request and responded within the required time frame to Eric Olsen, who requested the personnel file for Yolanda Grandberry-Pugh that reflects her entire time being employed by RIMSD41. Any closed district investigations regarding Yolanda Grandberry-Pugh. Any and all email correspondence between Tracy Pugh and the following individuals from 10/1/25 to current date: Dr. Sharon Williams,

Isabel Peña, Nicole Cisne Durbin, Jason Roessler, Michael Matherly, Susan Crowder, Andrea Gilman, Gretchen Hampsey, Tuesday Anderson Few. Closed session minutes from the regular school board meeting 10/28/2025.

The district received a FOIA request and responded within the required time frame to Oshea Smith, who requested an electronic summary of purchase orders issued by Rock Island - Milan School District from July 1, 2025, through October 31, 2025. If available, please include the vendor name, description of purchase or payment, and total price or amount paid.

The district received a FOIA request and responded within the required time frame to CT Mills, who requested copies of the most current existing records listing all active employees within the school or district.

The district received a FOIA request and responded within the required time frame to Owen Wang, who requested copies of all vendor contracts over $1,000 for the current fiscal year.

The district received a FOIA request and responded within the required time frame to Owen Wang, who requested copies of all full-time aide contract/collective bargaining agreements.

The district received a FOIA request and responded within the required time frame to Woo Park, who requested purchase orders issued between September 1, 2024, or January 1, 2025 if more convenient, and the present [sic] date.

VII. **Business/Finance**

A. **Tentative Budget Designee Resolution... Action**

It is recommended that the Board of Education approve the resolution to establish the 2026 - 2027 fiscal year and direct the Chief Financial Officer to begin preparation of said budget.

VIII. **Executive Session**

It is recommended that the Board of Education 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 probably 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). In addition to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee of the public body or against

legal counsel for the public body to determine its validity. 5 ILCS 120/2(c)(1).

IX. **Adjournment**

ROCK ISLAND-MILAN SCHOOL DISTRICT #41

Board of Education Meeting

January 13, 2026

Sharon Williams, Ed. D.

Superintendent

Illinois Student Assistance Commision (ISAC) State Scholar Recognition Program

Dr. Patricia Ulrich, Principal
RIHS

ISAC State Scholar Program

Key Aspects of the Award:

- Honorary Recognition: It's a prestigious, non-monetary award for academic excellence.
- Recognition Package: Recipients get a letter, certificate, and a digital badge to share.
- Selection Criteria: Based on a combination of:
  - ACT or SAT scores (taken by the end of junior year).
  - Sixth-semester unweighted GPA and class rank.



Rock Island High School ISAC State Scholars

Lauryn M. Barker

Alexander L. Burgmeier

Harper D. Chapman

Payton L. Decker

Camryn Fineran

Helen Franco

Millie Gidaszewski

Braden M. Gilliland

Zachary C. Hansen

Zaynah A. Hassan

John S. Htoo

Ethan A. Ignatius

Owen M. Klapperich

Audrey Long

Gabriel W. Mahn

Henry J. Mass

Claire E. O'Hern-Maidak

Olivia L. Riecke

Olivia C. Seidlitz

Eh D. Soe

Averi Vroman

Beautiful Wah

Noah E. Witmer


BOARD OF EDUCATION
ROCK ISLAND MILAN

BUILDING OUR FUTURE

January 13, 2026

SHARON WILLIAMS, Ed. D.
SUPERINTENDENT OF SCHOOLS

ROCK ISLAND - MILAN
SCHOOL DISTRICT #41

AGENDA

- Project Overview
- Facilities Management Plan
  - Completed
  - Current
  - Upcoming
- Preventative Maintenance Plan
  - Completed
  - Current
  - Upcoming
- Bond Proceeds
  - Draw Update
  - Committed Funds
  - 3-Yr Funding Mechanisms

THREE - YEAR PROJECT OVERVIEW

2023 - 2024	2024 - 2025	2025 - 2026
Fire Alarms: Frances Willard **Tuckpointing:**RIHS (stadium) **HVAC:** Earl Hanson, Ridgewood, Eugene Field **Renovation:** RIHS (Auditorium Lobby, Bathrooms, Locker Room Showers), Frances Willard (Gym) **Parking:** WJHS	**Fire Alarms:** Earl Hanson, Thomas Jefferson **Tuckpointing:** Denkmann, Longfellow, RIHS **Roof:** Denkmann **Flooring:** RIHS **Secure Entry Redesign:** WJHS **Parking:** RICMS **Basement Repair:** WJHS	**Water Main:** RIHS **Additions:** RIA, Eugene Field, RIHS (Aquatics Center) **HVAC/Controls:** RIHS **Gym Floor/Stage:** WJHS **Renovation:** RIHS (Band/Orchestra) **Secure Entry Redesign:** EJHS

FACILITIES MANAGEMENT PLAN COMPLETED

Fire Alarms

- Earl Hanson
- Thomas Jefferson

8/18/25 11:51:48 AM CDT

Flooring

- RIHS Cafeteria

Parking Lot Improvements

- RICMS

Roof Replacement

- Denkmann

Secure Entry Redesign

- WJHS

Tuckpointing

- RIHS
- Longfellow

Water Main Replacement

- RIHS

CURRENT

- Eugene Field School Addition
- Rock Island Academy
- RIHS Aquatic Center
- RIHS Band & Orchestra Renovation
- RIHS Controls Project
- EJHS Secure Entry
- Washington Gym Floor

EUGENE FIELD ADDITION

- One Story Addition 9,192 SF (Includes corridors and accessory spaces), Fully Sprinkled, Natural Daylight in each Room.
  - 5 General Classrooms – 833 SF avg.per classroom
  - 1 Music Room - 826 SF
  - 1 SPED Room – 498 SF
  - 1 Flex/Multi-purpose Space – 1146 SF
  - Boys & Girls Restroom - 200 SF each
  - Staff Restroom 60 SF

EUGENE FIELD ADDITION

- Existing Building/Site
  - Replacement of all outdated/deteriorating doors and hardware original to the building
  - Modernization of public announcement system
  - New addressable fire alarm system with voice notification
  - Move library out of the basement to ground level - renovation of two existing flex spaces (2,723 SF) into library
  - Parking lot Improvements
  - Interior and exterior concrete and masonry repairs

EUGENE FIELD ADDITION

- Timeline
  - December 16th, 2025 - Construction documents under review
  - End of December 2025 - Bid documents posted
  - February 10th, 2026 - Board approval
  - Late February 2026 (weather permitting) - Site clearing/groundbreaking
  - Winter 2026 - Estimated completion

ROCK ISLAND ACADEMY ADDITION

- Two Story Addition 11,722 SF (Includes corridors and accessory spaces), Fully Sprinkled, Natural Daylight in each Room.
  - 6 General Classrooms 918 SF avg per classroom
    - 3 each floor
  - 6 EL/Resources rooms 407 SF avg per room
    - 3 each floor
  - 2 Flex spaces 431 SF per room
    - 1 each floor

ROCK ISLAND ACADEMY ADDITION

- Existing Building/Site
  - Replacement of all outdated/deteriorating doors and hardware original to the building
  - Modernization of public announcement system
  - Renovation of Library/Media Center (1,599 SF)
  - Parking lot and playground improvements
  - Interior and exterior concrete and masonry repairs

ROCK ISLAND ACADEMY ADDITION

- Timeline
  - January 2026 - Construction documents under review
  - February 2026 - Bid documents posted
  - April 14th, 2026 - Board approval
  - Late April 2026 (weather permitting) - Groundbreaking
  - Summer 2026 - Courtyard renovation
  - April 2027 addition completion
  - Summer 2027 - Media center/library renovation

RIHS AQUATIC CENTER

- October 2025 - Groundbreaking
- November 2025 - Precast walls
- December 2025
  - Roof decking
  - Foundation installation
  - Roof system
  - Ductwork
  - Piping
  - Electrical service
  - Structural masonry walls
- Estimated completion remains December 2026

AQUATIC CENTER AERIALS
10/29/2025




11/24/2025


11/24/2025


12/15/2025


12/15/2025


12/31/2025

CURRENT

- RIHS Band & Orchestra Renovation
  - Design Documents
  - Construction Documents
  - Logistics of classroom relocation
  - Bid Documents TBD
- RIHS Controls Project
  - Design underway
  - Logistics of classroom relocation
  - Architect preparing scenarios
- EJHS - Secure Entry Redesign
  - ROE partial occupancy approval
  - Replacement window/framing
- Washington Gym Floor
  - Board approval tonight with substantial completion by end of March




EXIT
EXIT

UPCOMING

- At February Committee of the Whole Meeting staff will outline:
  - Three-year plan for projects throughout the District
  - Present associated budget

PMP - COMPLETED

- **Fieldhouse/Concrete Replacement**
  - RIHS
- **Hot water valve replacement**
  - RIA
- **Furniture & Equipment Removal**
  - Earl Hanson - Gym Bleachers
  - RIA - Retired Furniture
- **Tuckpointing**
  - TMLC (Library water infiltration)
- **Fire Alarm Programming & Updates**
  - RIA & RIHS - Strobes
  - EJHS & Ridgewood - Programming
- **Univent Filter Replacement**
  - RIHS
- **Ceiling repairs**
  - Frances Willard
- **Water infiltration repairs**
  - TMLC
- **Hot Water line replacement**
  - WJHS

CURRENT

- **LED Lighting Replacement**
  - RIHS - in process, additional order being placed for supplies
- **Univent Filter Replacement**
  - Rock Island Academy
    - Hallway Units Remain, special order
- **Condensation pump replacement**
  - Longfellow

UPCOMING

- **January/February**
  - **Washington** - Insulation install from hot water line replacement
- **Spring**
  - **RIA** - Hot water heater replacement
- **TBD**
  - **Horace Mann - Sewer line Repair**
    - Planning for tree removal prior to scheduling replacement.
    - Timing TBD due to weather.

BOND PROCEEDS UPDATE

Bond Proceeds: $55,000,000
Requirements
First Draw 10%: August 2025
First Payment Due: Jan 1, 2026
85% spent within 3 years

Total Committed Funds	Total Bond Draw	% Committed	% Drawn
$44.7M	$7,627,474	81.2%	13.9%

COMMITTED % BREAKDOWN

FMP Phase I Bond Proceeds	**$55,000,000.00**
	Total
2025 Summer Projects	$ 2,493,000
Aquatic Center (2025 Proceeds)	$ 12,301,462
RIA Addition (Approx.)	$ 6,825,648
Eugene Field Addition	$ 7,647,059
Band and Orchestra (Approx.)	$ 4,426,126
RIHS Controls (Approx.)	$ 10,400,000
Secure Entry Redesign	$ 225,900
Cafeteria Flooring	$ 326,297
	$ 44,681,492
Committed %	**81.2%**

PRINCIPAL & INTEREST PAYMENTS

FY2026

Date	Principal	Interest	Total
1/1/2026	$ -	$ 2,507,795.00	$ 2,507,795.00

FY2027

Date	Principal	Interest	Total
7/1/2026	$ -	$ 1,388,932.50	
1/1/2027	$ -	$ 1,388,932.50	$ 2,777,865.00

3-YR FUNDING MECHANISMS

Education to Capital Fund Transfer (Aug 2022)	$5,000,000
Series 2025 Bond Issuance (Feb 2025)	$55,595,000
Working Cash Transfer (Jan 2025)	$1,800,000
Annual 1% Sales Tax (Approx $1.8M x 3)	$5,400,000
Total:	**$67,795,000**
Current Projects:	**$49,681,492**
Remaining funds to allocate over 3 years:	**$18,113,508**

FMP QUARTERLY MEETINGS 2025-2026

As a living document, it is expected that this plan will undergo periodic reviews and adaptations as required to meet the changing needs of the district.

Meeting Schedule
5:00 - 7:00 pm

~~**September 22, 2025**~~
~~**December 15, 2025 (WJHS)**~~
March 30, 2026 (EJHS)
June 1, 2026 (RIHS)

- **Learn about current and future projects**
- **Meet our architecture and construction partners**
- **Offer input and feedback on our current and future plans**
- **Learn about our funding strategies for short and long-term projects**

PARTNERS

RUSSELL

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

- RIHS
- RICMS
- Thomas Jefferson
- Ridgewood
- Washington
- Thurgood
- Longfellow

IDG+
ARCHITECTS

- Eugene Field
- RIA
- Edison
- Earl Hanson
- Frances Willard
- Horace Mann
- Denkmann

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champions: Scott Vance, Assistant Superintendent for Teaching and Learning
Date: January 13, 2026
Re: Educational Epiphany Amended Contract for Service

In April of 2025 the Rock Island-Milan School district entered into a contract for service with Educational Epiphany to continue the collaborative work of developing and implementing an instructional observation and feedback tool, collectively known as the Instructional Performance Enhancement Tool. In support of the implementation and to effectively use this tool Educational Epiphany has introduced and provided ongoing professional development on its Integrated Approach to Student Achievement which focuses on four (4) high impact instructional practices:

1. Performance Based Objectives
2. Curriculum-Driven Opportunities for Students to Determine the Meaning of General and Domain-Specific Words and Phrases (i.e., Academic Language)
3. Gradual Release of Responsibility/The 5Es
4. Composition from Sources/Incorporating Manipulatives in Mathematics

Through this partnership, the following has been accomplished:

- All school leaders have been introduced to the high impact instructional practices starting in July 2025 at the District's summer leadership retreat.
- Instructional rounds and content demonstration lessons have been conducted at various grade levels and subjects in all RIMSD campuses, with debriefing sessions involving building leaders, teachers, and central office staff.
- Continued professional development on the high impact instructional practices for principals, assistant principals, deans, instructional coaches, and central office staff through monthly PLC meetings.
- Dissemination of supporting resources for all schools including:
    - Catalog of Performance-Based Objectives for ELA, Mathematics, and Science K-12;
    - Informational and Literary Glossaries;
    - Universal Language of Literacy Terms and Definitions;
    - Reference materials to facilitate individual building led professional learning and supports

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

- Online coaching and listening sessions with school and district leaders to identify and plan for possible roadblock to implementation.
- Curriculum discussion with instructional coaches, Teaching and Learning Coordinators, and Directors.

As the district continues with the implementation of these high impact instructional practices it is essential that we support our teachers and building leaders with the necessary resources. Therefore, in continuation of the work that has already been accomplished, to expedite the integration of the high impact instructional practices, and to support the scholars and staff of the district in this endeavor it is recommended that the District amend its current contract for service with Educational Epiphany in order to purchase supplementary materials designed to impact student achievement. These materials include both print and digital resources to be distributed across grade levels, subject areas, and disciplines throughout the district. Materials to be purchased are:

- Literacy Kits
  - Classroom sets for Grades K-6
  - Classroom sets for EL and SPED teachers K-12
- Academic Language Accelerator
  - Site license for each building
- Universal Language of Literacy Poster Sets
  - Classroom set for ALL teachers
- Instructional Practices Workbook K-12
- Keynote Presentation and Breakout Sessions

It is recommended that the Board of Education approve the amended contract for service with Educational Epiphany from $127,500 to $233,624 (increase of $106,124) to purchase the supplementary resources for teachers.

Investment Period: January 14, 2026-June 30, 2026
Total Investment: $233,624
Funding Source: Federal 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: Educational Epiphany **EMAIL:** educationalepiphany@gmail.com

ADDRESS: 1750 Pennsylvania Avenue #27066

DATES OF SERVICE TO BE COMPLETED: 2025-2026

SCHOOL DISTRICT CONTACT: Stacey Golz

COMPENSATION: $ 233,624

DESCRIPTION OF DUTIES:

Literacy Kits; Academic Digital Licencse; Universal Langauge of Literacy Poster Sets; Instructional Practice Workbooks; Professional Development Session; Shipping and Handling=$106,124

Previous Contract (Core Content Demonstration Lesson-$52,500.00; Principals and Instructional Coaches-Cohort - $37,500.00; Assistant Principals and Dean of Students -Cohort 2-$37,500.00)

Is this a Subscription/Software: Yes ■ or No ☐

If NO, go to next section. ***If YES, complete below, then go to next section (no vendor signature)***

Subscription/Software Name: Academic Language Accelearator **Website:** https://educationalepiphany.com

Subscription/Software Start Date: immediate **End Date:** perpetuity

SOPPA Approved: Yes ■ or No ☐

Requester Name/Building: RIMSD #41

Budget Code: Title I, Title IV, and IDEA Funds

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

Signature of Budget Administrator: _____ **Date:** 1.9.2026

_____ _____

Superintendent or School Board President **Date**

Contract for Service Form

Rock Island-Milan School District 41

VENDOR NAME: Educational Epiphany **EMAIL:** educationalepiphany@gmail.com

ADDRESS: 1750 Pennsylvania Avenue #27066
Washington, D.C. 20038

DATES OF SERVICE TO BE COMPLETED: 2025-2026

SCHOOL DISTRICT CONTACT: Stacey Golz

COMPENSATION: $ ~~167,495.00~~ $127,500.00 (original amounts did not match)

DESCRIPTION OF DUTIES:

Core Content Demonstrations Lesson - $52,500.00
Principals and Instructional Coaches - Cohort 1 - $37,500.00
Assistant principals and Deans of Students - Cohort 2 - $37,500.00

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 ☐

Jon Rauch 9-17-25
School Board President or Superintendent **Date**

Requesting School: RIMSD #41

Budget Code: Federal = 1-5-080-030-2210-3190-0 ($117,692.31) 1-5-080-066-2210-3190-0 ($9,807.69)

Signature of Vendor: Dr. Donyall Dickey **Date:** 9/17/2025

Signature of Requestor: _____ **Date:** _____

Signature of Budget Administrator: R. Dixon **Date:** 9/16/25

Updated January 2022

9/16/25

Educational Epiphany

1750 Pennsylvania Avenue #27066 • Washington, D.C. 20038 • 410.258.6443 • www.educationalepiphany.com

July 1, 2025

Dr. Sharon Williams
Superintendent
Rock Island- Milan School District 41
2000 7th Avenue
Rock Island, IL 61201

Please accept this communication as the official proposal for a multi-tiered approach to professional learning for key personnel. This proposal for Rock Island-Milan School District 41 includes the introduction to research-based instructional practices consistent with your districtwide core tenants.

Instructional Staff

Core Content Demonstration Lessons

Description: Educational Epiphany personnel will deliver live core content demonstration lessons with your students at each school, providing participants the opportunity to observe high-quality instruction aligned with the district's instructional observation and feedback tool.

During these sessions, participants will observe:

1. Point of Use Annotation of Performance-Based Objectives
2. Integration of the Universal Language of Literacy
3. Creating Meaning for Unfamiliar Words using Greek and Latin Word Parts
4. Point of Use Annotation of Complex Texts/Bringing Students up to the Text
5. Application of the Gradual Release of Responsibility

Following the demonstration lessons, participants will engage in a reflective debrief to identify key takeaways and actionable strategies for immediate classroom implementation.

Rock Island- Milan School District 41 Schools	Demonstration Proposed Dates
Denkmann Elementary School	September 3, 2025
Earl Hanson Elementary School	September 3, 2025
Eugene Field Elementary School	September 4, 2025
Frances Willard Elementary School	September 4, 2025
Longfellow Elementary School	September 9, 2025
Ridgeland Elementary School	September 9, 2025
Rock Island Academy	September 10, 2025
Thomas Jefferson Elementary School	September 10, 2025
Rock Island Center for Math and Science	September 11, 2025
Edison Junior High School	September 11, 2025
Rock Island High School	September 16, 2025
Thurgood Marshall Learning Center	September 16, 2025
Washington Junior High School	September 25, 2025

Instructional Leadership

This plan includes a combination of in-person and virtual professional learning opportunities for instructional leadership teams, including principals, assistant principals, deans of students, and instructional coaches. Each session will vary in focus and delivery model. The five areas of focus for the professional learning series are as follows:

Focus #1: Composing and Leveraging Performance-Based Objectives
Description: Educational Epiphany personnel will assess and strengthen participant understanding of the transformational power of standards-informed, performance-based objectives and build participant capacity to:

1. generate appropriate learning objectives
2. critique content and grade-specific learning objectives
3. differentiate between and among flawed, content-driven, and performance-based objectives.

By the close of this session, participants will be able to support the strategic use objectives as concrete road maps for planning, delivering, and assessing the strength of instruction, but moreover the strategic use objectives as a springboard for constructing deep conceptual understanding of academic language among staff and students.

Focus #2: Curriculum-Driven Opportunities to Teach and Assess General and Content-Specific Academic Language
Description: Educational Epiphany personnel will introduce participants to the immediate and lasting impact of teaching & assessing general and domain-specific academic language and best practices for seamlessly integrating the following research-based literacy supports into "before" and "during" reading opportunities across grades and disciplines:

1. Point of Use Annotation of Objectives
2. The Universal Language of Literacy
3. Greek and Latin Word Parts
4. The Four Types of Context Clues
5. Word and Definition Word Walls
6. Knowledge of High Frequency Words
7. Point of Use Annotation of Complex Texts/Bringing Students up to the Text

Focus #3: Gradual Release of Responsibility, the 5Es, and the Planning Table
Description: Educational Epiphany personnel will assess and strengthen participant understanding of the gradual release of responsibility [for ELA, Mathematics, Social Studies, and Electives] and the 5 Es of effective instruction [for Science].

Participants will understand the purpose of each phase and how to support the act of teachers holding themselves and students accountable to the cognitive demands associated with each important phase. This workshop will ensure that the instructional leadership team is providing teachers with consistent direction and support in their effort to actively and instinctively refrain from performing the heavy cognitive lifting for students and instead, require students to consistently do their appropriate share of thinking, writing, and problem solving.

Focus #4: Leveraging and Maximizing Professional Learning Communities to Ensure Equitable Access to Standards-Informed Instruction
Description: Educational Epiphany personnel will orient participants to the gold standard model for leading transformative content and pedagogy-driven PLCs. This session will provide a deep dive into the eight to ten requisite, content-specific planning questions which educators should pose to ensure equitable student access to dynamic, standards-informed, student-centered instruction.

Participants will leave with tools to aide them in their collective effort to speak with similar instructional leadership voices.

Focus #5a: Defining Expectations for Writing
Description: Educational Epiphany personnel will assess and strengthen participant understanding of:

1. The four types of informational writing [Grades K-12]
2. The six informational text structures that students must consider before and during the composition process [Grades 3-12]
3. The role that thesis statements, topic sentences, and supporting evidence play in standards-informed writing.

Participants will be equipped to support the planning, facilitation, and assessment of the quality of writing instruction consistent with the state's expectations in all content areas and grade bands.

Focus #5b: Effective Integration of Manipulates into the Mathematics Classroom
Description: Educational Epiphany personnel will assess and strengthen participant understanding of the purpose and power of integrating tangible and digital manipulatives in the mathematics classroom to ensure student ability to smoothly transition cognitively from the concrete, to the representational, and ultimately to an understanding the mathematical concepts in the abstract.

Participants will be equipped to support students with access to mathematics classrooms that focus equally on understanding and doing mathematics.

	Cohort 1: Principals and Instructional Coaches	Month
1	Composing and Leveraging Performance-Based Objectives	August
2	Curriculum-Driven Opportunities to Teach and Assess General and Content-Specific Academic Language	September
3	Gradual Release of Responsibility, the 5Es, and the Planning Table with Demonstration Lessons for the Core Content Areas	October
4	Leveraging and Maximizing Professional Learning Communities to Ensure Equitable Access to Standards-Informed Instruction	November
5	Defining Expectations for Writing/ Ensuring Conceptual Understanding of Abstract Concepts	December

	Cohort 2: Assistant Principals and Deans of Students	Month

1	Composing and Leveraging Performance-Based Objectives	August
2	Curriculum-Driven Opportunities to Teach and Assess General and Content-Specific Academic Language	September
3	Gradual Release of Responsibility, the 5Es, and the Planning Table with Demonstration Lessons for the Core Content Areas	October
4	Leveraging and Maximizing Professional Learning Communities to Ensure Equitable Access to Standards-Informed Instruction	November
5	Defining Expectations for Writing/ Ensuring Conceptual Understanding of Abstract Concepts	December

Professional Learning	Cost
Core Content Demonstrations Lesson	$52,500.00
Principals and Instructional Coaches - Cohort 1	$37,500.00
Assistant Principals and Deans of Students - Cohort 2	$37,500.00
Total	$127,500.00

Rock Island- Milan School District 41 will be assessed a fee of $127,500.00 for the professional learning series and supports for all three cohorts. Rock Island- Milan School District 41 will not be assessed for travel or lodging.

Thank you for the opportunity to support the improvement of student outcomes at Rock Island- Milan School District 41. I personally look forward to implementing this thoughtful plan of action in support of educators and children.

Sincerely,

Donyall D. Dickey, Ed.D.
Founder and Chief Executive Officer

ESTIMATE

Educational Epiphany
1750 Pennsylvania Ave NW
Washington, DC 20038-6552

cooepiphany@gmail.com
+1 (410) 258-6443
www.educationalepiphany.com

Bill to
Sharon Williams
Rock Island-Milan School District 41
2000 7th Avenue
Rock Island, IL 61201 USA

Ship to
Sharon Williams
Rock Island-Milan School District 41
2000 7th Avenue
Rock Island, IL 61201 USA

Estimate details
Estimate no.: 1009
Estimate date: 01/08/2026

#	Product or service	Description	Qty	Rate	Amount
1.	**Literacy Kit Whole Class Set (30 Literacy Kits)**	The Educational Epiphany Literacy Kit Whole Class Set is designed to help all students understand the relationship between the 26 letters, 44 graphemes, and 144 phonemes, while also enabling them to internalize the 30 most commonly used prefixes, root words, and suffixes that make up the majority of unfamiliar words they will encounter while reading. Each Whole Class Literacy Kit set of 30 includes 44 Phoneme/Grapheme Cards, 30 Prefix Cards, 30 Root Word Cards, 30 Suffix Cards, and a Digital Implementation Guide.	8	$4,599.00	$36,792.00
2.	**Access to Language Accelerator (ALA) Digital**	Our K-12 Literacy Kit- ALA Supports teachers in making it possible for all students to: Decode (pronounce words) fluently; Develop a full understanding of the relationship between the smallest unit of writing and sound; Create meaning and understanding of what they've decoded; and Decode and create, meaning with similar levels of success and intensity. Each Digital Literacy Kit Includes: 44 Phoneme/grapheme Cards 30 Prefix Cards 30 Root Word Cards	13	$1,400.00	$18,200.00
3.	**Universal Language of Literacy Posters (Pack of 36, 11" 3 17" Posters [1 Pack per**	Universal Language of Literacy Posters are designed to support teachers in providing	400	$79.99	$31,996.00

	Teacher])	students with access to each individual Tier II term and its corresponding universal definition. These posters feature key anchor words embedded in psychometrically approved definitions, ensuring clarity and accuracy. With engaging designs, they inspire a collaborative learning environment, helping students connect with essential language concepts. Each Poster Pack includes 36 individual 11" × 17" posters, making it a valuable resource for reinforcing language development across the classroom.			
4.	**Instructional Practices Workbook**	Educational Epiphany is focused on promoting student achievement and school improvement through a finite set of actionable, measurable, and replicable ideas, including: Literacy Leadership School Improvement Curriculum Development	500	$9.99	$4,995.00
5.	**shipping**	Shipping/ Handling/ Processing- Flat Rate 9%	0.09	$73,783.00	$6,640.47
6.	**Professional Development Session**	Educational Epiphany's Professional Development workshops & services provide educators at all levels of your organization with access to our high-impact, multi-tiered approach to improving student outcomes across all content areas. Our Professional Development Workshops & Services are strategically delivered through: • Virtual and in-person sessions; • Job-embedded coaching; • Site-based professional learning communities; • Content-specific workshop series; • In-class demonstration lessons; • After-school sessions and workshops; • Keynotes; and • Breakout sessions.	1	$7,500.00	$7,500.00
			Total		**$106,123.47**

Accepted date **Accepted by**

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Josh Becker, Director of Building Operations
Date: January 13, 2026
Re: Green Acres Lawn and Snow Increase

The Board previously approved a contract for service with Green Acres Lawn and Snow to provide reliable and responsive snow removal services for District buildings and properties. Their timely response and familiarity with District sites have been essential in maintaining safe access to schools, parking lots, sidewalks, and emergency routes during this year's winter weather events.

Due to this season's snowfall totals, and the need for additional service calls during extended weather events, the current contract amount is no longer sufficient to meet District needs for the remainder of the fiscal year. As a result, an increase to the previously approved snow removal contract is necessary to ensure continued service without interruption.

It is recommended that the Board of Education approve an amendment to the snow removal contract with Green Acres Lawn and Snow, increasing the contract amount from $100,000 to $200,000, for snow removal services at District buildings and properties for Rock Island–Milan School District #41 for the current fiscal year.

Investment Period: July 1, 2025 - June 30, 2026
Total Investment: Not to exceed $200,000
Funding Source: District Funds/Maintenance and Operations Department

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: Green Acres **EMAIL:** MChughssnowremoval@gmail.com

ADDRESS: 600 8th Ave W., Milan, IL 61264

DATES OF SERVICE TO BE COMPLETED: FY26

SCHOOL DISTRICT CONTACT: Josh Becker

COMPENSATION: $ Not to Exceed $100,000

DESCRIPTION OF DUTIES:

To provide timely and comprehensive snow and ice management to ensure safe access to buildings, parking lots, sidewalks, and other critical areas throughout the winter season greater than 1inch of accumulation and ice events. Services are to be rendered during inclement weather events, with an emphasis on maintaining safety and minimizing disruptions to school operations. Accumulations less than 1" will be managed by district staff and equipment.

Is this a Subscription/Software: Yes ☐ or No ■

If NO, go to next section. ***If YES, complete below, then go to next section (no vendor signature)***

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

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

SOPPA Approved: Yes ☐ or No ☐

Requester Name/Building: District

Budget Code: 2-5-080-000-2542-3232-0

Signature of Vendor: B. [signature] **Date:** 10/01/2025

Signature of Budget Administrator: [signature] **Date:** 10/2/25

[signature] 10/28/25

Superintendent or School Board President **Date**

Contract for Service Form

Rock Island-Milan School District 41

VENDOR NAME: Green Acres **EMAIL:** mchughssnowremoval@gmail.com

ADDRESS: 1716 26TH Street, Rock Island, IL 61201

DATES OF SERVICE TO BE COMPLETED: FY26

SCHOOL DISTRICT CONTACT: Josh Becker

COMPENSATION: $ Not to Exceed $200,000

DESCRIPTION OF DUTIES:

Amended January, 2026 to adjust dollar amount.

To provide timely and comprehensive snow and ice management to ensure safe access to buildings, parking lots, sidewalks, and other critical areas throughout the winter season greater than 1inch of accumulation and ice events. Services are to be rendered during inclement weather events, with an emphasis on maintaining safety and minimizing disruptions to school operations. Accumulations less than 1" will be managed by district staff and equipment.

Is this a Subscription/Software: Yes ☐ or No ■

If NO, go to next section. If YES, complete below, then go to next section (no vendor signature)

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

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

SOPPA Approved: Yes ☐ or No ☐

Requester Name/Building: District

Budget Code: 2-5-080-000-2542-3232-0

Signature of Vendor: B. Jm **Date:** 1/6/26

Signature of Budget Administrator: _____ **Date:** 1/6/26

_____ _____

Superintendent or School Board President **Date**

SUMMARY OF CHECKS AND WIRES
December 15, 2025

COMPUTERIZED CHECK RUN

EDUCATION

Ed Fund CHECKS			Ed Fund ACH		
V207888-V207980			VA3932-VA4009		
Education	$	277,351.73	Education	$	188,712.49
Transportation	$	164,772.32	Transportation	$	3,049.76
Debt Service Fund			Debt Service Fund		
Capital Projects	$	1,651,358.29	Capital Projects		
Life Safety			Life Safety		
Tort Immunity	$	227,967.69	Tort Immunity	$	18,905.00
	$	2,321,450.03		$	210,667.25
			TOTAL EDUCATION	**$**	**2,532,117.28**

O&M

O&M CHECKS			O&M Fund ACH		
B38806-B38828	$	80,041.92	BA585-BA594	$	28,682.16
			TOTAL O&M	**$**	**108,724.08**

HEALTH

Health Fund CHECKS			Health Fund ACH		
			HA74-HA75	$	762,215.16
			TOTAL HEALTH	**$**	**762,215.16**

TOTAL COMPUTERIZED CHECK RUN			**$**	**3,403,056.52**

WIRES

Ed, Bldg, Tort Salary Checks	$	1,992,599.74
Federal Income Tax	$	281,093.00
OASDI/Medicare	$	167,166.28
State Withholdings	$	120,935.30
Teacher's Retirement Systems/IMRF	$	261,868.91
Employee Deductions	$	100,597.42
Benefits Payments		
TOTAL WIRES	**$**	**2,924,260.65**

GRAND TOTAL	**$**	**6,327,317.17**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
3932	12/19/2025	ACH	P - 17764	AJIBOLA, BEATRICE OLABISI	6.30
3933	12/19/2025	ACH	P - 07209	ANSON, STEPHANIE A	9.66
3934	12/19/2025	ACH	P - 07843	BEIERLEIN, CHRISTINE M	46.69
3935	12/19/2025	ACH	P - 07821	BERRY, NICOLE ELIZABETH	62.58
3936	12/19/2025	ACH	P - 06395	BRADDY, CRISTINA MARIA	128.94
3937	12/19/2025	ACH	P - 07074	BRADDY, STEVEN M	211.19
3938	12/19/2025	ACH	P - 07534	BRADLEY, DONNA LEIGH	39.62
3939	12/19/2025	ACH	P - 96340	BURBRIDGE, TIMOTHY J.	344.90
3940	12/19/2025	ACH	P - 97349	CHAPMAN, JOSHUA EDWARD	31.64
3941	12/19/2025	ACH	P - 96341	CHURCHILL, JULIA A	301.66
3942	12/19/2025	ACH	P - 96303	COOK-BEHRENS, CAREY LYNN	110.46
3943	12/19/2025	ACH	P - 07063	DAVILA, GIOVANNA A	111.00
3944	12/19/2025	ACH	P - 03992	EDMONDS, MIKKI M	50.69
3945	12/19/2025	ACH	P - 96008	ELLIOTT, MAGGIE K	15.75
3946	12/19/2025	ACH	P - 05486	GOINS, ELVIA GUTIERREZ	347.46
3947	12/19/2025	ACH	P - 05029	HALL, LAURA L	53.13
3948	12/19/2025	ACH	P - 97100	HOLTROP, JOCELYN LESLIE	59.01
3949	12/19/2025	ACH	P - 03339	JORGENSEN, KIRSTEN M	45.47
3950	12/19/2025	ACH	P - 05386	KETCHAM, JODI L	74.76
3951	12/19/2025	ACH	P - 97008	LAERMANS, BREANN MICHELLE	97.86
3952	12/19/2025	ACH	P - 95225	LOHMANN, DIONNE L	49.42
3953	12/19/2025	ACH	P - 18391	LYON, LAURIE CHRISTINE	17.78
3954	12/19/2025	ACH	P - 96836	MADER, STEPHANIE LEE	28.84
3955	12/19/2025	ACH	P - 96802	MCCARTY, HEATHER NICOLE	517.40
3956	12/19/2025	ACH	P - 97272	MEYERS, LAURA L	14.21
3957	12/19/2025	ACH	P - 96881	PETERSEN, REBECCA KATHLEEN	306.29
3958	12/19/2025	ACH	P - 03200	POTERACK, TONIA R	71.82
3959	12/19/2025	ACH	P - 97011	ROCKSTROH, MICHAEL W	19.99
3960	12/19/2025	ACH	P - 95047	RODRIGUEZ, FALLON MARIE	16.80
3961	12/19/2025	ACH	P - 95799	ROHWER, AMY MARGARET	72.59
3962	12/19/2025	ACH	P - 96172	SCHNECKLOTH, MICHELLE L	266.53
3963	12/19/2025	ACH	P - 06768	SCHULENBERG, ANN C	81.90
3964	12/19/2025	ACH	P - 97124	SCHULTE, JOSEPHINE LEE	108.64
3965	12/19/2025	ACH	P - 97149	SHANNON, AARON DANIEL	259.84
3966	12/19/2025	ACH	P - 18322	SMITH, JENNIFER M	11.76
3967	12/19/2025	ACH	P - 95655	TAETS, MCKENZIE A	27.58
3968	12/19/2025	ACH	P - 96679	THOMAS, KIMBERLY JEAN	28.70
3969	12/19/2025	ACH	P - 97191	THOMPSON, PAULA JO	129.17
3970	12/19/2025	ACH	P - 00866	TOBIN, LINDA R	61.41
3971	12/19/2025	ACH	P - 07870	VOIGT, SCOTT STUART	90.72
3972	12/19/2025	ACH	P - 17994	WANGLER, HEATHER K	110.11
3973	12/19/2025	ACH	P - 95054	WENTHE, KELLEY M	99.54

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
3974	12/19/2025	ACH	P - 97266	WHITING, ANNAKA M	402.28
3975	12/19/2025	ACH	P - 97160	WILLIAMS, SHARON DENISE	510.94
3976	12/19/2025	ACH	P - 95406	ZERO, AMY L	131.43

Total No. of Checks : 45				**Total Amount :**	**5,584.46**

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
207888	12/15/2025	Check	V - 10001	A & A AIR CONDITIONING	330.00
207889	12/15/2025	Check	V - 21622	ABDO-SPOTLIGHT-MAGIC WAGON	2,003.00
207890	12/15/2025	Check	V - 26276	ACCIDENT FUND INSURANCE COMPANY OF AMERICA	226,917.69
207891	12/15/2025	Check	V - 10245	ACT II TRANSPORTATION, INC.	9,965.00
207892	12/15/2025	Check	V - 11013	AFSCME COUNCIL 31	2,105.61
207893	12/15/2025	Check	V - 19097	ARMSTRONG SYSTEMS & CONSULTING	149.00
207894	12/15/2025	Check	V - 25721	AROUND THE HORN	1,650.00
207895	12/15/2025	Check	V - 26371	ASSOCIATION OF SCHOOL BUSINESS OFFICIALS INT	499.00
207896	12/15/2025	Check	V - 22657	AUGUSTANA COLLEGE	1,560.00
207897	12/15/2025	Check	V - 24732	BACKGROUND INVESTIGATION BUREAU, LLC	389.00
207898	12/15/2025	Check	V - 25540	BACKYARD BOWL	5,500.00
207899	12/15/2025	Check	V - 18615	BEARCOM	1,050.00
207900	12/15/2025	Check	V - 26589	BERESKIN GALLERY	200.00
207901	12/15/2025	Check	V - 24362	MPS, BEDFORD, FREEMAN & WORTH PUBLISHING GROUP LLC	5,106.74
207902	12/15/2025	Check	V - 10091	BLACKHAWK BANK & TRUST	13,161.27
207903	12/15/2025	Check	V - 22296	BLITT AND GAINES, P.C.	303.74
207904	12/15/2025	Check	V - 22296	BLITT AND GAINES, P.C.	321.81
207905	12/15/2025	Check	V - 21140	BOOKSAMILLION.COM	30.98
207906	12/15/2025	Check	V - 10098	BOUND TO STAY BOUND BOOKS, INC	267.86
207907	12/15/2025	Check	V - 25588	BULK BOOKSTORE	1,145.10
207908	12/15/2025	Check	V - 26317	COLUMN SOFTWARE PBC	1,580.43
207909	12/15/2025	Check	V - 26487	CORDOGAN CLARK & ASSOCIATES, INC	70,581.90
207910	12/15/2025	Check	V - 25205	DISPATCH ARGUS	350.26
207911	12/15/2025	Check	V - 22419	EARLY CHILDHOOD COALITION	100.00
207912	12/15/2025	Check	V - 26394	ECRA GROUP, INCORPORATED	2,000.00
207913	12/15/2025	Check	V - 25184	EMBRACE EDUCATION	3,463.68
207914	12/15/2025	Check	V - 25254	ESSENTIAL ELEMENTS, LLC	2,399.00
207915	12/15/2025	Check	V - 24426	QUALITY GROUP	979.67
207916	12/15/2025	Check	V - 26571	EXTRA DUTY SOLUTIONS	229.95
207917	12/15/2025	Check	V - 23428	FIRM SYSTEMS	11.00
207918	12/15/2025	Check	V - 24904	FLORIDA STATE DISBURSEMENT UNIT	227.50
207919	12/15/2025	Check	V - 26250	FOLLETT CONTENT SOLUTIONS	776.33
207920	12/15/2025	Check	V - 24106	HMH EDUCATION COMPANY	121.28
207921	12/15/2025	Check	V - 11475	HY-VEE FOOD STORE	940.50
207922	12/15/2025	Check	V - 15394	ILLINOIS ASSOCIATION OF SCHOOL PERSONNEL ADMIN	1,000.00
207923	12/15/2025	Check	V - 26485	IDG ARCHITECTS + PARTNERS INC	308,763.65

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
207924	12/15/2025	Check	V - 11738	ILLINOIS ASSOCIATION OF SCHOOL BOARDS	199.00
207925	12/15/2025	Check	V - 24570	IL DEPT. OF CENTRAL MANAGEMENT SVCS	1,300.00
207926	12/15/2025	Check	V - 19730	ILLINOIS DEPARTMENT OF REVENUE	710.04
207927	12/15/2025	Check	V - 18009	IL MUSIC EDUCATORS ASSOCIATION	630.00
207928	12/15/2025	Check	V - 25740	ILLINOIS-SPEECH-LANGUAGE-HEARING ASSOC	1,260.00
207929	12/15/2025	Check	V - 25440	IMEG CORP	5,150.00
207930	12/15/2025	Check	V - 10441	JOHANNES BUS SERVICE INC.	171,181.36
207931	12/15/2025	Check	V - 10246	JOHNSON DISTRIBUTING INC.	29.00
207932	12/15/2025	Check	V - 26401	JOSHUA ANDERSON	3,000.00
207933	12/15/2025	Check	V - 10461	KIDDER MUSIC SERVICE	293.00
207934	12/15/2025	Check	V - 25974	LEARNWELL	595.84
207935	12/15/2025	Check	V - 20947	LOFFREDO FRESH PRODUCE CO., INC.	5,587.50
207936	12/15/2025	Check	V - 26438	LOGAN RIVER ACADEMY	17,808.73
207937	12/15/2025	Check	V - 18292	LOWE'S	101.93
207938	12/15/2025	Check	V - 18558	LUCK'S MUSIC LIBRARY	82.04
207939	12/15/2025	Check	V - 25241	MARCO TECHNOLOGIES, LLC	149.59
207940	12/15/2025	Check	V - 23379	MEDIACOM COMMUNICATIONS CORP	156.38
207941	12/15/2025	Check	V - 25504	MICHAEL MATHERLY	236.60
207942	12/15/2025	Check	V - 15666	MIDWEST MAILWORKS, INC.	62.04
207943	12/15/2025	Check	V - 19607	MUSIC IS ELEMENTARY	48.90
207944	12/15/2025	Check	V - 25314	MYSTERY SCIENCE INC	1,560.00
207945	12/15/2025	Check	V - 21799	NABSE	1,400.00
207946	12/15/2025	Check	V - 26594	NIGHTLOCK	367.64
207947	12/15/2025	Check	V - 25737	NOODLE TOOLS, INC.	510.00
207948	12/15/2025	Check	V - 10613	OFFICE MACHINE CONSULTANT	2,396.06
207949	12/15/2025	Check	V - 23431	OMNICHEER	1,429.51
207950	12/15/2025	Check	V - 24456	ONE STEP INC	1,983.00
207951	12/15/2025	Check	V - 25389	PEPSI-COLA OF ROCK ISLAND	519.07
207952	12/15/2025	Check	V - 10081	PIZZA & SUBS	1,245.95
207953	12/15/2025	Check	V - 24053	PRAIRIE FARMS DAIRY	26,656.12
207954	12/15/2025	Check	V - 26425	QUAD CORPORATION INC	184.48
207955	12/15/2025	Check	V - 10232	R. K. DIXON CO.	306.00
207956	12/15/2025	Check	V - 25501	REMIND	4,980.67
207957	12/15/2025	Check	V - 11658	ROCK ISLAND FITNESS AND	865.20
207958	12/15/2025	Check	V - 10721	ROCK ISLAND BOARD OF EDUCATION	64.00
207959	12/15/2025	Check	V - 18465	ROCK ISLAND SCHOOL DISTRICT 41	75,463.75

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
207960	12/15/2025	Check	V - 20536	ROCK ISLAND PARKS AND RECREATION DEPT.	5,254.00
207961	12/15/2025	Check	V - 20536	ROCK ISLAND PARKS AND RECREATION DEPT.	6,200.00
207962	12/15/2025	Check	V - 10706	REGIONAL OFFICE OF EDUCATION-MOLINE	878.00
207963	12/15/2025	Check	V - 20576	ROYAL IMAGING	231.00
207964	12/15/2025	Check	V - 23239	RUSSELL CONSTRUCTION COMPANY	1,266,862.74
207965	12/15/2025	Check	V - 16561	SCHOLASTIC INC. - MAGAZINES	980.85
207966	12/15/2025	Check	V - 25582	SCOTT COUNTY SHERIFF	312.51
207967	12/15/2025	Check	V - 25582	SCOTT COUNTY SHERIFF	219.67
207968	12/15/2025	Check	V - 24411	SHRED-IT USA	190.94
207969	12/15/2025	Check	V - 24463	SILVIS SCHOOL DISTRICT #34	900.00
207970	12/15/2025	Check	V - 26500	SPECIAL EDUCATION SERVICES	23,331.60
207971	12/15/2025	Check	V - 26501	SPECIAL EDUCATION SYSTEMS, INC	5,529.00
207972	12/15/2025	Check	V - 26526	ST. GEORGE GREEK ORTHODOX CHURCH, INC	450.00
207973	12/15/2025	Check	V - 24811	STEVE WEISS MUSIC INC.	482.90
207974	12/15/2025	Check	V - 21935	TOP SHELF, INC.	495.50
207975	12/15/2025	Check	V - 26567	TOP SHOT C.K.R. INC.	450.00
207976	12/15/2025	Check	V - 15960	VARSITY SPIRIT FASHIONS & SUPPLIES LLC	2,538.90
207977	12/15/2025	Check	V - 20598	VERIZON WIRELESS	1,874.92
207978	12/15/2025	Check	V - 14349	VIRCO INC	1,653.60
207979	12/15/2025	Check	V - 24843	WI SCTF	100.00
207980	12/15/2025	Check	V - 10945	XEROX CORPORATION	7,819.55

Total No. of Checks : 93 **Total Amount : 2,321,450.03**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
585	12/19/2025	ACH	P - 96296	MUNOZ, JUSTIN TYLER	18.90
586	12/19/2025	ACH	P - 05672	ST CLAIR, MARTIN E	42.00

Total No. of Checks : 2				**Total Amount :**	**60.90**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
38806	12/15/2025	Check	V - 10018	ADEL WHOLESALERS, INC.	38.50
38807	12/15/2025	Check	V - 23054	REPUBLIC SERVICES	13,687.19
38808	12/15/2025	Check	V - 12747	B & B HARDWARE	69.81
38809	12/15/2025	Check	V - 10091	BLACKHAWK BANK & TRUST	161.20
38810	12/15/2025	Check	V - 26487	CORDOGAN CLARK & ASSOCIATES, INC	15,914.09
38811	12/15/2025	Check	V - 15518	CRAWFORD COMPANY	6,641.18
38812	12/15/2025	Check	V - 26489	DOORS, INC	1,365.00
38813	12/15/2025	Check	V - 23196	ILLINOIS OFFICE OF THE STATE FIRE MARSHAL	75.00
38814	12/15/2025	Check	V - 23083	INTERSTATE BATTERY OF THE QUAD CITIES	313.18
38815	12/15/2025	Check	V - 18292	LOWE'S	1,394.69
38816	12/15/2025	Check	V - 26488	MECHANICAL SERVICE, INC.	668.00
38817	12/15/2025	Check	V - 14673	MENARDS, INC.	724.48
38818	12/15/2025	Check	V - 23535	MTI DISTRIBUTING	4,223.29
38819	12/15/2025	Check	V - 22570	PRO CLEAN CAR WASH AND DETAILING	24.00
38820	12/15/2025	Check	V - 26225	QUAD CITY TECH, INC.	14,154.73
38821	12/15/2025	Check	V - 10722	CITY OF ROCK ISLAND	16,678.35
38822	12/15/2025	Check	V - 11089	SEXTON FORD SALES, INC.	324.60
38823	12/15/2025	Check	V - 23326	SHERWIN WILLIAMS	456.47
38824	12/15/2025	Check	V - 23154	STUARD & ASSOCIATES, INC.	310.00
38825	12/15/2025	Check	V - 15967	TRANE	115.48
38826	12/15/2025	Check	V - 21311	ULINE, INC.	689.56
38827	12/15/2025	Check	V - 26116	VAN-WALL EQUIPMENT, INC.	1,698.00
38828	12/15/2025	Check	V - 20598	VERIZON WIRELESS	315.12

Total No. of Checks : 23 **Total Amount : 80,041.92**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 6 - A1**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 12/15/2025**
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

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
3977	12/19/2025	ACH	V - 25525	AMAZON.COM SERVICES, INC.	28,074.00
3978	12/19/2025	ACH	V - 26513	BSN SPORTS LLC	8,041.08
3979	12/19/2025	ACH	V - 14613	BURKE CLEANERS, INC.	729.41
3980	12/19/2025	ACH	V - 17243	CDW GOVERNMENT, INC.	2,182.42
3981	12/19/2025	ACH	V - 26138	CONNECTWISE LLC	3,120.00
3982	12/19/2025	ACH	V - 25711	CULLIGAN OF DAVENPORT	193.50
3983	12/19/2025	ACH	V - 10221	DEMCO EDUCATIONAL CORP.	303.08
3984	12/19/2025	ACH	V - 26108	EMPIRICAL EDUCATION, INC.	12,672.50
3985	12/19/2025	ACH	V - 16421	FRANCZEK RADELET	18,905.00
3986	12/19/2025	ACH	V - 25049	GREAT MINDS PBC	572.90
3987	12/19/2025	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	340.99
3988	12/19/2025	ACH	V - 12439	ILLINOIS PRINCIPALS ASSOCIATION	3,095.00
3989	12/19/2025	ACH	V - 18269	J.W. PEPPER & SON	152.72
3990	12/19/2025	ACH	V - 24278	JOSTENS, INC	152.45
3991	12/19/2025	ACH	V - 24908	KOHL WHOLESALE	38,468.54
3992	12/19/2025	ACH	V - 25922	LAKESHORE LEARNING MATERIALS, LLC	407.37
3993	12/19/2025	ACH	V - 26273	NICOLE CISNE DURBIN	524.85
3994	12/19/2025	ACH	V - 26008	PAN-O-GOLD BAKING CO.	810.30
3995	12/19/2025	ACH	V - 10651	PITNEY BOWES (SUPPLIES)	82.99
3996	12/19/2025	ACH	V - 25751	QUALITY CONTROLLED STAFFING, INC.	3,049.76
3997	12/19/2025	ACH	V - 12585	S.J. SMITH CO., INC.	676.61
3998	12/19/2025	ACH	V - 25669	SAVVAS LEARNING COMPANY LLC	3,500.00
3999	12/19/2025	ACH	V - 19712	STAPLES ADVANTAGE	1,105.50
4000	12/19/2025	ACH	V - 18768	TRI-CITY ELECTRIC CO. OF IOWA	910.00
4001	12/19/2025	ACH	V - 20891	UNITED PARCEL SERVICE	34.69

Total No. of Checks : 25 **Total Amount : 128,105.66**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH HEALTH INS - HEALTH INSURANCE - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
74	12/19/2025	ACH	V - 18449	WORTHINTON-OLSON, INC.	57.50

Total No. of Checks : 1 **Total Amount : 57.50**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
587	12/19/2025	ACH	V - 25525	AMAZON.COM SERVICES, INC.	873.78
588	12/19/2025	ACH	V - 17235	GREENWOOD CLEANING SYSTEMS, IN	4,886.62
589	12/19/2025	ACH	V - 26598	J & M HARDWARE INC	514.26
590	12/19/2025	ACH	V - 24232	LAKEWOOD ELECTRIC & GENERATOR SVC, INC	1,871.19
591	12/19/2025	ACH	V - 25213	LEGAT ARCHITECTS, INC	250.00
592	12/19/2025	ACH	V - 16017	PHELPS CUSTOM IMAGE WEAR	5,403.24
593	12/19/2025	ACH	V - 10003	THYMET PEST CONTROL	636.00

Total No. of Checks : 7 **Total Amount : 14,435.09**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 6 - A2**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 12/15/2025**
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

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
4002	12/16/2025	ACH	V - 26444	AMERITAS LIFE INSURANCE CORP	19,810.54
4003	12/16/2025	ACH	V - 26020	ANNA THIRTYACRE	300.00
4004	12/16/2025	ACH	V - 26278	COMBINED INSURANCE COMPANY OF AMERICA	1,163.81
4005	12/16/2025	ACH	V - 25757	IMAGINE LEARNING LLC	27,333.55
4006	12/16/2025	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	727.35
4007	12/16/2025	ACH	V - 11015	IMRF ACCOUNT	11,902.04
4008	12/16/2025	ACH	V - 24216	PROJECT LEAD THE WAY, INC	6,050.00
4009	12/16/2025	ACH	V - 26286	RELIANCE STANDARD LIFE INSURANCE COMPANY	9,689.84

Total No. of Checks : 8 **Total Amount : 76,977.13**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH HEALTH INS - HEALTH INSURANCE - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
75	12/16/2025	ACH	V - 22013	HEALTH CARE SERVICE CORP-BLUE	762,157.66

Total No. of Checks : 1 **Total Amount : 762,157.66**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
594	12/16/2025	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	14,186.17

Total No. of Checks : 1 **Total Amount : 14,186.17**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 6 - A3**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 12/15/2025**
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**

SUMMARY OF CHECKS AND WIRES
December 31, 2025

COMPUTERIZED CHECK RUN

EDUCATION

Ed Fund CHECKS			Ed Fund ACH		
V207981-V208042			VA4010-VA4059		
Education	$	953,047.33	Education	$	156,702.45
Transportation	$	27,879.00	Transportation		
Debt Service Fund			Debt Service Fund		
Capital Projects			Capital Projects		
Life Safety			Life Safety		
Tort Immunity	$	13,237.00	Tort Immunity	$	19,788.00
	$	994,163.33		$	176,490.45
			TOTAL EDUCATION	**$**	**1,170,653.78**

O&M

O&M CHECKS			O&M Fund ACH		
B38829-B38850	$	233,281.32	BA595-BA602	$	37,213.37
			TOTAL O&M	**$**	**270,494.69**

HEALTH

Health Fund CHECKS			Health Fund ACH		
H906286	$	11,000.00	HA76	$	204.00
			TOTAL HEALTH	**$**	**11,204.00**

TOTAL COMPUTERIZED CHECK RUN			**$ 1,452,352.47**

WIRES

Ed, Bldg, Tort Salary Checks	$	1,948,684.36
Federal Income Tax	$	263,937.00
OASDI/Medicare	$	163,299.64
State Withholdings	$	117,653.53
Teacher's Retirement Systems/IMRF	$	256,085.24
Employee Deductions	$	99,639.94
Benefits Payments		
TOTAL WIRES	**$**	**2,849,299.71**

GRAND TOTAL	**$**	**4,301,652.18**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
4010	01/06/2026	ACH	P - 07209	ANSON, STEPHANIE A	54.67
4011	01/06/2026	ACH	P - 96796	BEBBER, DANIA PATRICIA	54.34
4012	01/06/2026	ACH	P - 07534	BRADLEY, DONNA LEIGH	30.52
4013	01/06/2026	ACH	P - 97366	BURGOS VASQUEZ, JOSE G	247.80
4014	01/06/2026	ACH	P - 97349	CHAPMAN, JOSHUA EDWARD	64.26
4015	01/06/2026	ACH	P - 07818	CLARK, LANCE ROBERT	34.06
4016	01/06/2026	ACH	P - 96303	COOK-BEHRENS, CAREY LYNN	620.89
4017	01/06/2026	ACH	P - 95252	DIXON, RAMONA B	87.86
4018	01/06/2026	ACH	P - 96994	FRANCE-MOORE, ADRIENNE JANELLE	434.00
4019	01/06/2026	ACH	P - 96799	INGLE, KAROLYN RUTH	292.24
4020	01/06/2026	ACH	P - 96836	MADER, STEPHANIE LEE	20.44
4021	01/06/2026	ACH	P - 07108	MANWEILER, MATTHEW R	61.53
4022	01/06/2026	ACH	P - 97272	MEYERS, LAURA L	8.25
4023	01/06/2026	ACH	P - 13748	PARER, ANDREA ELIZABETH	427.65
4024	01/06/2026	ACH	P - 96468	PAYNE, KIMBERLY FAY	26.00
4025	01/06/2026	ACH	P - 95212	PFAFF, JENNIFER R	93.38
4026	01/06/2026	ACH	P - 97292	PHILLIPS, FELICIA JANE	213.78
4027	01/06/2026	ACH	P - 96567	RISDEN-RICE, PAULETTE KAY	38.72
4028	01/06/2026	ACH	P - 95799	ROHWER, AMY MARGARET	24.57
4029	01/06/2026	ACH	P - 97362	ROSE, JEFFREY HUNTER	20.82
4030	01/06/2026	ACH	P - 97149	SHANNON, AARON DANIEL	302.26
4031	01/06/2026	ACH	P - 95874	TRIGUEROS, MARIA SOLEDAD	87.07
4032	01/06/2026	ACH	P - 97442	WALKER, MITCHELL CRAIG	6.84
4033	01/06/2026	ACH	P - 95054	WENTHE, KELLEY M	129.36
4034	01/06/2026	ACH	P - 95641	WRIGHT, NANCY A	90.51

Total No. of Checks : 25 **Total Amount : 3,471.82**

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
207981	12/31/2025	Check	V - 19447	AAA RENTS	820.00
207982	12/31/2025	Check	V - 26558	ACELLUS EDUCATIONAL SERVICES LLC	395.00
207983	12/31/2025	Check	V - 10245	ACT II TRANSPORTATION, INC.	22,185.00
207984	12/31/2025	Check	V - 11013	AFSCME COUNCIL 31	2,105.61
207985	12/31/2025	Check	V - 26248	ARTHUR'S GARDEN DELI	271.85
207986	12/31/2025	Check	V - 24309	AVID CENTER	23,177.00
207987	12/31/2025	Check	V - 20275	BARNES & NOBLE	1,555.07
207988	12/31/2025	Check	V - 22296	BLITT AND GAINES, P.C.	303.74
207989	12/31/2025	Check	V - 22296	BLITT AND GAINES, P.C.	321.81
207990	12/31/2025	Check	V - 21140	BOOKSAMILLION.COM	1,176.35
207991	12/31/2025	Check	V - 25948	CAMELOT THERAPEUTIC SCHOOLS, LLC	8,579.90
207992	12/31/2025	Check	V - 24698	CARTRIDGE INK QUAD CITIES	891.19
207993	12/31/2025	Check	V - 18115	CRISIS PREVENTION INSTITUTE	1,618.56
207994	12/31/2025	Check	V - 26603	DAMON WEST, LLC	2,000.00
207995	12/31/2025	Check	V - 14209	BLICK ART MATERIALS	1,500.00
207996	12/31/2025	Check	V - 25692	EDPUZZLE INC	2,620.00
207997	12/31/2025	Check	V - 25184	EMBRACE EDUCATION	28.17
207998	12/31/2025	Check	V - 24426	QUALITY GROUP	3,045.00
207999	12/31/2025	Check	V - 26571	EXTRA DUTY SOLUTIONS	919.80
208000	12/31/2025	Check	V - 26591	FIELD TO FAMILY	7,200.00
208001	12/31/2025	Check	V - 23428	FIRM SYSTEMS	1,888.00
208002	12/31/2025	Check	V - 26250	FOLLETT CONTENT SOLUTIONS	1,198.29
208003	12/31/2025	Check	V - 24312	ARTHUR J GALLAGHER RISK MANAGEMENT SVC., INC	13,237.00
208004	12/31/2025	Check	V - 11475	HY-VEE FOOD STORE	8,742.18
208005	12/31/2025	Check	V - 24570	IL DEPT. OF CENTRAL MANAGEMENT SVCS	650.00
208006	12/31/2025	Check	V - 19730	ILLINOIS DEPARTMENT OF REVENUE	710.04
208007	12/31/2025	Check	V - 14937	ILLINOIS SCHOOL FOR THE DEAF	165.00
208008	12/31/2025	Check	V - 12092	KING FOOD SERVICE, INC.	924.00
208009	12/31/2025	Check	V - 26427	LA FLAMA	231.00
208010	12/31/2025	Check	V - 10300	SUMMIT FINANCIAL RESOURCES, L.P.	434.83
208011	12/31/2025	Check	V - 20947	LOFFREDO FRESH PRODUCE CO., INC.	8,478.90
208012	12/31/2025	Check	V - 17058	MACKIN EDUCATIONAL RESOURCES	1,008.00
208013	12/31/2025	Check	V - 26531	MARCHING GEAR, LLC	124.00
208014	12/31/2025	Check	V - 23379	MEDIACOM COMMUNICATIONS CORP	580.00
208015	12/31/2025	Check	V - 14455	NATIONAL ART EDUCATION ASSOCIATION	1,000.00

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
208016	12/31/2025	Check	V - 26586	NATIONAL ASSOCIATION OF SOCIAL WORKERS INC	51.95
208017	12/31/2025	Check	V - 26592	NATIONAL UNIVERSITY	500.00
208018	12/31/2025	Check	V - 26535	FIRST CHURCH OF THE NAZARENE OF ROCK ISLAND	5,175.00
208019	12/31/2025	Check	V - 10613	OFFICE MACHINE CONSULTANT	2,779.99
208020	12/31/2025	Check	V - 24456	ONE STEP INC	133.00
208021	12/31/2025	Check	V - 19416	PAPA JOHN'S OF IOWA	4,488.00
208022	12/31/2025	Check	V - 25389	PEPSI-COLA OF ROCK ISLAND	256.66
208023	12/31/2025	Check	V - 10639	PERMA-BOUND BOOKS	3,938.39
208024	12/31/2025	Check	V - 26425	QUAD CORPORATION INC	184.48
208025	12/31/2025	Check	V - 25748	QUALITY AWARDS & LAMINATING	18.00
208026	12/31/2025	Check	V - 17204	REGALIA MANUFACTURING COMPANY	300.00
208027	12/31/2025	Check	V - 11658	ROCK ISLAND FITNESS AND	842.00
208028	12/31/2025	Check	V - 10721	ROCK ISLAND BOARD OF EDUCATION	60.00
208029	12/31/2025	Check	V - 18465	ROCK ISLAND SCHOOL DISTRICT 41	798,833.18
208030	12/31/2025	Check	V - 10706	REGIONAL OFFICE OF EDUCATION-MOLINE	6,000.00
208031	12/31/2025	Check	V - 25582	SCOTT COUNTY SHERIFF	312.51
208032	12/31/2025	Check	V - 25582	SCOTT COUNTY SHERIFF	219.67
208033	12/31/2025	Check	V - 25766	SKYWARD, INC	250.00
208034	12/31/2025	Check	V - 26500	SPECIAL EDUCATION SERVICES	24,239.85
208035	12/31/2025	Check	V - 26501	SPECIAL EDUCATION SYSTEMS, INC	5,529.00
208036	12/31/2025	Check	V - 24811	STEVE WEISS MUSIC INC.	2,149.09
208037	12/31/2025	Check	V - 20539	TRANSITIONS	1,639.00
208038	12/31/2025	Check	V - 10477	PFG-THOMS PROESTLER CO./TPC	895.38
208039	12/31/2025	Check	V - 25969	THE UNIVERSITY OF ARIZONA GLOBAL CAMPUS	6,926.00
208040	12/31/2025	Check	V - 26291	WAYNE CORLETT	60.00
208041	12/31/2025	Check	V - 24843	WI SCTF	100.00
208042	12/31/2025	Check	V - 24520	EQUIFAX WORKFORCE SOLUTIONS LLC	8,196.89

Total No. of Checks : 62 **Total Amount : 994,163.33**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH HEALTH INS - HEALTH INSURANCE - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
906286	12/31/2025	Check	V - 24354	GALLAGHER BENEFIT SERVICES INC	11,000.00

Total No. of Checks : 1 **Total Amount : 11,000.00**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
595	01/06/2026	ACH	P - 95500	FILLMER, SUSAN K	24.08
596	01/06/2026	ACH	P - 96790	LOHMANN, RALPH AUGUST	10.92

Total No. of Checks : 2				**Total Amount :**	**35.00**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
38829	12/31/2025	Check	V - 10018	ADEL WHOLESALERS, INC.	678.71
38830	12/31/2025	Check	V - 10409	AT&T	275.76
38831	12/31/2025	Check	V - 12747	B & B HARDWARE	52.93
38832	12/31/2025	Check	V - 26490	CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC.	16.39
38833	12/31/2025	Check	V - 15518	CRAWFORD COMPANY	8,637.92
38834	12/31/2025	Check	V - 26489	DOORS, INC	27.00
38835	12/31/2025	Check	V - 10272	ERIKSEN CHEVROLET INC.	1,193.66
38836	12/31/2025	Check	V - 22315	GRAVES ENVIRONMENTAL, INC.	2,444.00
38837	12/31/2025	Check	V - 26565	GREEN ACRES LAWN CARE	89,758.00
38838	12/31/2025	Check	V - 23196	ILLINOIS OFFICE OF THE STATE FIRE MARSHAL	280.00
38839	12/31/2025	Check	V - 23083	INTERSTATE BATTERY OF THE QUAD CITIES	263.76
38840	12/31/2025	Check	V - 14673	MENARDS, INC.	73.25
38841	12/31/2025	Check	V - 10428	MIDAMERICAN ENERGY COMPANY	90,548.82
38842	12/31/2025	Check	V - 10551	VILLAGE OF MILAN	768.90
38843	12/31/2025	Check	V - 25119	O'REILLY AUTO PARTS	160.95
38844	12/31/2025	Check	V - 15355	POOLS WELDING	37.80
38845	12/31/2025	Check	V - 22570	PRO CLEAN CAR WASH AND DETAILING	12.00
38846	12/31/2025	Check	V - 10722	CITY OF ROCK ISLAND	1,679.28
38847	12/31/2025	Check	V - 18465	ROCK ISLAND SCHOOL DISTRICT 41	35,012.17
38848	12/31/2025	Check	V - 11089	SEXTON FORD SALES, INC.	80.00
38849	12/31/2025	Check	V - 23154	STUARD & ASSOCIATES, INC.	155.00
38850	12/31/2025	Check	V - 21311	ULINE, INC.	1,125.02

Total No. of Checks : 22				**Total Amount :**	**233,281.32**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 6 - A4**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 12/31/2025**
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

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
4035	01/06/2026	ACH	V - 25525	AMAZON.COM SERVICES, INC.	18,102.65
4036	01/06/2026	ACH	V - 26513	BSN SPORTS LLC	3,547.32
4037	01/06/2026	ACH	V - 10174	CONES REPAIR SERVICE, INC.	1,347.02
4038	01/06/2026	ACH	V - 25711	CULLIGAN OF DAVENPORT	10.00
4039	01/06/2026	ACH	V - 10221	DEMCO EDUCATIONAL CORP.	142.35
4040	01/06/2026	ACH	V - 16421	FRANCZEK RADELET	19,788.00
4041	01/06/2026	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	502.00
4042	01/06/2026	ACH	V - 12439	ILLINOIS PRINCIPALS ASSOCIATION	1,347.00
4043	01/06/2026	ACH	V - 25375	ITEK INTERPRETING SOLUTIONS, LLC	3,251.57
4044	01/06/2026	ACH	V - 26598	J & M HARDWARE INC	12.48
4045	01/06/2026	ACH	V - 18269	J.W. PEPPER & SON	29.49
4046	01/06/2026	ACH	V - 24908	KOHL WHOLESALE	58,002.20
4047	01/06/2026	ACH	V - 25922	LAKESHORE LEARNING MATERIALS, LLC	721.94
4048	01/06/2026	ACH	V - 15989	MAINSTREAMUSA INC.	11,937.68
4049	01/06/2026	ACH	V - 26008	PAN-O-GOLD BAKING CO.	2,406.80
4050	01/06/2026	ACH	V - 25827	PLAK SMACKER	78.99
4051	01/06/2026	ACH	V - 13348	SADDLEBACK EDUCATIONAL, INC	870.24
4052	01/06/2026	ACH	V - 19712	STAPLES ADVANTAGE	2,865.08
4053	01/06/2026	ACH	V - 26101	THE PITNEY BOWES RESERVE ACCOUNT	4,000.00
4054	01/06/2026	ACH	V - 20134	WEST MUSIC	22.91

Total No. of Checks : 20 **Total Amount : 128,985.72**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH OBM - OBM CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
597	01/06/2026	ACH	V - 25525	AMAZON.COM SERVICES, INC.	96.48
598	01/06/2026	ACH	V - 26262	FILTERBUY INC.	428.64
599	01/06/2026	ACH	V - 17235	GREENWOOD CLEANING SYSTEMS, IN	15,608.98
600	01/06/2026	ACH	V - 26598	J & M HARDWARE INC	593.72
601	01/06/2026	ACH	V - 10568	KONE INC.	5,902.95
602	01/06/2026	ACH	V - 24232	LAKEWOOD ELECTRIC & GENERATOR SVC, INC	14,547.60

Total No. of Checks : 6 **Total Amount : 37,178.37**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 6 - A5**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 12/31/2025**
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

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
4055	01/05/2026	ACH	V - 26444	AMERITAS LIFE INSURANCE CORP	19,546.14
4056	01/05/2026	ACH	V - 26020	ANNA THIRTYACRE	300.00
4057	01/05/2026	ACH	V - 26278	COMBINED INSURANCE COMPANY OF AMERICA	1,163.81
4058	01/05/2026	ACH	V - 11015	IMRF ACCOUNT	12,357.54
4059	01/05/2026	ACH	V - 26286	RELIANCE STANDARD LIFE INSURANCE COMPANY	10,665.42

Total No. of Checks : 5 **Total Amount : 44,032.91**

ROCK ISLAND SCHOOLS

CHECK REGISTER FOR BH HEALTH INS - HEALTH INSURANCE - ACH

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
76	01/05/2026	ACH	V - 18449	WORTHINTON-OLSON, INC.	204.00

Total No. of Checks : 1 **Total Amount : 204.00**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 6 - A6**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 12/31/2025**
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**

RIMSD 41 List of Donations 01.13.2026				
Donor	**Date**	**Amount**	**School**	**Purpose**
Judy Elliott & The Class of 1970	12/8/2025	$300.00	RIHS	Resource Room
Anonymous	12/12/2025	$400.00	RIHS	Resource Room
District Staff and many other donors	12/15/2025	$7,000.00	RIA	Scholars- Pillow, pillow cases, blankets
Mike Melody	11/25/2025	$100.00	RIHS	Baseball
		$7,800.00		

Proposal for Overnight/Extended Student Trips (Academic)

Email Address	*pete.carlin@rimsd41.org*
Type of Trip	*Student trip to Illinois Music Educators Conference in Peoria, Illinois*
Proposed Departure Date	*Jan 28, 2026*
Return Date	*Jan 31, 2026*
Proposer	*Peter Carlin & Scott Voigt*
School	*RIHS*
Position	*Director of Bands & Director of Choirs*
Date By Which Response Is Needed	*Jan 15, 2026*
What is the major place to be visited or event to be attended?	*Illinois Music Educators Association/All State Music Festival*
How is the trip related to the educational program of the District?	*This trip is for those students who auditioned and were selected to perform at All-State, the highest level for our student musicians in Illinois*
In what ways will the students benefit?	*Students will be rehearsing and performing with the best high school musicians in the State of Illinois, along with being taught by some of the best directors in the United States.*
In what ways will the District benefit?	*The district will benefit from those students bringing back those experiences and sharing them with other students, encouraging them to audition for All-State and in turn help create the high quality music program the Rock Island/Milan community currently enjoys.*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*It is evaluated through student interaction, discussions and performance. Along with the fact that Rock Island/Milan regularly has All-State level musicians.*
Which students (grade, class, or organization) will be going?	*Quinn Feigley, Nathan Anderson, Elijah Clark, Xavior Colclasure, Charis Moore, Ilisa Fornal, Zach Hansen, Mnena Jagusah, Lirely Mendoza, Ninah Payney, Marley Smith, Charles Cooley, Chase Coussens, Tyler Whitten - RIHS Wallace Hampton - WJHS*

Email Address	*pete.carlin@rimsd41.org*
Type of Trip	*Student trip to Illinois Music Educators Conference in Peoria, Illinois*
Proposed Departure Date	*Jan 28, 2026*
Return Date	*Jan 31, 2026*
How many students in total?	*16*
How many students are currently experiencing academic problems?	*none*
Which staff members will be in charge?	*Peter Carlin & Scott Voigt*
What previous experience has the staff member had in conducting overnight or extended field trips?	*Mr. Carlin & Mr. Voigt have experience doing trips together to All-State, Florida, New York and New Orleans over the last 20 years.*
What other staff members will be going?	*Michael Tollenaer, Derek Ross and Felicia Phillips*
How many chaperones, in addition to staff members, will be going?	*0*
What are their names and affiliations with the students?	*N/A*
How many days of school will be missed?	*2 days will be missed*
How will teachers be advised in advance that the students will be out of school?	*The students will be required to talk to the teachers and ask for any work they may miss.*
How will missed work be made up?	*They will make it up on their own time and turn in any missed work to their teachers.*
What special assistance will be provided to students with academic problems?	*These students usually do not have academic problems*
What is the destination?	*Peoria, Illinois*
What will be the mode of transportation? What liability insurance does the carrier have?	*We will be using the school district mini bus*
Where will the group be housed and fed?	*The group will be housed at a local hotel and fed with per diem money all provided by the Rock Island Music Association*
What enroute or supplementary activities are planned?	*none*
What arrangements have been made for dealing with emergency situations?	*All students emergency contacts will be with the directors*

Email Address	*pete.carlin@rimsd41.org*
Type of Trip	*Student trip to Illinois Music Educators Conference in Peoria, Illinois*
Proposed Departure Date	*Jan 28, 2026*
Return Date	*Jan 31, 2026*
If tour guides are involved, what liability insurance do they carry?	*N/A*
What is the estimated total cost and cost per student?	*Nothing*
What is the source of funds?	*For the students the Rock Island Music Association will be funding their trips.*
How will the funds be collected and safeguarded?	*N/A*
How will any shortfall be made up or excess funds used?	*There will be no shortfall*
What provision has been made for students who are financially unable to pay any necessary costs?	*The trip is paid for*
How will you communicate to parents prior to, during, and after the trip?	*We will use Remind app*
List telephone numbers at destination where group will be housed.	*(309) 637-6500*
What information will be provided to the media and the community?	*Information should have already been shared to our district communications department to provide it to the media and community.*
Athletic Director Approval (Athletic trips only)	Approved by
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Dec 09, 2025 16:11
Signature of School Board Representative	

Proposal for Overnight/Extended Student Trips (Athletic)

Email Address	*joel.stockwell@rimsd41.org*
Type of Trip	*Wrestling*
Proposed Departure Date	*Jan 09, 2026*
Return Date	*Jan 10, 2026*
Proposer	*Joel Stockwell*
School	*RIHS*
Position	*Head Coach (Boys)*
Date By Which Response Is Needed	*Dec 16, 2025*
What is the major place to be visited or event to be attended?	*Sycamore High School*
How is the trip related to the educational program of the District?	*It is an athletic event.*
In what ways will the students benefit?	*Wrestling experience and community interactions*
In what ways will the District benefit?	*Positive exposure of the Rock Island brand.*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*Direct observation*
Which students (grade, class, or organization) will be going?	*Varsity wrestlers*
How many students in total?	*18*
How many students are currently experiencing academic problems?	*None*
Which staff members will be in charge?	*Joel Stockwell, Jake Boyd*
What previous experience has the staff member had in conducting overnight or extended field trips?	*Over 20 years of prior experience.*
What other staff members will be going?	*None*
How many chaperones, in addition to staff members, will be going?	*None*
What are their names and affiliations with the students?	*N/A*
How many days of school will be missed?	*None*

Email Address	*joel.stockwell@rimsd41.org*
Type of Trip	*Wrestling*
Proposed Departure Date	*Jan 09, 2026*
Return Date	*Jan 10, 2026*
How will teachers be advised in advance that the students will be out of school?	*N/A*
How will missed work be made up?	*N/A*
What special assistance will be provided to students with academic problems?	*Tutoring*
What is the destination?	*Sycamore High School*
What will be the mode of transportation? What liability insurance does the carrier have?	*Bus*
Where will the group be housed and fed?	*Motel 6*
What enroute or supplementary activities are planned?	*None*
What arrangements have been made for dealing with emergency situations?	*Emergency contact folders*
If tour guides are involved, what liability insurance do they carry?	*N/A*
What is the estimated total cost and cost per student?	*$100*
What is the source of funds?	*Athletics, Rock Island Wrestling Club*
How will the funds be collected and safeguarded?	*N/A*
How will any shortfall be made up or excess funds used?	*N/A*
What provision has been made for students who are financially unable to pay any necessary costs?	*N/A*
How will you communicate to parents prior to, during, and after the trip?	*Group Me*
List telephone numbers at destination where group will be housed.	*815-899-6500*

Email Address	*joel.stockwell@rimsd41.org*
Type of Trip	*Wrestling*
Proposed Departure Date	*Jan 09, 2026*
Return Date	*Jan 10, 2026*
What information will be provided to the media and the community?	*Results*
Athletic Director Approval (Athletic trips only)	Approved by *Mike Emendorfer*
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Nov 17, 2025 13:36
Signature of School Board Representative	

Proposal for Overnight/Extended Student Trips (Athletic)

Email Address	*rebecca.brown@rimsd41.org*
Type of Trip	*Diving Sectional Trip*
Proposed Departure Date	*Feb 20, 2026*
Return Date	*Feb 21, 2026*
Proposer	*Rebecca Brown*
School	*RIHS*
Position	*Head Coach*
Date By Which Response Is Needed	*Feb 13, 2026*
What is the major place to be visited or event to be attended?	*IHSA Sectional Meet*
How is the trip related to the educational program of the District?	*Allows our divers to showcase their accomplishments and earn a spot in the state finals.*
In what ways will the students benefit?	*Students will be able to compete at a higher level*
In what ways will the District benefit?	*Good publicity and get the sport of diving into the spot light.*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*Media and district posts*
Which students (grade, class, or organization) will be going?	*12th grade Diver*
How many students in total?	*1*
How many students are currently experiencing academic problems?	*0*
Which staff members will be in charge?	*Rebecca Brown*
What previous experience has the staff member had in conducting overnight or extended field trips?	*Attended East Coast trip for 10 years*
What other staff members will be going?	*Diving Coach Sarah Fuelling*
How many chaperones, in addition to staff members, will be going?	*NA*
What are their names and affiliations with the students?	*NA*

Email Address	*rebecca.brown@rimsd41.org*
Type of Trip	*Diving Sectional Trip*
Proposed Departure Date	*Feb 20, 2026*
Return Date	*Feb 21, 2026*
How many days of school will be missed?	*None (no school that Friday for students)*
How will teachers be advised in advance that the students will be out of school?	*NA*
How will missed work be made up?	*NA*
What special assistance will be provided to students with academic problems?	*NA*
What is the destination?	*TBD (IHSA has not yet released the location)*
What will be the mode of transportation? What liability insurance does the carrier have?	*Dive coach will drive the diver and I will drive my car to stay for the swim meet later that same day*
Where will the group be housed and fed?	*Hotel and dinner out. Breakfast will be brought from home.*
What enroute or supplementary activities are planned?	*No*
What arrangements have been made for dealing with emergency situations?	*Diver's mother is the coach. Contacts will be made if anything happens via cell phone .*
If tour guides are involved, what liability insurance do they carry?	*NA*
What is the estimated total cost and cost per student?	*300*
What is the source of funds?	*Athletic Funds*
How will the funds be collected and safeguarded?	*Coach will hold all funds.*
How will any shortfall be made up or excess funds used?	*Coach will cover any extra costs and excess funds will be returned.*
What provision has been made for students who are financially unable to pay any necessary costs?	*Coach will help pay*
How will you communicate to parents prior to, during, and after the trip?	*Parent will be attending the trip.*
List telephone numbers at destination where	*TBD*

Email Address	*rebecca.brown@rimsd41.org*
Type of Trip	*Diving Sectional Trip*
Proposed Departure Date	*Feb 20, 2026*
Return Date	*Feb 21, 2026*
group will be housed.	
What information will be provided to the media and the community?	*Media specialist will be informed of the place and a time for interviews and pictures will be arranged for the following week.*
Athletic Director Approval (Athletic trips only)	Approved by *Mike Emendorfer*
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Dec 08, 2025 12:57
Signature of School Board Representative	

Proposal for Overnight/Extended Student Trips (Athletic)

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*Competition*
Proposed Departure Date	*Feb 05, 2026*
Return Date	*Feb 07, 2026*
Proposer	*Barlow McGhee*
School	*RIHS*
Position	*Head Girls Wrestling Coach*
Date By Which Response Is Needed	*Jan 24, 2026*
What is the major place to be visited or event to be attended?	*TBD*
How is the trip related to the educational program of the District?	*IHSA State Series*
In what ways will the students benefit?	*Way to get their name out for higher education*
In what ways will the District benefit?	*Girls will be representing the district in the state series*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*Wrestler success*
Which students (grade, class, or organization) will be going?	*Girls Wrestling Team*
How many students in total?	*11*
How many students are currently experiencing academic problems?	*none*
Which staff members will be in charge?	*Barlow McGhee/Hunter Adlrich*
What previous experience has the staff member had in conducting overnight or extended field trips?	*7 years as a college coach*
What other staff members will be going?	*none*
How many chaperones, in addition to staff members, will be going?	*none*
What are their names and affiliations with the students?	*none*

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*Competition*
Proposed Departure Date	*Feb 05, 2026*
Return Date	*Feb 07, 2026*
How many days of school will be missed?	*1*
How will teachers be advised in advance that the students will be out of school?	*students will collaborate with teachers*
How will missed work be made up?	*students will collaborate with teachers*
What special assistance will be provided to students with academic problems?	*I will have a chromebook for students to use if needed*
What is the destination?	*TBD*
What will be the mode of transportation? What liability insurance does the carrier have?	*Bus and school insurance*
Where will the group be housed and fed?	*TBD*
What enroute or supplementary activities are planned?	*none*
What arrangements have been made for dealing with emergency situations?	*we have all emergency contacts*
If tour guides are involved, what liability insurance do they carry?	*none*
What is the estimated total cost and cost per student?	*TBD*
What is the source of funds?	*District funds*
How will the funds be collected and safeguarded?	*coaches will hold all money*
How will any shortfall be made up or excess funds used?	*coaches will make it up*
What provision has been made for students who are financially unable to pay any necessary costs?	*coaches will help those students or parents*
How will you communicate to parents prior to, during, and after the trip?	*email or phone*
List telephone numbers at destination where group will be housed.	*TBD*

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*Competition*
Proposed Departure Date	*Feb 05, 2026*
Return Date	*Feb 07, 2026*
What information will be provided to the media and the community?	*when and what time girls will wrestle*
Athletic Director Approval (Athletic trips only)	Approved by *Mike Emendorfer*
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Jan 07, 2026 12:33
Signature of School Board Representative	

Proposal for Overnight/Extended Student Trips (Athletic)

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*competition*
Proposed Departure Date	*Feb 12, 2026*
Return Date	*Feb 14, 2026*
Proposer	*Barlow McGhee*
School	*RIHS*
Position	*Head Girls Wrestling Coach*
Date By Which Response Is Needed	*Jan 30, 2026*
What is the major place to be visited or event to be attended?	*IHSA Girls Sectionals @ Dekalb High School*
How is the trip related to the educational program of the District?	*IHSA Series*
In what ways will the students benefit?	*Competing to be state champ*
In what ways will the District benefit?	*District gets students competing for state championships*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*How well students do*
Which students (grade, class, or organization) will be going?	*Girls Wrestling Team*
How many students in total?	*8*
How many students are currently experiencing academic problems?	*none*
Which staff members will be in charge?	*Barlow McGhee/Hunter Aldrich*
What previous experience has the staff member had in conducting overnight or extended field trips?	*7 years of college coaching*
What other staff members will be going?	*none*
How many chaperones, in addition to staff members, will be going?	*none*
What are their names and affiliations with the students?	*none*

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*competition*
Proposed Departure Date	*Feb 12, 2026*
Return Date	*Feb 14, 2026*
How many days of school will be missed?	*1*
How will teachers be advised in advance that the students will be out of school?	*Students will tell their teachers*
How will missed work be made up?	*Students will collaborate with teachers on their missed work*
What special assistance will be provided to students with academic problems?	*I will have a chromebook students can use if needed*
What is the destination?	*Dekalb IL*
What will be the mode of transportation? What liability insurance does the carrier have?	*Bus and district insurance*
Where will the group be housed and fed?	*663 South Annie Glidden Road, DeKalb, IL 60115, United States*
What enroute or supplementary activities are planned?	*none*
What arrangements have been made for dealing with emergency situations?	*we will have all emergency contacts*
If tour guides are involved, what liability insurance do they carry?	*none*
What is the estimated total cost and cost per student?	*$1,450*
What is the source of funds?	*School funds*
How will the funds be collected and safeguarded?	*coaches will safeguard all money*
How will any shortfall be made up or excess funds used?	*coaches will make it up*
What provision has been made for students who are financially unable to pay any necessary costs?	*coaches will make it up*
How will you communicate to parents prior to, during, and after the trip?	*email or phone*

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*competition*
Proposed Departure Date	*Feb 12, 2026*
Return Date	*Feb 14, 2026*
List telephone numbers at destination where group will be housed.	*(815) 748-4323*
What information will be provided to the media and the community?	*time and when girls will be wrestling*
Athletic Director Approval (Athletic trips only)	Approved by *Mike Emendorfer*
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Jan 07, 2026 12:49
Signature of School Board Representative	

Proposal for Overnight/Extended Student Trips (Athletic)

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*Competition for Girls wrestling*
Proposed Departure Date	*Feb 26, 2026*
Return Date	*Feb 28, 2026*
Proposer	*Barlow McGhee*
School	*RIHS*
Position	*Head Coach Girls Wrestling*
Date By Which Response Is Needed	*Jan 30, 2026*
What is the major place to be visited or event to be attended?	*IHSA Girls State Tournament @ Grossinger Motors Arena in Bloomington*
How is the trip related to the educational program of the District?	*Helping girls get their names out there through wrestling*
In what ways will the students benefit?	*Individual success on the mat*
In what ways will the District benefit?	*The girls are representing the district in the state series*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*When the girls qualify for state*
Which students (grade, class, or organization) will be going?	*Girls Wrestling Team*
How many students in total?	*4*
How many students are currently experiencing academic problems?	*None*
Which staff members will be in charge?	*Barlow McGhee*
What previous experience has the staff member had in conducting overnight or extended field trips?	*Was a college coach for 7 years.*
What other staff members will be going?	*Hunter Aldrich*
How many chaperones, in addition to staff members, will be going?	*none*
What are their names and affiliations with the students?	*none*

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*Competition for Girls wrestling*
Proposed Departure Date	*Feb 26, 2026*
Return Date	*Feb 28, 2026*
How many days of school will be missed?	*1*
How will teachers be advised in advance that the students will be out of school?	*Students will email teachers on the matter*
How will missed work be made up?	*Students will collaborate with their teachers in advance to get homework done and turned in*
What special assistance will be provided to students with academic problems?	*I will have a chromebook on the bus for students to do work on.*
What is the destination?	*Hawthorn Extended Stay by Wyndham Bloomington*
What will be the mode of transportation? What liability insurance does the carrier have?	*School transportation and school insurance*
Where will the group be housed and fed?	*Hawthorn Extended Stay by Wyndham Bloomington*
What enroute or supplementary activities are planned?	*none*
What arrangements have been made for dealing with emergency situations?	*We have all emergency contacts for athletes*
If tour guides are involved, what liability insurance do they carry?	*none*
What is the estimated total cost and cost per student?	*$950*
What is the source of funds?	*District will fund trip*
How will the funds be collected and safeguarded?	*coaches will collect and safe guard any money*
How will any shortfall be made up or excess funds used?	*coaches will make up for it*
What provision has been made for students who are financially unable to pay any necessary costs?	*coaches will make up for it/ students will be told to bring own money as well*
How will you communicate to parents prior to, during, and after the trip?	*email or by phone*
List telephone numbers at destination where	*(309) 829-8111*

Email Address	*barlow.mcghee@rimsd41.org*
Type of Trip	*Competition for Girls wrestling*
Proposed Departure Date	*Feb 26, 2026*
Return Date	*Feb 28, 2026*
group will be housed.	
What information will be provided to the media and the community?	*times girls will be wrestling along with updates*
Athletic Director Approval (Athletic trips only)	Approved by *Mike Emendorfer*
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Jan 07, 2026 12:22
Signature of School Board Representative	

Proposal for Overnight/Extended Student Trips (Athletic)

Email Address	*julie.hudnall@rimsd41.org*
Type of Trip	*Overnight softball games*
Proposed Departure Date	*Apr 24, 2026*
Return Date	*Apr 25, 2026*
Proposer	*Julie Hudnall*
School	*RIHS*
Position	*Varsity Head Coach*
Date By Which Response Is Needed	*Feb 27, 2026*
What is the major place to be visited or event to be attended?	*Battle at the Brickyard- Softball Tournament*
How is the trip related to the educational program of the District?	*We are providing athletic opportunities for our students to perform against other athletes.*
In what ways will the students benefit?	*Getting out of the area to play different competition.*
In what ways will the District benefit?	*Promote our district out of the area. We will create a presence athletically in different parts of the states.*
How will the trip be evaluated to determine the extent to which these benefits were realized?	*Compete is a successful environment.*
Which students (grade, class, or organization) will be going?	*Range of 9-12 Graders. Varsity Softball Team*
How many students in total?	*20 potentially*
How many students are currently experiencing academic problems?	*none at this time*
Which staff members will be in charge?	*Julie Hudnall*
What previous experience has the staff member had in conducting overnight or extended field trips?	*We went on a 4 day trip last spring. She also escorted her girls golfers to two out of town events.*
What other staff members will be going?	*Kelly Young and Alicia Beadel*
How many chaperones, in addition to staff members, will be going?	*0*
What are their names and affiliations with the	*NA*

Email Address	*julie.hudnall@rimsd41.org*
Type of Trip	*Overnight softball games*
Proposed Departure Date	*Apr 24, 2026*
Return Date	*Apr 25, 2026*
students?	
How many days of school will be missed?	*We will leave early on Friday potentially depending on game times.*
How will teachers be advised in advance that the students will be out of school?	*email through attendance*
How will missed work be made up?	*Will connect with their teachers to get work made up.*
What special assistance will be provided to students with academic problems?	*Study time if needed*
What is the destination?	*Bradley Bourbonnais*
What will be the mode of transportation? What liability insurance does the carrier have?	*Act 2 Bus*
Where will the group be housed and fed?	*a Hotel to be determined at a later date. Food will be provided through softball funds and players.*
What enroute or supplementary activities are planned?	*None at this time, but maybe one teambuilding activity if game times allow.*
What arrangements have been made for dealing with emergency situations?	*Updated healthy roster*
If tour guides are involved, what liability insurance do they carry?	*NA*
What is the estimated total cost and cost per student?	*100*
What is the source of funds?	*Athletics and Softball development fund.*
How will the funds be collected and safeguarded?	*Head Coach*
How will any shortfall be made up or excess funds used?	*Softball Development fund*
What provision has been made for students who are financially unable to pay any necessary costs?	*Costs will be kept low- should not be issue but if it is Softball Development fund*

Email Address	*julie.hudnall@rimsd41.org*
Type of Trip	*Overnight softball games*
Proposed Departure Date	*Apr 24, 2026*
Return Date	*Apr 25, 2026*
How will you communicate to parents prior to, during, and after the trip?	*Remind*
List telephone numbers at destination where group will be housed.	*Not booked yet*
What information will be provided to the media and the community?	*twitter and our Lady Rock Facebook page*
Athletic Director Approval (Athletic trips only)	Approved by *Mike Emendorfer*
Principal approval	Approved by *Patricia Ulrich*
Superintendent/Designee approval	Approved by *Scott Vance* on Jan 07, 2026 12:10
Signature of School Board Representative	

Personnel Recommendations
Board of Education Meeting
January 13, 2026

Certified Appointment

It is recommended that the Board of Education approve the following certified appointment for the 2025-26 school year.

Janelle Cook -	Physical Education Teacher at Washington Junior High School Salary - $72,597/annual

Non-Certified Appointments

It is recommended that the Board of Education approve the following non-certified appointments for the 2025-26 school year.

Marissa Geiger -	Paraprofessional at Rock Island High School Salary - $20.54/hour
Jinaya Houston -	Special Education Paraprofessional at Rock Island Academy Salary - $19.62/hour
MaKyla Penderson -	Special Education Paraprofessional at Rock Island High School Salary - $20.54/hour
Adriana Perez -	Special Education Paraprofessional at Rock Island Academy Salary - $20.54/hour
Sherry Rhoads -	Instructional Paraprofessional at Earl Hanson Elementary School Salary - $20.54/hour
Nathaniel Richardson -	Security Personnel (Hall Monitor) at Rock Island HighSchool Salary - $21.68/hour
Aubrey Sherrod-Butler -	Head Start Preschool Teacher at Rock Island Center for Math & Science Salary - $24.41/hour

Personnel Recommendations
Board of Education Meeting
January 13, 2026

Non-Certified Internal Transfers

It is recommended that the Board of Education approve the following non-certified internal transfers for the 2025-26 school year.

Ashly Ochoa –	Server at District Wide to Instructional Paraprofessional at Earl Hanson Elementary School Salary - $19.62/hour
Kimberly Thomas -	Head Start Preschool Program Assistant at Horace Mann Early Learning Center to Head Start Preschool Program Secretary at Horace Mann Early Learning Center Salary - $42,405/annual

Non-Certified Coach Appointments

It is recommended that the Board of Education approve the following non-certified support coach appointments for the 2025-26 school year.

Moses Robinson -	Volunteer Assistant Girls Basketball Coach at Rock Island High School
Benjamin Stockwell -	Head Freshman Boys Wrestling Coach at Rock Island High School Salary - $5,080/annual stipend

Non-Certified Resignations

It is recommended that the Board of Education accept the following non-certified resignations during the 2025-26 school year.

Staff Member	Current Position	Years of Continuous Service
Erica Franzen	Paraprofessional at Horace Mann Early Learning Center	1 Year Effective 12/22/2025
Candice Jackson	Head Start Assistant Teacher At Horace Mann Early Learning Center	2.5 Years Effective 01/06/2026
Carlie Marsh	Security Personnel (Hall Monitor) at Rock Island High School	<1 Year Effective 12/9/2025

Jeffrey Whitten	Special Education Paraprofessional at Earl Hanson Elementary School	2.5 Years Effective 01/19/2026

Certified Retirement

It is recommended that the Board of Education accept the following certified retirement during the 2025-26 school year.

Staff Member	Current Position	Years of Continuous Service
Ann Schulenberg	Adaptive Physical Education Teacher at Ridgewood Elementary School	22 Years Effective 06/30/2026

Non-Certified Retirement

It is recommended that the Board of Education accept the following non-certified retirement during the 2025-26 school year.

Staff Member	Current Position	Years of Continuous Service
Melody Mote	Secretary at Thurgood Marshall Learning Center	10 Years Effective 01/05/2026

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: January 13, 2026
Re: Auditing Services

The District issued a Request for Proposals (RFP) for audit services as part of its due diligence and commitment to best practices in governance. The RFP process helps ensure compliance with state and federal requirements, including Illinois State Board of Education (ISBE) reporting, while promoting transparency, accountability, and the receipt of high-quality services at a fair and reasonable cost.

Proposals were evaluated using established criteria, including experience with Illinois school districts, qualifications of assigned personnel, audit approach, cost, references, and staff support requirements. Two proposals were received - from Lauterbach & Amen, LLP and Bohnsack & Frommelt, LLP. Each proposal was independently scored by committee members using an evaluation rubric. Scores were compiled, and the committee discussed the relative strengths and considerations of each firm to support an objective comparison.

Based on the evaluation results, and average score, the committee recommends awarding the audit services contract to Lauterbach & Amen, LLP for a three-year term, with the option to extend for up to two additional years upon mutual agreement. Lauterbach & Amen demonstrated strong experience with Illinois public schools, comprehensive knowledge of ISBE requirements, highly qualified staff, a clear audit methodology, reasonable pricing, and positive references.

Total Cost:

Firm	FY2026	FY2027	FY2028	FY2029	FY2030
Lauterbach & Amen	$51,000*	$53,500*	$56,100*	$58,800*	$61,600*
Bohnsack & Frommelt	$55,000	$57,000	$59,000	Not included	Not Included

Fees are inclusive of travel and all standard expenses related to the audit.
*Cost could be $1,500 less depending on the number of major programs in the single audit.

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

It is recommended that the Board of Education approve staff to engage services from Lauterbach & Amen, LLP 668 N River Road, Naperville, IL 60563 for auditing services for FY2026, FY2027, FY2028, with the option to extend for additional years.

Investment Period: July 1, 2025 – June 30, 2031
Total Investment: Approximately $281,000 over a five year period
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: Lauterbach & Amen, LLC **EMAIL:** dshaw@lauterbachamen.com

ADDRESS: 668 N River Road, Naperville, IL 60563

DATES OF SERVICE TO BE COMPLETED: Audit FY2026 - FY2028

SCHOOL DISTRICT CONTACT: Annaka Whiting, CFO

COMPENSATION: $ See attached

DESCRIPTION OF DUTIES:

Auditing services for the District's fiscal year, FY2026-FY2028 with possibility of extending two additional years.

Is this a Subscription/Software: Yes ☐ or No ■

If NO, go to next section. ***If YES, complete below, then go to next section (no vendor signature)***

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

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

SOPPA Approved: Yes ☐ or No ☐

Requester Name/Building: Annaka Whiting, Administration Center

Budget Code: 1-5-080-000-2310-3170-0

Signature of Vendor: _____ RONALD J. AMEN **Date:** 12-22-25

Signature of Budget Administrator: Annaka Whiting **Date:** 12/22/2025

_____ _____

Superintendent or School Board President **Date**

Audit Services RFP – Selection Criteria and Evaluation Rubric

Purpose
This document establishes the evaluation criteria and scoring methodology that will be used by the District to review and select a qualified firm to provide audit services in response to the Request for Proposals (RFP). The goal is to ensure a fair, transparent, and consistent evaluation process aligned with the District's operational, financial, and compliance needs.

Evaluation Process
Proposals will be reviewed by an evaluation committee designated by the District. Each proposal will be evaluated independently using the criteria below. Scores may be discussed collectively, and the District reserves the right to request interviews, clarifications, or additional information from proposers prior to final selection.

Evaluation Criteria and Weighting
Proposals will be evaluated using a 100-point scale based on the following criteria:

1. Experience with Illinois Public School Districts and ISBE Reporting Requirements (25 points)
Evaluation will consider the firm's demonstrated experience auditing Illinois public school districts and its knowledge of applicable state and federal requirements, including but not limited to ISBE reporting, Annual Financial Reports (AFR), Single Audit requirements, and compliance with Illinois statutes and administrative rules.

Evaluation will be based on the following:
- Number and size of Illinois school district clients
- Familiarity with ISBE reporting timelines and formats
- Experience with state and federal compliance audits

2. Qualifications and Experience of Assigned Personnel (20 points)
Evaluation will consider the qualifications, certifications, and relevant experience of the personnel who will be assigned to the District's audit, including engagement partners, managers, and key staff.

Evaluation will be based on the following:
- Professional credentials (e.g., CPA licensure)
- Experience of assigned staff with K–12 audits
- Continuity of assigned personnel
- Availability and responsiveness of key staff

3. Understanding of the District's Needs and Audit Approach (20 points)
Evaluation will consider the proposer's demonstrated understanding of the District's operations, complexity, and risks, as well as the proposed audit approach and methodology.

Evaluation will be based on the following:
- Clarity and thoroughness of the proposed audit plan
- Identification of potential risk areas
- Use of technology and audit tools
- Approach to communication with District staff and leadership

4. Cost of Services (20 points)
Evaluation will consider the overall cost of services, fee structure, and cost competitiveness in relation to the scope of work.

Evaluation will be based on the following:

- Total proposed fees
- Fee transparency and clarity
- Reasonableness of costs relative to services proposed
- Multi-year pricing, if applicable

5. References and Prior Performance (10 points)
Evaluation will consider feedback from references and the firm's history of performance with similar clients.

Evaluation will be based on the following:
- Quality and relevance of references provided
- Record of meeting deadlines
- Quality of audit reports and recommendations
- History of regulatory findings or issues, if any

6. District Staff Support Requirements (5 points)
Evaluation will consider the level of support required from District staff and the firm's ability to minimize disruption to District operations.

Evaluation will be based on the following:
- Clarity regarding information requests
- Efficiency of fieldwork
- Use of electronic document submission and communication
- Overall burden on District staff

Scoring Summary Table

Criteria	Maximum Points
Experience with Illinois Public School Districts & ISBE	25
Qualifications of Assigned Personnel	20
Understanding of District Needs & Audit Approach	20
Cost of Services	20
References & Prior Performance	10
District Staff Support Requirements	5
Total Possible Points	**100**

Final Selection
The firm receiving the average highest total score may be recommended for award.

Lauterbach & Amen
668 N. River Road
Naperville, IL 60563
630.393.1483
lauterbachamen.com

January 05, 2026

Members of the Board of Education
Rock Island - Milan School District 41
Rock Island, Illinois

We are pleased to confirm our understanding of the services we are to provide the Rock Island - Milan School District 41, Illinois for the fiscal years ended June 30, 2026, June 30, 2027, June 30, 2028, June 30, 2029, and June 30, 2030.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, each major fund and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements of the District as of and for fiscal years ended June 30, 2026, June 30, 2027, June 30, 2028, June 30, 2029, and June 30, 2030. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the District's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the District's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited: management's discussion and analysis, the budgetary comparison schedules, GASB-required pension reporting and GASB-required other post-employment benefit (OPEB) reporting.

We have also been engaged to report on supplementary information other than RSI that accompanies the District's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements: combining fund statements, individual fund statements and budgetary comparison schedules.

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report: introductory and statistical information.

Audit Scope and Objectives - Continued

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the District or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit - Continued

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, if applicable, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risks of material misstatement as part of our audit planning: management override of controls, improper revenue recognition, increased regulations by oversight bodies or granting agencies, and general or local economic challenges. Planning for this engagement has not concluded and is subject to change.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures – Internal Controls

We will obtain an understanding of the District and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

Audit Procedures – Internal Controls - Continued

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the District's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the District's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the District's compliance and requirements applicable to each of its major programs in our report on compliance issued pursuant to Uniform Guidance.

Other Services

We will assist in preparing the financial statements, schedule of expenditures of federal awards, related notes, and required audit adjustments, if any, of the District in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards.* We will perform these services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Other Services - Continued

You agree to assume all management responsibilities for the financial statement preparation services, schedule of expenditures of federal awards and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us; for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers); and for the evaluation of whether there are any conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for the 12 months after the financial statements date or shortly thereafter (for example, within an additional three months if currently known). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be made available for our review.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date of schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

Responsibilities of Management for the Financial Statements and Single Audit - Continued

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the District; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Lauterbach & Amen, LLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the cognizant agency or oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or the carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Lauterbach & Amen, LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the cognizant agency, oversight agency or pass-through entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Our fees for the fiscal years ended June 30, 2026, June 30, 2027, June 30, 2028, June 30, 2029, and June 30, 2030 audits will be:

Services Provided	Fiscal Year Ended 06/30/2026	Fiscal Year Ended 06/30/2027	Fiscal Year Ended 06/30/2028	Fiscal Year Ended 06/30/2029	Fiscal Year Ended 06/30/2030
• ACFR (Audit Report)	$43,000 Annual	$45,200 Annual	$47,500 Annual	$49,900 Annual	$52,400 Annual
• Single Audit	$5,000 Annual	$5,300 Annual	$5,600 Annual	$5,900 Annual	$6,200 Annual
Annual Total Costs of Services	**$48,000**	**$50,500**	**$53,100**	**$55,800**	**$58,600**

* L&A notes charge is for 1 Major Program testing. Additional $1,500 per additional program tested.

In accordance with our firm policies, work may be suspended if your account becomes 90 days or more overdue and may not be resumed until your account is paid in full. Please be advised that we will charge interest on late invoices over sixty days.

Lauterbach & Amen's client portal is used solely as a method of exchanging information and is not intended to store the District's information. At the end of the engagement, we will provide the District with a copy (in an agreed-upon format) of deliverables and data related to the engagement from the portal. For multi-year engagements, this exchange will occur annually.

Upon completion of the engagement, data and other content will either be removed from the portal or become unavailable to Lauterbach & Amen, LLP within twelve months. For multi-year engagements, completion of the engagement occurs when the deliverables are completed for that year.

The District agrees that during the term of this agreement and for a period of twelve months thereafter, the District shall not solicit, or arrange an employment contract with personnel of Lauterbach & Amen, LLP. Violation of this provision shall, in addition to other relief, require the District to compensate Lauterbach & Amen, LLP with one hundred percent of the solicited person's annual compensation.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Education of the District. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the Rock Island - Milan School District 41, Illinois and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign and return it to us.

Cordially,

Lauterbach & Amen, LLP

LAUTERBACH & AMEN, LLP

RESPONSE:

This letter correctly sets forth the understanding of the Rock Island - Milan School District 41, Illinois.

By: _____

Title: _____

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Josh Becker, Director of Building Operations
Date: January 13, 2026
Re: RIHS Chiller Purchase

As part of the District's continued efforts to support operational efficiency and facility maintenance at Rock Island-Milan School District #41, and in coordination with the overall Rock Island High School Controls Project, it is recommended that the District replace the unreliable chiller at Rock Island High School.

The existing chiller has experienced ongoing operational failures and is no longer able to provide reliable cooling to the building, impacting occupant comfort and system reliability. For the past two seasons, the District has relied on a rented supplemental unit through J.L. Brady Co. to maintain cooling during periods of high temperatures. Replacement of the chiller is necessary to restore dependable HVAC operations, improve energy efficiency, and reduce the risk of unplanned disruptions.

The District has worked with Cordogan Clark Architects to ensure the recommended chiller is appropriately sized and compatible with the facility and the broader controls project. The chiller will be purchased through one of the District's approved purchasing cooperatives, Sourcewell for $343,605. This cost does not include labor and that portion of the project will go out to bid in the near future with assistance from Cordogan Clark Architects.

It is recommended that the Board of Education approve the purchase of a new YORK chiller through the JCI/Sourcewell Co-op for a cost not to exceed $343,605 to replace the unit at Rock Island High School.

Investment Period: July 1, 2025 - June 30, 2026
Total Investment: Not to exceed $343,605
Funding Source: District Funds/Maintenance and Operations Department

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

Full Load - Design

PIN								
YVAA0361B2	046AHVPFXX	SANLXUSNXD	BXXXXAXIJL	BW1SXDA2M4	XVA0713XXX	XRNSGXXVX3	IPLPJPSAX2	205G621260
....5...10	....5...20	....5...30	....5...40	....5...50	....5...60	....5...70	....5...80	....5...90
5G621J1XXY	XMXX004454	0950275138	00057DBXXT					
....5...100	....5...110	....5...120	....5...130					

Unit	
Model No.	YVAA0361
Number of Compressors	2
Compressor Type	VSD Screw - Semi Hermetic
Number of Compressor Circuits	2
Capacity Control	10% - 100%
Refrigerant	R-513A
Performance Data	
Net Cooling Capacity [tons.R]	275.0
Total Input Power [kW]	286.5
EER [Btu/W.h]	11.52
IPLV.IP [Btu/W.h]	22.04
A-Weighted Sound Power [dB(A)]	100.0
Electrical Data	
Nominal Voltage / Voltage Limits	460/3/60.0 / 414V - 508V
Compressor kW (each circuit)	88.48 / 170.0
Compressor RLA (each circuit) [A]	180.6 / 349.8
Fan QTY (each circuit)	7 / 13
Fan Drive Rated Input Current (each system) [A]	44.0 / 44 , 34
Min. Circuit Ampacity (each system) [A]	255.2 / 481.5
Max. Fuse / CB Rating (each system) [A]	400.0 / 800.0
Unit Short Circuit Withstand [kA]	50 kA@480V
Displacement Power Factor	0.95
Control kVA	3.000



Performance Impacting Options	
Compressor Style	Maximum Part Load Efficiency
Condenser Coil	4G Microchannel Coil - 25mm
Fan	Low Sound Fans With Variable Speed Control
Sound Attenuation	Additional Compressor Enclosure Sound Kit (Level 1 Reduction)
Weight & Dimensional Data	
Shipping Weight [lbs]	23386
Operating Weight [lbs]	24657
Refrigerant Charge [lbs]	220 / 320
Length [in]	467.1
Width [in]	88.3
Height [in]	92.8

Heat Exchanger Performance			
Evaporator		**Condenser (Air Cooled)**	
Heat Exchanger Type	Hybrid Falling Film	Ambient Air Temperature* [ºF]	95.0
Entering Fluid Temperature* [ºF]	54.00	Altitude* [ft]	0.00
Leaving Fluid Temperature* [ºF]	44.00	Condensing Temperature [ºF]	117.00 / 117.75
Flow Rate [USGPM]	658.2	Number of Fans (Circuit 1 / Circuit 2)	7 / 13
Fouling Factor* [h ft2 F/Btu]	0.000100	Total Air Flow [cfm]	225698
Fluid Type*	Water	Total Fan Power [kW]	28.02
Passes*	2		
Pressure Drop [ft H2O]	13.2		
Fluid Volume [USGAL]	151.9		
Evaporating Temperature [ºF]	41.51 / 42.91		
Minimum Flow Rate [USGPM]	450.0		
Maximum Flow Rate [USGPM]	1570		
Bundle Code (System 1 / System 2)	Tube Bundle G (3/4") / Tube Bundle G (3/4")		

* Designates user specified input

Certified in accordance with the AHRI Air-Cooled Water-Chilling Packages Using Vapor Compression Cycle Certification Program, which is based on AHRI Standard 550/590 (I-P) and AHRI Standard 551/591 (SI). Certified units may be found in the AHRI Directory at www.ahridirectory.org. Auxiliary components included in total KW - Oil heaters, Chiller controls. Auxiliary power is already included in the compressor and fan power



Part Load Performance (Based on Standard AHRI Unloading)				
Percent Load	**Ambient [ºF]**	**Capacity [tons.R]**	**Power Input [kW]**	**Unit Efficiency [Btu/W.h]**
100.0	95.0	275.0	286.5	11.52
75.0	80.0	206.2	147.3	16.81
50.0	65.0	137.5	66.15	24.94
25.0	55.0	68.75	27.20	30.33

Sound Power Levels (In Accordance with AHRI 370)										
Percent Load	Ambient [°F]	Octave Band Center Frequency [Hz]								LWA
		63	125	250	500	1000	2000	4000	8000	
100.0	95.0	99.0	99.0	100.0	99.0	96.0	90.0	86.0	81.0	100.0
75.0	80.0	95.0	94.0	95.0	96.0	92.0	86.0	82.0	77.0	97.0
50.0	65.0	89.0	90.0	90.0	91.0	87.0	81.0	78.0	74.0	92.0
25.0	55.0	85.0	84.0	85.0	86.0	83.0	77.0	74.0	69.0	87.0

Note:Unit is equipped with Additional Compressor Enclosure Sound Kit (Level 1 Reduction) and Low Sound Fans With Variable Speed Control.

Measurement of sound pressure used to obtain the sound power data presented is based on AHRI-370.

Air-cooled chillers are rated in terms of sound power not sound pressure. Johnson Controls provides estimates of sound pressure, but this is not the rating metric.

For an air-cooled chiller, sound pressure calculated from sound power varies depending on how the chiller is assumed to behave, i.e. the radiation model. In other words, determining sound pressure from sound power requires making assumptions that result in different answers at a given distance from the chiller. The environment also influences sound pressure in the field installation. Sound pressure estimation radiation models pertaining to air-cooled chillers include the ‘traditional’ hemispherical model, parallelepiped model and equivalent hemispherical model.

Regarding sound power, Johnson Controls references tolerance limits based on ASHRAE guidelines. These are +/- 6dB in the 63Hz octave band, +/- 4dB in all other octave bands and +/- 3dB for the overall dBA.

Tolerance limits are based on uncertainties associated with:

1. Measurement Test Procedure

2. Repeatability

3. Production / Manufacturing Variability

Standard deviation associated with air-cooled chiller sound data is a measure of spread i.e. it indicates the range of probability of sound levels. Note that for operating conditions other than AHRI’s Standard Rating Condition, higher levels of uncertainty can be expected.

Lead times for factory performance testing depend on test laboratory availability. Please confirm with Johnson Controls Customer Service.

Performance at AHRI Conditions			
Evaporator		**Condenser**	
EFT [°F]	54.00	Ambient Temp. [°F]	95.0
LFT [°F]	44.00	Altitude [ft]	0.00
Flow Rate [USGPM]	658.2	**Performance**	
Pressure Drop [ft H2O]	13.2	EER [Btu/W.h]	11.52
Fluid Type	Water	IPLV.IP [Btu/W.h]	22.04
Fouling Factor [h ft2 F/Btu]	0.000100	Net Cooling Capacity [tons.R]	275.0
Fluid Volume [USGAL]	151.9		

Note:Unit rated at design condition capacity.

Part Load Performance (Based on AHRI 550/590 - 2023 (IP))				
Percent Load	Ambient [°F]	Capacity [tons.R]	Power Input [kW]	Unit Efficiency [Btu/W.h]
100.0	95.0	275.0	286.5	11.52
75.0	80.0	206.2	147.3	16.81
50.0	65.0	137.5	66.15	24.94
25.0	55.0	68.75	27.20	30.33

BID DATE: 12/11/2025 **LAST ADDEDNUM:** None
PROJECT: Rock Island High School **NOTE:**

TO: Rock Island High School
Rock Island-Milan School District 41

EQUIPMENT PROPOSAL

We are pleased to provide equipment pricing for the above referenced project in accordance with the standard terms and condition of sale attached to this document.

This proposal reflects the chiller selection detailed in the accompanying submittal with clarifications as noted herein. Sourcewell Co-Op Fees are included in the price presented below

ITEM	QTY	TAGS	DESCRIPTION
I	1	CH	DIRECT EXPANSION - AIR COOLED SCREW CHILLER

EQUIPMENT DESCRIPTIONS

Items Included

- Provide Model YVAA0361AH Qty: 1
- Refrigerant Type: R-513A
- Power: 460/3/60.0 Application
- Power Connection: Multi-Point Non-Fused Disconnect Switch w/ Lockable Handle
- Starter Type: Standard VSD
- TEAO Fan Motors
- Low Sound Fans With Variable Speed Control
- 3/4 Inch Single Thickness Insulation of Evaporator
- 4G Microchannel Coil - 25mm
- Neoprene vibration isolators
- Compressor Parts Only Warranty: 5 years from start-up or 66 months from shipment.
- Refrigerant Warranty: 1 Year or 18 months from shipment
- Entire Unit Parts Only Warranty: 2 Year or 30 months from shipment
- Entire Unit Labor Only Warranty: 2 Year or 30 months from shipment
- **Warranty durations above are based on whichever occurs first**
- Control Transformer
- BACnet MS/TP interface
- Additional Compressor Enclosure Sound Kit (Level 1 Reduction)
- Discharge Pressure Readout Kit ASME Pressure Vessel Codes
- Flow Switches One Differential Pressure Switch
- Low Ambient Kit Additional Compressor Enclosure Sound Kit (Level 1 Reduction)
- Wire/Louvered Encl Panels (Factory)
- Silent Night Sound / Load Limiting Control Option

Items NOT Included

- Hauling or Rigging Equipment Into Place.
- Equipment storage
- Housekeeping pad / modifications to existing housekeeping pad
- Installation, commissioning, field labor of any kind not detailed above
- Extended warranties not detailed above

PRICING:

All pricing is FOB factory with full freight allowed to jobsite, not including any taxes, fees or storage. Price is valid for 30 days after quotation.

BASE BID (Item 1)---------- **$343,605.00**

Pricing is in accordance with JCI/Sourcewell pricing agreement (contract) 070121-JHN for HVAC Equipment.

Thank you for the opportunity to be of service.

Respectfully,

Ross Ratajczak
Sales Engineer
Windy City Representatives

CUSTOMER ACCEPTANCE:

This Proposal constitutes an offer and is subject to, and expressly conditional upon Buyer's acceptance of the Standard Equipment Terms and Conditions attached hereto (the "Terms and Conditions"), which are incorporated herein by reference. Buyer accepts this offer by signing and returning this Proposal, by issuing a purchase order to Johnson Controls for the proposed work, by instructing Johnson Controls to commence performance of the proposed work, or by accepting or paying for the goods, materials, service or equipment that are the subject of this Proposal, whichever occurs first. In accepting this Proposal, Buyer unconditionally agrees to the terms and conditions contained herein including those on the following page(s) of this Proposal and any attachments or riders attached hereto that contain additional terms and conditions. It is understood that the Johnson Controls Terms and Conditions shall prevail over any different or additional terms and conditions on any purchase order or other document that Buyer may issue, and Johnson Controls expressly objects to any such different or additional terms. Any changes requested by Buyer after the execution of this Agreement shall be paid for by the Buyer and such changes shall be authorized in writing. **ATTENTION IS DIRECTED TO THE LIMITATION OF LIABILITY, WARRANTY, INDEMNITY AND OTHER CONDITIONS CONTAINED IN THE TERMS AND CONDITIONS.**

Total sell price is contingent upon the following billing and payment terms: Invoices will be delivered via email, payment due date of NET 30, including a deposit invoice for 25% or as mutually agreed to prior to approved submittal and equipment release to the factory. **Johnson Controls will not commence work until receipt of the deposit.** All invoices are to be paid via ACH/EFT bank transfer. Johnson Controls' ACH/EFT bank transfer details will be forth coming upon contractual agreement.

This offer shall be void if not accepted in writing within thirty (30) days from the date first set forth above.

To ensure that Seller is compliant with your company's billing requirements, please provide the following information:

PO is required to facilitate billing: ☐ **NO:** This signed contract satisfies requirement
☐ **YES:** Please reference this PO Number: _____

AR Invoices are accepted via e-mail: ☐ **YES:** E-mail address to be used: _____
☐ **NO:** Please submit invoices via mail ☐ **NO:** Please submit via _____

In lieu of paper invoices, invoices should be emailed to the following email address (if paperless invoicing is preferred):

☐

Email Address :_____

Standard Equipment Terms and Conditions – U.S.A./Canada.

References to "products", "equipment" or "services" herein shall mean those to be furnished by Seller as identified on the applicable Seller Quotation. "Seller" shall mean Johnson Controls, Inc. for sales in the U.S.A. and Johnson Controls Canada LP for sales in Canada.

(1) AGREEMENT AND LIMITATIONS. These Standard Equipment Terms and Conditions apply to all quotations and proposals (each, a "Quotation") made by Johnson Controls, Inc. ("Seller") and to the sale of all products or equipment ("Equipment") or the performance of services ("Services") by Seller to any purchaser thereof ("Buyer"), unless Seller subsequently and expressly agrees to their modification in writing signed by an authorized representative of Seller. These Standard Terms and Conditions are incorporated into Seller's Quotation and any related purchase order or acknowledgement. The Quotation is expressly limited to, and expressly conditional on, Buyer's acceptance of these Standard Terms and Conditions. Buyer unconditionally accepts the Quotation and these Standard Terms and Conditions by signing and returning Seller's Quotation, by sending a purchase order in response to the Quotation, by instructing to Seller to begin work, including shipment of Equipment or performance of services, or by accepting or paying for the Equipment or Service, whichever occurs first. Upon Buyer's acceptance, Seller's Quotation and the related terms and conditions referred to in the Quotation shall constitute the entire agreement relating to the Equipment and services covered by the Quotation (the "Agreement"). No terms, conditions or warranties other than those identified in the Quotation and no agreement or understanding, oral or written, in any way purporting to modify such terms and conditions whether contained in Buyer's purchase order or shipping release forms, or elsewhere, shall be binding on Seller unless hereafter made in writing and signed by Seller's authorized representative. Buyer is hereby notified of Seller's express rejection of any terms inconsistent with these Standard Terms and Conditions or to any other or additional terms proposed by Buyer in accepting Seller's Quotation. Neither Seller's subsequent lack of objection to any such terms, nor the delivery of the Equipment or services, shall constitute an agreement by Seller to any such terms. These Standard Terms and Conditions may be modified or rescinded only by a writing signed by authorized representatives of both Seller and Buyer.

2) TERMINATION; CANCELLATION. If either party materially breaches this agreement, the other party may notify the breaching party in writing, setting out the breach, and the breaching party will have 60 days following such notice to remedy the breach. If the breaching party fails to remedy the breach during that period, the other party may by written notice terminate the Agreement. Accepted orders may by cancelled or modified by Buyer only with Seller's express written consent. If cancellation or modification is allowed, Buyer agrees to pay to Seller all expenses incurred and damage sustained by Seller on account of such cancellation or modification, plus a reasonable profit. At a minimum, Buyer agrees to pay the following cancellation charges if Seller consents to cancellation in writing: For stock units, Buyer will owe a restocking fee of ten percent (10%) of total sale price for such units. For custom units, prior to release to fabrication, a booking charge of five percent (5%) of total sale price for such units will be assessed. For custom units after release for fabrication, cancellation charges shall be calculated according to the following formula: Cancellation charge = (X+ 0.1) x custom equipment sell price / Y, where X = number of weeks from date of release for fabrication to the date of Buyer notice of cancellation and Y = number of weeks for delivery as offered at the time of the contract. Cancellation charges shall not exceed one hundred percent (100%) of the total Equipment sell price. If Seller's performance of its obligations is prohibited because of changes in applicable laws, regulations, or codes, or becomes impracticable due to obsolescence or unavailability of systems, equipment, or products (including component parts and/or materials) or because the Seller or its supplier(s) has discontinued the manufacture or the sale of the equipment and/or products or is no longer is in the business of providing the Services, Seller may terminate this Agreement, or the affected portions, at its sole discretion upon notice to Buyer. Seller may terminate this Agreement without recourse or cost, or the affected portions, at its sole discretion upon notice to the Buyer. Seller reserves the right to cancel any sale hereunder prior to delivery in Seller's sole discretion without liability to Buyer (except for refund of monies already paid).

(3) PRICE, DEPOSIT, SHIPMENT, PAYMENT AND INVOICING. All purchases and related payments will be in US Dollars unless otherwise stated on the applicable Equipment or Service Quotation. Seller may increase prices upon notice to the Buyer to reflect increases in material and labor costs. Prices for Equipment covered by this Agreement may be adjusted by Seller, upon notice to Buyer at any time prior to shipment regardless of Buyer's acceptance of the Seller's Quotation, to reflect any increase in Seller's cost of raw materials (e.g., steel, aluminum) inability to secure Equipment, changes or increases in law or taxes; Trade Restrictions (as defined below); government actions; or to cover any unforeseen or other extra cost elements. The term "Trade Restrictions" is defined as any additional or new tariff/duty, quota, tariff-rate quota, or cost associated with the withdrawal of tariff/duty concessions pursuant to a trade agreement(s). Unless otherwise agreed in writing by Seller and Buyer, Seller will deliver the Equipment, EXW (Incoterms® 2020) Seller's plant or factory (the "Delivery Location"), using Seller's standard methods for packaging and shipping same. Buyer will take delivery of the Equipment within three (3) days of Seller's notice that the Equipment has been delivered to the Delivery Location. If Buyer fails to take delivery of the Equipment within this three (3) day period, Buyer will pay Seller for the Equipment and all storage expenses incurred by Seller or, in Seller's discretion, Seller may ship the Equipment to Buyer at Buyer's expense. Buyer is responsible for obtaining any import licenses and other consents. Buyer agrees to pay a percentage deposit of the sell price (pre-tax) as set forth in Seller's Quotation upon approved order from Customer. Seller will generate an invoice for the required deposit in advance of release to factory. Unless otherwise specified in the Quotation, Seller shall invoice Buyer for progress payments to 100% percent based upon Equipment

(9) REMEDIES AND LIMITATIONS OF LIABILITY. Except as set forth in Paragraph 8 below regarding patents, Buyer agrees that Seller shall be responsible only for such injury, loss, or damage caused by the intentional misconduct or the negligent act or omission of Seller. If Buyer claims Seller has breached any of its obligations, whether of warranty or otherwise, Seller may request the return of the Equipment and tender to Buyer the purchase price paid by Buyer, and in such event, Seller shall have no further obligation under the Agreement except to refund such purchase price upon redelivery of the Equipment. If Seller so requests the return of the Equipment, the Equipment shall be redelivered to Seller in accordance with Seller's instructions and at Seller's expense. The remedies contained in these Standard Terms and Conditions shall constitute the sole recourse of Buyer against Seller for breach of any of Seller's obligations under the Agreement, whether of warranty or otherwise.To the maximum extent permitted by law, in no event shall Seller and its affiliates and their respective personnel, suppliers and vendors ("Seller Parties") be liable to Buyer or any third party under any cause of action or theory of liability, even if advised of the possibility of such damages, for any: (a) special, indirect, incidental, punitive, or consequential damages; (b) lost profits, revenues, data, Buyer opportunities, business, anticipated savings or goodwill; (c) business interruption; or (d) data loss or other losses arising from viruses, ransomware, cyber-attacks or failures or interruptions to network systems In any case, and to the fullest extent permitted by law, the entire aggregate liability of the Seller Parties under this Agreement for all damages, losses and causes of action, whether in contract, tort (including negligence), or otherwise) shall be limited to the purchase price paid by Buyer hereunder for the Equipment giving rise to the claim or $10 million U.S. Dollars whichever is less.

(10) PATENT INDEMNITY. Seller shall defend or, at its own option settle, any action against Buyer brought by a third party to the extent that the action is based upon a claim that the equipment provided under the Agreement infringes any U.S. patents or copyrights for Buyers located in the United States or Canadian patents or copyrights, for Buyers located in Canada, or misappropriates any trade secrets of a third party (any of the foregoing, a "Claim"), provided that: (i) Buyer gives Seller prompt written notice of any such Claim, (ii) Buyer gives Seller full authority to defend or settle any such Claim, and (iii) Buyer gives Seller proper and full information and assistance, at Seller's expense (except for Buyer's employees' time) to defend or settle any such Claim. Seller will pay those costs and damages finally awarded against Buyer in the action that are specifically attributable to the Claim, or those costs and damages agreed to in a monetary settlement of the action. THE FOREGOING IS IN LIEU OF ANY WARRANTIES OF NONINFRINGEMENT, WHICH ARE HEREBY DISCLAIMED. The foregoing obligation of Seller does not apply with respect to Equipment or portions or components thereof (a) not supplied by Seller, (b) made in whole or in part in accordance with specifications furnished by Buyer, (c) which are modified after shipment by Seller, if the alleged infringement related to such modification, (d) combined with other products, processes or materials where the alleged infringement relates to such combination, (e) where Buyer continues allegedly infringing activity after being notified thereof and/or after being informed of modifications that would have avoided the alleged infringement without significant loss of performance or functionality, or (f) where the Claim is incident to an infringement not resulting primarily from the Equipment. Buyer will indemnify Seller and its officers, directors, agents, and employees from all damages, settlements, attorneys' fees and expenses related to a claim of infringement, misappropriation, defamation, or violation of rights of publicity or privacy excluded from Seller's indemnity obligation herein.

(11) DISPUTES. Seller shall have the sole and exclusive right to determine whether any dispute, controversy or claim arising out of or relating to the Agreement, or the breach thereof, shall be submitted to a court of law or arbitrated. For Buyers located in the United States, the laws of New York shall govern the validity, enforceability, and interpretation of this Agreement, without regard to conflicts of law principles thereof, and the exclusive venue for any such litigation or arbitration shall be in Milwaukee, Wisconsin. For Buyers located in Canada, this Agreement shall be governed by and be construed in accordance with the laws of Ontario, without regard to conflicts of law principles thereof, and the exclusive venue for any such litigation or arbitration shall be in Ontario, Canada. The parties waive any objection to the exclusive jurisdiction of the specified forums, including any objection based on forum non conveniens. If the matter is submitted to a court, Seller and Buyer hereby waive their right to trial by jury. If the matter is submitted to arbitration by Seller, the costs of arbitration shall be borne equally by the parties, and the arbitrator's award may be confirmed and reduced to judgement in any court of competent jurisdiction. If Seller prevails in any collection action, Buyer will pay all of Seller's collection costs (including reasonable legal fees and expenses). Except as provided below, no claim or cause of action, whether known or unknown, shall be brought by either party against the other more than one year after the claim first arose. Claims not subject to the one-year limitation include claims for unpaid amounts due under this Agreement.

(12) DIGITAL ENABLED SERVICES; DATA. If Seller provides Digital Enabled Services

delivered or stored, and Services performed. Unless otherwise agreed to in writing by Seller, all payments are due within thirty (30) days from the date of invoice. Invoices shall be paid by Buyer via electronic delivery via EFT/ACH. If Seller consents to payment by credit card in lieu of EFT/ACH, Seller may charge additional fees. Seller may, at its sole option, have the right to make any delivery under this Agreement payable on a cash or payment guarantee before shipment basis. In the case of export sales, unless otherwise agreed to in writing by Seller, all payments are to be made by means of a confirmed irrevocable letter of credit. Buyer must notify Seller in writing of any invoicing disputes within 21 days of the date of invoice or else such disputes are waived. Buyer and Seller shall seek to resolve any such disputes expeditiously and in good faith within 21 days of the dispute notice. Payments of any disputed amounts are due and payable upon resolution. All undisputed amounts remain due within thirty (30) days from the date of invoice. This Agreement is entered into with the understanding that the services to be provided by Seller are not subject to any local, state, or federal prevailing wage statute. If it is later determined that local, state, or federal prevailing wage rates apply to the services to be provided by Seller, Seller shall be entitled to a modification or change order to adjust the Quotation price to reflect the required prevailing wage rate. Buyer agrees to pay for the applicable prevailing wage rates. Buyer shall provide financial information requested by Seller to verify Buyer's ability to pay for goods or services. If Seller, in its sole discretion determines that reasonable grounds exist to question Buyer's ability or willingness to make payments when due (e.g., not making payments when due, late payments, or a reduction in Buyer's credit score), Seller may defer shipments, change payment terms, require cash in advance and/or require other security, without liability and without waiving any other remedies Seller may have against Buyer. Seller shall provide Buyer with advance written notice of changes to payment terms. In the event of Buyer's default, the balance of any outstanding amounts will be immediately due and payable. Buyer acknowledges and agrees that timely payments of the full amounts listed on invoices is an essential term of this Agreement and that Buyer's failure to make payment in full when due is a material breach of this Agreement. Buyer further acknowledges that if Buyer fails to timely pay any undisputed amount invoices, such failure is a material breach and will give Seller, without prejudice to any other right or remedy, the right to, without notice: (i) if the failure continues for five (5) days following Buyer's receipt of notice thereof, suspend, discontinue or terminate performing any services and/or withhold further deliveries of Equipment, terminate or suspend any unpaid software licenses, and/or suspend Seller's obligations under or terminate this Agreement; and (ii) charge Buyer interest on the amounts unpaid at a rate equal to one and one half (1.5) percent per month or, if lower, the maximum rate permitted under applicable law, from the applicable due date until payment is made in full, plus Seller's costs of collection (including reasonable legal fees and costs).Seller reserves all other rights granted to a seller under the Uniform Commercial Code ("UCC") (or equivalent law in the applicable jurisdiction) for Buyer's failure to pay for the Equipment, Services or any other breach by Buyer of this Agreement. Seller's election to continue performing does not in any way diminish Seller's right to terminate or suspend services or exercise any or all rights or remedies under this Agreement. Seller shall not be liable for any damages, claims, expenses, or liabilities arising from or relating to suspension or termination of performance for Buyer's non-payment. If there are exigent circumstances requiring services or Seller otherwise performs services at the premises following suspension, those services shall be governed by the terms of this Agreement unless a separate contract is executed. If Buyer disputes any late payment notice or Seller's efforts to collect payment. Buyer shall immediately notify Seller in writing and explain the basis of the dispute.

(4) TAXES. All stated prices are exclusive of and Buyer agrees to pay any taxes, fees, duties, tariffs, false alarm assessments, installation or alarm permits, and levies or other similar charges imposed and/or enacted by a government, however designated or imposed, including but not limited to value-added and withholding taxes that are levied or based upon the amounts paid under this Agreement (collectively, "Taxes"). Any Taxes related to the Equipment and Services purchased pursuant to this Agreement are the responsibility of Buyer (excluding taxes based on Seller's net income), unless Buyer presents an exemption certificate acceptable to Seller and the applicable taxing authorities. If possible, Seller will bill Taxes as a separate item on the invoice presented to Buyer. In the event Seller is required to pay any such taxes or other charges, Buyer shall reimburse Seller therefor on demand. If any exemption certificate presented by Buyer is held to be invalid, then Buyer will immediately pay Seller the amount of the Tax and any penalties and interest related thereto. At any time prior to shipment, Seller shall be entitled to an increase in time and money for any costs that it incurs directly or indirectly that arise out of or relate to changes in taxes, tariffs, duties or similar charges due to such changes.

(5) DELIVERY. The delivery date(s) provided by Seller for the Equipment is only an estimate and is contingent on prompt receipt of all necessary information from Buyer. The delivery date(s) is subject to and shall be extended by delays caused by acts a Force Majeure Event (as defined herein in Section 13(h)). FAILURE TO DELIVER WITHIN THE TIME ESTIMATED SHALL NOT BE A MATERIAL BREACH OF CONTRACT ON SELLER'S PART. If Buyer causes Seller to delay shipment or completion of the Equipment, Seller shall be entitled to any and all extra cost and expenses resulting from such delay. At time of delivery, Buyer shall provide and be responsible for all rigging costs to remove or place the equipment, and Buyer shall ensure the delivery site has an appropriate rigging yard or laydown area. Seller may, in its sole discretion, without liability or penalty, make partial shipments of Equipment to Buyer. Each shipment will constitute a separate sale, and Buyer will pay for the units shipped whether the shipment is in whole or partial fulfillment of Buyer's purchase order.
Risk of loss or damage passes to Buyer upon delivery to the carrier. If Buyer fails to accept delivery of any of the Equipment on the date set forth in Seller's notice that Seller has delivered the Equipment to the Delivery Location, or if Seller is unable to deliver the under this Agreement, these Digital Enabled Services require the collection, transfer and ingestion of building, equipment, system time series, and other data to Seller's cloud-hosted software applications. Buyer consents to and grants Seller the right to collect, transfer, ingest and use such data to enable Seller and its affiliates and agents to provide, maintain, protect, develop and improve the Digital Enabled Services and Seller products and services. Buyer acknowledges that, while Digital Enabled Services generally improve equipment performance and services, Digital Enabled Services do not prevent all potential malfunction, insure against all loss, or guarantee a certain level of performance. Buyer shall be solely responsible for the establishment, operation, maintenance, access, security and other aspects of its computer network ("Network"), shall appropriately protect hardware and products connected to the Network and will supply Seller secure Network access for providing its Digital Enabled Services. As used herein, "Digital Enabled Services" mean services provided hereunder that employ Seller software and related equipment installed at Buyer facilities and Seller cloud-hosted software offerings and tools to improve, develop, and enable such services. Digital Enabled Service may include, but are not limited to, (a) remote servicing and inspection, (b) advanced equipment fault detection and diagnostics, and (c) data dashboarding and health reporting. If Buyer accesses and uses Software that is used to provide the Digital Enabled Services, the Software Terms (defined below) will govern such access and use. Certain equipment sold hereunder includes by default Seller's Connected Equipment Services. Connected Equipment Services is a data-analytics and monitoring Software platform that uses a cellular or network connection to gather equipment performance data to assist Seller in advising Buyer on (and Buyer in better understanding) such equipment's health, performance or potential malfunction. If Buyer's equipment includes Connected Equipment Services, such services will be on by default and the remote connection will continue to connect to Buyer's Equipment through the full equipment lifecycle, unless Buyer specifically requests in writing that Seller disable the remote connection, or Seller discontinues or removes such remote connection.

(13) SELLER DIGITAL SOLUTIONS. Use, implementation, and deployment of the software and hosted software products ("Software") if any, furnished by Seller shall be subject to, and governed by, Seller's standard terms for such Software and Software related professional services in effect from time to time at www.johnsoncontrols.com/techterms (collectively, the "Software Terms"). Specifically, the Seller General EULA set forth at www.johnsoncontrols.com/buildings/legal/digital/generaleula governs access to and use of software installed on Buyer's premises or systems and the Seller Terms of Service set forth at www.johnsoncontrols.com/buildings/legal/digital/generaltos govern access to and use of hosted software products. The applicable Software Terms are incorporated herein by this reference. Other than the right to use the Software as set forth in the Software Terms, Seller and its licensors reserve all right, title, and interest (including all intellectual property rights) in and to the Software and improvements to the Software. The Software that is licensed hereunder is licensed subject to the Software Terms and not sold. If there is a conflict between the other terms herein and the Software Terms, the Software Terms shall take precedence and govern with respect to rights and responsibilities relating to the Software, its implementation and deployment and any improvements thereto.
Notwithstanding any other provisions of this Agreement, unless otherwise agreed, the following terms apply to Software that is provided to Buyer on a subscription basis (i.e., a time limited license or use right), (each a "Software Subscription"): Each Software Subscription provided hereunder will commence on the date the initial credentials for the Software are made available (the "Subscription Start Date") and will continue in effect until the expiration of the subscription term noted in the applicable statement of work, order or other applicable ordering document . At the expiration of the Software Subscription, such Software Subscription will automatically renew for consecutive one (1) year terms (each a "Renewal Subscription Term"), unless either party provides the other party with a notice of non-renewal at least ninety (90) days prior to the expiration of the then-current term. To the extent permitted by applicable law, Software Subscriptions purchases are non-cancelable, and the sums paid nonrefundable. Fees for Software Subscriptions shall be paid annually in advance, invoiced on the Subscription Start Date and each subsequent anniversary thereof. Buyer shall pay all invoiced amounts within thirty calendar days after the date of invoice. Payments not made within such time period shall be subject to late charges as set forth in the Software Terms. Unless otherwise agreed by the parties in writing, the subscription fee for each Renewal Subscription Term will be priced at Seller's then-applicable list price for that Software offering. Any use of Software that exceeds the scope, metrics or volume set forth in this Agreement and applicable SOW will be subject to additional fees based on the date such excess use began.

(14) PRIVACY. *Seller as* ***Processor***. Where Seller factually acts as Processor of Personal Data on behalf of Buyer (as such terms are defined in the DPA) the terms at www.johnsoncontrols.com/dpa ("DPA") shall apply. Seller as Controller: Seller will collect, process and transfer certain personal data of Buyer and its personnel related to the business relationship between it and Buyer (for example names, email addresses, telephone numbers) as controller and in accordance with Seller's Privacy Notice at https://www.johnsoncontrols.com/privacy. Buyer acknowledges Seller's Privacy Notice and strictly to the extent consent is required under applicable law, Buyer consents to such collection, processing and transfer. To the extent consent to

Equipment to the Delivery Location on the date because Buyer has failed to provide appropriate instructions, documents, licenses, or authorizations, then: (i) the Equipment will be deemed to have been delivered to Buyer; and (ii) Seller, at its option, (A) may store the Equipment until Buyer takes possession of them, at which time Buyer will be liable for all costs and expenses resulting therefrom (including but not limited to the cost of storage and insurance), or (B) ship the Equipment to Buyer, at Buyer's cost and expense. Title to Equipment and hardware manufactured by a third party ("Third Party Hardware") passes to Buyer upon delivery of Equipment and/or Third-Party Hardware to the Delivery Location. Unless Buyer has prepaid for the Equipment or Third-Party Hardware, the Equipment and Third-Party Hardware in Buyer's inventory shall be subject to a security interest of Seller in the Equipment and Third-Party Hardware until Seller receives full payment from Buyer. Seller may, in its reasonable discretion, register such security interest in Equipment and Third-Party Hardware and their sale proceeds pending payment in the applicable official registers of any national or local jurisdiction where Equipment and/or Third-Party Hardware are delivered or physically located. Promptly upon Seller's request, Buyer shall execute all documents and take all actions as Seller reasonably directs at Seller's expense to enable Seller to exercise its security rights under this Section. Title to any software licensed to Buyer under these Terms will remain with Seller and its suppliers and licensors and is provided under the terms of the applicable EULA.

(6) INSPECTION. As used in this Section, "Nonconforming Equipment" means only the following: (i) the items shipped are different from those identified in Buyer's purchase order; or (ii) the labels or packaging of the items incorrectly identifies them. Buyer will inspect the Equipment within five (5) days following receipt thereof (the "Inspection Period"). The Equipment will be deemed accepted at the end of the Inspection Period unless Buyer notifies Seller in writing of any Nonconforming Equipment and furnishes Seller with written evidence or other documentation reasonably required by Seller. If Buyer notifies Seller of any Nonconforming Equipment prior to expiration of the Inspection Period, then Seller will, in its sole discretion, (i) replace the Nonconforming Equipment with conforming Equipment, or (ii) credit or refund the purchase price for the Nonconforming Equipment, together with any reasonable shipping and handling expenses incurred by Buyer. At Seller's request and direction, Buyer will return the Nonconforming Equipment at Seller's expense or dispose of the Nonconforming Equipment in a manner approved by Seller, and upon request Buyer shall provide Seller with a certificate of destruction of such Nonconforming Equipment. Upon receipt of the Nonconforming Equipment, Seller will promptly refund the monies owed or ship the replacement Equipment to the Delivery Location at Seller's expense, with Seller retaining the risk of loss until delivery. Buyer acknowledges and agrees that the remedies set forth in this Section are Buyer's exclusive remedies and Seller's sole liability for the delivery of Nonconforming Equipment, and except as set forth in this Section, Buyer has no right to return the Products to Seller without Seller's written authorization.

(7) LIMITED WARRANTY. Seller warrants that the Equipment furnished by Seller under the Agreement will be free from defects in material and workmanship for a period of twelve (12) months from initial product startup, or eighteen (18) months from product shipment, whichever occurs first (the "Warranty Period") unless such Warranty Period is modified by Seller's Quotation or the supplied separate written product warranty accompanying the Equipment. No warranty is provided for third-party products and equipment installed or furnished by Seller. Such third-party products and equipment are provided with the third-party manufacturer's warranty to the extent available, and Seller will transfer the benefits together with all limitations of that manufacturer's warranty to Buyer. This limited warranty does not cover failures or defects caused in whole or in part by (i) misuse, neglect, accident or improper installation or maintenance performed by anyone other than Seller; (ii) Force Majeure, improper storage or protection of equipment from date of shipment until start-up, or other causes beyond the control of Seller; (iii) normal wear and tear or corrosion; (iv) improper use, application or operation beyond rated capacity; (v) use of replacement parts, refrigerants, oil, additives, or antifreeze agents other than those authorized by Seller; or (vi) any Equipment manufactured or customized according to Buyer's specifications and not authorized in writing by Seller. To qualify for warranty consideration, Buyer must notify Seller in writing of its warranty claim prior to expiration of the Warranty Period to obtain instructions on warranty procedures and provide Seller with reasonable site access to inspect the Equipment and/or perform any necessary warranty work within 72-hours of any access request by Seller. Seller's sole obligation for breach of this warranty, at Seller's option, shall be to repair or to replace defective parts or to properly redo defective Services, to provide equivalent replacement equipment instead of repair parts, or to offer a replacement price allowance to be applied toward the purchase of new or refurbished equipment offered by Seller. This limited warranty does not cover costs of consumable parts and components (e.g., oil, coolant, refrigerant, batteries, gaskets, O-rings, sacrificial anodes, filters, belts and kits), or additional costs for access, deinstallation, re-installation (e.g., cranes, rigging, roof or wall removal) and transportation. Further details on covered costs, claims processing and actions that may void this warranty are set forth in the applicable Certificate of Limited Warranty. This limited warranty is expressly conditioned on Buyer's proof of payment of the purchase price in full, and all replaced Equipment becomes Seller's property. Any changes/extension to the Warranty Period that may be required due to project delays or slippage will be mutually agreed upon in writing by the parties and may require contract modifications to incorporate additional warranty products to accommodate such change/extension. THIS WARRANTY IS EXCLUSIVE AND IS PROVIDED IN LIEU OF ALL OTHER EXPRESS OR IMPLIED WARRANTIES INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY DISCLAIMED.Seller makes no and specifically disclaims all representations or warranties that the Services, Equipment, Software or third-party product or software will be secure from cyber threats, hacking or other similar malicious activity or will detect the presence of, or eliminate, treat, or mitigate the spread, transmission, or outbreak of any pathogen, disease, virus or other contagion, including but not limited to COVID 19.Unless agreed to in writing by the parties, any technical support, assistance, or advice ("Technical Support") provided by Seller, such as suggestions as to design use such collection, processing and transfer by Seller is required from Buyer's personnel under applicable law, Buyer warrants and represents that it has obtained such consent.

(15) MISCELLANEOUS.

(a) CHANGES OF CONSTRUCTION AND DESIGN: Seller reserves the right to change or revise the construction and design of the Equipment purchased by Buyer, without liability or obligation to incorporate such changes to Equipment ordered by Buyer unless specifically agreed upon in writing reasonably in advance of the delivery date for such Equipment. Buyer agrees to bear the expense of meeting any changes or modifications in local code requirements that become effective after Seller has commenced production of the Equipment.

(b) CHARACTER OF EQUIPMENT AND SECURITY INTEREST: The Equipment delivered by Seller under the Agreement shall remain personal property and retain its character as such no matter in what manner affixed or attached to any structure or property. Buyer grants Seller a security interest in said Equipment, any replacement parts and any proceeds thereof until all sums due Seller have been paid to it in cash. This security interest shall secure all indebtedness or obligations of whatsoever nature now or hereafter owing Buyer to Seller. Buyer shall pay all expenses of any nature whatsoever incurred by Seller in connection with said security interest.

(c) INSURANCE: Buyer agrees to insure the Equipment in an amount at least equal to the purchase price against loss or damage from fire, wind, water or other causes. The insurance policies are to be made payable to Seller and Buyer in accordance with their respective interests, and when issued are to be delivered to Seller and held by it. Failure to take out and maintain such insurance shall entitle Seller to declare the entire purchase price to be immediately due and payable and shall also entitle Seller to recover possession of said Equipment.

(d) INSTALLATION: If installation by Seller is included within Seller's Quotation, Buyer shall always provide all of the following at its own expense and pertinent to the installation: i) free, dry, and reasonable access to Buyer's premises; and ii) proper foundations, lighting, power, water and storage facilities reasonably required.

(e) COMPLIANCE WITH LAWS: Seller's obligations are subject to the export administration and control laws and regulations of Canada or the United States with respect to where Seller is performing work or providing goods. Buyer shall comply fully with such laws and regulation in the export, resale or disposition of purchased Equipment. Quotations or proposals made, and any orders accepted by Seller from a Buyer outside of Canada or the United States are with the understanding that the ultimate destination of the Equipment is the country indicated therein. Diversion of the products or equipment to any other destination contrary to Canada or the United States as set out in the Quotation or proposal, is prohibited. Accordingly, if the foregoing understanding is incorrect, or if Buyer intends to divert the Equipment to any other destination, Buyer shall immediately inform Seller of the correct ultimate destination.

(f) BUYER RESPONSIBILITIES: Buyer is solely responsible for the establishment, operation, maintenance, access, security and other aspects of its computer network ("Network") and shall supply Seller secure Network access for providing its services. Equipment networked, connected to the internet, or otherwise connected to computers or other devices must be appropriately protected by Buyer and/or end user against unauthorized access. Buyer is responsible to take appropriate measures, including performing back-ups, to protect information, including without limit data, software, or files (collectively "Data") prior to receiving the service or Equipment.

and suitability of the Equipment for Buyer's application, is provided in good faith, but Buyer acknowledges and agrees that Seller is not the designer, engineer, or installer of record and is not providing any professional design services hereunder. Any Technical Support is provided for informational purposes only and shall not be construed as professional design services or as a representation or warranty, express or implied, concerning the proper selection, use, and/or application of Equipment. Buyer assumes exclusive responsibility for determining if the Equipment supplied by Seller is suitable for its intended application and all risk and liability, whether based in contract, tort or otherwise, in connection with its application and use of the Equipment.

(8) INTELLECTUAL PROPERTY. Buyer acknowledges Seller and its affiliates are the owners or licensors of brands, trademarks, designs, patents, copyrights and other intellectual property relating to Seller's Equipment, and that no right or license is conveyed by Seller to Buyer to manufacture, have manufactured, modify, import or copy such Equipment. Buyer agrees that it will reference brands of Seller or its affiliates only in connection with the use or sale of Equipment delivered to Buyer hereunder, and not in connection with the sale of any other Equipment, except as separately authorized by Seller in writing. Buyer further agrees that it will not, directly or through intermediaries, reverse engineer, decompile, or disassemble any software (including firmware) comprising or contained within Equipment, except and only to the extent that such activity may be expressly permitted, notwithstanding this limitation, either by applicable law or, in the case of open-source software, the applicable open-source license.

(g) LIEN LEGISLATION: Notwithstanding anything to the contrary contained herein, the terms of this Agreement shall be subject to the lien legislation applicable to the location where the Equipment will be installed or Services will be performed, and, in the event of conflict, the applicable lien legislation shall prevail.

(h) FORCE MAJEURE: Seller shall not be liable, nor in breach or default of its obligations under this Agreement, for any delays, interruption, failure to perform under this Agreement, where such delay, interruption or failure is caused, in whole or in part, directly or indirectly, by a Force Majeure Event. A "Force Majeure Event" is a condition or event that is beyond the reasonable control of Seller, whether foreseeable or unforeseeable, including but not limited to the following: acts of God or natural disasters, acts or omissions of any governmental authority (including, without limitation, change of any applicable law or regulation), disease or public health risks and/or responses thereto, strikes, labor disputes, an increase of 5% or more as a result of Trade Restrictions or other excise taxes for materials to be used on the project, fires, explosions or other casualties, thefts, vandalism, civil disturbances, riots, war or other armed conflict (or the serious threat of same), acts of terrorism, electrical power outages, interruptions or degradations in telecommunications, computer, network, or electronic communications systems, cyber-attacks, or unavailability or shortage of parts, materials, supplies, or transportation. If Seller's performance is delayed, impacted, or prevented by a Force Majeure Event or its continued effects, Seller shall be excused from performance or, at Seller's option, entitled to complete performance and extend any relevant completion date or scheduled milestone by the amount of time that Seller was delayed as a result of the Force Majeure Event, plus such additional time as may be reasonably necessary to overcome the effect of the delay. To the extent that the Force Majeure Event directly or indirectly increases Seller's cost to perform, Buyer shall reimburse Seller for such increased costs, including, without limitation, costs incurred by Seller for additional labor, inventory storage, expedited shipping fees, trailer and equipment rental fees, subcontractor fees, compliance with government requirements, or other costs and expenses incurred by Seller in connection with the Force Majeure Event.

(i) ASSIGNMENT: This Agreement is not assignable by Buyer except with prior written consent of Seller. Seller shall have the right to assign this Agreement, in whole or in part, or to subcontract any of its obligations under this Agreement without notice to Buyer.

(j) FAR: In the United States, Seller supplies "commercial items" within the meaning of the Federal Acquisition Regulations (FAR), 48 CFR Parts 1-53. As to any Buyer order for a U.S. Government contract, Seller will comply only with those mandatory flow-downs for commercial item and commercial services subcontracts listed either at FAR 52.244-6, or 52.212-5(e)(1), as applicable.

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams, Superintendent
Cabinet Champion: Dr. Dominique Moore, Assistant Superintendent of HR
Date: January 13, 2026
Re: RIEA MOU - Group Health Insurance Upon Retirement

The Rock Island Education Association (RIEA) submitted a formal request for reimbursement on behalf of Megan Delp, who resigned from the District at the conclusion of the 2024–2025 academic year. In response to this request, the Assistant Superintendent of Human Resources and the Chief Financial Officer conducted a comprehensive review of applicable Board policy, past practice, and relevant collective bargaining agreement (CBA) language governing health insurance benefits for teachers who resign from the District.

This review revealed inconsistencies in the administration of health insurance benefits upon resignation. As a result, this Memorandum of Understanding (MOU) is being executed to provide clarity and ensure consistent administration of health insurance benefits for teachers who resign at the end of a school year. The intent of the MOU is to reduce the likelihood of future disputes and to promote equitable treatment of employees.

The terms of this MOU do not constitute a violation or misapplication of the existing CBA, nor do they alter or modify any other provisions of the agreement. Execution of this MOU does not represent an admission of liability by any party and shall not serve as precedent in future negotiations.

It is recommended that the Board of Education approve the MOU to clarify the administration of health insurance benefits upon resignation at the end of an academic year.

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

MEMORANDUM OF UNDERSTANDING (MOU)
Between
Rock Island-Milan School District 41 Board of Education
And
Rock Island Education Association (RIEA), IEA/NEA

Subject: Group Health Insurance Coverage for Teachers Who Resign

The Board of Education of Rock Island-Milan School District 41 ("District") and the Rock Island Education Association, IEA/NEA ("Union") are presently parties to a collective bargaining agreement that expires on July 31, 2027. That agreement governs the wages, hours, and other terms and conditions of employment of the District's regularly employed full-time and part-time licensed educational employees (i.e., teachers). The parties now seek to address and hereby agree upon how group health insurance benefits shall generally operate with respect to teachers who resign, effective at the end of a school year, as follows:

1. Teachers who resign, effective at the end of a school year, regardless of whether their stated resignation date is the last student attendance day or teacher workday during that school year, shall receive their group health insurance benefits upon the same terms and conditions (including, but not limited to, the same employee and employer premium contribution amounts) as they did during that school year through June 30th.

2. After June 30th, the now-former teacher may elect to continue any group health insurance coverage in the exercise of their Consolidated Omnibus Budget Reconciliation Act ("COBRA") rights at their own expense.

3. This Memorandum of Understanding shall not, however, supersede or otherwise affect Article XII, Section A(4) of the parties' collective bargaining agreement regarding the termination of a teacher's employment due to retirement.

4. Furthermore, this Memorandum of Understanding shall not prevent the District and the Union and/or a teacher from entering into, on a non-precedential basis, a separate resignation agreement that may include different group health insurance coverage provisions.

5. On a non-precedential basis, the District shall reimburse former teacher Megan Delp the amount of $320.00, as she mistakenly did not exercise her COBRA rights in July 2025 after resigning from the District at the end of the 2024-2025 school year.

6. The terms and provisions of this Memorandum of Understanding shall not be deemed a violation or misapplication of the parties' collective bargaining agreement, nor shall they be considered a violation of the Illinois Educational Labor Relations Act or Illinois School Code. No other provision(s) or aspect(s) of the parties' agreement shall be considered altered or modified by this Memorandum of Understanding.

RIEA President:

Signature: _____

Date: 1/6/2026

Board of Education President

Signature: _____

Date: _____

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: January 13, 2026
Re: RIHS Sub Account - Esports

The Business Office has received a request from Principal Ulrich at Rock Island High School to add a new sub account to their existing Activity Account for the Esports program. The intent is for the club to have an activity account within the school's checkbook system to manage funds raised and to pay for associated club expenses such as materials, events, and trips.

It is recommended that the Board of Education approve the creation of the sub account for Rock Island High School as presented.

Investment Period: N/A
Total Investment: N/A
Funding Source: N/A

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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: January 13. 2026
Re: Washington Junior High Gym & Stage Floor

The District sought sealed bids for work to replace the gymnasium and stage floor at Washington Junior High School from water damage that occurred in the Summer of 2025. The work is expected to commence shortly after board approval and be completed by the end of March.

A pre-bid meeting was held on December 2, 2025 for contractors to inspect the area. Sealed bids were due by 2:00 p.m. on Thursday, December 18, 2025. The district received a total of eleven (11) sealed bids. Three (3) for general contracting, four (4) for flooring, and four (4) for painting. The sealed bids were opened and read aloud at that time. The bid results are as follows:

General Construction Company	Bond/Addendum	Base Bid	Battery Backups	Total
Russell Construction	Received	$ 81,900	$ 45,000	$ 126,900
Bush Construction	Received	$ 86,800	$ 29,950	$ 116,750
Valley Construction	Received	$ 70,125	$ 30,025	$ 100,150

Flooring Company	Bond/Addendum	Base Bid	Wood Gym Floor Option	Total
H2I	Received	$ 174,175	$ 26,952	$201,127
Dynamic Sports Construction	Received	$ 202,429	$ 150,000	$ 352,429
Floors, Inc.	Received	$ 252,900	($ 35,000)	$ 217,900
Prostar Surfaces	Received	$ 149,520	$ 8,872	$ 158,392

Painting Company	Bond/Addendum	Base Bid	Total
Builders Sales & Service	Received	$ 38,000	$ 38,000
Prime Construction Services	Received	$ 52,500	$ 52,500
River Valley Construction Services	Received	$ 16,378	$ 16,378
Scott Painting & Decorating	Received	$ 20,000	$ 20,000

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Superintendent of Schools

It is recommended that the Board of Education approve the Washington Junior High School Gym and Stage floor work with an overall construction cost, not to exceed $417,105.

Investment Period: July 1, 2025 - June 30, 2026
Total Investment: $417,105
Funding Source: District Funds/Maintenance and Operations Department

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December 23rd, 2025

Mrs. Annaka Whiting – Chief Financial Officer
Rock Island – Milan School District #41
2700 7th Avenue
Rock Island, IL 61201

Re: Rock Island Washington Gym Repair Award Recommendation

Dear Mrs. Whiting,

Russell is pleased to submit the following award recommendations for the Rock Island Washington Gym Repair. Competitive bid proposals were received from eleven (11) bidders with the lowest responsive and responsible bidders being selected for award recommendation. Alternate 1 is recommended for inclusion to provide battery backups for the existing sump pumps in the basement. As such, Russell is requesting permission to award the subcontract for these scopes of work to the following contractors:

1. Valley Commercial Construction - $100,150.00
2. Prostar Surfaces - $149,520.00
3. River Valley Construction - $16,378.00

The overall construction cost including Russell markups will be $417,105.00.

Enclosed are the final bid tabulation and the construction cost total for the project. If you have any questions regarding this recommendation, please don't hesitate to contact us for clarification.

Thank you again for the opportunity to support Rock Island Community and District #41.

Sincerely,

Jesse Smith
Senior Estimator

Cc: Tony Latoria
Wendy Rouse

4700 East 53rd Street, Davenport, Iowa 52807 | (563) 459-4600 | www.russellco.com

Owner: Rock Island-Milan School District 41
Project Title: Rock Island High School - Water Main Replacement
Construction Manager's Project No.: 01-25-0236
Bid Date / Time: 12/18/2025 2:00:00 PM

Bid Category 06 General Trades	RCVD 3	Recommendation Valley	Bidders Valley	Bush	Russell	
Bid Bond		Y	Y	Y	Y	
Addenda (1)		Y	Y	Y	Y	
Base Bid		$ 70,125.00	$ 70,125.00	$ 86,800.00	$ 81,900.00	
Alternate 1 - Battery Backups		$ 30,025.00	$ 30,025.00	$ 29,950.00	$ 45,000.00	
Alternate 2 - Wood Gym Floor		$ -	$ -	$ -	$ -	
TOTAL BID WITH ALTERNATES		$ 100,150.00	$ 100,150.00	$ 116,750.00	$ 126,900.00	$ -

Bid Category 09A Fluid-Applied Athletic Flooring	RCVD 4	Recommendation Prostar Surfaces	Bidders Prostar Surfaces	H2I Group	Floors Inc	Dynamic Sports Construction
Bid Bond		Y	Y	Y	Y	Y
Addenda (1)		Y	Y	Y	Y	Y
Base Bid		$ 149,520.00	$ 149,520.00	$ 174,175.00	$ 252,900.00	$ 202,429.00
Alternate 1 - Battery Backups		$ -	$ -	$ -	$ -	$ -
Alternate 2 - Wood Gym Floor		$ 8,872.00	$ 8,872.00	$ 26,952.00	$ (35,000.00)	$ 150,000.00
TOTAL BID WITH ALTERNATES		$ 158,392.00	$ 158,392.00	$ 201,127.00	$ 217,900.00	$ 352,429.00

Bid Category 09B Painting	RCVD 4	Recommendation River Valley Construction	Bidders River Valley Construction	WF Scott	Builders Sales & Service Co.	Prime Construction
Bid Bond		Y	Y	Y	Y	Y
Addenda (1)		Y	Y	Y	Y	Y
Base Bid		$ 16,378.00	$ 16,378.00	$ 20,000.00	$ 38,000.00	$ 53,500.00
Alternate 1 - Battery Backups		$ -	$ -	$ -	$ -	$ -
Alternate 2 - Wood Gym Floor		$ -	$ -	$ -	$ -	$ -
TOTAL BID WITH ALTERNATES		$ 16,378.00	$ 16,378.00	$ 20,000.00	$ 38,000.00	$ 53,500.00

Owner: Rock Island-Milan School District 41
Project Title: Rock Island High School - Water Main Replacement
Construction Manager's
Project No.: 01-25-0236
Bid Date / Time: 12/18/2025 2:00:00 PM

Bid Category		Bids Received	Apparent Low Bidder	Base Bid	Alternate 1 - Battery Backups	Adjusted Bid with Recommended Alternates
Bid Category 06	General Trades	3	**Valley**	$ 70,125	$ 30,025.00	$ 100,150.00
Bid Category 09A	Fluid-Applied Athletic Flooring	4	**Prostar Surfaces**	$ 149,520	$ -	$ 149,520.00
Bid Category 09B	Painting	4	**River Valley Construction**	$ 16,378	$ -	$ 16,378.00
	Total Bids Received	**11**				
SUBCONTRACTS SUBTOTAL			**Subtotal**	**$ 236,023**	**$ 30,025**	**$ 266,048**
Bleacher Salvage Cost				$ 15,500	$ -	$ 15,500
Vinyl graphics				$ 25,000		
General Conditions				$ 53,900	$ -	$ 53,900
General Requirements				$ 8,815	$ -	$ 8,815
CONSTRUCTION SUBTOTAL			**Subtotal**	**$ 339,238**	**$ 30,025**	**$ 369,263**
Construction Contingency		7.50%		$ 28,739	$ 2,544	$ 31,283
Technology Fee		0.25%		$ 958	$ 85	$ 1,043
GL Insurance		1.03%		$ 3,947	$ 349	$ 4,296
Construction Managers Fee		2.00%		$ 7,664	$ 678	$ 8,342
P&P Bond		0.69%		$ 2,644	$ 234	$ 2,878
RUSSELL PLUS CONSTRUCTION TOTAL			**Subtotal**	**$ 383,190**	**$ 33,915**	**$ 417,105**

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Date: January 13, 2026
Re: PRESS Policy Second Reading and Adoption - Issue 120

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 second reading and 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	Revision Description
2:20-E, Waiver and Modification Request Resource Guide	The exhibit is updated in response to 105 ILCS 5/27-710 and 5/27-815, both renumbered by P.A. 104-391, and for continuous improvement.
2:120, Board Member Development	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to 105 ILCS 5/24-16.5, amended by P.A. 104-20, making student growth an optional, rather than required, component of teacher evaluations.
2:150, Committees	The policy and footnotes are updated in response to 105 ILCS 5/10-20.14, amended by P.A. 104-430, requiring the parent-teacher advisory committee's guidelines for reciprocal reporting to address both civil and criminal offenses committed by students. The footnotes are also updated for continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
2:150-AP, Superintendent Committees	The procedure is updated in response to 105 ILCS 5/24A-4, amended by P.A. 104-20, making student growth an optional, rather than required, component of teacher evaluations.
2:250-E2, Immediately Available District Public Records and Web-Posted Reports and Records	The exhibit is updated in response to: 1. 105 ILCS 5/10-20.44, amended by P.A. 104-261, eff. 1-1-26, requiring that each year, in conjunction with the publication of the statement of affairs on a district's website and in a newspaper of general circulation, before Dec. 1, a district shall include an annual report on all contracts over $25,000 awarded during the previous fiscal year; 2. 105 ILCS 5/10-20.81, amended by P.A. 104-264, eff. 1-1-26, requiring districts to insert the same contact information for suicide prevention helplines required for student ID cards on employee ID cards for employees serving any of grades 6 through 12; 3. 105 ILCS 5/10-19.05(k), amended by P.A. 104-250, eff. 1-1-26, requiring up- dates to activities qualified for attendance under policy 7:70, *Attendance and Truancy*; 4. 105 ILCS 5/14-8.02i, amended by P.A. 104-314, eff. 1-1-26, requiring that in- formational materials (provided by ISBE) about the Ill. Achieving a Better Life Experience (ABLE) account program established under the State Treasurer Act be posted on a district's website beginning with the 2026-2027 school year; 5. P.A. 104-391, renumbering multiple provisions in 105 ILCS 5/27; and 6. Continuous improvement.
2:270, Discrimination and Harassment on the Basis of Race, Color, and	The policy, Legal References, and footnotes are updated. The policy is updated for continuous improvement. The Legal References and footnotes are updated in response to P.A. 103-605, finalizing the citation to the *Racism Free Schools Law,* 105 ILCS

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
National Origin Prohibited	5/22-95. The footnotes are also updated in response to the Ill. Dept. of Human Rights (IDHR) Racism Free Schools model training program, available at: https://dhr.illinois.gov/training/racism-free-schools, and for continuous improvement.
2:270-AP, Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin	The procedure is updated for the reasons stated in 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, above.
3:10, Goals and Objectives	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/24A-15, amended by P.A. 104-20, making student growth an optional, rather than required, component of principal evaluations.
3:50, Administrative Personnel Other Than the Superintendent	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/24A-15, amended by P.A. 104-20, making student growth an optional, rather than required, component of principal and assistance principal evaluations, and for continuous improvement.
3:60, Administrative Responsibility of the Building Principal	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, requiring a principal or designee to immediately notify local law enforcement upon receiving a report of a threat of gun violence on school grounds and the parent/guardian if the threat is from a student, and for continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
3:60-E, Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security	The exhibit has been updated in response to: 1. Firearm Owners Identification Card Act (FOID Act), 430 ILCS 65/1.1, amended by P.A. 104-270, adding *advanced practice psychiatric nurse* to the list of per- sons able to determine that someone poses a *clear and present danger*; 2. FOID Act, 430 ILCS 65/8.1(d), amended by P.A. 104-5, permitting the Ill. State Police (ISP) to suspend a person's FOID card; 3. Abused and Neglected Child Reporting Act (ANCRA), 325 ILCS 5/4.5, amended by P.A. 104-245, eff. 1-1-26, changing the term *child pornography* to *child sexual abuse material*; 4. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, requiring a principal or designee to immediately notify local law enforcement upon receiving a report of a threat of gun violence on school grounds and the parent/guardian if the threat is from a student; 5. 105 ILCS 5/10-20.14, amended by P.A. 104-430, requiring the parent-teacher advisory committee's guidelines for reciprocal reporting to address both civil and criminal offenses committed by students; and 6. Continuous improvement.
4:10, Fiscal and Business Management	The policy and footnotes are updated in response to 105 ILCS 5/10-17, amended by P.A. 104-261, eff. 1-1-26, requiring a district to post on its website its statement of affairs by Dec. 1 each year, and making certain changes to the contents of the statement of affairs. The footnotes are also updated for continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
4:30, Revenue and Investments	The policy and footnotes are updated in response to the Public Funds Investment Act, 30 ILCS 235/8, amended by P.A. 104-92, eff. 1-1-26, addressing deposit requirements for financial institutions subject to the Ill. Community Reinvestment Act. Continuous improvement updates are also made to the footnotes.
4:60-AP2, Third Party Non- Instructional Contracts	The procedure is updated in response to 105 ILCS 5/10-22.34c(b), amended by P.A. 104-393, requiring a district to meet certain conditions before it can enter into or renew an emergency contract for non-instructional services currently performed by any employee or bargaining unit member, and for continuous improvement.
4:60-AP2, E, Checklist for Third Party Non-Instructional Emergency Contracts	**NEW.** The procedure is created for the reason stated in 4:60-AP2, *Third Party Non-Instructional Contracts*, above.
4:70-AP, Resource Conservation	The procedure is updated in response to 105 ILCS 5/10-20.19c, amended by P.A. 104-391, eliminating the mandate that paper purchased for publishing student newspapers be recycled newsprint.
4:80, Accounting and Audits	The policy, Legal References, and footnotes are updated. The policy and footnotes are updated in response to 105 ILCS 5/3-7, amended by P.A. 104-261, eff. 1-1-26, requiring school districts to submit copies of their Annual Financial Report (AFR) and audits to their regional superintendent of schools by Oct. 15 each year, and further requiring district audit firms to annually file district AFRs and audits with ISBE by Oct. 15, and for continuous improvement. The footnotes are also updated in

Policy	Revision Description
	response to 105 ILCS 5/3-15.1, amended by P.A. 104-261, eff. 1-1-26, removing the requirement for regional superintendents to annually file district AFRs with ISBE by Nov. 15. The Legal References are updated with a minor style change.
4:110, Transportation	The policy is unchanged. The footnotes are updated in response to: 1. Ill. Vehicle Code (IVC), 625 ILCS 5/12-826(a), added by P.A. 104-75, requiring that beginning 7-1-31, newly purchased school buses be equipped with seat safety belts that meet State and federal standards, but districts will not have to require their use; 2. IVC, 625 ILCS 5/11-1414.1, amended by P.A.s 104-256, eff. 7-1-26, and 104-367, eff. 1-1-26, allowing for the use of a multifunction school activity bus for curriculum-related or career-related activities subject to certain conditions; and 3. Continuous improvement.
4:110-AP3, School Bus Safety Rules	The procedure is updated in response to: 1. 105 ILCS 5/10-20.14, amended by P.A. 103-896, requiring ISBE to issue guid- ance on school bus safety; 2. ISBE's *School Bus Safety Guidance* (July 2025); 3. IVC, 625 ILCS 5/12-826(b), added by P.A. 104-75, indicating that instructions on seat belt use are not required by law; and 4. Continuous improvement.
4:140, Waiver of Student Fees	The Legal References and footnotes are updated in response to: 1. 105 ILCS 5/27-815, renumbered by P.A. 104-391; 2. 105 ILCS 5/10-20.13, amended by P.A. 104-391, requiring districts to waive fees for textbooks and instructional materials when a student's parents/guardians are unable to

Policy	Revision Description
	afford them, and prohibiting any discrimination, punishment, or penalty of a student for an unpaid balance or because parents/guardians cannot pay fees or fines for lost school property, replacing in part 105 ILCS 5/28-19.2, repealed by P.A. 104-391; and 3. Continuous improvement.
4:140-AP, Fines, Fees and Charges – Waiver of Student Fees	The procedure is updated in response to 105 ILCS 5/10-20.13(d), added by P.A. 104-391, prohibiting any discrimination, punishment, or penalty of a student for an unpaid balance or because parents/guardians cannot pay fees or fines for lost school property.
4:150, Facility Management and Building Programs	The policy is unchanged. The footnotes are updated in response to: 1. 23 Ill.Admin.Code §180.60, amended by 49 Ill.Reg. 1774, updating the building code and sub codes versions that apply to design contracts signed on or after 1-1-25; 2. 105 ILCS 5/10-22.36(f), renumbered by P.A. 104-417, finalizing the citation to the provision addressing building referenda; and 3. Continuous improvement.
4:160, Environmental Quality of Buildings and Grounds	The policy is unchanged. The footnotes are updated in response to: 1. 105 ILCS 5/2-3.205, renumbered by P.A. 104-417, finalizing the citation to the provision addressing indoor air quality resources for schools; 2. ISBE's *Compiled Resources on Indoor Air Quality* (April 2025); and 3. Continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
4:170, Safety	The policy is unchanged. The footnotes are updated in response to: 1. 105 ILCS 128/22, added by P.A. 104-198, requiring districts to provide substitute personnel with training and supports on evacuation and lockdown drills; 2. 105 ILCS 128/25, amended by P.A. 104-344, eff. 1-1-26, requiring annual re- view of the district's hazardous substance release procedures; 3. 40 C.F.R. §141.92(c), amended by 89 Fed. Reg. 86659, requiring community water systems to annually contact area schools no later than 11-1-27 to provide information about health risks from lead in water; and health risks from lead in water; and 4. Continuous improvement.
4:170-AP1, Comprehensive Safety and Security Plan	The procedure is updated in response to: 1. The renaming of 7:150, *Agency and* *Law Enforcement Requests* *Police ~~Interviews~~*; 2. 105 ILCS 5/10-20.68, amended by P.A. 104-430, requiring that beginning 7-1- 26, districts that use a school resource officer have a memorandum of under- standing with a local law enforcement agency; 3. 105 ILCS 128/22, added by P.A. 104-198, requiring districts to provide substitute personnel with training and supports on evacuation and lockdown drills; 4. 105 ILCS 128/, amended by P.A. 104-344, eff. 1-1-26, requiring districts to develop procedures by 7-1-27 to address the release or explosion of hazardous substances based on State guidance (to be released by 1-1-27) and to annually review those procedures; 5. 105 ILCS 5/22-115, renumbered by P.A. 104-391; 6. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, requiring a principal or designee to immediately notify local law

Policy	Revision Description
	enforcement upon receiving a report of a threat of gun violence on school grounds and notify the parent/guardian if the threat is from a student; and 7. Continuous improvement.
4:170-AP2, E3, Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers	The exhibit is updated in response to ANCRA, 325 ILCS 5/4.5, amended by P.A. 104-245, eff. 1-1-26, changing the term *child pornography* to *child sexual abuse material*, and for continuous improvement.
4:175-AP1, Criminal Offender Notification Laws; Screening	The procedure is updated due to the renaming of 7:190-AP3, *Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students*.
4:190, Targeted School Violence Prevention Program	The Legal References, Cross References, and footnotes are updated. The Legal References are updated in response to 105 ILCS 5/22-110, renumbered by P.A. 104-391. The footnotes are updated in response to 105 ILCS 128/45, amended by P.A. 104-407, requiring ISBE to provide districts with threat assessment guidance. The Cross References are updated due to the renaming of 7:150, *Agency and Law Enforcement Requests ~~Police Interviews~~*.
4:190-AP1, Targeted School Violence Prevention Program	The procedure is updated in response to 105 ILCS 128/45, amended by P.A. 104-407, requiring ISBE to provide districts with threat assessment guidance, and the renaming of 7:150, *Agency and Law Enforcement Requests ~~Police Interviews~~*.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
4:190-AP2, Threat Assessment Team (TAT)	The procedure is updated in response to: 1. 105 ILCS 128/45, amended by P.A. 104-407, requiring ISBE to provide districts with threat assessment guidance; 2. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, requiring parent/guardian notification when a student allegedly threatens firearm violence; and 3. Continuous improvement.
5:10, Equal Employment Opportunity and Minority Recruitment	The policy, Legal References, and footnotes are updated in response to the Victims' Economic Security and Safety Act, 820 ILCS 180/33, added by P.A. 104- 171, eff. 1-1-26, prohibiting workplace discrimination and retaliation based on an employee's use of employer-issued equipment to record domestic violence, sexual violence, gender violence, or any other crime of violence committed against the employee or a family or household member of the employee. The footnotes are also updated in response to the Workplace Transparency Act (WTA), 820 ILCS 96/1-25, amended by P.A. 104-320, eff. 1-1-26, prohibiting employers from preventing employees from engaging in concerted union activities to address work-related issues as a condition of employment, and for continuous improvement.
5:10-AP, Workplace Accommodations for Nursing Mothers	The procedure is updated in response to the Nursing Mothers in Workplace Act (NMWA), 820 ILCS 260/10, amended by P.A. 104-76, eff. 1-1-26, requiring that an employee be compensated during a break to express breast milk.
5:20, Workplace Harassment Prohibited	The policy is unchanged. The footnotes are updated in response to the WTA, 820 ILCS 96/1-30, amended by P.A. 104-320, eff. 1-1-26, updating specific conditions for when employers may use confidentiality clauses in settlement or termination agreements

Policy	Revision Description
	involving alleged unlawful employment practices under federal or State civil rights laws, and for continuous improvement.
5:90, Abused and Neglected Child Reporting	The policy, Cross References, and footnotes are updated in response to ANCRA, 325 ILCS 5/4.5, amended by P.A. 104-245, eff. 1-1-26, changing the term *child pornography* to *child sexual abuse material,* and to clarify the definition of *electronic and information technology equipment* from 325 ILCS 5/4.5(a). The footnotes are also updated in response to: 1. Dept. of Human Services Act, 20 ILCS 1305/1-17(b), amended by P.A. 103-752, expanding the authority of the Office of the Inspector General's investigations related to abuse allegations; 2. Criminal Code of 2012 (Criminal Code), 720 ILCS 5/11-25, amended by P.A. 104-320, eff. 1-1-26, specifying that *grooming* is perpetrated by someone five years or more older than a child, or holding a position of trust, authority or supervision in relation to the child at the time of the offense, and for continuous improvement. 3. 105 ILCS 21B-85, amended by P.A. 103-51, deleting references to the death penalty. The Cross References are updated due to the renaming of 7:150, *Agency and Law Enforcement Requests ~~Police Interviews~~*.
5:100, Staff Development Program	The policy and footnotes are updated in response to: 1. 105 ILCS 5/27-240, added by P.A. 104-391, replacing the citation to 105 ILCS 110/3.10, repealed by P.A. 104-391; and 2. 105 ILCS 5/27-115, renumbered by P.A. 104-391. The footnotes are also updated in response to: 1. 105 ILCS 5/27-105, renumbered by P.A. 104-391; 2. IDHR's *Frequently Asked Questions (FAQs) about Racism-Free Schools Training*; and

Policy	Revision Description
	3. Continuous improvement.
5:120, Employee Ethics; Code of Professional Conduct; and Conflict of Interest	The policy is unchanged. The footnotes are updated in response to Criminal Code, 720 ILCS 5/11-25, amended by P.A. 104-245, eff. 1-1-26, specifying that *grooming* is perpetrated by someone five years or more older than a child, or holding a position of trust, authority or supervision in relation to the child at the time of the offense, and for continuous improvement.
5:120-AP2, Employee Conduct Standards	The procedure is updated in response to: 1. Criminal Code, 720 ILCS 5/11-25, amended by P.A. 104-245, eff. 1-1-26, specifying that *grooming* is perpetrated by someone five years or more older than a child, or holding a position of trust, authority or supervision in relation to the child at the time of the offense; and 2. 105 ILCS 5/27-255, added by P.A. 104-391, requiring drug and substance abuse prevention education that was previously addressed in 105 ILCS 5/27-13.2, now repealed; and 3. Continuous improvement.
5:185, Family and Medical Leave	The policy is unchanged. The footnotes are updated in response to: 1. Military Leave Act, 820 ILCS 151/12, added by P.A. 104-78, requiring a covered employer to provide paid leave for an employee to participate in a funeral honors detail for up to 8 hours per month for a maximum of 40 hours per calendar year, or more if authorized by the employer or a collective bargaining agreement; 2. U.S. Department of Labor Wage and Hour opinion letter 2023-1-A, clarifying when an employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules; and

Policy	Revision Description
	3. Continuous improvement.
5:190, Teacher Qualifications	The policy is unchanged. The Legal References and footnotes are updated in response to 105 ILCS 5/21B-120, added by P.A. 104-111, eff. 1-1-26, establishing a short-term approval credential for teachers in accordance with rules developed by ISBE, and for continuous improvement.
5:200, Terms and Conditions of Employment and Dismissal	The policy and footnotes are updated in response to NMWA, 820 ILCS 260/10, amended by P.A. 104-76, eff. 1-1-26, requiring that an employee be compensated during a break to express breast milk. The footnotes are also updated for continuous improvement.
5:220, Substitute Teachers	The Legal References and footnotes are updated. The Legal References are updated in response to 105 ILCS 128/22, added by P.A. 104-198, eff. 1-1- 26, requiring districts to provide all substitute personnel with: (1) training on school evacuation drills and law enforcement lockdown drills, and (2) support that includes, at a minimum, the information packet given to employees with district-approved materials outlining evacuation and lockdown procedures. Maps indicating all school exits must also be prominently displayed in every classroom. The footnotes are updated in response to 105 ILCS 5/21B-20(2) (E), amended by P.A. 103-617, allowing an individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations but who does not hold a bachelor's degree to substitute teach in career and technical education classrooms, and for continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
5:220-AP, Substitute Teachers	The procedure is updated for the reasons stated in 5:220, *Substitute Teachers,* above.
5:280, Duties and Qualifications	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to IVC, 625 ILCS 5/6-106.1, amended by P.A. 104-256, eff. 7-1-26, updating the requirements for school bus driver permits issued by the Ill. Secretary of State.
5:300, Schedules and Employment Year	The policy and footnotes are updated for the reason stated in 5:200, *Terms and Conditions of Employment and Dismissal*, above.
6:20, School Year Calendar and Day	The policy, Legal References, and footnotes are updated in response to: 1. 105 ILCS 5/24-2(c), amended by P.A. 104-391, making commemorative holidays optional to observe and moving the last Friday in April (Arbor and Bird Day), October 9 (Leif Erikson Day), and the day immediately after Thanksgiving (Native American Heritage Day) to commemorative holidays; 2. 105 ILCS 5/27-20, repealed by P.A. 104-391, removing American Indian Day. 3. 105 ILCS 5/27-1025, renumbered by P.A. 104-391; 4. 105 ILCS 5/27-20.2, repealed by P.A. 104-391, removing Just Say No Day; 5. 105 ILCS 5/27-510, added by P.A. 104-391, and replacing in part 105 ILCS 5/27- 3, repealed by P.A. 104-391, continuing to require the Pledge of Allegiance to be recited every day in elementary and secondary schools;

Policy	Revision Description
	6. 105 ILCS 5/10-19.05, amended by P.A. 104-250, eff. 1-1-26, adding to the activities allowed to be counted toward the calculation of clock hours of school work; 7. 105 ILCS 5/2-3.206, added by P.A. 104-115, requiring by July 1 each year, ISBE must prominently post on its website and distribute to each school district a non-exhaustive list of days and dates of cultural, religious, or other observances for, at a minimum, the school year that begins in the next calendar year; and 8. Continuous improvement.
6:40, Curriculum Development	The policy, Legal References, Cross References, and footnotes are updated for continuous improvement. Footnote 1 is also updated in response to Mahmoud v. Taylor, 145 S. Ct. 2332 (2025), holding that classroom instruction will burden parents' religious free exercise rights if it requires their children to submit to instruction "that poses 'a very real threat of undermining' the religious beliefs and practices that the parents wish to instill."
6:60, Curriculum Content	The policy, Legal References and footnotes are updated in response to: 1. P.A. 104-391, renumbering, reorganizing, and repealing citations throughout 105 ILCS 5/27 (substantive changes detailed below); 2. 105 ILCS 5/27-215, added by P.A. 104-391 and replacing, in part, the Comprehensive Health Education Program, 105 ILCS 110/3, repealed by P.A. 104-391; 3. 105 ILCS 5/27-510, added by P.A. 104-391 and replacing in part 105 ILCS 5/27- 3 and 5/27-3.10, both repealed by P.A. 104-391, requiring instruction on patriotism, principles of representative government, and elementary civics education to be provided as part of civics education for students in grades 6, 7, or 8, and requiring instruction on the method of

Policy	Revision Description
	voting at elections by means of the Australian ballot system be included in civics education in grades 6-8 (formerly grades were not specified for this topic and the method of counting votes for candidates is no longer a required topic); 4. 105 ILCS 5/27-605, amended by P.A. 104-387, and renumbered by P.A. 104- 391, allowing students to choose one year of ~~vocational~~ career and technical education to meet high school graduation requirements; 5. 105 ILCS 5/27-255, added by P.A. 104-391, requiring specific drug abuse prevention education in grades K-4, 5-12, and 6-12. This new section replaces, in part, 105 ILCS 5/27-13.2 and the Comprehensive Health Education Program, 105 ILCS 110/3, both repealed by P.A. 104-391; 6. 105 ILCS 5/27-405(b), added by P.A. 104-391, requiring age- and developmentally appropriate online safety instruction for grades 3-8 beginning in the 2027- 2028 school year; 7. 105 ILCS 5/27-12, repealed by P.A. 104-391, eliminating the requirement that character education be taught; 8. 105 ILCS 5/27-105, added by P.A. 104-391, replacing the provision on the dangers of abduction formerly at 105 ILCS 5/27-13.2, repealed by P.A. 104-391, and no longer specifying that such education be provided annually in grades K-8; 9. 105 ILCS 5/27-250, added by P.A. 104-391, requiring students in grades 9-12 receive training on CPR and use of an AED (grades not previously specified for CPR training); 10. 105 ILCS 5/27-405, added by P.A. 104-391, requiring media literacy and Internet safety instruction in grades 9-12 beginning in the 2027-2028 school year (consolidating and amending media literacy and internet safety instruction under 105 ILCS 5/27-410 and 415, both renumbered by P.A. 104-391 and scheduled for repeal on 7-1-27); 11. 105 ILCS 5/27-3.5, repealed by P.A. 104-391, removing the requirement to show students a Congressional Medal of Honor film in grade 7 and high school history courses. The footnotes are also updated in response to:

Policy	Revision Description
	1. 105 ILCS 5/2-3.206, added by P.A. 104-399, eff. 1-1-26, encouraging districts to collect K-8 teaching resources to support American Sign Language programs; 2. 105 ILCS 5/14D, added by P.A. 104-266, eff. 1-1-26, requiring ISBE to: (1) pro- vide guidance to districts on dual language education programs, (2) integrate dual language education into the Equity Journey Continuum, and (3) establish recognition pathways for bi-literacy in certain grades before high school; 3. 105 ILCS 5/27-515, amended and renumbered by P.A. 104-391, requiring not less than one hour of each school week, or an amount of time equal to one hour per school week through the school year, to be spent on the study of patriotism, principles of representative government, and elementary civics education in grades 7-8; 4. 105 ILCS 5/27-1020, amended and renumbered by P.A. 104-391, removing the 16-hour instruction requirement for safety education, if offered by a board; 5. ISBE's *Native American and Indigenous Peoples Resource Guide* (March 2025), assisting districts with implementation of instruction on Native American history; 6. 105 ILCS 5/27-1030, renumbered by P.A. 104-391, allowing districts to include a unit of instruction on the Irish Famine (see Footnote 48 for a new option to list such instruction if a board offers it); and 7. Continuous improvement.
6:60-AP1, Comprehensive Health Education Program	The procedure is updated in response to: 1. P.A. 104-391, renumbering, reorganizing, and repealing citations throughout 105 ILCS 5/27 (substantive changes detailed below); 2. The Critical Health Problems and Comprehensive Health Education Act, 105 ILCS 5/27-205 through 5/27-230, added by

Policy	Revision Description
	P.A. 104-391, replacing, in part, 105 ILCS 110/, repealed by P.A. 104-391; 3. 105 ILCS 5/27-215, added by P.A. 104-391, replacing, in part, the Comprehensive Health Education Program, 105 ILCS 110/3, repealed by P.A. 104-391, and requiring districts to provide consent education that aligns with the definition of *consent* in 105 ILCS 5/215(a); 4. 105 ILCS 5/27-255, added by P.A. 104-391, requiring specific drug abuse prevention education in grades K-4, 5-12, and 6-12. This new section replaces, in part, 105 ILCS 5/27-13.2 and the Comprehensive Health Education Program, 105 ILCS 110/3, both repealed by P.A. 104-391; 5. 105 ILCS 5/27-1020, amended and renumbered by P.A. 104-391, removing the 16-hour instruction requirement for safety education, if offered by a board; 6. 105 ILCS 5/27-250, added by P.A. 104-391, requiring students in grades 9-12 receive training on CPR and use of an AED (grades not previously specified for CPR training); 7. 105 ILCS 5/27-105, added by P.A. 104-391, replacing the provision on the dangers of abduction formerly at 105 ILCS 5.27-13.2, repealed by P.A. 104-391, and no longer specifying that such education be provided annually in grades K-8; 8. 105 ILCS 5/27-13.2, repealed by P.A. 104-391, removing the requirement that districts provide parents/guardians of students in grades K-8 with prior written notice of sexual abuse prevention instruction and excuse students from such instruction upon written objection of the parent/guardian; and 9. Continuous improvement.
6:60-AP1, E1, ~~Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;~~ Requests to	**RENAMED.** The exhibit is updated in response to: 1. 105 ILCS 5/27-1015, renumbered by P.A. 104-391;

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
Examine Materials~~;~~ ~~Written Objection(s)~~ and~~/ or~~ Statutory Opt-outs	2. 105 ILCS 5/27-215, added by P.A. 104-391, replacing, in part, the Comprehensive Health Education Program, 105 ILCS 110/3, repealed by P.A. 104-391; 3. 105 ILCS 5/27-13.2, repealed by P.A. 104-391, removing the requirement that districts provide parents/guardians of students in grades K-8 with prior written notice of sexual abuse prevention instruction and excuse students from such instruction upon written objection of the parent/guardian; 4. 105 ILCS 5/27-250, added by P.A. 104-391, permitting parent/guardian opt-out from instruction on CPR and use of an AED; 5. 105 ILCS 5/27-1045, renumbered by P.A. 104-391; and 6. Continuous improvement.
6:60-AP2, Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))	The procedure is updated in response to 105 ILCS 5/27-1015, renumbered by P.A. 104-391, and 105 ILCS 5/27-13.2, repealed by P.A. 104-391, removing the requirement that districts provide parents/guardians of students in grades K-8 with prior written notice of sexual abuse prevention instruction and excuse students from such instruction upon written objection of the parent/guardian.
6:60-AP3, Developmentally Appropriate Consent Education	The procedure is updated in response to 105 ILCS 5/27-1010, amended and renumbered by P.A. 104-391.
6:130, Program for the Gifted	The policy, Legal References, and footnotes are updated. The policy and Legal References are updated in response to 105 ILCS 5/14A, amended by P.A. 104-129, eff. 1-1-26, removing references to State funding for gifted programs and related requirements. The footnotes are also updated for continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
6:135, Accelerated Placement Program	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/14A-32, amended by P.A. 104-261, eff. 1-1-26, providing that for the 2023-2024 through the 2026-2027 school year, a district's accelerated placement policy must allow a student who ~~meets or~~ exceeds State standards in English language arts, mathematics, or science to automatically enroll into the next most rigorous level of advance coursework offered by the high school, and for continuous improvement.
6:135-AP, Accelerated Placement Program Procedures	The procedure is updated for the reasons stated in 6:135, *Accelerated Placement Program*, above.
6:140, Education of Homeless Children	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/2-3.06, added by P.A. 104-302, requiring districts to annually report to ISBE on funding and how it is spent for homeless children and youth.
6:160, English Learners	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to 105 ILCS 5/14C-3, amended by P.A. 104-261, eff. 1-1-26, addressing requirements for transitional bilingual education.
6:210, Instructional Materials	The policy is unchanged. The footnotes are updated for the reasons stated in 6:40, *Curriculum Development*, above. Additionally, an option is added to footnote 5 for boards that only wish to approve primary instructional materials, rather than all instructional materials.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
6:220, Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct	The policy, Legal References, Cross References, and footnotes are updated for continuous improvement. The footnotes are also updated in response to: 1. 105 ILCS 5/27-410, renumbered by P.A. 104-391, and scheduled to be repealed on 7-1-27, and 105 ILCS 5/27-405, added by P.A. 104-391, addressing media literacy and internet safety instruction; 2. 105 ILCS 5/10-20.13, amended by P.A. 104-391, requiring districts to waive fees for textbooks and instructional materials when a student's parents/guardians are unable to afford them; and 3. Continuous improvement.
6:235, Access to Electronic Networks	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/2-3.118a, added by P.A. 104-399, eff. 1-1-26, requiring ISBE to develop guidance on the use of artificial intelligence in K-12 education by 7-1-26, and for continuous improvement.
6:240, Field Trips	The policy is unchanged. The footnotes are updated in response to: 1. 105 ILCS 5/29-6.3, amended by P.A. 104-367, eff. 1-1-26, allowing districts to transport students in multifunction school activity buses (MFSABs) for school sponsored activities; 2. IVC, 625 ILCS 5/11-1414.1, amended by P.A.s 104-256, eff. 7-1-26, and 104-367, eff. 1-1-26, allowing for the use of an MFSAB for curriculum-related or career-related activities subject to certain conditions; and 3. Continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
6:260, Complaints About Curriculum, Instructional Materials, and Programs	The Legal References and footnotes are updated for the reasons stated in 6:40, *Curriculum Development*, above, above.
6:260-AP, Responding to Complaints About Curriculum, Instructional Materials, and Programs	The procedure is updated for the reasons stated in 6:40, *Curriculum Development*, above.
6:270, Guidance and Counseling Program	The policy language is unchanged. The footnotes are updated in response to: 1. 105 ILCS 5/10-22.24b, amended by P.A. 104-353, requiring school counseling services for students regardless of their immigration status; 2. 105 ILCS 5/10-20.5a, amended by P.A. 104-15, requiring schools to make student directory information and student direct admission information available to the Illinois Student Assistance Commission for the Public University Direct Admissions program for those parents/guardians or students who opt-in to the program; and 3. Continuous improvement.
6:280, Grading and Promotion	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/10-20.9a, amended by P.A. 104-391, deleting the now-expired provision that prohibited withholding a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account.
6:300, Graduation Requirements	The policy, Legal References, and footnotes are updated in response to:

Policy	Revision Description
	1. 105 ILCS 5/27-605, amended and renumbered by P.A. 104-391; 2. 105 ILCS 5/27-510, added by P.A. 104-391, requiring students to pass an exam on patriotism, principles of representative government, and proper use and display of the American flag, formerly addressed at 105 ILCS 5/27-3, repealed by P.A. 104-391; The Legal References are also updated in response to 105 ILCS 5/27-615, amended and renumbered by P.A. 104-391. The footnotes are further updated in response to: 1. 105 ILCS 5/27-605, amended by P.A. 104-387, allowing students to choose one year of ~~vocational~~ career and technical education to meet high school graduation requirements; 2. 105 ILCS 5/22-87(b), amended by P.A. 104-13, requiring each high school to designate a staff member as a contact for the student financial aid application graduation requirement; 3. 105 ILCS 5/22-87(b), amended by P.A. 104-14, requiring districts to provide appropriate supports to assist high school students with learning about and completing the financial aid application required for graduation; and 4. Continuous improvement.
6:300-E2, State Law Graduation Requirements	The exhibit is updated for the reasons stated in 6:300, *Graduation Requirements*, above (except for the first item #2 listed for that policy).
6:300-E3, Form for Exemption from Financial Aid Completion	The exhibit is updated in response to: 1. 105 ILCS 5/22-87(b), amended by P.A. 104-13, requiring each high school to designate a staff member as a contact for the student financial aid application graduation requirement; 2. 105 ILCS 5/22-87(b), amended by P.A. 104-14, requiring districts to provide appropriate supports to assist high

Policy	Revision Description
	school students with learning about and completing the financial aid application required for graduation; and 3. Continuous improvement.
6:310, High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/2-3.115, amended by P.A. 104-261, eff. 1-1-26, deleting the provision that required ISBE to encourage programs of academic credit for Tech Prep work- based learning for high school students. The Legal References and footnotes are also updated in response to P.A. 104-391, renumbering multiple provisions in 105 ILCS 5/27. The footnotes are also updated in response to: 1. Dual Credit Quality Act, 110 ILCS 27/, amended by P.A. 104-12, adding procedural requirements for: (1) negotiation of a partnership agreement between a district and community college, and (2) a contract between a district and out- of-state postsecondary institutions; 2. 105 ILCS 5/2-3.206, added by P.A. 104-249, eff. 1-1-26, requiring ISBE to post on its website approved opportunities for externships, internships, or volunteer work related to career and technical education pathways; and 3. Continuous improvement.
6:310-E, Class Substitution Request	The exhibit is updated in response to 105 ILCS 5/27-610, amended and renumbered by P.A. 104-391.
6:315, High School Credit for Students in Grades 7 or 8	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/27-615, amended by P.A. 104-267, eff. 1-1-26, and renumbered by P.A. 104-391, expanding the ability of students in grade 7 or 8 to obtain high school course credit. The Cross References are supplemented with a reference to 6:135, *Accelerated Placement Program*.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
6:320, High School Credit for Proficiency	The Legal References and footnotes are updated in response to 105 ILCS 5/27- 605, amended by P.A. 104-387 and amended and renumbered by P.A. 104- 391, allowing students to choose one year of ~~vocational~~ career and technical education to meet a high school graduation requirement. The Legal References and footnotes are also updated for continuous improvement.
7:10, Equal Educational Opportunities	The Legal References, Cross References, and footnotes are updated in response to 105 ILCS 5/22-105(c)(1-3), added by P.A. 104-288, eff. 1-1-26, codifying Plyler v. Doe, 457 U.S. 202 (1982), prohibiting districts from taking any action that would deny a child free public education based on the child's or their parent's/guardian's actual or perceived citizenship or immigration status, and requiring districts to establish a policy and procedures regarding agency and law enforcement requests, to ensure this right is preserved. The footnotes are also updated for continuous improvement.
7:70, Attendance and Truancy	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/10-19.05(k), amended by P.A. 104-250, eff. 1-1-26, requiring an approval process for students to attend allowable activities by the beginning of the 2026- 2027 school year. The policy and footnotes are also updated in response to 105 ILCS 5/26-12, amended by P.A. 104-430, prohibiting school personnel from referring a truant, chronic truant, or truant minor to any other local public entity, school resource officer, or peace officer to issue a fine/fee as punishment.
7:130, Student Rights and Responsibilities	The policy is unchanged. The footnotes are updated for continuous improvement. The Cross References are updated due to the renaming of 7:150, *Agency and Law Enforcement Requests* ~~*Police Interviews*~~ and to add a reference to 7:330, *Student Use of Buildings – Equal Access*.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
7:140, Search and Seizure	The Legal References are updated for continuous improvement. The Cross References are updated due to the renaming of 7:150, *Agency and Law Enforcement Requests ~~Police Interviews~~*.
7:150, Agency and Law Enforcement Requests ~~Police Interviews~~	**RENAMED AND REWRITTEN.** This policy is renamed and rewritten in response to 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26, requiring districts to establish a policy by 7-1-26 regarding agency and law enforcement requests at school, and for continuous improvement.
7:150-AP, Managing Agency and Law Enforcement Requests ~~Police Interviews~~	**RENAMED AND REWRITTEN.** This procedure is renamed and rewritten in response to 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26, requiring districts to establish procedures by 7-1-26 regarding agency and law enforcement requests at school, and for continuous improvement.
7:150-AP, E, Record of Agency and Law Enforcement Requests	**NEW.** This exhibit is created in response 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26, requiring districts to document interactions with agencies and law enforcement when they attempt to enter a school or school facility.
7:180, Prevention of and Response to Bullying, Intimidation, and Harassment	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/22-110, amended by P.A. 104-338, eff. 7-1-26, and renumbered by P.A. 104-391, expanding the *bullying* definition to prohibit posting or distributing sexually explicit images and, beginning in the 2026-2027 school year, expanding the *cyberbullying* definition to prohibit posting or distributing an *unauthorized digital replica*. The policy and footnotes are also updated in response to 23 Ill. Admin. Code §1.295(c)(2),

Policy	Revision Description
	requiring updated bullying policies submitted to ISBE to contain the date of adoption.
7:190, Student Behavior	The policy and footnotes are updated in response to 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, requiring parent/guardian notification when a student allegedly threatens firearm violence. The footnotes are further updated in response to: 1. 105 ILCS 5/10-22.6(i), amended by P.A. 104-430, prohibiting issuing students a monetary fine, fee, ticket, or citation as a school-based disciplinary consequence or for a municipal code violation on school grounds during school hours or while taking school transportation; 2. 105 ILCS 5/26-12(b), amended by P.A. 104-430, prohibiting school personnel from referring a truant, chronic truant, or truant minor to any other local public entity, school resource officer, or peace officer to issue a fine/fee as punishment; 3. 105 ILCS 5/10-20.68, amended by P.A. 104-430, requiring that beginning 7-1- 26, districts that use a school resource officer have a memorandum of under- standing with a local law enforcement agency; 4. 105 ILCS 5/22-110, amended by P.A. 104-338 and renumbered by P.A. 104- 391 (previously 105 ILCS 5/27-23.7), incorporating by reference the definition of *artificial intelligence* from the Digital Voice and Likeness Protection Act, 815 ILCS 550/, and expanding the definitions of *bullying* and *cyberbullying*; and 5. Continuous improvement. The Cross References are updated due to the renaming of 7:150, *Agency and Law Enforcement Requests ~~Police Interviews~~*.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
7:190-E3, Memorandum of Understanding	The exhibit is updated in response to: 1. 105 ILCS 5/2-3.2.06, added by P.A. 104-430, requiring that on or before 1-31- 29 and annually thereafter, ISBE report on law enforcement referral data collected from districts; 2. 105 ILCS 5/10-20.14(b), amended by P.A. 104-430, requiring the parent-teacher advisory committee's guidelines for reciprocal reporting to address both civil and criminal offenses committed by students; 3. 105 ILCS 5/10-20.68, amended by P.A. 104-430, requiring that beginning 7-1- 26, districts that use a school resource officer have a memorandum of under- standing with a local law enforcement agency; 4. 105 ILCS 5/10-22.6(i), amended by P.A. 104-430, prohibiting issuing students a monetary fine, fee, ticket, or citation as a school-based disciplinary consequence or for a municipal code violation on school grounds during school hours or while taking school transportation; 5. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, requiring parent/guardian notification when a student allegedly threatens firearm violence; 6. The renaming of 7:150, *Agency and Law Enforcement Requests* ~~*Police Interviews*~~; 7. The renaming of 7:150-AP, *Managing Agency and Law Enforcement Requests* ~~*Police Interviews*~~; and 8. Continuous improvement.
7:190-AP3, Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students	**RENAMED AND REWRITTEN.** The procedure is renamed and rewritten in response to: 1. 105 ILCS 5/10-20.14(b), amended by P.A. 104-430, requiring the parent-teacher advisory committee's guidelines for reciprocal reporting to address both civil and criminal offenses committed by students;

Policy	Revision Description
	2. ISBE's *Development of Reciprocal Reporting Systems Guidance*; and 3. Continuous improvement.
7:190-AP6, Guidelines for Investigating Sexting Allegations	The procedure is updated in response to ANCRA, 325 ILCS 5/4.5, amended by P.A. 104-245, eff. 1-1-26, changing the term *child pornography* to *child sexual abuse material*. It also incorporates the renaming of 7:150-AP, *Managing Agency and Law Enforcement Requests ~~Police Interviews~~*.
7:190-AP7, Student Discipline Guidelines	The procedure is updated in response to: 1. 105 ILCS 5/10-20.68, amended by P.A. 104-430, requiring that beginning 7-1- 26, districts that use a school resource officer have a memorandum of under- standing with a local law enforcement agency; 2. 105 ILCS 5/2-3.2.06, added by P.A. 104-430, requiring that on or before 1-31- 29 and annually thereafter, ISBE report on law enforcement referral data collected from districts; 3. The renaming of 7:150, *Agency and Law Enforcement Requests ~~Police Interviews~~*; and 4. Continuous improvement.
7:250, Student Support Services	The policy is unchanged. The footnotes are updated in response to: 1. 105 ILCS 5/10-22.24b, amended by P.A. 104-353, requiring school counseling services to address the needs of all students, regardless of citizenship status; 2. The *School Social Work Best Practice Guide* (2020) published by ISBE and the Ill. Association of School Social Workers; 3. Professional development and resources for educators supporting adoptive, foster, and kinship students published by the nonprofit iCare 4 Adoptive And Foster Families; and

Policy	Revision Description
	4. Continuous improvement.
7:255-AP1, Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence	The procedure is updated in response to 105 ILCS 5/26A-25(b)(1), amended by P.A. 104-391, removing the specific hours of training required for employees designated to resolve complaints of violations of the *Ensuring Success in School Law.*
7:290, Suicide and Depression Awareness and Prevention	The policy, Legal References, and footnotes are updated in response to: 1. 105 ILCS 5/27-215, added by P.A. 104-391, requiring education for students on mental health and illness; 2. 105 ILCS 5/27-215, added by P.A. 104-391, adding student protocols for administering youth suicide awareness and prevention education; 3. 105 ILCS 5/10-20.81, amended by P.A. 104-264, eff. 1-1-26, requiring districts to insert the same contact information for suicide prevention helplines required for student ID cards on employee ID cards for employees serving any of grades 6 through 12; and 4. Continuous improvement.
7:290-AP, Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program	The procedure is updated for the reasons stated in 7:290, *Suicide and Depression Awareness and Prevention,* above. In addition, the procedure is updated in response to: 1. 105 ILCS 5/10-22.24b, amended by P.A. 103-780, allowing school counseling services to be used for providing educational opportunities for mental health issues and counseling and other resources to students who are in crisis; and

Policy	Revision Description
	2. Updated contact information in accordance with 105 ILCS 5/2-3.166(c)(7).
7:310, Restrictions on Publications; Elementary Schools	The Legal References and footnotes are updated in response to 105 ILCS 5/22- 110, renumbered by P.A. 104-391. The footnotes are also updated in response to 105 ILCS 5/22-110, amended by P.A. 104-338, eff. 7-1-26, incorporating by reference the definition of *artificial intelligence* from the Digital Voice and Likeness Protection Act, 815 ILCS 550/, and expanding the definitions of *bullying* and *cyberbullying*.
7:315, Restrictions on Publications; High Schools	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/27-415, renumbered by P.A. 104-391 and scheduled for repeal on 7-1-27, addressing the requirements for media literacy instruction through the 2026- 2027 school year, and 105 ILCS 5/405(c), added by P.A. 104-391, addressing the requirements for media literacy instruction beginning with the 2027-2028 school year. The Legal References and footnotes are also updated for the reasons stated in 7:310, *Restrictions on Publications; Elementary Schools*, above, and for continuous improvement.
7:340, Student Records	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to: 1. Ill. School Student Records Act (ISSRA), 105 ILCS 10/2, amended by P.A. 104- 356, eff. 7-1-26, revising the definition of *student permanent record* to include a summary of performance for students that received special education services, and permitting the Ill. Dept. of Human Services (IDHS) to access a student's records without consent for the purpose of assessing or evaluating a student's eligibility for Medicaid waiver benefits.;

Policy	Revision Description
	2. 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26, prohibiting districts from designating place of birth as *directory information*; and 3. The renaming of 7:150, *Agency and* <u>*Law Enforcement Requests*</u> ~~*Police Interviews*~~.
7:340-AP1, School Student Records	The procedure is updated for the reasons stated in 7:340, *Student Records*, above. In addition, the procedure is updated in response to: 1. Mental Health and Developmental Disabilities Confidentiality Act (MHDDCA), 740 ILCS 110/, amended by P.A. 104-263, eff. 1-1-26, updating requirements for disclosure; 2. MHDDCA, 740 ILCS 110/4, amended by P.A. 104-263, eff. 1-1-26, and 740 ILCS 110/5, amended by P.A. 104-270, updating access requirements to any record that is protected by the MHDDCA, specifically that of a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services to a student; 3. ISSRA, 105 ILCS 10/2(e), added by P.A. 104-356, eff. 7-1-26, requiring a district to maintain a summary of performance for students who received special education services as a *student permanent record*, unless a district has obtained the informed written consent of the student and parents or guardians to exclude it; 4. ISSRA, 105 ILCS 10/6(a)(14), added by P.A. 104-356, eff. 7-1-26, allowing for access without notification to or consent of a parent/guardian or eligible student by the Ill. Dept. of Human Services (IDHS) for the sole purpose of assessing or evaluating the student's eligibility for Medicaid waiver benefits consistent with rules adopted by IDHS; 5. 105 ILCS 5/22-105(c)(4)(A) and (B), added by P.A. 104-288, eff. 1-1-26, prohibiting districts from collecting information

Policy	Revision Description
	about a student's citizenship or immigration status and prohibiting designating place of birth as *directory information*; 6. 105 ILCS 5/10-20.13(d), added by P.A. 104-391, prohibiting any discrimination, punishment, or penalty of a student for an unpaid balance or because parents/guardians cannot pay fees or fines for lost school property, replacing in part 105 ILCS 5/28-19.2, repealed by P.A. 104-391; and 7. Continuous improvement.
7:340-AP1, E1, Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records	The exhibit is updated in response to: 1. 105 ILCS 5/27-605, amended and renumbered by P.A. 104-391; 2. ISSRA, 105 ILCS 10/2(e), added by P.A. 104-356, eff. 7-1-26, requiring a district to maintain a summary of performance for students who received special education services as a *student permanent record*, unless a district has obtained the informed written consent of the student and parents or guardians to exclude it; 3. ISSRA, 105 ILCS 10/6, amended by P.A. 104-356, eff. 7-1-26, permitting IDHS to access a student's records without consent for the purpose of assessing or evaluating a student's eligibility for Medicaid waiver benefits; 4. 105 ILCS 5/22-105(c)(4)(A) and (B), added by P.A. 104-288, eff. 1-1-26, prohibiting districts from collecting information about a student's citizenship or immigration status and prohibiting designating place of birth as *directory information*; and 5. Continuous improvement.
8:30, Visitors and Conduct on School Property	The policy, Legal References, and footnotes are updated. The policy and footnotes are updated for continuous improvement. The Legal References are updated in response to 105 ILCS 5/22-110, renumbered by P.A. 104-391. The footnotes are also

Policy	Revision Description
	updated in response to the Criminal Code, 720 ILCS 5/11-9.3(d), amended by P.A. 104-245, eff. 1-1-26, revising the definition of *sex offense* as it relates to the broader definition of *child sex offender*.
8:30-AP, Definition of Child Sex Offender	The procedure is updated in response to the Criminal Code, 720 ILCS 5/11- 9.3(d), amended by P.A. 104-245, eff. 1-1-26, revising the definition of *sex offense* as it relates to the broader definition of *child sex offender.*
8:95-AP, Parental Involvement	The procedure is updated in response to: 1. 23 Ill. Admin. Code §1.245, amended by 47 Ill. Reg. 18457, adding language regarding fines to fee waivers for when a district or school provides notices to parents/guardians on fee waivers; 2. 105 ILCS 5/10-22.31, amended by P.A. 104-218, eff. 1-1-26, adding requirements when a district intends to withdraw from a special education joint agreement; 3. Child Welfare Disclosure to Parents Act, 20 ILCS 522/, added by P.A. 104-254, requiring that a parent involved with the Illinois child welfare system: (1) be notified of and invited to attend all of the child's school meetings; (2) have all meetings scheduled at times and places that allow for the parent to participate; and (3) be provided transportation assistance when necessary to attend meetings; 4. P.A. 104-391, renumbering and repealing provisions in 105 ILCS 5/27; and 5. Continuous improvement.

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Description
8:100, Relations with Other Organizations and Agencies	The policy is unchanged. The Cross References and footnotes are updated. The footnotes are updated in response to 105 ILCS 5/22-105, added by P.A. 104- 288, eff. 1-1-26, addressing requirements for interactions with agencies and law enforcement when they attempt to enter a school or school facility. The Cross References are updated due to the renaming of 7:150, *Agency and Law Enforcement Requests* ~~*Police Interviews*~~.

School Board

Board Member Development [1]

The School Board desires that its individual members learn, understand, and practice effective governance principles.[2] The Board is responsible for Board member orientation and development. Board members have an equal opportunity to attend State and national meetings designed to familiarize members with public school issues, governance, and legislation.

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

Mandatory Board Member Training [3]

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

1. Each Board member elected or appointed to fill a vacancy of at least one year's duration must complete at least four hours of professional development and leadership training in: (1) education and labor law; (2) financial oversight and accountability; (3) fiduciary responsibilities; (4) trauma-informed practices for students and staff; and (5) improving student outcomes, within the first year of his or her first term. [4]
2. Each Board member must complete training on the Open Meetings Act (OMA) no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on OMA is only required once. [5]
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal

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[1] State law governs the mandatory board member training provisions in this sample policy.

[2] The Ill. Association of School Boards (IASB) *Foundational Principles of Effective Governance* is available online at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

[3] A board may omit the description of mandatory training requirements by deleting "~~that are described below~~" and deleting the numbered list. IASB is an authorized provider of all mandatory trainings for school board members. To view IASB online trainings, see www.iasb.com/conference-training-and-events/training/online-learning/.

[4] 105 ILCS 5/10-16a, amended by P.A.~~s 102-638 and~~ 103-771~~, eff. 6-1-25~~. See 105 ILCS 5/10-16a(b-5) for the required and recommended elements of the training regarding trauma-informed practices. See 105 ILCS 5/3-11, amended by P.A. 103-413, for the definitions of *trauma*, *trauma-responsive learning environments* (including *trauma aware*, *trauma responsive*, and *healing centered*), and *whole child*. Training on improving student outcomes "must include information that is relevant to and within the scope of the duties of a school board member." 105 ILCS 5/10-16a(b-10), added by P.A. 103-771~~, eff. 6-1-25~~.

[5] 5 ILCS 120/1.05(b) and (c).

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using the optional alternative evaluation dismissal process. ~~This dismissal process is available after the District's PERA implementation date.~~ [6]

The Superintendent or designee shall maintain on the District website a log identifying the complete training and development activities of each Board member, including both mandatory and non-mandatory training. [7]

Professional Development; Adverse Consequences of School Exclusion; Student Behavior [8]

The Board President or Superintendent, or their designees, shall make reasonable efforts to provide ongoing professional development to Board members about the requirements of 105 ILCS 5/10-22.6 and 105 ILCS 5/10-20.14,[9] adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, trauma-responsive learning environments,[10] appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement. [11]

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[6] 105 ILCS 5/24-16.5, amended by P.A. 104-20. This mandatory training requirement was phased in as districts implemented evaluations that may incorporate student growth as a significant factor, otherwise known as Performance Evaluation Reform Act (PERA) evaluations. ~~The implementation timeline for PERA evaluations varied from district to district but A~~all districts are required~~had~~ to implement PERA evaluations. A district may use an optional alternative evaluative dismissal process using the PERA evaluation. Before voting on a dismissal based upon an optional alternative evaluative dismissal process, a board member must complete a training program on PERA evaluations. For more information about PERA, see *PERA Overview for School Board Members*, available at: www.iasb.com/policy-services-and-school-law/illinois-laws-affecting-schools/performance-evaluation-reform-act-(pera)/.

[7] 105 ILCS 5/10-16a(b) requires each school district to post on its website, if any, the names of all board members who have completed the minimum of four hours of training described in #1. Recognizing that a board may want to highlight all training and development achievements, the sample policy extends this reporting requirement to all training and development activities. For a website reporting template, see sample exhibit 2:120-E2, *Website Listing of Development and Training Completed by Board Members*.

A board may choose to strictly follow the statute by using the following alternative: "The Superintendent or designee shall post on the District website the names of all Board members who have completed the professional development leadership training described in number 1, above."

[8] 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896. While a district must make reasonable efforts to provide professional development to board members in these areas, the inclusion of this subhead is optional. Information about professional development opportunities is available through IASB's website at: www.iasb.com/conference-training-and-events/training/.

[9] 105 ILCS 5/10-22.6, amended by P.A.~~s 102-466, eff. 7-1-25, 102-539, and~~ 103-896, addresses the suspension or expulsion of students and school searches. See sample policies 7:190, *Student Behavior*, 7:200, *Suspension Procedures*, 7:210, *Expulsion Procedures*, and 7:220, *Bus Conduct*. 105 ILCS 5/10-20.14, amended by P.A. 103-896, addresses parent-teacher advisory committees and their functions. See sample policy 2:150, *Committees*.

[10] See 105 ILCS 5/3-11(b), amended by P.A. 103-413, for the definition of *trauma-responsive learning environments*.

[11] Boards are not required to conduct self-evaluations, but may hold a closed meeting with representatives of a State association authorized under Article 23 of the School Code for the purpose of discussing self-evaluation practices and procedures, or professional ethics. 5 ILCS 120/2(c)(16).

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New Board Member Orientation [12]

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

1. The Board President or Superintendent, or their designees, shall give each new Board member a copy of or online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board's roles and responsibilities.
2. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
3. The Board President may request a veteran Board member to mentor a new member. [13]
4. All new members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

Candidates

The Superintendent or designee shall invite all current candidates for the office of Board member to attend: (1) Board meetings, except that this invitation shall not extend to any closed meetings, and (2) pre-election workshops for candidates. [14]

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

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

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[12] New board member orientation is a critical step in helping new board members become effective and in promoting a smoothly functioning new team. The orientation process should include information about the IASB policy services to which the board subscribes, **PRESS**, **S**chool **B**oard **P**olicies **O**nline (SBPOL), and **PRESS Plus**.

[13] See sample exhibit 2:120-E1, *Guidelines for Serving as a Mentor to a New School Board Member*.

[14] IASB maintains helpful resources for school board candidates, including webinars regarding running for the school board. See www.iasb.com/memberships-and-divisions/school-board-elections/information-for-candidates.

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School Board

Committees [1]

The School Board may establish committees to assist with the Board's governance function and, in some situations, to comply with State law requirements. These committees are known as *Board committees* and report directly to the Board. Committee members may include both Board members and non-Board members depending on the committee's purpose. The Board President makes all Board committee appointments unless specifically stated otherwise.[2] Board committee meetings shall comply with the Open Meetings Act.[3] A Board committee may not take final action on behalf of the Board – it may only make recommendations to the Board. [4]

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[1] State or federal law controls this policy's content in that some committees are required by State law, such as, Parent-Teacher Advisory Committee and Behavioral Interventions Committee. Board committees are *public bodies* for purposes of the Open Meetings Act (OMA) (5 ILCS 120/1.02) and the Freedom of Information Act (FOIA) (5 ILCS 140/2(a)).

A board must appoint or approve a Concussion Oversight Team and charge it with establishing protocols for return-to-play and return-to-learn for students who have suffered a concussion or head injury. Youth Sports Concussion Safety Act, 105 ILCS 5/22-80(d). As this is administrative/staff work rather than governance work, the best practice is to have the Concussion Oversight Team be an *administrative* committee, but consult the board attorney for guidance. Section 22-80(d) identifies who must be on each Concussion Oversight Team. A physician, to the extent possible, must be on the Team. If the school employs an athletic trainer and/or nurse, they must be on the Team to the extent practicable. The Team must include, at a minimum, one person who is responsible for implementing and complying with the return-to-play and return-to-learn protocols adopted by the Team. Other licensed health care professionals may be appointed to serve on the Team. See sample policy 7:305, *Student Athlete Concussions and Head Injuries*.

[2] Alternatively, strike the "unless" clause and substitute: "subject to Board approval." Be sure this treatment is consistent with policy 2:110, *Qualifications, Term, and Duties of Board Officers*.

[3] OMA includes *committees* and *subcommittees* in its definition of *public body*. 5 ILCS 120/1.02. According to a binding opinion from the Public Access Counselor, a "committee of a public body is considered to be a separate public body for purposes of compliance with the requirements of OMA." PAO 13-2. This means that board committees must independently fulfill OMA's requirements. For example, a board committee must comply with notice and agenda requirements. Since board committees seldom meet regularly, compliance steps need careful planning. Board committees should plan for an efficient way to "approve the minutes of its open meeting within 30 days after that meeting or at [its] second subsequent regular meeting, whichever is later." 5 ILCS 120/2.06(b). The only exceptions are for: (1) the Performance Educational Review Act (PERA) joint committee (105 ILCS 5/24A-4(b)); (2) the Reduction In Force (RIF) joint committee (105 ILCS 5/24-12(c)); and (3) when a committee is engaged in collective bargaining negotiations, including negotiating team strategy sessions, or grievance arbitrations (115 ILCS 5/18). Board committees must also review their closed session minutes to determine if they still require confidential treatment or will be made available for public inspection. 5 ILCS 120/2.06(d), amended by P.A. 102-653. Committees that meet regularly, such as standing committees, must conduct this review every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the committee. Committees that are *ad hoc* in nature must review their closed session minutes six months from the date of the last review of the closed session minutes or at the next scheduled meeting of the committee, whichever is later. Id.

Sample policy 2:200, *Types of School Board Meetings*, designates the superintendent, on behalf of each board committee, to receive the mandatory training on OMA compliance required by 5 ILCS 120/1.05(a) and administered by the Ill. Attorney General's Public Access Counselor. See policies 2:200, *Types of School Board Meetings*, and 2:220, *School Board Meeting Procedure*, for meeting requirements and protocol. Every board member must also complete OMA training as required by 5 ILCS 120/1.05(b) and (c).

[4] Additional committee guidelines may be added, such as:

Committees shall operate under the following guidelines:

- The Board President shall appoint no more than two Board members to serve on a committee.

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Special Board Committees

A special committee may be created for specific purposes or to investigate special issues. A special committee is automatically dissolved after presenting its final report to the Board or at the Board's discretion. [5]

Standing Board Committees [6]

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

1. Board Policy Committee.[7] This committee researches policy issues, and provides information and recommendations to the Board.
2. Parent-Teacher Advisory Committee.[8] This committee assists in the development of student behavior policy and procedure, and provides information and recommendations to the Board. Its members are parents/guardians and teachers, and may include persons whose expertise or experience is needed. The committee reviews such issues as administering medication in the schools, reciprocal reporting between the School District and local law enforcement agencies regarding criminal and civil offenses committed by students, student discipline, disruptive classroom behavior, school bus safety procedures, and the dissemination of student conduct information.
3. Behavioral Interventions Committee.[9] This committee develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*, and provides information and recommendations to the Board. At the Board President's discretion, the Parent-Teacher Advisory Committee shall perform the duties assigned to the Behavioral Interventions Committee.

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- The President and the committee members shall establish the committee's meeting dates, time, and place.
- The Superintendent may attend all committee meetings.

[5] A board may list examples as in the following option:

Examples of special committees include the following: (1) Committee to Evaluate Procurement of Architectural, Engineering, and Land Surveying Services (see sample administrative procedure 2:170-AP, *Qualification Based Selection*), and (2) Facility Naming Committee (see sample policy 4:150, *Facility Management and Building Programs*).

[6] The board may create and list other standing committees, e.g., an audit committee as authorized by 105 ILCS 5/10-22.45. Be sure that the creation of a committee in this policy aligns with the policy concerning the applicable topic. If an audit committee is included here, a board may want to reference it in policy 4:80, *Accounting and Audits*, and vice-versa.

[7] A board policy committee is optional; its creation is consistent with policy 2:240, *Board Policy Development.*

[8] 105 ILCS 5/10-20.14 requires all districts to establish and maintain a parent-teacher advisory committee to develop, with the board, policy guidelines on student discipline. The parents on this committee, as well as other non-staff members, may not have access to student records unless the student cannot be identified or prior consent is obtained. 105 ILCS 10/6. The district's parent-teacher advisory committee must also: (1) in cooperation with local law enforcement agencies, develop guidelines for reciprocal reporting of criminal and civil offenses committed by students; and (2) in cooperation with school bus personnel, develop school bus safety procedures. 105 ILCS 5/10-20.14, amended by P.A. 104-430. Completion of the statutory requirements imposed on the Parent-Teacher Advisory Committee, as well as the Behavioral Interventions Committee, should be documented.

[9] Boards must establish and maintain a behavioral interventions committee to develop procedures that reflect consideration of ISBE's guidelines on the use of behavioral interventions with students with disabilities. 105 ILCS 5/14-8.05(c). An alternative follows:

> The Behavioral Interventions Committee, coordinated by the Executive Director of the Special Education Cooperative, develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*. Committee reports and recommendations are made to the Board upon its request.

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Nothing in this policy limits the authority of the Superintendent or designee to create and use committees that report to him or her or to other staff members. [10]

LEGAL REF.: 5 ILCS 120/, Open Meetings Act.
105 ILCS 5/10-20.14 and 5/14-8.05.

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

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[10] OMA generally does not apply to *superintendent* a/k/a administrative committees. See Univ. Professionals v. Stukel, 344 Ill.App.3d 856 (1st Dist. 2003)(staff committees are not subject to OMA). The Act will be applicable, however, in some circumstances. For example, a staff committee containing three or more board members will be subject to OMA. 5 ILCS 120/1.02. Consult the board attorney for advice. The following are examples of superintendent committees: Communicable and Chronic Infectious Disease Program Task Force, Communicable and Chronic Infectious Disease Review Team, Employee Drug Abuse Committee, Title I Advisory Committee, Student Support Committee, Food Allergy Management Committee, and Sex Equity Committee. For further discussion, see IASB's *Clearing Up the Confusion on Board Committees: Your Questions Answered*, available at: www.iasb.com/IASB/media/School-Law/BoardCommittees_FAQ.pdf.

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School Board

Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited [1]

Discrimination and harassment on the basis of race, color, or national origin negatively affect a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from such discrimination and harassment is an important District goal. The District does not discriminate on the basis of actual or perceived race, color, or national origin in any of its education programs or activities, and it complies with federal and State non-discrimination laws.

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[1] 105 ILCS 5/22-95 ~~(final citation pending)~~, added by P.A. 103-472, ~~eff. 8-1-24,~~ requires districts to have a written policy (or policies) that prohibit discrimination and harassment based on race, color, and national origin, as well as retaliation. The policy must contain the following: (1) descriptions of various forms of discrimination and harassment based on race, color, and national origin, including examples; (2) the district's internal process for filing a complaint regarding a violation of the policy; (3) an overview of the district's prevention and response program that includes procedures for responding to complaints of discrimination and harassment based on race, color, and national origin and retaliation; (4) potential remedies for a violation of the policy; (5) a prohibition on retaliation for making a complaint or participating in the complaint process; (6) the legal recourse available to the Ill. Dept. of Human Rights (IDHR) and federal agencies if a district fails to take corrective action; and (7) directions on how to contact IDHR. Id. at (b)(1). Discrimination and harassment based on race, color, and national origin are also covered more generally as protected categories in sample policies 5:10, *Equal Employment Opportunity and Minority Recruitment*, 5:20, *Workplace Harassment Prohibited*, 7:10, *Equal Educational Opportunities*, and 7:20, *Harassment of Students Prohibited*.

Two laws apply to discrimination of students based on race, color, and national origin. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any educational program or activity receiving federal financial assistance. 42 U.S.C. §2000d. The IHRA prohibits any district employee from harassing a student based on certain actual or perceived protected categories, including race, color, and national origin, and it requires schools to take appropriate corrective action to stop harassment if the school knows an employee or agent is engaged (or has engaged) in harassment. 775 ILCS 5/5A-101(F) and 5/5A-102(C)-(D), added by P.A. 103-472, ~~eff. 8-1-24~~. The IHRA defines "harassment in elementary secondary, or higher education," in relevant part, as any unwelcome conduct by a school employee toward a student on the basis of a student's actual or perceived race, color, or national origin "that has the purpose or effect of substantially interfering with a student's educational performance or creating an intimidating, hostile, or offensive educational environment." 775 ILCS 5/5A-101(F), added by P.A. 103-472, ~~eff. 8-1-24~~. The *educational environment* "includes conduct that occurs at school, school-related activities, or events, and may include conduct that occurs off school grounds, subject to applicable State and federal law. Id. at (G). See sample policy 7:190, *Student Behavior*, at f/n 3, for a discussion about the ability of schools to discipline for off-campus conduct and consult the board attorney for advice in specific cases.

For a discussion of laws that prohibit discrimination in the employment context, including harassment based on race, color, and national origin, see sample policies 5:10, *Equal Employment Opportunity and Minority Recruitment*, and 5:20, *Workplace Harassment Prohibited*, at f/n 1.

Districts are also required to train all new and existing employees on discrimination and harassment based on race, color, and national origin ~~using a~~. A district may use the free model training program developed by the Ill. Dept. of Human Rights, available at: https://dhr.illinois.gov/training/racism-free-schools, or another training program that meets the requirements of 775 ILCS 5/5A-103(b), added by P.A. 103-472. Training for new employees must be provided as part of new employee training and then every two years thereafter. Initial training for existing employees must be completed by 7-31-26 and then every two years thereafter. See sample policy 5:100, *Staff Development Program*, and sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*, for more detail on the training requirements.

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Examples of Prohibited Conduct [2]

Examples of conduct that may constitute discrimination on the basis of race, color, or national origin include: disciplining students more harshly and frequently because of their race, color, or national origin; denying students access to high-rigor academic courses, extracurricular activities, or other educational opportunities based on their race, color, or national origin; denying language services or other educational opportunities to English learners; and assigning students special education services based on a student's race, color, or national origin.

Harassment is a form of prohibited discrimination. Examples of conduct that may constitute harassment on the basis of race, color, or national origin include: the use of racial, ethnic or ancestral slurs or stereotypes; taunts; name-calling; offensive or derogatory remarks about a person's actual or perceived race, color, or national origin; the display of racially-offensive symbols; racially-motivated physical threats and attacks; or other hateful conduct.

Making a Report or Complaint; Investigation Process [3]

Individuals are encouraged to promptly report claims or incidentstses of discrimination or harassment based on race, color, or national origin to the Nondiscrimination Coordinator, a Complaint Manager, or any employee with whom the student is comfortable speaking. Reports under this policy will be processed under Board policy 2:260, *Uniform Grievance Procedure*.

Any District employee who receives a report or complaint of discrimination or harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of discrimination or 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.

This policy does not impair or otherwise diminish the existing rights of unionized employees to request an exclusive bargaining representative to be present during any investigatory interviews, nor does this policy diminish any rights available under an applicable collective bargaining agreement, including, but not limited to, a grievance procedure. [4]

Federal and State Agencies

If the District fails to take necessary corrective action to stop harassment based on race, color, or national origin, further relief may be available through the Ill. Dept. of Human Rights (IDHR) or the U.S. Dept. of Education's Office for Civil Rights.[5] To contact IDHR, go to:

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[2] Required by 105 ILCS 5/22-95(b)(1)(A) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. The examples of discrimination and harassment under this subhead are based on definitions provided by the U.S. Dept. of Education's Office for Civil Rights, see www.ed.gov/laws-and-policy/civil-rights-laws/race-color-and-national-origin-discrimination/education-and-title-vi~~www2.ed.gov/about/offices/list/ocr/frontpage/faq/race-origin.html#racehar1~~ and www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-shared-ancestry-202301.pdf, and the U.S. Equal Opportunity Employment Commission, see www.eeoc.gov/racecolor-discrimination.

[3] Required by 105 ILCS 5/22-95(b)(1)(B) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~.

[4] Required by Id. at (b). The U.S. Supreme Court case of National Labor Relations Board v. Weingarten, 420 U.S. 251 (1975), established the right of unionized employees to request and have union representation at investigatory interviews if the employee reasonably believes discipline may result.

[5] Required by 105 ILCS 5/22-95(b)(1)(F).

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https://dhr.illinois.gov/about-us/contact-idhr.html or call (312) 814-6200 (Chicago) or (217) 785-5100 (Springfield). [6]

Prevention and Response Program [7]

The Superintendent or designee shall establish a prevention and response program to respond to complaints of discrimination based on race, color, and national origin, including harassment, and retaliation. The program shall include procedures for responding to complaints which:

1. Reduce or remove, to the extent practicable, barriers to reporting discrimination, harassment, and retaliation;
2. Permit any person who reports or is the victim of an incident of alleged discrimination, harassment, or retaliation to be accompanied when making a report by a support individual of the person's choice who complies with the District's policies and rules;
3. Permit anonymous reporting, except that an anonymous report may not be the sole basis of any disciplinary action;
4. Offer remedial interventions or take such disciplinary action as may be appropriate on a case-by-case basis;
5. Offer, but do not require or unduly influence, a person who reports or is the victim of an incident of harassment or retaliation the option to resolve allegations directly with the accused; and
6. Protects a person who reports or is the victim of an incident of harassment or retaliation from suffering adverse consequences as a result of a report of, investigation of, or a response to the incident.

Policy Posting and Distribution

This policy shall be posted on the District's website.[8] The Superintendent shall annually inform staff members of this policy by posting it in a prominent and accessible location such as the District website, employee handbook, staff intranet site, and/or in other areas where policies and rules of conduct are made available to staff.[9] The Superintendent shall annually inform students and their parents/guardians

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[6] Required by Id. at (b)(1)(G).

[7] Required by Id. at (b)(1)(C). Items 1-6 must be addressed in a district's procedures for responding to complaints of discrimination and harassment based on race, color, and national origin. Id. at (c). See sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*.

[8] 105 ILCS 5/22-95(b)(3) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~, requires districts to post this policy in their website if one exists. If a district does not maintain a website, delete this sentence.

[9] Id. at (b)(2) requires this policy to be "posted in a prominent and accessible location and distributed in such a manner as to ensure notice of the policy to all employees." A district website or staff intranet site qualifies as a prominent and accessible location under 105 ILCS 5/22-95(b)(2) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. If a district does not maintain a website and/or staff intranet, delete ~~District website~~ and/or ~~staff intranet site~~ from this sentence, as applicable.

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of this policy by posting it on the District's website and including an age-appropriate summary of the policy in the student handbook(s). [10]

Enforcement [11]

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to remedial action and/or disciplinary action, up to and including discharge.

Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to remedial action and/or disciplinary action, including but not limited to, suspension and expulsion consistent with Board policy 7:190, *Student Behavior*.

Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to remedial and/or disciplinary action.

Retaliation Prohibited [12]

Retaliation against any person for bringing complaints, participating in the complaint process, or otherwise providing information about discrimination or harassment based on race, color, or national origin is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).

Individuals should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

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[10] Id. at (b)(3) requires a district to publish the policy on its website, if one exists, and in a student handbook. If the district does not maintain a website, delete ~~posting it on the District's website and~~ from the sentence. The law also requires a district to annually distribute a "summary of the policy in accessible, age-appropriate language" to students and parents/guardians. The summary may, but does not have to be, included in a student handbook to satisfy the annual distribution requirement. For ease of administration, this sample policy refers to inclusion in the student handbook(s). Districts may find it cumbersome to include both the policy and an age-appropriate summary of the same policy in a handbook. Consult the board attorney for guidance if the district would like to include a hyperlink to the policy, rather than the full text of the policy in the handbook. The Ill. Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh.

[11] Required by Id. at (b)(1)(D).

[12] Required by Id. at (b)(1)(E).

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LEGAL REF.: 42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. Part 1601.
105 ILCS 5/22-95 ~~(final citation pending)~~.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

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), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

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General School Administration

Goals and Objectives [1]

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

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

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[1] This policy provides an opportunity for a board to give the superintendent a big picture of its vision for the district by identifying some high-level goals. While sample policy 1:30, *School District Philosophy,* contains the district's mission statement, i.e., why the district exists, this policy contains progress expectations and desired results, i.e., goals. This policy is designed to contain goals for which the administration will be responsible, including goals concerning finances, instruction, property, connecting with the community, etc. The list of goals should be replaced with the board's goals and objectives for school administration, if any.

This policy is in alignment with State law. The superintendent and principal's general duties are listed in 105 ILCS 5/10-21.4 and 5/10-21.4a, respectively. See also 105 ILCS 5/10-16.7.

[2] See the State Goals for Learning and Learning Standards, 23 Ill.Admin.Code §1, Appendix D.

[3] School administrators may be employed under a multi-year contract only if it is performance-based and contains goals and indicators of student performance and academic improvement. 105 ILCS 5/10-23.8 and 5/20-23.8a. Principal evaluations may~~ust~~ use data and indicators on student growth as a significant factor. 105 ILCS 5/24A-15(c), amended by P.A. 104-20. Thus, a policy statement that administrative staff shall "meet or exceed student performance and academic improvement goals" is consistent with legal requirements.

[4] Staff and student handbooks provide a means to distribute important information and are referenced in many sample policies and procedures. Members of the Ill. Principals Assoc. may subscribe to its Model Student Handbook Service. While this service is not a handbook *per se*, it provides principals with quick, user-friendly access to model student handbook provisions that are attorney drafted and fully aligned with IASB's policy services. For more information, see: www.ilprincipals.org/msh.

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

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

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General School Administration

Administrative Personnel Other Than the Superintendent [1]

Duties and Authority

The School Board establishes District administrative and supervisory positions in accordance with the District's needs and State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Superintendent's recommendation, and contained in the respective position's job description.[2] In the event of a conflict, State law and/or the administrator's employment agreement shall control.

Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules. [3]

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[1] State or federal law controls this policy's content. 105 ILCS 5/10-23.8a requires each principal, assistant principal, and other school administrator to be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

[2] Job descriptions are advisable, but optional. See sample policy 5:30, *Hiring Process and Criteria*, for a discussion of job descriptions. An Ill. State Board of Education (ISBE) rule (23 Ill.Admin.Code §1.310) allows *divided service*, meaning that a superintendent or principal may be employed by two school districts or serve in two professional capacities provided that full-time equivalency results in a maximum of one full-time position. In districts with an enrollment of 100 or fewer, an individual may serve as superintendent/principal and teach up to one-half day.

[3] 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and administrative, principal, and chief school business official endorsements. The requirements for supervisory or administrative staff are in 23 Ill.Admin.Code §1.705; the requirements for endorsements are in 23 Ill.Admin.Code Part 25, Subpart E. Standards for Administrative Endorsements are in 23 Ill.Admin.Code Part 29.

The following option may be added at the end of this paragraph:

> Administrative personnel must reside in the District within a specified period as provided in their initial employment agreement.

State law (105 ILCS 5/24-4.1) prohibiting residency requirements for teachers does not apply to non-instructional personnel, e.g., assistant principals. Owen v. Kankakee Sch. Dist., 261 Ill.App.3d 298 (3rd. Dist. 1994). A board may impose residency requirements on a principal or assistant principal only if the individual's initial contract with the district made residency an express condition of employment or continued employment as a principal. 105 ILCS 5/10-21.4a. Residency within a district may not be considered in determining a principal's compensation, assignment, or transfer. Id.

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Evaluation

The Superintendent or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board. [4]

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training, and Illinois Administrators' Academy courses, or through other means as approved by the Superintendent. [5]

Administrative Work Year

The work year for administrators shall be the same as the District's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, administrators shall have vacation periods as approved by the Superintendent. All administrators shall be available for work when their services are necessary. [6]

Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law.[7] The terms of an individual employment contract, when in conflict with this policy, will control.

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[4] All licensed school district employees must be evaluated. 105 ILCS 5/24A-1, 23 Ill.Admin.Code §1.320. Each district must implement a performance evaluation plan for its principals and assistant principals. 105 ILCS 5/24A-15, amended by P.A. 104-202 729; 23 Ill.Admin.Code §50.300. The statutory deadline for evaluating principals and assistant principals depends on whether the individual's employment contract is for one year or multiple years: (1) the evaluation of individuals on a single year contract must take place annually by March 1, and (2) the evaluation of individuals on a multi-year contract must take place by March 1 of the contract's final year. 105 ILCS 5/24A-15, amended by P.A. 102-729. Individual contracts may require an earlier deadline. For the 2022-2023 school year only, when the Governor's disaster declaration due to a public health emergency was in effect, districts had the option to waive the evaluation requirement of principals and assistant principals who received either *excellent* or *proficient* ratings during the last school year in which they were evaluated. Id. 105 ILCS 5/24A-3 requires that an individual who conducts an evaluation of a teacher, principal, or assistant principal, (1) be prequalified before undertaking any evaluation, and (2) participate in a regularly scheduled retraining program.

[5] The professional growth reporting requirements in this paragraph are optional. However, professional development activities are required for license renewal. 105 ILCS 5/21B-45, contains the license renewal process, along with the professional development hours and carry over of these hours.

A school board must require the administrators who evaluate employees to complete training on the evaluation of licensed personnel that is provided or approved by ISBE. 105 ILCS 5/24A-3 and 5/24A-20(a)(4). Any prequalification process or retraining program developed and used by a school district must, at a minimum, meet the requirements of 23 Ill.Admin.Code Part 50, Subpart E. Administrative personnel must participate in this training (1) before they evaluate, and (2) at least once during each certificate renewal cycle. 105 ILCS 5/24A-3.

[6] Legal holidays are provided by 105 ILCS 5/24-2, amended by P.A. 102-15 (*2022 Election Day*), 102-14 and 102-334 (both establishing *Juneteenth National Freedom Day*), and 103-467 (*2024 Election Day*).

[7] According to 105 ILCS 5/10-23.8a, a principal, assistant principal, and any other school administrator must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. Schaumburg Cmty. Consol. Sch. Dist. v. TRS, 984 N.E.2d 66 (Ill. App. Ct. 4th Dist. 2013)(interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract. 740 ILCS 80/1.

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The Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board no later than the March Board meeting or at such earlier time that will allow the Board to consider contract renewal and nonrenewal issues. [8]

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel. [9]

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

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

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The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within six business days after approving a budget, web-post each employee's total compensation package if it exceeds $75,000 per year; and (2) at least six days before approval, web-post an employee's total compensation package if it is $150,000 or more. 5 ILCS 120/7.3. Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs. 105 ILCS 5/10-20.47. Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.

[8] State law does not address when the board should consider salary issues. The March deadline was chosen because the statutory notice deadline for reclassification is April 1 of the year in which a principal or assistant principal's contract expires unless the contract provides for an earlier deadline. 105 ILCS 5/10-23.8b. Alternatively, the policy could require that recommendations be presented "in a timely manner."

[9] State law does not require that administrative and teaching personnel receive identical benefits and leaves of absence, but it does set the minimum in days and type for all licensed personnel.

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General School Administration

Administrative Responsibility of the Building Principal [1]

Duties and Authority

The School Board, upon the recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The primary responsibility of a Building Principal is the improvement of instruction.[2] Each Building Principal shall perform all duties as described in State law as well as such other duties as specified in his or her employment agreement or as the Superintendent may assign, that are consistent with the Building Principal's education and training.[3] Each Building Principal and Assistant Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal. [4]

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[1] State or federal law controls this policy's content.

[2] Required by 105 ILCS 5/10-21.4a.

[3] An alternative follows: "…or as agreed upon by the Building Principal and Superintendent."

The principal's duties are generally described in 105 ILCS 5/10-21.4a and 5/24A-15(c-5). However, many other statutes impose additional duties, e.g., 105 ILCS 127/2 (requires principals to report to the police certain violations of the Cannabis Control Act, Controlled Substance Act, and Methamphetamine Control and Community Protection Act occurring at specified locations); 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174 (requires the principal or designee to immediately notify local law enforcement upon receiving a report of a threat of gun violence on school grounds or a person in possession of a firearm on school grounds, and, if that person is a student or the threat is made by a student, to notify a student's parent/guardian); and 730 ILCS 152/ and 154/ (require notification to parents/guardians that information about sex offenders and violent offenders against youth is available). The county clerk may appoint high school principals or their designees as deputy registrars to accept voter registrations of any qualified resident of the State. 10 ILCS 5/4-6.2(a). The Firearm Concealed Carry Act requires a principal to notify the Ill. State Police whenever he or she determines that a student (or any person) poses a "clear and present danger to himself, herself or to others." 430 ILCS 66/105; 405 ILCS 5/6-103.3. Lawyers disagree whether this requirement violates the federal Family Educational Rights and Privacy Act. Contact the board attorney for advice.

[4] This restates 105 ILCS 5/24A-3 and 23 Ill.Admin.Code Part 50, Subpart E. Individuals who evaluate teachers, principals, or assistant principals must: (1) be prequalified, and (2) participate in a regularly scheduled retraining program. The prequalification and retraining programs must be either developed or approved by the Ill. State Board of Education (ISBE).

105 ILCS 5/24A-5 permits a first-year principal to evaluate a teacher; however, a new two-year evaluation plan must be established for any tenured teacher who is evaluated by a first-year principal. 105 ILCS 5/24A-5.

Anyone who has not previously been a principal in Ill. must participate in ISBE's *new principal mentoring program*; however, implementation of a principal mentoring program in any given year is dependent upon an appropriation. If appropriations are not likely sufficient to serve all anticipated first-year principals in any given year, the program is voluntary. Mentoring services are extended to second-year principals only if appropriations are sufficient to serve all first-year principals. If mentoring services are extended to second-year principals but appropriations are not sufficient to serve all second-year principals who wish to participate in the new principal mentoring program, then priority access to mentoring services is provided to second year principals who are in the highest need schools as determined by the State Superintendent of Education. 105 ILCS 5/2-3.53a~~, amended by P.A. 102-521 (adding, subject to annual appropriation, a competitive grant program to support the new principal mentoring program for districts to participate in)~~; 23 Ill.Admin.Code Part 35. Annually by June 1, each superintendent must report to the State Superintendent or designee the expected number of first-year and second-year principals along with information specified in 23 Ill.Admin.Code §35.20.

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Evaluation Plan

The Superintendent or designee shall implement an evaluation plan for Principals and Assistant Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules.[5] Using that plan, the Superintendent or designee shall evaluate each Building Principal and Assistant Principal.[6] The Superintendent or designee may conduct additional evaluations.

Qualifications and Other Terms and Conditions of Employment

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

LEGAL REF.: 105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.
10 ILCS 5/4-6.2, Election Code.
105 ILCS 127/, School Reporting of Drug Violations Act.
23 Ill.Admin.Code Parts 35 and 50, Subpart D.

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

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[5] Each district must implement a performance evaluation plan for its principals and assistant principals. 105 ILCS 5/24A-15~~, amended by P.A. 102-729~~; 23 Ill.Admin.Code §50.300. A board may substitute this alternative for the first sentence: "The Superintendent or designee shall implement a principal and assistant principal evaluation plan that complies with State law." The statutory deadline for evaluating principals and assistant principals depends on whether the individual's employment contract is for one year or multiple years: (1) the evaluation of individuals on a single-year contract must take place annually by March 1, and (2) the evaluation of individuals on a multi-year contract must take place by March 1 of the contract's final year. 105 ILCS 5/24A-15~~, amended by P.A. 102-729~~. Individual contracts may require an earlier deadline. ~~For the 2022-2023 school year only, if the Governor has declared a disaster due to a public health emergency, districts have the option to waive the evaluation requirement if certain conditions were met. See sample policy 3:50, *Administrative Personnel Other than the Superintendent*, at f/n 4 for more information. Id.~~

[6] Required by 105 ILCS 5/10-21.4a and 5/24A-15~~, amended by P.A. 102-729~~. For a principal who also serves as the district superintendent, the evaluator must be appointed by the board and not be the person whose performance as principal is being evaluated. 23 Ill.Admin.Code §50.300(b). In addition, the evaluator must hold a valid professional educator license endorsed for superintendent issued under Article 21B and have completed the prequalification process and any retraining, as applicable. Id. Add this option if appropriate: "…or, in the absence of the Superintendent or his or her designee, an individual appointed by the Board who holds a valid professional educator license endorsed for superintendent."

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Operational Services

Fiscal and Business Management [1]

The Superintendent is responsible for the School District's fiscal and business management.[2] This responsibility includes annually preparing and presenting the District's statement of affairs to the School Board and publishing it by~~efore~~ December 1 as required by State law. [3]

The Superintendent shall ensure the efficient and cost-effective operation of the District's business management using computers, computer software, data management, communication systems, and electronic networks, including electronic mail, the Internet, and security systems. Each person using the District's electronic network shall complete an *Authorization for Access to the District's Electronic Network*. [4]

Budget Planning

The District's fiscal year is from July 1 until June 30.[5] The Superintendent shall present to the Board, no later than the first regular meeting in August, a tentative budget with appropriate explanation.[6] This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational program. The District's budget shall be entered upon the Ill. State Board of Education's (ISBE) *School District Budget Form*.[7] To the extent possible, the tentative budget shall be balanced as defined by ISBE guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by ISBE guidelines. [8]

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[1] State or federal law controls this policy's content. Article 17 of the School Code controls budgeting, tax levies, and tax warrants.

[2] Boards are authorized to hire a chief school business official. 105 ILCS 5/10-22.23a. Districts having a chief school business official may want to replace "Superintendent" with "Chief School Business Official" throughout this policy.

[3] 105 ILCS 5/10-17, amended by P.A. 104-261, eff. 1-1-26. No later than December 1 each year, a school board must make its statement of affairs available to the public by posting it on the district's website and publishing it in a newspaper of general circulation. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

[4] See sample exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*. Use of electronic networks in the curriculum is covered in sample policy 6:235, *Access to Electronic Networks*.

[5] The board sets the fiscal year (105 ILCS 5/17-1) and this sentence should reflect that local decision. If the board sets an alternative fiscal year, State law provides, "If the beginning of the fiscal year of a district is subsequent to the time that the tax levy due to be made in such fiscal year shall be made, then such annual budget shall be adopted prior to the time such tax levy shall be made." Id. Consult the board attorney for guidance on the impact of an alternative fiscal year on the deadlines in this policy.

[6] The board must designate a person(s) to prepare a tentative budget. 105 ILCS 5/17-1. The purpose of this policy's directive for the superintendent to present a tentative budget "no later than the first regular meeting in August" is to ensure that the budget can be adopted by September 30 (see f/n 14). A board may amend this directive to give the superintendent additional flexibility by requiring him or her to present a tentative budget "during a regular Board meeting in August."

[7] Required by 105 ILCS 5/17-1. See www.isbe.net/Pages/School-District-Joint-Agreement.aspx.

[8] Id. The budget instructions from ISBE detail when a deficit reduction plan must be completed. State law requires the budget to be balanced and, if not, a three-year deficit reduction plan must be developed.

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Preliminary Adoption Procedures

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

1. A public hearing on the proposed budget,[9] and
2. The proposed budget to be available to the public for inspection. [10]

The Board Secretary shall arrange to publish a notice in a local newspaper stating the date, place, and time of the proposed budget's availability for public inspection and the public hearing.[11] The proposed budget shall be available for public inspection at least 30 days before the time of the budget hearing.

At the public hearing, the proposed budget shall be reviewed, including the cash reserve balance of all funds held by the District related to its operational levy and, if applicable, any obligations secured by those funds,[12] and the public shall be invited to comment, question, or advise the Board. [13]

Final Adoption Procedures

The Board adopts a budget before the end of the first quarter of each fiscal year, September 30, or by such alternative procedure as State law may define.[14] To the extent possible, the budget shall be balanced as defined by ISBE; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within three years according to ISBE requirements. [15]

The Board adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. Board members' names voting *yea* and *nay* shall be recorded in the minutes.[16]

The Superintendent or designee shall perform each of the following:

1. Post the District's final annual budget, itemized by receipts and expenditures, on the District's Internet website; notify parents/guardians that it is posted and provide the website's address.[17]

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[9] At least one public hearing must be held before final action is taken on the budget. 105 ILCS 5/17-1.

[10] The tentative budget must be conveniently available for public inspection for at least 30 days before final action on the budget. 105 ILCS 5/17-1.

[11] 105 ILCS 5/17-1 makes the board secretary responsible for this public notice at least 30 days before the hearing. If there is no newspaper published in the district, notice must be given by posting notices in five of the most public places in the district. 105 ILCS 5/17-1.

[12] 105 ILCS 5/17-1.3~~, added by P.A. 102-895,~~ requires districts to disclose this cash reserve balance information "at the public hearing at which the district certifies its budget and levy for the taxable year." The statute does not specify the manner in which the disclosure must be made; for ease of administration, this sample policy manages disclosure at the budget hearing by including it in the budget review. To provide evidence of compliance, consider as a best practice recording this disclosure in the board meeting minutes and/or presenting it in writing. The term *operational levy* is not defined in the statute, but the definition of *operational funds* in 105 ILCS 5/17-1.10, added by P.A. 103-394, references 105 ILCS 5/17-1.3 and supports that it includes the educational, transportation, and operation and maintenance funds. Consult the board attorney for guidance.

[13] State law does not address what transpires during the budget hearing. See f/n 12, above, regarding disclosure of cash reserves at the budget hearing as a means to comply with 105 ILCS 5/17-1.3~~, added by. P.A. 102-895~~.

[14] Required by 105 ILCS 5/17-1 and 5/17-3.2. See f/n 5.

[15] Required by 105 ILCS 5/17-1. See f/n 8.

[16] Required by 105 ILCS 5/10-7.

[17] Required by 105 ILCS 5/17-1.2, *only if* the district has a website. Delete this sentence if~~unless~~ the district ~~has~~ does not have a website.

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2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by the District's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption. [18]
3. Ensure disclosure to the public of the cash reserve balance of all funds held by the district related to its operational levy and, if applicable, any obligations secured by those funds, at the public hearing[19] at which the Board certifies its operational levy.
4. Present a written report that includes the annual average expenditures of the District's operational funds for the previous three fiscal years at or before the board meeting at which the Board adopts its levy. In the event the District's combined cash reserve balance of its operational funds is more than 2.5 times the annual average expenditures of those funds for the previous three fiscal years, the Board will adopt and file with ISBE a reserve reduction plan by December 31. [20]
5. Make all preparations necessary for the Board to timely file its Certificate of Tax Levy, including preparations to comply with the Truth in Taxation Act;[21] file the Certificate of Tax Levy with the County Clerk on or before the last Tuesday in December. The Certificate lists the amount of property tax money to be provided for the various funds in the budget.
6. Submit the annual budget, a deficit reduction plan if one is required by ISBE guidelines, and other financial information to ISBE according to its requirements. [22]

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in the School Code and Truth in Taxation Act. [23]

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[18] Required by 35 ILCS 200/18-50, which refers to "appropriation and budget ordinances or resolutions." School districts adopt budgets by board resolution. The budget serves as the district's appropriation.

[19] Required by 105 ILCS 5/17-1.3~~, added by P.A. 102-895~~. Consult the board attorney about the meaning of the *public hearing* for the levy and if the disclosure must always be made at the board meeting at which the board certifies the district's levy, or only in those instances where notice and a *public hearing* are required by the Truth in Taxation Law. 35 ILCS 200/18-70. Similar to the disclosure of cash reserves made at the budget hearing, a district may want to manage compliance for the levy hearing by incorporating the information into the presentation of the levy at the board meeting. See f/n 12, above.

[20] Delete this paragraph if a district receives federal impact funding. 105 ILCS 5/17-1.10(a), added by P.A. 103-394. Federal impact aid is designed to assist local school districts that have lost a portion of their local tax base because of federal ownership of property (e.g., military bases, low-rent housing properties, or concentrations of students that have parents/guardians in the uniformed services). For more information about federal impact aid, see www.impactaid.ed.gov/resources/ and www.nafisdc.org/impact-aid-resources/impact-aid-payments/. 105 ILCS 5/17-1.10(a), added by P.A. 103-394, requires a board to present "at a board meeting" a written report that includes the annual average expenditures of its *operational funds*, which include the educational, transportation, and operation and maintenance funds. Id. The average expenditures are calculated based on the district's most recently audited annual financial report (AFR). Id. For ease of administration, this sample policy manages presentation of the report in conjunction with the meeting at which a board adopts its levy, or earlier, if a district's AFR is available. Consult the board attorney if a district's AFR is not available before December 31 (the date by which a reserve reduction plan must be filed, if applicable); the board may need to rely upon estimated numbers in that scenario. If a district's ratio of its combined cash reserves of its operational funds to its average annual expenditures of those funds over the past three fiscal years exceeds 2.5, then the board must adopt and file a plan with ISBE to reduce its cash reserves to expenditures ratio to at or below 2.5 within three years. Id. at (b), added by P.A. 103-394.

[21] 35 ILCS 200/18-55 et seq. The Truth in Taxation Law contains several notice, publication, and hearing requirements. A district that fails to strictly comply with the notice and publication requirements of the Truth in Taxation Act risks invalidation of its levy. In re County Collector, 229 Ill.App.3d 641 (3rd Dist. 1992). However, failure to post a Truth in Taxation notice on a district's website will not invalidate the notice or action taken on a tax levy. 35 ILCS 200/18-75, amended by P.A. 103-1018. See sample exhibit 2:250, *Immediately Available District Public Records and Web-Posted Reports and Records*.

[22] Required by 105 ILCS 5/17-1.

[23] 105 ILCS 5/17-11 and 35 ILCS 200/18-55 et seq.

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Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption. [24]

Implementation

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

The Board shall act on all interfund loans[25], interfund transfers[26], transfers within funds[27], and transfers from the working cash fund or abatements of it, if one exists. [28]

LEGAL REF.: 105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-1.3, 5/17-1.10, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.
35 ILCS 200/18-55 et seq., Truth in Taxation Law.
23 Ill.Admin.Code Part 100.

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

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

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[24] 105 ILCS 5/17-1; 23 Ill.Admin.Code Part 100.

[25] 105 ILCS 5/10-22.33, 5/20-4, 5/20-5, 5/20-8, and 5/20-10 and 23 Ill.Admin.Code §100.50. If the district loans money from the working cash fund to another fund, Section 5/20-10 requires the district to maintain a credit to the working cash fund (meaning that borrowing fund must repay the working cash fund).

[26] 105 ILCS 5/17-2A, amended by P.A.~~s 102-671, 102-895, and~~ 103-601, contains the requirements for a permanent transfer. P.A.s 102-895 and 103-601 extended the time period during which a district may transfer money from specified funds for any purpose through June 30, 2026.

[27] Transfers between the various items in any fund may not exceed in the aggregate ten percent of the total of such fund as set forth in the budget. If the aggregate exceeds 10%, the board must amend the budget. 105 ILCS 5/17-1.

[28] The purpose of the working cash fund is to enable the school district "to have in its treasury at all times sufficient money to meet demands for expenses." 105 ILCS 5/20-1. School officials, including board members, are liable "for any sum that may be unlawfully diverted from the working cash fund …." 105 ILCS 5/20-6.

105 ILCS 5/20-10 codified a long-held practice and understanding of Ill. school districts. A district may abate (reduce the funds) money from the working cash fund at any time and transfer it to any district fund or funds most in need of the money, provided that the district maintains an amount to the credit of the working cash fund. This was a legislative overturn of a case concluding that any permanent transfer, including abatements, of the working cash fund should be transferred only to the education fund. See G.I.S. Venture v. Novak, 388 Ill.App.3d 184 (2nd Dist. 2009); G.I.S. Venture v. Novak, 385 Ill.Dec. 430 (2nd Dist. 2014). Abolishments (deplete all funds) of the working cash fund must still be transferred to the education fund only.

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Operational Services

Revenue and Investments [1]

Revenue

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

Investments

The Superintendent shall either appoint a Chief Investment Officer or serve as one.[2] The Chief Investment Officer shall invest money that is not required for current operations, in accordance with this policy and State law. [3]

The Chief Investment Officer and Superintendent shall use the standard of prudence when making investment decisions. They shall use the judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as its probable income.[4]

Investment Objectives [5]

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

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

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[1] Each district must have an investment policy; its detail and complexity must be appropriate to the nature of the funds, the funds' purpose, and the amount of the public funds within the investment portfolio. 30 ILCS 235/2.5(a).

[2] 30 ILCS 235/2.5(a)(7). Districts having a chief business official may use this alternative: "The Chief Business Official shall serve as the District's Chief Investment Officer." If a Township Treasurer manages the district funds, substitute this sentence:

The Township Treasurer shall serve as the Chief Investment Officer.

[3] Township and school treasurers are authorized by 105 ILCS 5/8-7 to enter into agreements regarding the deposit, investment, and withdrawal of district funds.

[4] The policy must include a standard of care. 30 ILCS 235/2.5(a)(2).

[5] The policy must address safety, liquidity, return (30 ILCS 235/2.5(a)), as well as diversification (30 ILCS 235/2.5(a)(4)). These objectives also serve as investment guidelines. 30 ILCS 235/2.5(a)(3). How these are addressed is at the board's discretion.

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Authorized Investments [6]

The Chief Investment Officer may invest District funds in one or more of the following:

1. Bonds, notes, certificates of indebtedness, treasury bills, or other securities now or hereafter issued, that are guaranteed by the full faith and credit of the United States of America as to principal and interest.
2. Bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities.
   The term "agencies of the United States of America" includes: (a) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 and Acts amendatory thereto, (b) the federal home loan banks and the federal home loan mortgage corporation, and (c) any other agency created by Act of Congress.
3. Interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.
4. Short-term obligations of corporations organized in the United States with assets exceeding $500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and that mature not later than 270 days from the date of purchase, (b) such purchases do not exceed 10% of the corporation's outstanding obligations, and (c) no more than one-third of the District's funds may be invested in short-term obligations of corporations under this paragraph.
5. Obligations of corporations organized in the United States with assets exceeding $500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and which mature more than 270 days but less than 10 years from the date of purchase, (b) such purchases do not exceed 10% of the

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[6] The policy must contain a "listing of authorized investments." 30 ILCS 235/2.5(a)(1). 30 ILCS 235/2(a-1) allows school districts to invest public funds in interest-bearing bonds of any local government (see paragraph 6). Investments from which a board may choose are listed in this policy. See 30 ILCS 235/2, amended by P.A.~~s 102-285 and~~ 103-880~~, eff. 1-1-25~~. Alternatively, a board may refer to that law by stating:

> The Chief Investment Officer may invest District funds in any investment as authorized in 30 ILCS 235/2, and Acts amendatory thereto.

30 ILCS 235/2(k), added by P.A. 103-880~~, eff. 1-1-25~~, permits a board to adopt a resolution to allow for investment of public funds in other instruments not specifically listed in the Public Funds Investment Act provided those investments comply with: (1) any other law that authorizes a board to invest funds, and (2) the investment policy adopted by the Board. There is uncertainty regarding the potential breadth and scope of this provision and procedural requirements for implementation. The board attorney and district financial advisor(s) should be consulted before adding instruments to the list of authorized investments in this policy and the board's investment portfolio in accordance with 30 ILCS 235/2(k). Any additional investments authorized by the Board under 30 ILCS 235/2(k) should be added to this policy beginning with Item #14. If a board has adopted the alternative language above, the additional investments should be included at the end of the sentence as follows: The Chief Investment Officer may invest District funds in any investment as authorized in 30 ILCS 235/2, and Acts amendatory thereto, as well as [insert investment(s)], in accordance with the requirements of 30 ILCS 235/2(k).

Some attorneys are of the opinion that the Investment of Municipal Funds Act (IMFA) (50 ILCS 340/) authorizes school districts to invest funds in certain tax anticipation warrants. The IMFA applies to counties, park districts, sanitary districts, and other *municipal corporations*. Id. at 340/1. *Municipal corporation* is not specifically defined in the IMFA. Consult with the board attorney and/or bond counsel regarding the authority for such investments and the inclusion of the IMFA in this policy.

As part of its mission to protect public entities, the Municipal Securities Rulemaking Board (MSRB) has resources available that school officials may find helpful at: www.msrb.org/EdCenter. It provides information about bond issuance, required disclosures, and working with municipal advisors.

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corporation's outstanding obligations, and (c) no more than one-third of the District's funds may be invested in obligations of corporations under this paragraph.

6. Money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) and to agreements to repurchase such obligations.
7. Interest-bearing bonds of any county, township, city, village, incorporated town, municipal corporation, school district, the State of Illinois, any other state, or any political subdivision or agency of the State of Illinois or any other state, whether the interest earned is taxable or tax-exempt under federal law. The bonds shall be (a) registered in the name of the municipality, county, or other governmental unit, or held under a custodial agreement at a bank, and (b) rated at the time of purchase within the four highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.
8. Short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations, the shares, or investment certificates that are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of the Chief Investment Officer, the public funds so invested will be required for expenditure by the District or its governing authority.
9. Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.
10. A Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. The District may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.
11. The Illinois School District Liquid Asset Fund Plus. [7]
12. Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued there under. The government securities, unless registered or inscribed in the name of the District, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

    Except for repurchase agreements of government securities that are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, the District may not purchase or invest in instruments that constitute repurchase agreements, and no financial

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[7] The Illinois School District Liquid Asset Fund Plus is an Illinois trust organized to permit Illinois school districts, community colleges, and educational service regions to pool their investment funds to obtain the highest possible investment yield consistent with maintaining liquidity and preserving capital, and to engage in cooperative cash management activities resulting in more efficient financial resource utilization. The program was developed in cooperation with the Ill. Association of School Boards, the Ill. Association of School Business Officials, and the Ill. Association of School Administrators. For more information, including regional representative contact information, see www.iasbop2p.org/isdlaf/home.

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institution may enter into such an agreement with or on behalf of the District unless the instrument and the transaction meet all of the following requirements:

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

13. Any investment as authorized by the Public Funds Investment Act, and Acts amendatory thereto. Paragraph 13 supersedes paragraphs 1-12 and controls in the event of conflict.

Except as provided herein, investments may be made only in banks, savings banks, savings and loan associations, or credit unions that are insured by the Federal Deposit Insurance Corporation or other approved share insurer. **8**

The Chief Investment Officer and Superintendent shall regularly consider material, relevant, and decision-useful sustainability factors in evaluating investment decisions, within the bounds of financial and fiduciary prudence. Such factors include, but are not limited to: (1) corporate governance and leadership factors, (2) environmental factors, (3) social capital factors, (4) human capital factors, and

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8 30 ILCS 235/2~~, amended by P.A. 102-285~~.

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(5) business model and innovation factors, as provided under the Ill. Sustainable Investing Act, 30 ILCS 238/. [9]

Selection of Depositories, Investment Managers, Dealers, and Brokers [10]

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

In order to be an authorized depository, each institution must submit copies of the last two sworn statements of resources and liabilities or reports of examination that the institution is required to furnish to the appropriate State or federal agency.[11] Each institution designated as a depository shall, while acting as such depository, furnish the District with a copy of all statements of resources and liabilities or all reports of examination that it is required to furnish to the appropriate State or federal agency. [12]

The above eligibility requirements of a bank to receive or hold public deposits do not apply to investments in an interest-bearing savings account, demand deposit account, interest-bearing certificate of deposit, or interest-bearing time deposit if: (1) the District initiates the investment at or through a bank located in Illinois, and (2) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government. [13]

The District shall consider a financial institution's record and current level of financial commitment to its local community when deciding whether to deposit funds in that financial institution. The District may consider factors including: [14]

1. For financial institutions subject to the federal Community Reinvestment Act of 1977 (CRA), the current and historical ratings that the financial institution has received, to the extent that those ratings are publicly available, under the CRA;
2. For financial institutions subject to the Ill. Community Reinvestment Act (ICRA), the current and historical ratings that the financial institution has received, to the extent that those ratings are publicly available, under the ICRA;
3. Any changes in ownership, management, policies, or practices of the financial institution that may affect the level of the financial institution's commitment to its community;
4. The financial impact that the withdrawal or denial of District deposits might have on the financial institution;

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[9] This statement is required by 30 ILCS 235/2.5(a-5). See the Ill. Sustainable Investing Act (SIA)(30 ILCS 238/) for examples of these five *sustainability factors*. Id. at 238/20. Under the SIA, school districts, must "prudently integrate sustainability factors into its investment decisions-making, investment analysis, portfolio construction, due diligence, and investment ownership in order to maximize anticipated financial returns, minimize projected risk, and more effectively execute its fiduciary duty." Id. See www.illinoistreasurer.gov/Local_Governments/Sustainable_Investing_Act for more information. Before being awarded a contract by a board, an investment manager is required to disclose any process through which the manager integrates sustainability factors into their investment decision-making and other fiduciary duties. Id. at 20(e), amended by P.A. 103-324.

[10] The policy must address these topics. 30 ILCS 235/2.5(a)(11).

[11] 30 ILCS 235/6.

[12] Id.

[13] 30 ILCS 235/6.5.

[14] 30 ILCS 235/8(a), amended by P.A. 104-92, eff. 1-1-26.

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5. The financial impact to the District as a result of withdrawing public funds or refusing to deposit additional public funds in the financial institution; and
6. Any additional burden on the District's resources that might result from ceasing to maintain deposits of public funds at the financial institution under consideration.

The District may not deposit public funds in a financial institution subject to the CRA unless the institution has a current rating of satisfactory or outstanding under the CRA.[15] The District may not deposit public funds in a financial institution subject to the ICRA unless either: (1) the institution has a current rating of satisfactory under the ICRA at the time of deposit; or (2) the Ill. Dept. of Financial and Professional Regulation has not yet completed its initial examination of the institution under the ICRA. The District may not withdraw public funds from a financial institution prior to the date of maturity solely on the basis of a less than satisfactory rating under the ICRA.[16] When investing or depositing public funds, the District may give preference to financial institutions that have a current rating of outstanding under the CRA and the ICRA. [17]

Collateral Requirements [18]

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

Safekeeping and Custody Arrangements [19]

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

Controls and Report [20]

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

The Chief Investment Officer shall provide a quarterly investment report to the Board. The report will: (1) assess whether the investment portfolio is meeting the District's investment objectives, (2) identify

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[15] Id. at (a-5).

[16] Id. at (a-6), added by P.A. 104-92, eff. 1-1-26.

[17] Optional. Id. at (a-10), amended by P.A. 104-92, eff. 1-1-26.

[18] Collateral requirements are permissive; if used, guidelines regarding their use must be included in the policy. 30 ILCS 235/2.5(a)(5). The requirements for collateral agreements are in 30 ILCS 235/6(d). The sample policy contains one guideline, that is, that the board be kept informed of collateral agreements. An optional guideline follows:

In addition, the financial institution must provide the Board with a copy of its board of directors' meeting minutes evidencing that the board of directors approved the collateral agreement.

[19] The policy must address safekeeping and custody arrangements. 30 ILCS 235/2.5(a)(5). Registration requirements are in 30 ILCS 235/3.

[20] The policy must provide for internal controls, periodic review, and at least quarterly written investment reports. 30 ILCS 235/2.5(a)(6), (9), and (10). The operational procedures to prevent losses are best addressed by each district in consultation with its auditor and legal counsel. See sample policy 4:80, *Accounting and Audits*; and sample administrative procedures 4:80-AP1, *Checklist for Internal Controls*, and 4:80-AP2, *Fraud, Waste, and Abuse Awareness Program*.

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each security by class or type, book value, income earned, and market value, (3) identify those institutions providing investment services to the District, and (4) include any other relevant information. The investment portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type. [21]

The Board will determine, after receiving the Superintendent's recommendation, which fund is in most need of interest income and the Superintendent shall execute a transfer. This provision does not apply when the use of interest earned on a particular fund is restricted. [22]

Ethics and Conflicts of Interest [23]

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

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

LEGAL REF.: 30 ILCS 235/, Public Funds Investment Act.
30 ILCS 238/, Ill. Sustainable Investing Act.
105 ILCS 5/8-7, 5/10-22.44, 5/17-1, and 5/17-11.

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

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[21] The policy must include performance measures. 30 ILCS 235/2.5(8).

[22] 105 ILCS 5/10-22.44. "Chief Business Official" may replace "Superintendent." Interest income earned on any funds for IMRF, Tort Immunity Act, Fire Prevention, Safety and Environmental Energy, and Capital Improvement Act are restricted to the respective fund. Id.

[23] The policy must address these topics. 30 ILCS 235/2.5(a)(12). The conflict of interest prohibition is in 30 ILCS 235/2(d).

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Operational Services

Accounting and Audits [1]

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Ill. State Board of Education (ISBE), State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District's financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit [2]

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. The Superintendent shall also ensure the District's auditing firm files the District's audit with ISBE annually on or before October 15.

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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.

[2] Audit requirements are found in 105 ILCS 5/3-7 and 5/3-15.1, both amended by P.A. 104-261, eff. 1-1-26, 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.

For districts in suburban Cook County, replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center Executive Director."

The last sentence in this subhead is optional. It is included to support the auditor's compliance with its filing requirement under 105 ILCS 5/3-7, amended by P.A. 104-261, eff. 1-1-26.

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.

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Annual Financial Report [3]

The Superintendent or designee shall annually prepare and submit the Annual Financial Report (AFR) on a timely basis using the form adopted by ~~the~~ ISBE. The Superintendent shall review and discuss the ~~Annual Financial Report~~AFR with the Board before it is submitted~~.~~ and submit one copy of the AFR to the Regional Superintendent of Schools annually on or before October 15. The Superintendent shall also ensure the District's auditing firm files the District's AFR with ISBE annually on or before October 15.

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]

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[3] Requirements for the annual financial report are found in 105 ILCS 5/2-3.27 and 5/3-15.1, amended by P.A. 104-261, eff. 1-1-26; 23 Ill.Admin.Code §100.100. The last sentence of this section should be modified to align with local conditions.

For districts in suburban Cook County, replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center Executive Director."

The last sentence in this subhead is optional. It is included to support the auditor's compliance with its filing requirement under 105 ILCS 5/3-7, amended by P.A. 104-261, eff. 1-1-26.

[4] 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 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.

[6] Id. In connection with ISBE's grant monitoring function, ISBE published an *Internal Control Checklist* that includes a *Checklist for Equipment and Inventory Review* which requires an approved policy (or procedure) related to the management of equipment at: www.isbe.net/Documents/Internal-Control-Checklist.pdf.

~~www.isbe.net/Pages/Federal-and-State-Monitoring.aspx. At the time of **PRESS** Issue 118's publication (Apr.2025), ISBE had not updated its Checklist to incorporate 2024 amendments made to 2 C.F.R. Part 200, including the increase in the capitalization threshold from $5,000 to $10,000.~~

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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 $10,000 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 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 and, when permitted by the terms and conditions of the award, the retention of property acquired by the District under grant awards that comply with federal and State law.

Taxable Fringe Benefits [9]

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.

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[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 $10,000, or a lesser amount established by the board, and useful life greater than one year complies with the definition of *equipment* under federal grant rules. 2 C.F.R. §§200.1 and 200.313(e). Multiple thresholds can be established for different categories of capital assets. Id. 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 Implementation Guide No. 2015-1 both available at: www.gasb.org. 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) and (f) 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."

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 (2025), *Employer's Tax Guide to Fringe Benefits*, at: www.irs.gov/pub/irs-pdf/p15b.pdf.

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Controls for Revolving Funds and Petty Cash [10]

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 $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.

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.

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[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 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.

[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/. Attorneys disagree about the applicability of these laws to school districts.

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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, 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.

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[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 ISBE's *State and Federal Grant Administration Policy, Fiscal Requirements, and Procedures,* 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/gao-25-107721.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). 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-AP1, *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.

[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.

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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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Operational Services

Transportation [1]

The District shall provide free transportation for any student in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, unless the School Board has certified to the Ill. State Board of Education that adequate public transportation is available,[2] or (2) if adequate public transportation is not available, within one and one-half miles from his or her assigned school where walking to or from school or to or from a pick-up point or bus stop would constitute a *serious safety hazard* due to either (a) vehicular traffic or rail crossing or (b) *a course or pattern of criminal activity*, as defined in the Ill. Streetgang Terrorism Omnibus Prevention Act, 740

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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. 105 ILCS 5/29-1 et seq. and 23 Ill.Admin.Code Part 120. **Important: The board of a district that does *not* provide transportation must amend this policy.** F/n 2 discusses when districts must provide free transportation. Please contact an IASB Policy Consultant for *gratis* help customizing this policy. You may also need to consult the board attorney.

Beginning 7-1-31, newly purchased school buses must be equipped with seat safety belts that meet State and federal standards, but districts will not have to: (1) ensure that the seat belt system is correctly adjusted and fastened or (2) give instruction on their use. 625 ILCS 5/12-826(a) and (b), added by P.A. 104-75.

A district that chooses to consider locations other than individual students' residences as pick-up and drop-off locations must adopt a policy establishing this practice to receive State reimbursement. 23 Ill.Admin.Code §120.30(a)(1)(B).

Each district must have a pre-trip and post-trip inspection policy. 625 ILCS 5/12-816(a). An Ill. State Board of Education (ISBE) rule requires boards to "institute policies and practices that promote the safety and well-being of school bus passengers." 23 Ill.Admin.Code §1.510(g). To comply with these requirements, this policy lists relevant administrative procedures at the end.

The policy does not address an *automatic traffic enforcement* system which may be enacted by a municipality or county. An *automatic traffic law enforcement system* is a device that senses and records a motor vehicle that illegally fails to stop for a school bus. 625 ILCS 5/11-208.9. Each school board within that municipality or county's jurisdiction may approve the system's implementation. The board is then required to enter into an intergovernmental agreement with the municipality or county and contract with vendors for the system's installation, maintenance, and operation. Each applicable school bus must be posted with a sign indicating that it is being monitored by an automated traffic law enforcement system. The proceeds from a school district's automated traffic law enforcement system's fines shall be divided equally between the school district and the municipality or county administering the automated traffic law enforcement system.

[2] The one and one-half miles distance is measured from the exit of the property where the student resides to the point where pupils are normally unloaded at the attendance center to which they are assigned. 105 ILCS 5/29-3; 23 Ill.Admin.Code §120.30(a)(1)(A). Only the following districts must provide free transportation as described in the sample policy: community consolidated districts, community unit districts, consolidated districts, consolidated high school districts, and combined school districts if the combined district includes any district that was previously required to provide transportation. 105 ILCS 5/29-3 and 23 Ill.Admin.Code §1.510(a). Districts that are not required to provide free transportation may do so. Id. To qualify for State reimbursement, districts electing to provide transportation when they are not required to do so must afford the same service to all students in that same situation. 23 Ill.Admin.Code §1.510(b). Districts may provide transportation within one and one-half miles and may charge for such transportation. 105 ILCS 5/29-2.

Optional provision: (105 ILCS 5/29-3.1)

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

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ILCS 147/.[3] A student's parent(s)/guardian(s) may file a petition with the Board requesting transportation due to the existence of a serious safety hazard.[4] Free transportation service and vehicle adaptation is provided for a special education student if included in the student's individualized educational program.[5] Non-public school students shall be transported in accordance with State law.[6] Homeless students shall be transported in accordance with Section 45/1-15 of the Education for Homeless Children Act.[7] Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act. [8]

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

[3] 105 ILCS 5/29-3 and 23 Ill.Admin.Code §1.510. The determination as to what constitutes a *serious safety hazard* regarding vehicular traffic or rail crossings is made by the board, in accordance with guidelines issued by the Ill. Dept. of Transportation, in consultation with the State Superintendent of Education. The Ill. Streetgang Terrorism Omnibus Prevention Act defines *course or pattern of criminal activity* as two or more gang-related criminal offenses committed in whole or in part within Illinois when: (1) one or more of the offenses was committed after 1-25-13, (2) both offenses were committed within five years of each other; and (3) at least one offense involved a felony or forcible felony under the Ill. Criminal Code of 1961 or 2012. 740 ILCS 147/10. It also includes criminal defacement of property that includes a streetgang sign or symbol. Id. The determination as to what constitutes a *serious safety hazard* due to a *course or pattern of criminal activity* under 105 ILCS 5/29-3 is made by the board, in accordance with guidelines determined by local law enforcement, in consultation with the State Superintendent of Education. ISBE guidance on safety hazards due to criminal gang activity is available at: www.isbe.net/transportation.

[4] Required by 105 ILCS 5/29-3. Another statute provides a process for *qualifying students* to seek reimbursement from ISBE for *qualified transportation expenses*. 105 ILCS 5/29-5.2; 23 Ill.Admin.Code §120.240. 23 Ill.Admin.Code §120.230 requires, among other things, that each attendance center designate a representative to assist parents/guardians with this process. This process does not need to be in board policy and is not covered herein.

[5] 34 C.F.R. §300.34 and 23 Ill.Admin.Code §226.750.

[6] 105 ILCS 5/29-3.2 and 5/29-4.

[7] 105 ILCS 45/, Education for Homeless Children Act. State law implements the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.

The School Code and the Education for Homeless Children Act permit school districts to use their State transportation funds to provide financial assistance to children that are defined as homeless or *at risk of becoming homeless*, provided certain criteria are satisfied. 105 ILCS 5/29-5~~, amended by P.A. 102-539~~; 105 ILCS 45/1-17. 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). For further detail see 6:140-AP, *Education of Homeless Children*.

[8] Required if the district receives Title I funds. 20 U.S.C. §6312(c)(5)(B). The Elementary and Secondary Education Act (ESEA) requires the district to collaborate with the State or local child welfare agency to develop and implement clear written procedures governing how transportation to maintain children in foster care in the school of origin (when in their best interest) will be provided, arranged, and funded for the duration of their time in foster care. ISBE guidance on transportation procedures for students in foster care is available at: https://www.isbe.net/Documents/Guidance_on_Foster_Care_Transportation_Procedures.pdf. The U.S. Depts. of Education and Health and Human Services, in *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care* (6-23-16) at: www.acf.hhs.gov/cb/policy-guidance/non-regulatory-guidance-ensuring-educational-stability-children-foster-care, opine that ESEA requirements apply to students who meet the definition of *foster care* set forth at 45 C.F.R. §1355.20(a):

> *Foster care* means 24-hour substitute care for children placed away from their parents or guardians and for whom the title IV-E agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.

ESEA foster care transportation requirements also apply to students *awaiting* foster care placement.

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If a student is at a location within the District, other than his or her residence, for child care purposes at the time for transportation to and/or from school, that location may be considered for purposes of determining the one and one-half miles from the school attended. Unless the Superintendent or designee establishes new routes, pick-up and drop-off locations for students in day care must be along the District's regular routes. The District will not discriminate among types of locations where day care is provided, which may include the premises of licensed providers, relatives' homes, or neighbors' homes. [9]

Bus schedules and routes shall be determined by the Superintendent or designee and shall be altered only with the Superintendent or designee's approval and direction. In setting the routes, the pick-up and discharge points should be as safe for students as possible. [10]

No school employee may transport students in school or private vehicles unless authorized by the administration. [11]

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Ill. Dept. of Transportation regulations.[12] The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) is bearing one or more students.[13] The Superintendent shall implement procedures in accordance with State law for accepting comment calls about school bus driving. [14]

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105 ILCS 5/10-20.59~~, amended by P.A. 102-199,~~ requires school boards to~~, by the beginning of the 2022-2023 school year,~~ appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services (DCFS) when enrolling in or changing schools. Liaison responsibilities may include, among other things, working with DCFS to help students maintain their school placement, if appropriate.

[9] This paragraph should be deleted if a district will not seek State reimbursement for transportation to and from locations other than individual students' residences. As a condition for receiving State reimbursement, an ISBE rule requires boards to have a policy with the provisions in this paragraph. 23 Ill.Admin.Code §120.30(a)(1)(B). This rule also contains the non-discrimination language.

[10] The paragraph is optional. As an alternative, a board may state that pick-up and discharge points "should be as safe and convenient as possible."

[11] Optional. This presents an opportunity for each board to discuss this issue with the superintendent and direct the superintendent to include it in the curriculum for the required in-service on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel. 105 ILCS 5/10-22.39. See 5:100, *Staff Development Program* (f/n 3), and 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest* (f/n 2), for more detailed discussions. Include policies 5:100, *Staff Development Program,* and 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest,* in the Cross References when this sentence is used.

[12] 625 ILCS 5/13-109. The vehicle and other requirements for transporting students to and from interscholastic or school-sponsored activities, including curriculum-related or career-related activities, are found in 105 ILCS 5/29-6.3 and 625 ILCS 5/11-1414.1, amended by P.A.s 104-256, eff. 7-1-26, and 104-367, eff. 1-1-26. These statutes also contain requirements for the use of multi-function school activity buses (defined at 625 ILCS 5/1-148.3a-5, amended by P.A. 104-367, eff. 1-1-26). The legislature frequently amends these statutes, along with many transportation laws; they should be double-checked before relying on them.

[13] 625 ILCS 5/12-815. The statute, like the policy, identifies the conditions in which illuminating the strobe light is permissible instead of mandating when they must be illuminated.

[14] 625 ILCS 5/12-821(b) requires districts that own school buses and multifunction school activity buses to establish procedures for accepting comment calls and responding to them. In accordance with good governance principles, this duty is delegated to the superintendent. For a sample procedure, see 4:110-AP2, *Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments*.

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All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers. [15]

Pre-Trip and Post-Trip Vehicle Inspection [16]

The Superintendent or designee shall develop and implement a pre-trip and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio or cellular radio telecommunication device and ensures that it is functioning properly before the bus is operated, and

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[15] 105 ILCS 5/10-20.21a, requires all contracts for providing charter bus services to transport students to or from interscholastic athletic or interscholastic or school sponsored activities to contain clause (A) except that a contract with an out-of-state company may contain clause (B) or clause (A). The clause must be set forth in the contract's body in at least 12-point typeface and all upper case letters:

(A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:

(1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS DATABASES. THE FINGERPRINTING CHECK HAS RESULTED IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY."

(B) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:

(1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS DATABASES. THE FINGERPRINTING CHECK HAS RESULTED IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY."

[16] 625 ILCS 5/12-816(a) requires school districts to have a school bus pre- and post-trip inspection policy with the components as contained in this policy. See also 23 Ill.Admin.Code §1.510(i)(3) and 92 Ill.Admin.Code §458.1030. For a sample procedure, see 4:110-AP2, *Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments*. School districts that contract with a private sector school bus company must require the company to have a pre- and post-trip inspection policy that is equivalent to this section of the policy. 625 ILCS 5/12-816(b).

Each school bus must contain an operating two-way radio or cellular radio telecommunication device while the school bus driver is in possession of a school bus. 625 ILCS 5/12-813.1(e). "Cellular radio telecommunication device" means a device capable of sending or receiving telephone communications without an access line for service and which requires the operator to dial numbers manually; it does not include citizens band radios or citizens band radio hybrids. 625 ILCS 5/12-813.1(a). The two-way radio or cellular radio telecommunication device must be turned on and adjusted in a manner that would alert the driver of an incoming communication request. 625 ILCS 5/12-813.1(e). A school bus driver may not operate a school bus while using a cellular radio telecommunication device except in the following situations: (1) in an emergency situation to communicate with an emergency response operator; a hospital; a physician's office or health clinic; an ambulance service; a fire department, fire district, or fire company; or a police department; (2) in the event of a "mechanical breakdown or other mechanical problem;" (3) to communicate with school authorities about bus operation or the safety of a passenger on the bus; and (4) when the bus is parked. 625 ILCS 5/12-813.1(c). However under no circumstances may the cellular radio telecommunication device be used for anything else including personal use. 625 ILCS 5/12-813.1(c)(2).

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(2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day, to check the bus for children or other passengers in the bus.

LEGAL REF.: 20 U.S.C. §6312(c)(5)(B), Elementary and Secondary Education Act.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-22.22 and 5/29-1 et seq.
105 ILCS 45/1-15 and /1-17.
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813.1, 5/12-815, 5/12-816, 5/12-821, and 5/13-109.
23 Ill.Admin.Code §§1.510 and 226.750; Part 120.
92 Ill.Admin.Code Part 440.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:280 (Duties and Qualifications), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 7:220 (Bus Conduct)

ADMIN. PROC.: 4:110-AP2 (Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments), 4:110-AP3 (School Bus Safety Rules), 4:110-E (Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses), 6:140-AP (Education of Homeless Children)

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Operational Services

Waiver of Student Fees [1]

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, 102-805, and~~ 103-154 and 104-391; 23 Ill.Admin.Code §1.245. *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~~. *Fines* include "charges for the loss of school property assessed by a district." 23 Ill.Admin.Code §1.245(a).

State law provides that "~~[n]o discrimination or punishment of any kind, including~~a school board may not discriminate against, punish, or penalize a student in any way because of an unpaid balance on the student's school account or because the student's parents or guardians are unable to pay any required fees or fines for the loss of school property. This prohibition includes, but is not limited to~~:~~, the lowering of grades, exclusion from any curricular or extracurricular program of the school district~~lasses~~, or withholding ~~of~~ student records, grades, 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 5/10-20.13(d), added by P.A. 104-391~~28-19.2, amended by P.A. 102-805~~; 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 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 textbook/instructional materials 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, 102-805, and~~ 103-154 and 104-391. 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~~phrase "textbooks and instructional materials" should be interpreted broadly to include fees for any type of 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 "~~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.

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~~105 ILCS 5/27-815~~24-2~~, renumbered by P.A. 104-391. The fee must be waived for any student whose parent(s)/guardian(s) are unable to afford it. ~~105 ILCS 5/27-24.2~~Id.; 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).

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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 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~~; 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 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 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.

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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~~. 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~~. 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 though 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~~.

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.

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LEGAL REF.: 42 U.S.C. §11434a, McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-20.13, 5/10-22.25, and 5/27-~~24.2~~815~~, and 5/28-19.2~~.
23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:140 (Education of Homeless Children), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct)

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Operational Services

Facility Management and Building Programs [1]

The Superintendent shall manage the District's facilities and grounds as well as facility construction and building programs in accordance with the law, the standards set forth in this policy, and other applicable School Board policies. The Superintendent or designee shall facilitate: (1) inspections of schools by the Regional Superintendent and State Fire Marshal or designee, (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district, and (3) compliance with the 10-year safety survey process required by the School Code. [2]

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[1] Each district with a school having 50 or more students must have a green school cleaning policy. Green Cleaning Schools Act, 105 ILCS 140/10. See sample policy 4:160, *Environmental Quality of Buildings and Grounds*, which fulfills the requirement to have a procedure on compliance with the Chemical Safety Acts. 105 ILCS 5/10-20.49. Many other State and federal laws control facility management and building programs. Good subjects for administrative procedures include management of custodial services, security, and green cleaning, among others.

The federal rules implementing the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 et seq.) prohibit discrimination on the basis of disability in services and facilities. 28 C.F.R. Parts 35 and 36. The 2010 ADA Standards for Accessible Design (28 C.F.R. Part 36, Appendix) are available ~~from a link on the ADA home page, www.ada.gov/~~at: www.ada.gov/law-and-regs/design-standards/. Consult the board attorney about how these standards apply to alterations and new construction.

The Prevailing Wage Act (PWA) is generally applicable to all construction projects. 820 ILCS 130/. It requires, among other things, that: (1) all workers on a public works project be paid no less than the prevailing hourly rate (820 ILCS 130/1); (2) the district specify in all public works contracts that the prevailing rate must be paid (820 ILCS 130/4(e)); and (3) all contractors must submit certain employment records, including certified payrolls, to the Ill. Dept. of Labor (IDOL) through its online portal (https://labor.illinois.gov/laws-rules/conmed/prevailing-wage-portal.html). Since the activation of the IDOL database in April 2020, the PWA no longer requires districts to keep these records for past or future public works projects. 820 ILCS 130/5. However, districts may still need to maintain employment records received from public works contractors prior to the IDOL database activation to comply with the Local Records Act (50 ILCS 205/). Consult the board attorney for guidance in this area.

105 ILCS 5/10-20.63~~, amended by P.A. 102-340,~~ requires school districts to make menstrual hygiene products (defined as tampons and sanitary napkins for use in connection with the menstrual cycle) available, at no cost to students, in the bathrooms of every school building that is open for student use in grades 4 through 12 during the regular school day. **Note:** The statute does not delineate between types of bathrooms (student, staff, girls, boys, unisex, etc.). Consult with the board attorney about implementing this law.

410 ILCS 35/25, requires schools to identify all single-occupancy restrooms as all-gender and designated for use by no more than one person at a time or for family or assisted use. All single-occupancy restrooms must have an exterior sign that marks it as a restroom and does not indicate any specific gender, e.g., signage which reads *all genders*. Id. at 35/20 and 35/25. It is unclear if this law will apply only to those restrooms made available to members of the public in schools, or if it will also include facilities designated as employee-only. The Ill. Dept. of Public Health enforces this requirement and may issue regulations to address this issue. 410 ILCS 35/30, added by P.A. 103-518, also permits schools to identify any multiple-occupancy restroom as all-gender and designated for use by any person of any gender, provided certain specifications are met.

[2] 105 ILCS 5/2-3.12, 5/3-14.20, and 5/3-14.21.

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

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Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy-efficient physical environment for learning and teaching. The Superintendent or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed $17,500, including the cost equivalent of staff time.[3] This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

Standards for Green Cleaning [4]

For each District school with 50 or more students, the Superintendent or designee shall establish and supervise a green cleaning program that complies with the guidelines established by the Illinois Green Government Coordinating Council.

Standards for Facility Construction and Building Programs [5]

As appropriate, the Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Superintendent or designee shall provide the Board

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105 ILCS 5/2-3.12 and 23 Ill.Admin.Code Part 180 contain the school building code and Health/Life and Safety Code for Public Schools (HLS Code), respectively. The board must hire a licensed architect or engineer to conduct a decennial inspection of its school buildings and produce a ten-year safety survey report, which is submitted to the Regional Superintendent (ROE) or Intermediate Service Center Executive Director (ISC) and the State Superintendent for approval. The board must also report to the ROE or ISC annually on its completion of the report recommendations to comply with the HLS Code. See the Health Life Safety Handbook at www.isbe.net/Pages/Health-and-Life-Safety.aspx for more information about the safety survey process.

[3] This provision is optional and the amount may be changed. The $17,500 spending limit is one-half of the bidding threshold for purchases or contracts. 105 ILCS 5/10-20.21, amended by P.A. 103-8. This provision's intent is to ensure that the board is kept informed about significant renovations and permanent alterations. A board should discuss this provision with its superintendent before including it in the policy.

[4] Required by the Green Cleaning Schools Act (105 ILCS 140/) and Green Cleaning for Elementary and Secondary Schools (23 Ill.Admin.Code Part 2800). The Ill. Green Government Coordinating Council (IGGCC) established *Guidelines and Specifications for the Green Cleaning Schools Act* (Guidelines) which stated: "While not mandatory, schools should implement the practices set forth in the Recommendations section of these guidelines where applicable and appropriate." Each regional office of education is required to disseminate the Guidelines to every public school in its region and to provide ongoing assistance to schools to carry out the requirement of the Green Cleaning Schools Act. 105 ILCS 140/20. Districts needing a copy of the Guidelines should contact their regional office of education, as they are no longer maintained online. ~~See *Guidelines and Specifications for the Green Cleaning Schools Act* at: www.newsystemonline.com/wp-content/uploads/2014/05/Illinois-GreenCleanFinalGuidelines.pdf.~~

[5] The inclusion and identification of the facility goals listed in the second paragraph are at the board's discretion.

After 1-1-~~1~~25, all "new school building construction" must include a storm shelter that meets or exceeds the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC-500 2020) published jointly by the International Code Council and the National Storm Shelter Association. 105 ILCS 5/2-3.12(e-5); 23 Ill.Admin.Code §180.60(b)(3). Any facility project for which the design contract is executed after 1-1-25~~7-1-16~~ must meet standards of the 20~~24~~15 International Building Code and its subcodes. 23 Ill.Admin.Code §180.60(a).

The Ill. Environmental Barriers Act (IEBA) (410 ILCS 25/) and the Ill. Accessibility Code (IAC) (71 Ill.Admin.Code Part 400) ensure that "the built environment in the State of Illinois is designed, constructed, and altered to be accessible to and usable by all, including individuals with disabilities." 71 Ill.Admin.Code §400.110(a). **Note:** Press boxes constructed on school property do not have to comply with the IAC if the press boxes are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet. 105 ILCS 5/10-20.51; 23 Ill.Admin.Code §180.60(b)(4).

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with projected facility needs, enrollment trends, and other data impacting facility use. Board approval is needed for all new facility construction and expansion.

When making decisions pertaining to design and construction of school facilities, the Board will confer with members of the staff and community, the Ill. State Board of Education, and educational and architectural consultants, as it deems appropriate. The Board's facility goals are to:

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school buildings on identifiable student needs.
3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Design buildings for maximum potential for community use.
5. Meet or exceed all safety requirements.
6. Meet requirements on the accessibility of school facilities to disabled persons as specified in State and federal law.
7. Provide for low maintenance costs, energy efficiency, and minimal environmental impact.

Naming Buildings and Facilities [6]

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. Any request to name or rename an existing facility should be submitted to the Board. When a facility is to be named or renamed, the Board President will appoint a special committee to consider nominations and make a recommendation, along with supporting rationale, to the Board.[7] The Board will make the final selection. The Superintendent or designee may name a room or designate

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A building intended for classroom or instructional use may be constructed only after voter approval at a referendum unless the building is: (1) leased by the district, or (2) purchased with funds from the sale or disposition of other buildings or structures, or with funds received as a grant under the School Construction Law or as a gift, provided that no funds (other than lease payments) are derived from the district's bonded indebtedness or its tax levy. 105 ILCS 5/10-22.36, amended by P.A. 103-591. A referendum is also not required if the purchase, construction, or building of such a building is paid for with funds received from the County School Facility and Resources Occupation Tax Law. Id. Beginning 9-1-24, a referendum is not required to build or purchase a building for school classroom or instructional purposes if, prior to the building or purchase, the board adopts a resolution finding the building or purchase will result in an increase in pre-kindergarten or kindergarten classroom space in the district. Id. at (fe), added by P.A. 103-591 and renumbered by P.A. 104-417.

A district may levy a tax for "fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes." 105 ILCS 5/17-2.11. An expedited process may be available in emergency situations. 105 ILCS 5/17-2.11(a). A district may levy a tax or issue bonds if it determines: (1) it is necessary for school security purposes and the protection and safety of students and staff to hire a school resource officer, or that personnel costs for school counselors, mental health experts, or school resources officers are necessary; and (2) it does not need funds for any other purpose set forth in 105 ILCS 5/17-2.11(d). The flexibility for a board to, subject to certain notice requirements, transfer surplus life safety taxes and interest earnings on them to the Operations and Maintenance Fund for building repair work expired on 6-30-21 and was not renewed. 105 ILCS 5/17-2.11(j).

The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements. 20 ILCS 3130/. Waivers may be granted by the Capital Development Board in certain situations. 20 ILCS 3130/15(e). For environmental impact laws, see sample policy 4:160, *Environmental Quality of Buildings and Grounds*.

[6] This section is optional and its contents are at the board's discretion.

[7] If the board wants to include criteria for the committee, insert the following:
"The committee will:
1. Encourage input from the community, staff members, and students.
2. Give consideration to names of local communities, neighborhoods, streets, landmarks, history of the area, and individuals who have made a contribution to the District, community, State, or nation.
3. Ensure that the name will not duplicate or cause confusion with the names of existing facilities in the District."

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some area on a school's property in honor of an individual or group that has performed outstanding service to the school without using the process in this policy.

LEGAL REF.: 42 U.S.C. §12101 et seq., Americans with Disabilities Act; 28 C.F.R. Parts 35 and 36.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/10-20.63, and 5/17-2.11.
105 ILCS 140/, Green Cleaning Schools Act.
105 ILCS 230/, School Construction Law.
410 ILCS 25/, Environmental Barriers Act.
410 ILCS 35/25, Equitable Restrooms Act.
820 ILCS 130/, Prevailing Wage Act.
23 Ill.Admin.Code Part 151, School Construction Program; Part 180, Health/Life Safety Code for Public Schools; and Part 2800, Green Cleaning for Elementary and Secondary Schools.
71 Ill.Admin.Code Part 400, Ill. Accessibility Code.

CROSS REF.: 2:150 (Committees), 2:170 (Procurement of Architectural, Engineering, and Land Surveying Services), 4:60 (Purchases and Contracts), 8:70 (Accommodating Individuals with Disabilities)

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Operational Services

Environmental Quality of Buildings and Grounds [1]

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials, and (2) the environmental quality of the District's buildings and grounds. [2]

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[1] State and/or federal law control this policy's content and require districts to:

1. Have a procedure to comply with the Structural Pest Control Act (225 ILCS 235/) and the Lawn Care Products Application and Notice Act (415 ILCS 65/). See sample administrative procedure 4:160-AP, *Environmental Quality of Buildings and Grounds*.
2. Designate a staff person to be responsible for district compliance with the safety acts listed in #1 above. This policy designates the superintendent or designee.

Many State and federal laws regulate the environmental quality of schools. For example:

1. Several federal laws regulate asbestos as a hazardous substance, the most significant for schools being the Asbestos Hazard Emergency Response Act of 1986. 15 U.S.C. § 2641 et seq. The Asbestos Abatement Act, 105 ILCS 105/, requires schools to perform a variety of functions regarding asbestos. Federal and State regulations also require annual notice to parents and employees of the availability of the district's asbestos management plan. 40 C.F.R. §763.93(g)(4); 77 Ill.Admin.Code §855.300(a)(3). This can be inserted in student handbooks; the Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook* (MSH), at: www.ilprincipals.org/msh/.
2. The Indoor Air Quality Act, 410 ILCS 87/. The Ill. Dept. of Public Health (IDPH) Guidelines for Indoor Air Quality are advisory, i.e., not enforceable. See https://dph.illinois.gov/topics-services/environmental-health-protection/toxicology/indoor-air-quality-healthy-homes.
3. The Smoke-Free Illinois Act, 410 ILCS 82/, bans tobacco smoking inside schools.
4. The Structural Pest Control Act, 225 ILCS 235/, requires IDPH to establish guidelines for an integrated pest management program for schools. See https://dph.illinois.gov/topics-services/environmental-health-protection/structural-pest-control/integrated-pest-management, ~~or https://dph.illinois.gov/topics-services/environmental-health-protection/structural-pest-control~~.
5. Notices to employees and parents/guardians before pesticide applications are required by the Structural Pest Control Act. 225 ILCS 235/10.3. The Lawn Care Products Application and Notice Act requires similar notices but only to parents/guardians. 415 ILCS 65/3.
6. The Green Cleaning School Act, 105 ILCS 140/, and Green Cleaning for Elementary and Secondary Schools, 23 Ill.Admin.Code Part 2800, contain guidelines for green cleaning. See sample policy 4:150, *Facility Management and Building Programs*.
7. The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements. 20 ILCS 3130/. Waivers may be granted by the Capital Development Board in certain situations. Id.
8. The Ill. legislature recommended that each occupied school building be tested every five years for radon and provided a process for the screening in 105 ILCS 5/10-20.48.
   Employers must provide all employees with an education and training program with respect to all toxic substances to which an employee is routinely exposed while working. 820 ILCS 255/16; 23 Ill.Admin.Code §1.330. However, this section and most of the Toxic Substances Disclosure to Employees Act (820 ILCS 255/) are **inoperative**; its implementing rules (56 Ill.Admin.Code Part 205) were repealed. Instead, the Ill. Dept. of Labor enforces the federal Occupational Safety and Health Administration Hazard Communication Standards at 29 C.F.R. §1910.1200. 820 ILCS 255/1.5~~, amended by P.A. 102-1071~~. Thus, school districts must follow the federal disclosure and training requirements.
9. 105 ILCS 5/2-3.2054 ~~(final citation pending)~~, added by P.A. 103-736 and renumbered by P.A. 104-417~~, eff. 1-1-25~~, requireds the Ill. State Board of Education (ISBE), in consultation with IDPH and other stakeholders, to compile resources on indoor air quality for schools and post them on ISBE's website, available at: www.isbe.net/Documents/IAQ-resources.pdf.

[2] A board persuaded by #8 in the above footnote may add the following option:
If economically feasible, the Superintendent or designee shall manage the testing of each occupied school building for radon pursuant to Section 10-20.48 of the School Code.

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Pesticides

Pesticides will not be applied on the paved surfaces, playgrounds, or playing fields of any school serving grades K-8 during a school day or partial school day when students are in attendance for instructional purposes.[3] Additionally, the application of any restricted use pesticides is prohibited on or within 500 feet of school property during normal school hours.[4] Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/. [5]

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A board may want to add the following option if it is concerned that employees who are eligible for district-paid hepatitis B vaccination are unaware of their eligibility:

> The Superintendent or designee shall notify all employees who must be offered, according to State or federal law, District-paid hepatitis B vaccine and vaccination.

[3] Pesticide Application at Schools Act (PASA), 105 ILCS 160/, added by P.A. 103-496, prohibits schools serving students grades K-8 from scheduling pesticide applications on school grounds during the school day when students are in attendance for instructional purposes. Areas prohibited from treatment include paved surfaces, playgrounds and playing fields, where children are typically present. For High School only districts, delete this sentence, ~~Additionally,~~ at the start of the next sentence, and 105 ILCS 160/, Pesticide Application at Schools Act from the Legal References.

Pesticides is not specifically defined in PASA; however, the Illinois Pesticide Act (IPA) defines both *pesticides* and the subcategory of *restricted use pesticides*. 415 ILCS 60/4. PASA therefore appears broader than the IPA because it applies to *all* pesticides, including those that are not *restricted use pesticides*. See f/n 4, below. However, PASA is narrower than the IPA in two ways. First, PASA's geographic scope is narrower than the IPA because PASA does not apply to "areas of school grounds where children are typically not present, including, but not limited to flower beds and lawns surrounding the school not used as playing fields." Id. at 160/15. Second, PASA is narrower in that its prohibition is only in effect when students are in attendance for instruction, compared to the IPA prohibition that applies during *normal school hours* and could extend beyond instructional hours. See f/n 4, below. For ease in administering these slightly different standards, an elementary or unit district may want to follow the more restrictive geographic and temporal prohibitions in the IPA but apply them to all types of pesticides. See sample administrative procedure 4:160-AP, *Environmental Quality of Buildings and Grounds*.

[4] 415 ILCS 60/14 3.F~~., added by P.A. 102-548~~. *Normal school hours* means Monday through Friday from 7 a.m. until 4 p.m., excluding days when classes are not in session. Id. The statute prohibits restricted pesticide applications during *normal hours* but defines *normal school hours*. This policy uses normal school hours. *State Restricted Pesticide Use* is defined as any pesticide use which the Director (Ill. Dept. of Agriculture or his or her authorized representative) determines, subsequent to public hearing, that an additional restriction for that use is needed to prevent unreasonable adverse effects. Id. at 60/4 36.

[5] Different requirements pertain to the notices in the Structural Pest Control Act (225 ILCS 235/10.3) and the Lawn Care Products Application and Notice Act (415 ILCS 65/3(f)). Both require notice to parents/guardians. Notice to employees is only required by the Structural Pest Control Act. For the sake of simplicity, the sample policy requires notice to employees before pesticides are used. Notice at least four business days before application is required by Lawn Care Products Application and Notice Act; notice at least two business days is required by the Structural Pest Control Act; and the Illinois Pesticide Act (415 ILCS 60/14 3.F.~~, amended by P.A. 102-548~~) makes it unlawful to apply a restricted use pesticide on or within 500 feet of school property during normal hours, except for whole structure fumigation, and if the pesticide application information listed on the pesticide label is more restrictive than the law, then the more restrictive provision applies.

If a registry is maintained, replace the last sentence with this alternative:

> The Superintendent or designee shall maintain a registry of employees and parents/guardians of students requesting notification before the application of pesticide(s) and notify those people as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

Be sure the notice provisions in the policy and its implementing administrative procedure are consistent.

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Coal Tar Sealant [6]

Before coal tar-based sealant products or high polycyclic aromatic hydrocarbon sealant products are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students in writing or by telephone as required by the Coal Tar Sealant Disclosure Act.

LEGAL REF.: 105 ILCS 5/10-20.17a; 5/10-20.48.
29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.700(b).
29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 135/, Toxic Art Supplies in Schools Act.
105 ILCS 140/, Green Cleaning School Act.
105 ILCS 160/, Pesticide Application at Schools Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 60/14, Illinois Pesticide Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
410 ILCS 170/, Coal Tar Sealant Disclosure Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act. (inoperative)
23 Ill.Admin.Code §1.330.

CROSS REF.: 4:150 (Facility Management and Building Programs), 4:170 (Safety)

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[6] 410 ILCS 170/10(a)(1)-(4)~~, added by P.A. 102-242,~~ requires schools to provide written or telephonic notification to employees and parents/guardians of students prior to any application of a coal tar-based sealant product or a high polycyclic aromatic hydrocarbon sealant product. Written notifications must: (1) be included in newsletters, bulletins, calendars, or other correspondence currently published by the district (this is the only prong of written notice that is permissive); (2) be given at least 10 business days before the application and should identify the intended date and location of the application of the coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant; (3) include the name and telephone contact number for the school or day care center (if the district has one) personnel responsible for the application; and (4) include any health hazards associated with coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product, as provided by a corresponding safety data sheet.

Districts may want to include numbers (3) and (4) in their student handbooks. The IPA maintains a handbook service that coordinates with **PRESS** material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/msh/.

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Operational Services

Safety [1]

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event.[2] The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations and crisis response plan(s) addressing prevention, preparation, response, and recovery for each school; [3]

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[1] State law requires a policy on several topics in this policy and otherwise controls this policy's content. Topics previously assigned to this code number were moved in May 2014 and placed in sample policies 4:100, *Insurance Management*, and 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

Grants may be available from the Ill. State Board of Education (ISBE) to support school safety improvements, including professional development; safety-related upgrades to school buildings, equipment, and facilities; additional resources to implement restorative interventions and resolution strategies as alternatives to exclusionary discipline; and crisis response mapping data. 105 ILCS 5/2-3.180, 5/2-3.181, and 128/50, added by P.A. 103-8.

Based upon the recommendation of the Federal Commission on School Safety in, the U.S. Depts. of Homeland Security, Education, Justice, and Health and Human Services created a central school safety clearinghouse website at: www.schoolsafety.gov, to share actionable recommendations to help schools prevent, protect, mitigate, respond to, and recover from emergency situations. Topics include bullying/cyberbullying, student mental health, school climate, threat assessment, emergency planning, security, recovery, and drills.

[2] This sample end statement should be discussed and altered accordingly before board adoption. Ask: what effect or impact will this statement have on the students and the community?

[3] The term *emergency operations and crisis response plan* is used because federal agencies refer to school *emergency operations plans* and the School Safety Drill Act (105 ILCS 128/) refers to *emergency and crisis response plans*. 105 ILCS 128/55, added by P.A. 103-194 and renumbered by P.A. 103-605, requires a school building's emergency and crisis response plan, protocol, and procedures to include a plan for local law enforcement to rapidly enter a school building in an emergency.

See sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. This procedure follows the recommendations in the *Guide for Developing High-Quality School Emergency Operations Plans*, produced by a collaboration of federal agencies in June 2013 at: www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf . The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content. See also *The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide*, at: https://rems.ed.gov/docs/District_Guide_508C.pdf.

ISBE maintains a comprehensive website on school emergency and crisis response planning in compliance with the School Safety Drill Act and Joint Rules of the Office of the State Fire Marshal and ISBE (29 Ill.Admin.Code Part 1500), at www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. ISBE's website includes a *Sample School Emergency Operations Plan* which aligns with the federal *Guide for Developing High-Quality School Emergency Operations Plans*.

105 ILCS 128/45, amended by P.A.s 103-780 and 104-407, required school districts to implement a threat assessment procedure by 12-6-19, and to establish a threat assessment team by 2-19-20. The threat assessment procedure may be part of a board policy on targeted school violence prevention that includes the creation of a threat assessment team. For more discussion, see sample policy 4:190, *Targeted School Violence Prevention Program*.

105 ILCS 5/10-20.72 allows school districts to install a door security locking means on a door of a school building to prevent unwanted entry through the door only if the door security locking means is used: (1) by a trained school district employee; (2) during an emergency that threatens the health and safety of students and employees or during an active shooter drill; and (3) when local law enforcement officials and the local fire department have been notified of its installation prior to its use. Id.

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2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;
4. Instruction in safe bus riding practices;[4] and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones. [5]

School Safety Drill Plan [6]

During every academic year, each school building that houses school children shall conduct, at a minimum, each of the following in accordance with the School Safety Drill Act (105 ILCS 128/):

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement lockdown drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel

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[4] Required by 105 ILCS 128/20(b) and 105 ILCS 5/10-20.14(c), amended by P.A. 103-896, for all students. See sample administrative procedure 4:110-AP3, *School Bus Safety Rules*. ~~In consultation with stakeholders,~~ *School Bus Safety Guidance*, developed by ~~the Ill. State Board of Education (~~ISBE~~)~~ in consultation with stakeholders, is available at: www.isbe.net/Documents/Bus-Safety-Guidance-June-2025.pdf. ~~must draft and publish guidance for school bus safety procedures by 7-1-25. 105 ILCS 5/10-20.14(c), amended by P.A. 103-896.~~

[5] 105 ILCS 5/10-20.28. Consider discussing with local law enforcement what its preference would be and encourage staff and students to follow the recommendation. A wave of 911 cell phone calls can jam phone lines. Student use of cell phones is addressed in 7:190, *Student Behavior*.

625 ILCS 5/12-610.1(e) prohibits wireless telephone use at any time while operating a motor vehicle on a roadway in a school speed zone except for: (1) highway construction or maintenance workers within their work zones; (2) any use for emergency purposes; (3) law enforcement officers or emergency responders performing their duties; (4) a person using a wireless telephone in voice-operated mode with or without use of a headset; (5) a person with technology that uses a single button to initiate or terminate a voice communication, e.g., *HandsFreeLink*®; and (6) a person using an electronic communication device solely to report an emergency and for continued communication with emergency personnel. 625 ILCS 5/12-813.1 limits cell phone use by school bus drivers; see sample policy 4:110, *Transportation*.

[6] Each of the listed drills is required by the School Safety Drill Act. Each drill's requirements are comprehensively covered in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx.

105 ILCS 5/2-3.12(f) authorizes the Ill. State Fire Marshal or a qualified fire official to whom the Ill. State Fire Marshal has delegated his or her authority to conduct an annual fire safety inspection of each school building, provided the inspection is coordinated with the regional superintendent. See also 105 ILCS 5/3-14.21(c) (inspection of schools) and 23 Ill.Admin.Code §180.300(b) (annual building and fire safety inspections). To effectively implement this law and ensure the education of students in the district is not disturbed, school officials should discuss with the Ill. State Fire Marshal and regional superintendent whether written notice may be provided to the principal requesting to schedule a mutually agreed upon time.

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and students present at school at the time of the drill, except for those exempted by administrators, school support personnel, or a parent/guardian. [7]

Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school safety drill plan. This annual review shall be in accordance with the School Safety Drill Act (105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Ill. State Board of Education (ISBE). [8]

Automated External Defibrillator (AED) [9]

At least one automated external defibrillator (AED) shall be present in each District attendance center during the school day and during any District-sponsored extracurricular activity on school grounds. In addition, the Superintendent or designee shall implement a written plan for responding to medical

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[7] 105 ILCS 128/20(c)~~, amended by P.A. 102-395~~. While 105 ILCS 128/20(c) uses both *lockdown drill* and *walk-through lockdown drill*, the terms are synonymous. For brevity, this material uses the term *lockdown drill*. Schools must (1) notify parents/guardians in advance of any lockdown drill that involves student participation, and (2) allow parents/guardians to exempt their child(ren) from participating for any reason. School administrators and support personnel may, at their discretion, exempt a student from participating in a lockdown drill. 105 ILCS 128/20(c)(4)~~, added by P.A. 102-395~~. When deciding whether to exempt a student, such personnel must include the student's individualized education program team or 504 plan team, if any, in the decision. 105 ILCS 128/20(c)(4), amended by P.A. 103-197. For students who do not participate in the lockdown drill, districts must provide alternative safety education and instruction related to an active threat or active shooter event. For students who do participate in the lockdown drill, districts must allow them to ask questions related to it.

Law enforcement may only run an active shooter simulation, including simulated gun fire drills, on school days when students are not present. 105 ILCS 128/20(c)(5)-(8)~~, added by P.A. 102-395~~.

105 ILCS 128/22, added by P.A. 104-198, eff. 1-1-26, requires districts to provide all substitute personnel with: (1) training on school evacuation drills and law enforcement lockdown drills, and (2) support that includes, at a minimum, the information packet given to employees with district-approved materials outlining evacuation and lockdown procedures. Maps indicating all school exits must also be prominently displayed in every classroom. Id. See also sample administrative procedure 5:220, *Substitute Teachers*.

[8] 29 Ill.Admin.Code Part 1500. The School Safety Drill Act requires each school board or its designee to conduct one annual meeting at which it reviews each building's emergency and crisis response plan, protocols, and procedures, including procedures regarding the school district's threat assessment team, the school district's hazardous substance release procedures, procedures regarding the district's cardiac emergency response plan, the efficacy and effects of law enforcement drills, and each building's compliance with the school safety drill plan. 105 ILCS 128/25, amended by P.A.s ~~102-395 and~~ 103-608 and 104-344, eff. 1-1-~~25~~26, and 128/30, amended by P.A. 103-175; 29 Ill.Admin.Code Part 1500. If the board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The statute contains detailed requirements. The board or its designee must: (1) complete a one-page report certifying that the review took place, among other things; (2) send a copy of the report to each participating party; and (3) send a copy of the report to the appropriate Regional Superintendent. 105 ILCS 128/25(c), (d). ISBE's website contains a suggested annual review checklist and a report form to document compliance at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. The American Heart Association's cardiac emergency response plan template and implementation materials are available at: www.heart.org/CERP.

[9] 105 ILCS 5/10-20.87, added by P.A. 103-1019~~, eff. 1-1-25~~. An AED installed and maintained according to the Physical Fitness Facility Medical Emergency Preparedness Act (210 ILCS 74/) can be used to satisfy this requirement. Id. Each indoor and outdoor physical fitness facility serving at least 100 individuals must "adopt and implement a written plan for responding to medical emergencies that occur at the facility during the time that the facility is open for use by its members or by the public." 210 ILCS 74/10(a). The facility must file the plan with the Ill. Dept. of Public Health (IDPH). Id. In addition, each indoor facility must have at least one AED on the premises, and each outdoor facility must house an AED in a building, if any, that is within 300 feet of the outdoor facility. 210 ILCS 74/15. See the statute and administrative rules for the other numerous mandates: 210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act; 77 Ill.Admin.Code Part 527, Physical Fitness Facility Medical Emergency Preparedness Code. Also see sample administrative procedure 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*.

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emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one AED to be available at every physical fitness facility on the premises according to State law requirements.

The District shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by the District.[10] The Superintendent or designee shall ensure that every AED on the District's premises is properly tested and maintained in accordance with rules developed by the IDPH.[11] This policy does not create an obligation to use an AED.

Carbon Monoxide Alarms [12]

The Superintendent or designee shall implement a plan with the District's local fire officials to:

1. Determine which school buildings to equip with approved *carbon monoxide alarms* or *carbon monoxide detectors,*
2. Locate the required carbon monoxide alarms or carbon monoxide detectors within 20 feet of a carbon monoxide emitting device, and
3. Incorporate carbon monoxide alarm or detector activation procedures into each school building that requires a carbon monoxide alarm or detector. The Superintendent or designee shall ensure each school building annually reviews these procedures.

Soccer Goal Safety [13]

The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the IDPH. Implementation of the Act shall be directed toward improving the safety of movable soccer goals by requiring that they be properly anchored.

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[10] 77 Ill.Admin.Code §527.600(d), (f).

[11] 210 ILCS 74/15(c); 77 Ill.Admin.Code §527.700.

[12] 105 ILCS 5/10-20.57. *Carbon monoxide detector* and *detector* mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the Ill. State Fire Marshal. 105 ILCS 5/10-20.57(a). *Approved carbon monoxide alarm* or *alarm* means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Ill. State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association. 430 ILCS 135/5.

Consult both the board attorney and the local fire officials about whether a school building is exempt from this law. Remove this subhead if the board attorney determines that every building across the entire school district is exempt. The law applies to school buildings that have or are close to any *sources of carbon monoxide*; however, it does not specifically define what that means. 430 ILCS 135/20 defines exemptions for residential units and may provide guidance on the exemption for schools. The law also fails to define *carbon monoxide emitting device*, which triggers the placement point in a school building for a carbon monoxide alarm or carbon monoxide detector.

[13] Include this section **only if** the school district owns and controls a movable soccer goal. Movable Soccer Goal Safety Act, a/k/a *Zach's Law*, 430 ILCS 145/. The Act requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals; and (2) the IDPH to provide technical assistance materials. 430 ILCS 145/10, 20. See www.dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety.

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Unsafe School Choice Option [14]

The unsafe school choice option allows students to transfer to another District school or to a public charter school within the District. The unsafe school choice option is available to:

1. All students attending a persistently dangerous school, as defined by State law and identified by the ISBE.
2. Any student who is a victim of a violent criminal offense, as defined by 725 ILCS 120/3, that occurred on school grounds during regular school hours or during a school-sponsored event.

The Superintendent or designee shall develop procedures to implement the unsafe school choice option.

Lead Testing in Water [15]

The Superintendent or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Ill. Plumbing License Law and guidance published by the

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[14] This topic must be covered in board policy. 105 ILCS 5/10-21.3a. See also 20 U.S.C. §7912 (unsafe school choice option). ISBE maintains a list of persistently dangerous schools. Districts having only one school may substitute the following for this paragraph:

> The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because the District has only one school or attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

Districts with each grade in only one attendance center may substitute the following for this paragraph:

> The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because each grade is in only one attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

[15] 225 ILCS 320/35.5. Requires that each source of potable water in school buildings constructed on or before 1-1-00, which may be occupied by more than 10 children in grades pre-K through 5, be tested for lead. Testing for buildings constructed prior to 1-1-87 must have been conducted by 12-31-17. 225 ILCS 320/35.5(c)(4). Testing for buildings constructed between 1-2-87 and 1-1-00 must have been conducted by 12-31-18. Id. By 6-30-19, the IDPH was to determine whether it is necessary and appropriate to require testing for buildings constructed after 1-1-00. 225 ILCS 320/35.5(d). IDPH recommends that all schools constructed in whole or in part from 1-2-00 through 1-4-14 test all sources of potable water for lead. See IDPH's recommendations at: www.isbe.net/Documents/Improving-Water-Quality-Illinois-Schools.pdf. For high school districts, delete this subhead if no lead testing occurs.

Boards may, by resolution, use excess taxes levied for fire prevention, safety, energy conservation, and school security purposes for sampling lead in drinking water in schools and for repair and mitigation due to lead levels in the drinking water supply. 105 ILCS 5/17-2.11(j)(1).

Beginning no later than 11-1-27, federal drinking water regulations require that *community water systems* (defined at 40 C.F.R. §141.2) annually contact all schools in their service area to provide information about the health risks from lead in drinking water. 40 C.F.R. §141.92(c). By 11-1-32, community water systems must notify schools that they are eligible to be sampled for lead. Id.

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IDPH.[16] The Superintendent or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective school buildings. [17]

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property. [18]

LEGAL REF.: 105 ILCS 5/10-20.2, 5/10-20.57, 5/18-12, and 5/18-12.5.
105 ILCS 128/, School Safety Drill Act; 29 Ill.Admin.Code Part 1500.
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.
225 ILCS 320/35.5, Ill. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness; Management; and Recovery), 4:190 (Targeted School Violence Prevention Program), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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[16] 225 ILCS 320/35.5(e) requires the IDPH to post on its website guidance on mitigation actions for lead in drinking water, and ongoing water management practices, in schools. See *Mitigation Strategies for Lead Found in School Drinking Water* at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/publications/school-lead-mitigation-strategies-050917.pdf. See also https://dph.illinois.gov/topics-services/environmental-health-protection/lead-in-water/testing-schools-child-care-facilities/improving-water-quality-schools.html.

[17] If any samples taken in the school exceed five parts per billion, a district must provide individual notification of sampling results, via written or electronic communication, to parents/guardians of all enrolled students that must include: (1) the corresponding sampling location within the school building; and (2) the U.S. Environmental Protection Agency's website for information about lead in drinking water at: www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water. 225 ILCS 320/35.5(c)(3). If any samples taken in the school are at or below five parts per billion, notification may be made in the same manner or by posting on the school's website. Id.

[18] When a school is closed or its starting time is delayed due to adverse weather conditions or a health or safety threat, the district may count a partial day of attendance as a full day for State aid purposes, provided: (1) at least one hour of instruction was provided or the normal start time was delayed; and (2) the superintendent provides the Regional Superintendent or the Suburban Cook County Intermediate Service Center, whichever is appropriate, with a written report in support of the partial day within 30 days. 105 ILCS 5/18-12.

105 ILCS 5/18-12.5 governs claiming State aid if a district closes one or more schools, but not all schools, during the public health emergency, as determined by ISBE in consultation with the IDPH.

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Operational Services

Targeted School Violence Prevention Program [1]

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment.

The Superintendent or designee shall develop and implement the Program.[2] The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The

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[1] While this sample policy is optional, 105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780, and 104-407, requires school districts to have implemented a threat assessment *procedure* by 12-21-19 that may be part of a school board targeted school violence prevention policy. Thus, regardless of whether the board adopts a policy, an administrative procedure must exist to comply with the law. See the first sentence in f/n 2 below. It contains items from *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Fifth Edition (July 2023), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg-dec2022_mpd.pdf. *Threat Assessment in Virginia Public Schools* is based upon a synthesis of established research and recognized standards of practice regarding threat assessment and management in school and workplace settings, including *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, a 2004 publication of the U.S. Secret Service and the U.S. Dept. of Education, at: https://www.ojp.gov/ncjrs/virtual-library/abstracts/threat-assessment-schools-guide-managing-threatening-situations-0www.ojp.gov/ncjrs/virtual-library/abstracts/threat-assessment-schools-guide-managing-threatening-situations-0. The July 2018 update of this document was renamed *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: www.secretservice.gov/sites/default/files/reports/2020-10/USSS_NTAC_Enhancing_School_Safety_Guide.pdf. See also *Averting Targeted School Violence*, a 2021 publication of the U.S. Dept. of Homeland Security and the U.S. Secret Service, at: www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf.

Adopting a policy that addresses targeted school violence prevention provides (a) a way for boards to monitor that it is being done, and (b) an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Before adoption of this policy, each board may want to have a conversation with the superintendent to determine how local conditions and resources and current practices will support the full implementation of the requirements of 105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780. Its goals and program will be most effective when they reflect local conditions and circumstances.

[2] To balance the requirement to implement a threat assessment procedure (105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780, and 104-407) with the practicalities of managing a district and to align with the best practices outlined in IASB's *Foundational Principles of Effective Governance* (www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/), this sentence delegates the duty to implement a procedure to the superintendent. See sample administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program*, for a sample implementation procedure. Ensuring school safety begins with establishing a comprehensive targeted school violence prevention program, which "includes forming a multidisciplinary threat assessment team, establishing central reporting mechanisms, identifying behaviors of concern, defining the threshold for law enforcement intervention, identifying risk management strategies, promoting safe school climates, and providing training to stakeholders." *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: www.secretservice.gov/sites/default/files/reports/2020-10/USSS_NTAC_Enhancing_School_Safety_Guide.pdf.

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Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

1. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s). [3]
2. Establish Building-level Threat Assessment Team(s)[4] to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
3. Require all District staff, volunteers, and contractors to report any expressed threats or behaviors that may represent a threat to the community, school, or self. [5]
4. Encourage parents/guardians and students to report any expressed threats or behaviors that may represent a threat to the community, school, or self. [6]
5. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors. [7]

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[3] The establishment of threat assessment teams in K-12 public schools is Recommendation #1 of the *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, presented to the Office of the Governor on 4-5-18, at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/school-safety-and-security/. Illinois higher education institutions have required threat assessment teams since the passage of the Campus Security Enhancement Act of 2008 (110 ILCS 12/20(b)(2), eff. 1-1-09) in response to the shootings that took place at Virginia Polytechnic Institute and State University on 4-16-07 and Northern Illinois University on 2-14-08. See f/n 4, below.

[4] 105 ILCS 128/45, amended by P.A.s ~~102-791,~~ 103-175, ~~and~~ 103-780, and 104-407, requires school districts to have established a threat assessment team by 2-19-20. If a school district is unable to establish a threat assessment team with school district staff and resources, it may use a regional behavioral threat assessment and intervention team. Id. The district's threat assessment procedure and a list identifying the members of all district threat assessment teams must be filed with a local law enforcement agency and the regional office of education or appropriate intermediate service center before the start of each school year. 105 ILCS 128/45(b), amended by P.A.~~s 102-791 and~~ 103-175. See sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, and its accompanying exhibits for further information on threat assessment teams and how to connect with a regional behavioral threat assessment team. Records concerning the work of the TAT, including but not limited to any threat assessment procedure, are exempt from disclosure under the Ill. Freedom of Information Act. 5 ILCS 140/7(ll)~~, added by P.A. 102-791~~.

[5] In alignment with this policy, sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, requires the TAT to train staff and other members of the school community to recognize and report possible threats, and sample exhibit 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*, requires all district staff, volunteers, and contractors to report any expressed threats or behaviors that may represent a threat to the community, school, or self.

[6] In alignment with this policy, sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, requires the TAT to train parents/guardians and other members of the school community to recognize and report possible threats, and sample exhibit 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*, encourages parents/guardians and students to report any expressed threats or behaviors that may represent a threat to the community, school, or self.

[7] **Consult the board attorney for guidance concerning liability in this area**. Except for cases of willful and wanton conduct, the Local Governmental and Governmental Employees Tort Immunity Act (TIA) likely protects districts from liability for failure to properly identify and/or respond to a student's behavior that results in injury or suicide. See 745 ILCS 10/3-108 and Grant v. Board of Trustees of Valley View School Dist. No. 365-U, 286 Ill.App.3d 642 (3rd Dist. 1997). Every situation is fact-specific, and the issues require careful evaluation. A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its board attorney, to minimize liability, such as adding limiting phrases and ensuring other policies are followed.

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LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-21.7, 5/10-27.1A, 5/10-27.1B, 5/24-24, and 5/22-1107~~-23.7~~.
105 ILCS 128/, School Safety Drill Act.
745 ILCS 10/, Local Governmental and Governmental Employees Tort Immunity Act.
29 Ill.Admin.Code Part 1500.

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:140 (Search and Seizure), 7:150 (Agency and Law Enforcement Requests~~Police Interviews~~), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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In addition to the TIA, school officials and districts may also be entitled to qualified immunity in civil rights lawsuits that seek to hold them liable for a suicide. For further discussion, see f/n 14 in sample policy 7:290, *Suicide and Depression Awareness and Prevention*.

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General Personnel

Equal Employment Opportunity and Minority Recruitment [1]

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[1] Federal and State law (see the policy's Legal References) require that all districts have a policy on equal employment opportunities and control this policy's content. **This is a complex, confusing, and highly litigated area of the law; consult the board attorney for advice on the application of these laws to specific situations.**

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The School District shall provide equal employment opportunities[2] to all persons regardless of their race;[3] color; creed; religion;[4] national origin; sex;[5] sexual orientation;[6] age;[7] ancestry; marital status;[8]

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[2] *Equal employment opportunities* apply to virtually all terms and conditions of employment, e.g., discharge, hire, promotion, pay, demotion, and benefits (see the policy's Legal References). The Ill. Constitution protects the following categories from discrimination in employment: race, color, creed, national ancestry, sex, and handicap. Art. I, §§17, 18, and 19. The Ill. Human Rights Act (IHRA) protects the following categories from discrimination in employment, whether *actual* or *perceived*: race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, order of protection status, sexual orientation, pregnancy, reproductive health decisions, unfavorable discharge from military service, arrest record, conviction record (unless authorized by law), citizenship status, work authorization status. 775 ILCS 5/1-102(A), amended by P.A. 103-785; 5/1-103, amended by P.A. 103-785; and 775 ILCS 5/2-103.1. The IHRA also prohibits employers from using artificial intelligence (AI) in a manner that subjects employees to unlawful discrimination, and it requires employers to provide notice to employees when it uses AI with respect to recruitment, hiring, promotion, renewal of employment, selection for training, discharge, discipline, tenure, or the terms, privileges, or conditions of employment. 775 ILCS 5/2-102(L), added by P.A. 103-804, eff. 1-1-26.

The IHRA requires employers to annually disclose to the Ill. Dept. of Human Rights (IDHR) certain information about adverse judgments and administrative rulings where there was a finding of sexual harassment or unlawful discrimination under any federal, State, or local law, as well as data regarding settlement agreements, if requested by an IDHR investigator. 775 ILCS 5/2-108 (scheduled to be repealed on 1-1-30).

Title VII of the Civil Rights Act of 1964 (Title VII) prohibits discrimination because of an individual's race, color, religion, sex, or national origin. 42 U.S.C. §2000e et seq., amended by The Lilly Ledbetter Fair Pay Act of 2009 (LLFPA), Pub.L. 111-2.

Under the Workplace Transparency Act (820 ILCS 96/), employers may not, as a condition of employment or continued employment, prevent prospective or current employees from making truthful statements or disclosures about alleged unlawful employment practices, including discrimination, or from engaging in concerted activities (including collective bargaining) to address work-related issues. Id. at 96/1-25, amended by P.A. 104-320, eff. 1-1-26.

The LLFPA clarifies that a discriminatory compensation decision or other practice occurs each time an employee is paid or receives a last benefits check pursuant to the discriminatory compensation decision as opposed to only from the time when the discriminatory compensation decision or other practice occurred. The LLFPA has no legislative history available to define what the phrase *or other practice* might mean beyond a discriminatory compensation decision; however, in a guidance document, the U.S. Equal Employment Opportunity Commission (EEOC) states that practices "may include employer decisions about base pay or wages, job classifications, career ladder or other noncompetitive promotion denials, tenure denials, and failure to respond to requests for raises." See *Equal Pay Act of 1963 and Lilly Ledbetter Fair Pay Act of 2009* (2014), at: www.eeoc.gov/laws/guidance/equal-pay-act-1963-and-lilly-ledbetter-fair-pay-act-2009.

The Ill. Equal Pay Act of 2003 (EPA) offers additional protection by prohibiting the payment of wages to one sex less than the opposite sex or to an African-American less than a non-African-American *for the same or substantially similar work*. 820 ILCS 112/. The Ill. Dept. of Labor (IDOL) enforces the EPA. The EPA also prohibits employers from requesting or requiring applicants to disclose wage or salary history as a condition of being considered for employment or as a condition of employment. Id. at 112/10(b-5). If an applicant voluntarily offers such information without prompting, an employer still cannot use that information in making an offer or determining future pay. See sample administrative procedure 5:30-AP1, *Interview Questions*, for sample permissible inquiries on this topic. Employers may seek wage or salary history from an applicant's current or former employer if that information is a matter of public record under the Freedom of Information Act (FOIA); however, districts that wish to undertake such searches should exercise caution; the fact a district seeks out publicly available wage information could still be used against it in a pay discrimination claim. Id. at 112/10(b-10). Consult the board attorney for further guidance.

While not exhaustive, other laws protecting these and additional classifications are named in subsequent footnotes.

[3] The IHRA defines race 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). The law allows employers to implement dress codes or adopt grooming policies that include restrictions on attire, clothing, or facial hair to maintain workplace safety or food sanitation. 775 ILCS 5/2-102(E-5). Title VII does not have a definition of race, but EEOC guidance provides that "[r]ace discrimination includes discrimination on the basis of ancestry or physical or cultural characteristics associated with a certain race, such as skin color, hair texture or styles, or certain facial features." See the EEOC's *Questions and Answers about Race and Color Discrimination in Employment*, at: www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment.

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[4] 775 ILCS 5/2-102 of the IHRA contains a *religious discrimination* subsection. It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. 775 ILCS 5/2-102(E-5). Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. Id.

Regarding accommodation of an employee's religious practice under Title VII, the U.S. Supreme Court held in the case Groff v. DeJoy, 600 U.S. 447 (2023), that *undue hardship* means a burden that is "substantial in the overall context of an employer's business", rather than a mere *de minimis* standard. Id. at 468. In addition to the IHRA and Title VII (also discussed in f/n 2), see 775 ILCS 35/, Religious Freedom Restoration Act.

[5] Discrimination on the basis of sex under Title VII includes discrimination on the basis of sexual orientation or transgender status. Bostock v. Clayton Cnty., 140 S.Ct. 1731 (2020); Hively v. Ivy Tech, 853 F.3d 339 (7th Cir. 2017). In addition to the IHRA and Title VII (discussed in f/n 2), see Title IX of the Education Amendments of 1972 (Title IX). 20 U.S.C. §1681 et seq.; 34 C.F.R. Part 106. See sample policy 2:265, *Title IX Grievance Procedure*. The federal Equal Pay Act prohibits an employer from paying persons of one sex less than the wage paid to persons of the opposite sex for equal work. 29 U.S.C. §206(d). See f/n 2, above, for more information on State equal pay protections, including on the basis of sex. The LLFPA defines *date of underpayment* as each time wages are underpaid. Employees have one year from the time they become aware of the underpayment to file a complaint with the IDOL. 820 ILCS 112/15(b).

[6] *Sexual orientation* means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity; it does not include a physical or sexual attraction to a minor by an adult. 775 ILCS 5/1-103(O-1).

[7] Age Discrimination in Employment Act (ADEA) (29 U.S.C. §621 et seq.), amended by LLFPA (see f/n 2). 29 C.F.R. Part 1625, amended the EEOC regulations under ADEA to reflect the U.S. Supreme Court's decision in General Dynamic Systems, Inc. v. Cline, 540 U.S. 581 (2004), holding the ADEA permits employers to favor older workers because of age. Thus, favoring an older person over a younger person is not unlawful discrimination, even when the younger person is at least 40 years old.

[8] 105 ILCS 5/10-22.4 and 775 ILCS 5/1-103(Q). The term *marital status* means an individual's legal status of being married, single, separated, divorced, or widowed. 775 ILCS 5/1-103(J). This statutory definition does not encompass the identity of one's spouse. Thus, school districts may adopt no-spouse policies. Boaden v. Dept. of Law Enforcement, 171 Ill.2d 230 (Ill. 1996).

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arrest record;[9] military status; order of protection status;[10] unfavorable military discharge;[11] citizenship status provided the individual is authorized to work in the United States;[12] work authorization status;[13] use of lawful products while not at work;[14] being a victim of domestic violence, sexual violence, gender violence, or any other crime of violence or use of District-issued equipment to record such types of

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[9] Districts may not make employment decisions on the basis of arrest history, but may use job-disqualifying criminal convictions provided specific conditions are met. 775 ILCS 5/2-103 and 5/2-103.1. See f/n 21, below. The Job Opportunities for Qualified Applicants Act, 820 ILCS 75/15, prohibits an employer from asking about a criminal record until the employer determines that the applicant is qualified for the position; however, this does not apply when employers are required to exclude applicants with certain criminal convictions from employment. School employers should limit their requests for criminal convictions to *job-disqualifying* convictions, as permitted by the IHRA. 775 ILCS 5/2-103.1. See also the IDHR's guidance, *Conviction Record Protection – Frequently Asked Questions*, at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html and the EEOC's guidance, *Consideration of Arrest and Conviction Records in Employment Decisions* (2012), at: www.eeoc.gov/laws/guidance/arrest_conviction.cfm.

[10] 775 ILCS 5/1-103(Q). The term *order of protection status* means a person protected under an order of protection issued pursuant to the Ill. Domestic Violence Act of 1986 (750 ILCS 60/), Article 112A of the Code of Criminal Procedure of 1963 (725 ILCS 5/112A-1.5), the Stalking No Contact Order Act (740 ILCS 21/), the Civil No Contact Order Act (740 ILCS 22/), or an order of protection issued by a court of another state. 775 ILCS 5/1-103(K-5).

[11] *Military status* means a person's status on active duty or in status as a veteran in the U.S. Armed Forces, veteran of any reserve component of U.S. Armed Forces, or current member or veteran of the Ill. Army National Guard or Ill. Air National Guard. 775 ILCS 5/1-103(J-1). *Unfavorable military discharge* does not include those characterized as RE-4 or *dishonorable*. 775 ILCS 5/1-103(P). The Uniformed Services Employment and Reemployment Rights Act of 1994 prohibits employers from discriminating or retaliating against any person for reasons related to past, present, or future service in a *uniformed service*. 38 U.S.C. §4301 et seq.

[12] 775 ILCS 5/1-102(C). According to the Immigration Reform and Control Act of 1986, all employers must verify that employees are either U.S. citizens or authorized to work in the U.S. 8 U.S.C. §1324~~(~~a~~)~~ ~~et seq~~.

[13] 775 ILCS 5/2-102(A). *Work authorization status* means the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States. 775 ILCS 5/2-101(L). Under the IHRA, it is a civil rights violation for an employer to refuse to honor a legal work authorization; however, employers are not required to sponsor any applicant or employee to obtain or modify work authorization status, unless required by federal law. 775 ILCS 5/2-102(G); 775 ILCS 5/2-104(D).

[14] The Right to Privacy in the Workplace Act prohibits discrimination based on use of lawful products, e.g., alcohol, cannabis, and tobacco, off premises during non-working hours. 820 ILCS 55/5.

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violence;[15] genetic information;[16] physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation;[17] pregnancy, childbirth, or

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[15] 820 ILCS 180/30 and 180/33, added by P.A. 104-171, eff. 1-1-26, Victims' Economic Security and Safety Act (VESSA). *Gender violence* means: (1) one or more acts of violence or aggression that are a criminal offense under State law committed, at least in part, on the basis of a person's actual or perceived sex or gender, (2) a physical intrusion or invasion of a sexual nature under coercive conditions that is a criminal offense under State law, or (3) a threat to commit one of these acts. 820 ILCS 180/10(12.5). In certain circumstances, an employer can be held liable for gender-related violence that occurs in the workplace if the employer failed to investigate complaints or failed to supervise, train, or monitor an employee who engaged in the violence. 740 ILCS 82/11, added by P.A. 103-202, Gender Violence Act. *Other crime of violence* under VESSA means conduct prohibited by 720 ILCS 5/9 (homicide), 720 ILCS 5/11 (sex offenses), 720 ILCS 5/12 (bodily harm), 720 ILCS 5/26.5 (harassing and obscene communications), 720 ILCS 5/29D (terrorism), and 720 ILCS 5/33A (armed violence), or similar provision of the Criminal Code of 1961. 820 ILCS 180/10(2.5). VESSA also prohibits workplace discrimination and retaliation on the basis of an employee's use of employer-issued equipment to record domestic violence, sexual violence, gender violence, or any other crime of violence committed against the employee or a family or household member of the employee. Id. at 180/33, added by P.A. 104-171, eff. 1-1-26.

An employer is prohibited from discriminating against any individual, e.g., an applicant for employment, because he or she "is an employee whose employer is subject to Section 21 of the Workplace Violence Prevention Act." The Workplace Violence Prevention Act allows an employer to seek a *workplace protection restraining order* when there is a credible threat of violence at the workplace. 820 ILCS 275/. The law requires the employer seeking a *workplace protection restraining order* to notify the employee who is a victim of *unlawful violence*. 820 ILCS 275/21.

[16] Illinois' Genetic Information Privacy Act (GIPA) (410 ILCS 513/25) and Title II of Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff et seq.). Both laws protect job applicants and current and former employees from discrimination based on their genetic information. Note that GIPA provides greater protections to Illinois employees than Title II of GINA. GIPA prohibits employers from penalizing employees who do not disclose genetic information or do not choose to participate in a program requiring disclosure of the employee's genetic information. See f/n 12 in sample policy 2:260, *Uniform Grievance Procedure*, for the definition of genetic information and a detailed description of both statutes, including of Title I of GINA affecting the use of genetic information in health insurance. The EEOC vacated certain 2016 ADA and GINA wellness program regulations following an adverse court ruling. 83 Fed. Reg. 65296. Those rules provided guidance to employers on the extent to which they could use incentives (such as discounted health plan costs) to encourage employees to participate in wellness programs that asked for employee and family health information. Consult the board attorney for guidance regarding specific application of ADA and GINA and how they integrate with other related laws, e.g., the Family Medical Leave Act and other State laws governing time off for sickness and workers' compensation.

[17] Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 et seq.), amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) (Pub. L. 110-325) and modified by the LLFPA; Rehabilitation Act of 1973 (29 U.S.C. §701 et seq.).

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related medical conditions;[18] reproductive health decisions;[19] credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position;[20] conviction record, unless authorized by law;[21] family responsibilities;[22] or other legally protected categories.[23] [24]

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[18] 775 ILCS 5/2-102(I). Employers must provide reasonable accommodations to employees with conditions related to pregnancy, childbirth, or related conditions. 775 ILCS 5/2-102(J). Guidance from the IDHR is available at: https://dhr.illinois.gov/publications/pregnancy-rights.html. Employers are required to post a notice summarizing the right to be free from unlawful discrimination and the right to certain reasonable accommodations. 775 ILCS 5/2-102(K). The IDHR is required to prepare such a notice, retrievable from its website, which employers may use.

Federal law also prohibits employers from discriminating against employees and applicants on the basis of pregnancy, childbirth, or related medical conditions. 42 U.S.C. §2000e(k). Similar to the IHRA, the federal Pregnant Workers Fairness Act (PWFA) (42 U.S.C. §2000gg et seq.), added by Pub.L 117-328 and implemented by 29 C.F.R. Part 1636, requires employers to provide reasonable accommodations to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. For further information about implementation of the PWFA, see the EEOC's *Summary of Key Provisions of EEOC's Final Rule to Implement the PWFA*, at: www.eeoc.gov/summary-key-provisions-eeocs-final-rule-implement-pregnant-workers-fairness-act-pwfa. Pregnant workers with pregnancy-related impairments may also have disabilities for which they may be entitled to reasonable accommodation under the ADA. Guidance from the EEOC is available at: www.eeoc.gov/pregnancy-discrimination. State law also prohibits the State, which includes school districts, from interfering with or discriminating against an individual's fundamental right to continue a pregnancy or to have an abortion. 775 ILCS 55/.

[19] 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785. *Reproductive health decisions* means a person's decisions regarding their use of: contraception; fertility or sterilization care; assisted reproductive technologies; miscarriage management care; healthcare related to the continuation or termination of pregnancy; or prenatal, intranatal, or postnatal care. Id. at 5/1-103(O-2).

[20] 820 ILCS 70/, Employee Credit Privacy Act. 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, the position's duties include custody of or unsupervised access to cash or marketable assets valued at $2,500 or more. Id. at 70/10.

[21] 775 ILCS 5/2-103.1(A). The IHRA prohibits an employer from *disqualifying* or taking other *adverse action* against an applicant or employee based on a *conviction record* unless: (1) otherwise authorized by law; (2) there is a *substantial relationship* between the criminal offense and the employment sought; or (3) granting the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Id. Disqualification or adverse action includes refusal to hire, segregation, and actions with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges, or conditions of employment. Id. If a board wants to terminate or take other adverse action against a *current* district employee based in whole or in part on a conviction record, it still must comply with all applicable statutory, policy, and bargaining agreement provisions. Boards should consult the board attorney to ensure all legal obligations are met.

Districts that wish to disqualify or take other adverse action against an applicant or employee based on a conviction record must first engage them in an *interactive assessment*, providing the individual with the opportunity to submit evidence in mitigation or to dispute the accuracy of the conviction record. See sample policy 5:30, *Hiring Process and Criteria*, at f/n 5, and sample administrative procedure 5:30-AP2, *Investigations*, for more information.

[22] 775 ILCS 5/2-102(A), amended by P.A. 103-797, prohibits an employer from refusing to hire, segregating, harassing, or making other employment-related decisions on the basis of an employee's family responsibilities. *Family responsibilities* means an employee's actual or perceived provision of *personal care* to a *covered family member*, as those terms are defined in the Employee Sick Leave Act, 820 ILCS 191/5.

[23] Insert the following optional sentence (775 ILCS 5/1-103(A) and 29 U.S.C. §631):

Age, as used in this policy, means the age of a person who is at least 40 years old.

[24] Insert the following optional provision (29 U.S.C. §705(10)(A)-(B), (20)(C)(v), (20)(D) and 42 U.S.C. §12114):

Handicap and *disability*, as used in this policy, excludes persons:

1. Currently using illegal drugs;

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[25] [26] No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/. [27]

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager under Board policy 2:260, *Uniform Grievance Procedure*, or in the case of denial of equal employment opportunities on the basis of race, color, or national origin, Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information. [28]

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2. Having a currently contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the currently contagious disease or infection, are unable to perform the duties of the job; or
3. Whose current alcohol use prevents them from performing the job's duties or constitutes a direct threat to the property or safety of others.

Persons who have successfully completed or are participating in a drug rehabilitation program are considered *disabled*.

[25] Districts may not make residency in the district a condition of employment for teachers or educational support personnel. 105 ILCS 5/24-4.1, 5/10-23.5. This ban on residency requirements for teachers applies only to instructional personnel, and not, for example, to assistant principals. Owen v. Kankakee Sch. Dist., 261 Ill.App.3d 298 (3rd Dist. 1994). Districts also may not ask an applicant, or the applicant's previous employer, whether the applicant ever received, or filed a claim for, benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act. 820 ILCS 55/10(a). Districts are also prohibited from requiring, requesting, or coercing an employee or potential employee to provide a username and password or any password or other related account information to gain or demand access to his or her personal online account. 820 ILCS 55/10(b). While the law does not prohibit employers from viewing public information, consult the board attorney before engaging in this practice.

[26] School districts must accommodate employees who choose to continue breastfeeding after returning to work. See 740 ILCS 137/, Right to Breastfeed Act; 820 ILCS 260/, Nursing Mothers in the Workplace Act (NMWA); and 29 U.S.C. §218d, added by Pub.L. 117-328. At least one court has ruled an implied private right of action may exist under the NMWA. Spriesch v. City of Chicago, 2017 WL 4864913 (N.D.Ill. 2017). See sample language for a personnel handbook in sample administrative procedure 5:10-AP, *Workplace Accommodations for Nursing Mothers*.

[27] 410 ILCS 130/40; 77 Ill.Admin.Code Part 946. To legally use medical cannabis, an individual must first become a *registered qualifying patient*. Their *use* of cannabis, e.g., permissible locations, is governed by the Compassionate Use of Medical Cannabis Program Act. 410 ILCS 130/. There are many situations in which no one, even a registered qualifying patient, may possess or use cannabis except as provided under *Ashley's Law* (105 ILCS 5/22-33), including in a school bus or on the grounds of any preschool, or primary or secondary school. 410 ILCS 130/30(a)(2) & (3). See sample policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*, at f/n 9 for further discussion.

[28] 775 ILCS 5/6-101, amended by P.A. 103-472. Discrimination on the basis of a request for or use of a reasonable accommodation is a civil rights violation under the IHRA. Id. Most discrimination laws prohibit retaliation against employees who oppose practices made unlawful by those laws, including, for example, Title VII, Title IX, ADA, ADEA, VESSA, the EPA, and the Ill. Whistleblower Act (IWA).

The IWA prohibits employers from retaliating against employees who disclose or threaten to disclose information to a government or law enforcement agency about an employer's activity, policy, or practice that the employee believes, in good faith: (1) violates a State or federal law, rule, or regulation, or (2) poses a substantial and specific danger to employees, public health, or safety. 740 ILCS 174/15(b), amended by P.A. 103-867. See 740 ILCS 174/15, 20, 20.1, and 20.2, amended by P.A. 103-867, for other specific categories of retaliation prohibited by the IWA.

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Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager under Board policy 2:260, *Uniform Grievance Procedure*.

The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX. [29]

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. [30]

Nondiscrimination Coordinator:	**Title IX Coordinator:**
Name	Name
Address	Address
Email	Email
Telephone	Telephone

Complaint Managers:

Name	Name
Address	Address

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The Ill. False Claims Act defines *State* to include school districts. 740 ILCS 175/2(a). Thus, boards may seek a penalty from a person for making a false claim for money or property. 740 ILCS 175/4. For information regarding the IWA and the tort of retaliatory discharge, see Thomas v. Guardsmark, 487 F.3d 531 (7th Cir. 2007)(discussing the elements of retaliatory discharge and IWA); Sherman v. Kraft General Foods, Inc., 272 Ill.App.3d 833 (4th Dist. 1995)(finding employee who reported asbestos hazard had a cause of action for retaliatory discharge).

29 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. See sample policy 2:265, *Title IX Grievance Procedure*, at f/n 17, for discussion about districts that have more than one Title IX Coordinator. See f/ns 24 and 25 in sample policy 2:260, *Uniform Grievance Procedure*. A district's Nondiscrimination Coordinator often also serves as its Title IX Coordinator.

30 Best practice is that throughout the district's 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. 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.

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Email	Email
Telephone	Telephone

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks.[31]

Minority Recruitment [32]

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

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[31] In addition to notifying employees of the Uniform Grievance Procedure, a district must notify them of the person(s) designated to coordinate the district's compliance with Title IX and the Rehabilitation Act of 1973. 34 C.F.R. §§106.8(a), 104.8(a). A comprehensive faculty handbook can provide required notices, along with other important information, to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and school board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

[32] All districts must have a policy on minority recruitment. 105 ILCS 5/10-20.7a. Unlike minority recruitment efforts, affirmative action plans are subject to significant scrutiny because of the potential for reverse discrimination. The U.S. Constitution's guarantee of equal protection prohibits school districts from using racial hiring quotas without evidence of past discrimination. See 29 C.F.R. §1608.1 et seq. (EEOC's guidelines for affirmative action plans); Wygant v. Jackson Bd. of Ed., 476 U.S. 267 (1986) (The goal of remedying societal discrimination does not justify race-based layoffs.); City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989) (Minority contractor quota struck; quotas must be narrowly tailored to remedy past discrimination and the city failed to identify the need for remedial action and whether race-neutral alternatives existed.).

The IHRA states that it shall not be construed as requiring any employer to give preferential treatment or special rights based on sexual orientation or to implement affirmative action policies or programs based on sexual orientation. 775 ILCS 5/1-101.1.

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LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §206(d), Equal Pay Act.
29 U.S.C. §218d, Fair Labor Standards Act.
29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
29 U.S.C. §701 et seq., Rehabilitation Act of 1973.
38 U.S.C. §4301 et seq., Uniformed Services Employment and Reemployment Rights Act (1994).
42 U.S.C. §1981 et seq., Civil Rights Act of 1991.
42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. Part 1601.
42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act of 2008.
42 U.S.C. §2000gg et seq., Pregnant Workers Fairness Act; 29 C.F.R. Part 1636.
42 U.S.C. §2000e(k), Pregnancy Discrimination Act.
42 U.S.C. §12111 et seq., Americans with Disabilities Act, Title I.
Ill. Constitution, Art. I, §§17, 18, and 19.
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
410 ILCS 130/40, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 513/25, Genetic Information Privacy Act.
740 ILCS 174/, Ill. Whistleblower Act.
775 ILCS 5/1-103, 5/2-101, 5/2-102, 5/2-103, 5/2-103.1, 5/2-104(D) and 5/6-101, Ill. Human Rights Act.
775 ILCS 35/, Religious Freedom Restoration Act.
820 ILCS 55/10, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 75/, Job Opportunities for Qualified Applicants Act.
820 ILCS 112/, Ill. Equal Pay Act of 2003.
820 ILCS 180/30 and 180/33, Victims' Economic Security and Safety Act.
820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

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General Personnel

Workplace Harassment Prohibited [1]

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or

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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. Federal law requires districts to take action to prevent sexual harassment and to disseminate a policy regarding its prohibition of sex discrimination. 29 C.F.R. §1604.11(f); 34 C.F.R. §106.8(b). State law requires districts to establish a policy to prohibit sexual harassment. 5 ILCS 430/70-5(a). See f/n 4 below. Harassment based on a protected status is a form of discrimination that violates many State and federal laws (see the policy's Legal References).

Workplace harassment policies have typically focused on *sexual* harassment since it receives the most attention. However, the broad prohibitions against discrimination in State and federal civil rights laws will cover harassing conduct that is motivated by animus against any protected status. See Porter v. Erie Foods Int'l, Inc., 576 F.3d 629 (7th Cir. 2009) (recognizing a cause of action for race harassment). For a list of protected statuses, see sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. This policy prohibiting harassment has a separate section on sexual harassment because of the extensive statutory and case law regarding it.

Under the Ill. Human Rights Act (IHRA), harassment is unlawful if it has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. 775 ILCS 5/2-101(E-1). *Working environment* is not limited to a physical location to which an employee is assigned. Id. Harassment is unlawful on the basis of the specifically-listed categories in this policy whether that status is *actual* or *perceived*. Id.

An employer is liable under Title VII of the Civil Rights Act of 1964 (Title VII) for an employee's harassment of a co-worker if the employer was negligent with respect to the offensive behavior by, for example, failing to take remedial action when it knew or should have known about the harassment. 42 U.S.C. §2000e et seq. An employer is liable under the IHRA for harassment by its nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A). However, when the perpetrator is the victim's supervisor, the employer will be vicariously liable for the supervisor's actions. Lack of knowledge of a supervisor's misconduct is no defense. Burlington Indus. v. Ellerth, 524 U.S. 742 (1998); Faragher v. City of Boca Raton, 524 U.S. 775 (1998). A *supervisor* is someone who has the authority to demote, discharge, or take other negative job action against the victim. Vance v. Ball State Univ., 570 U.S. 421 (2013). Note that the IHRA (775 ILCS 5/2-102(D)) imposes strict liability on the employer when an employee has been sexually harassed by supervisory personnel regardless of whether the harasser has any authority over the complainant. Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009). Additionally, under the IHRA, an employer is liable for the harassment of *nonemployees* by nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A-10) and (D-5). Nonemployees are those who are directly performing services for an employer pursuant to a contract, such as contractors or consultants. Id.

Not all harassing conduct is unlawful discrimination, even if it is disruptive and hurtful. If a board wants to include language in this policy prohibiting employees from engaging in intimidating or offensive conduct that is *not* a civil rights violation, it should consult the board attorney.

For additional resources, see the EEOC's *Enforcement Guidance on Harassment in the Workplace* at: www.eeoc.gov/laws/guidance/enforcement-guidance-harassment-workplace and its accompanying summary at: www.eeoc.gov/summary-key-provisions-eeoc-enforcement-guidance-harassment-workplace.

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abusive conduct on the basis of an individual's actual or perceived race[2], color, religion[3], national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, family responsibilities,[4] reproductive health decisions,[5] order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited [6]

The District shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by

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[2] See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 3, for information about the definition of *race*.

[3] The IHRA contains a *religious discrimination* subsection. 775 ILCS 5/2-102(E-5). It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 4, for further discussion. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. Id. Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. Id.

[4] 775 ILCS 5/2-101(E-1), amended by P.A. 103-797. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 22, for additional information.

[5] 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 19, for additional information.

[6] The IHRA (775 ILCS 5/2-102(D)) provides that sexual harassment is a civil rights violation:

> For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment; provided, that an employer shall be responsible for sexual harassment of the employer's employees by non-employees or non-managerial and non-supervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.

See sample policy 2:265, *Title IX Grievance Procedure*, for the definition of Title IX sexual harassment (20 U.S.C. §1681 et seq.), and see f/n 3 of it for examples of employee sexual harassment that may violate Title IX. Title IX's reach is broad because an alleged *complainant* or alleged *respondent* may be *anyone* in the district's educational program or activity. This includes applicants for employment, students, parents/guardians, any employee, and third parties. Districts are liable for Title IX sexual harassment when *any* district employee has actual knowledge of sexual harassment or allegations of sexual harassment against anyone in the district (except when the only employee with knowledge is the perpetrator of the alleged sexual harassment). 34 C.F.R. §106.30.

The State Officials and Employees Ethics Act (SOEEA) (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. 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.

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State and federal law. The District provides annual sexual harassment prevention training in accordance with State law. [7]

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.[8] Sexual harassment prohibited by this policy includes, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

Employees and *nonemployees*[9] (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved individuals, if they feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.

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The policy must include, at a minimum: (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 (IDHR); (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (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 an elected official of the governmental unit by another elected official of a governmental unit. 5 ILCS 430/70-5(a). Sample policy 2:105, *Ethics and Gift Ban*, covers item (5) of this list.

[7] 775 ILCS 5/2-109. Districts may use a free, online model program to be offered by the Ill. Dept. of Human Rights (IDHR), develop their own program, or utilize a combination of the two, as long as it includes the following, at a minimum: (1) an explanation of sexual harassment consistent with the IHRA, (2) examples of conduct that constitute~~s~~ unlawful harassment, (3) a summary of relevant federal and State law concerning sexual harassment and remedies available to victims of sexual harassment, and (4) a summary of responsibilities of employers in the prevention, investigation, and corrective measures of sexual harassment. Id. at 5/2-109(B). For IDHR's online model program, see its *Model Sexual Harassment Prevention Training Program* page at: https://dhr.illinois.gov/training/state-of-illinois-sexual-harassment-prevention-training-model.html ~~https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx~~. Employers that fail to comply with this training requirement may face financial penalties. Id. Training on other types of workplace harassment is not required by law; however it is best practice.

[8] This definition is from State and federal law. 775 ILCS 5/2-101(E) and 29 C.F.R. §1604.11. *Working environment* is not limited to a physical location to which an employee is assigned. 775 ILCS 5/2-101(E). The harassing conduct must be severe or pervasive so as to alter the conditions of the employee's work environment by creating a hostile or abusive situation. Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004). The surrounding circumstances, expectations, and relationships will distinguish between teasing or rough-housing and conduct that a reasonable person would find severely hostile or abusive. In addition, while same-sex gender harassment claims are actionable, the victim must show that s/he suffered disadvantageous employment conditions to which members of the other sex were not exposed. Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).

[9] 775 ILCS 5/2-102(A-10) and (D-5). See also f/n 1, above, for discussion regarding nonemployees.

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Whom to Contact with a Report or Complaint [10]

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, Title IX Coordinator, and/or a Complaint Manager. [11]

An employee may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the claim according to that policy, in addition to any response required by this policy.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator,[12] and Complaint Managers.

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[10] 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.

[11] 5 ILCS 430/70-5(a) requires that a school board policy prohibiting sexual harassment include details for reporting an allegation of sexual harassment, including options for making a confidential report to a supervisor and an ethics officer. 5 ILCS 430/20-23 defines ethics officers as being designated by State agencies under the jurisdiction of the Executive Ethics Commission. School districts are not State agencies (5 ILCS 430/1-5) and do not have ethics officers; thus, this sample policy substitutes Complaint Manager for ethics officer. Note also that the IDHR has established a Sexual Harassment Hotline Call Center and website to help the public find resources and assistance for the filing of sexual harassment complaints. The hotline can be reached Monday through Friday with the exception of State holidays, between the hours of 8:30 a.m. and 5:00 p.m., at 1-877-236-7703. See https://shdh.illinois.gov/. All communications received by the IDHR are exempt from disclosure under the Freedom of Information Act (FOIA).

[12] Title IX regulations require districts to identify the Title IX Coordinator by name, office address, email address, and telephone number. For further discussion of the Title IX Coordinator, see f/n 17 in sample policy 2:265, *Title IX Grievance Procedure*. A district's Nondiscrimination Coordinator often also serves as its Title IX Coordinator.

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Nondiscrimination Coordinator:	**Title IX Coordinator:**
Name	Name
Address	Address
Email	Email
Telephone	Telephone

Complaint Managers:

Name	Name
Address	Address
Email	Email
Telephone	Telephone

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager. Any employee who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Title IX Coordinator or designee 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.*

For any other alleged workplace 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 policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*,[13] should be initiated, regardless of whether a written report or complaint is filed.

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[13] See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*, and its exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

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Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel [14]

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 [15]

A violation of this policy by an employee may result in discipline, up to and including discharge.[16] A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent/guardian, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee that may be up to and including discharge. [17]

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing complaints or providing information about harassment is prohibited (see Board policies 2:260, *Uniform*

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[14] 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 further discussion see f/n 14 in sample policy 5:90, *Abused and Neglected Child Reporting*.

[15] See Berry v. Delta Airlines, 260 F.3d 803, 811 (7th Cir. 2001) ("If an employer takes reasonable steps to discover and rectify the harassment of its employees ... it has discharged its legal duty.")

In addition to violating other civil rights laws, a school district violates the *public accommodations* article in the IHRA if it fails to take corrective action to stop severe or pervasive harassment. 775 ILCS 5/5-102 and 5/5-102.2, amended by P.A. 103-472.

[16] 5 ILCS 430/70-5(a)(consequences of a violation of the prohibition on sexual harassment). When discharge is the penalty, examine 50 ILCS 205/3c. It 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 IHRA or Title VII. Id. Additionally, under the Workplace Transparency Act (WTA), employers may not require confidentiality clauses in settlement or termination agreements involving alleged unlawful employment practices under federal or State civil rights laws, except under specific conditions. 820 ILCS 96/1-30, amended by P.A. 104-320. Consult the board attorney regarding the use of these types of clauses.

Prior to the passage of 50 ILCS 205/3c and the WTA, members of the public could already access copies of severance agreements between school districts and their former employees under FOIA. The Ill. Atty. Gen. Public Access Counselor (PAC) directed a public body to release a settlement agreement that arose out of claims of sexual harassment. PAO 14-4. The PAC noted that the public body could not withhold the entire settlement agreement under 5 ILCS 140/7(1)(c), which exempts personal information that would constitute a clearly unwarranted invasion of privacy. Instead, it could redact personal information from the agreement, such as the complainants' names in order to protect their privacy. Id. However, data regarding settlement agreements involving allegations of sexual harassment or other unlawful discrimination that an employer must report to IDHR under 775 ILCS 5/2-108 is categorically exempt from FOIA. 5 ILCS 140/7.5(ss). See f/n 7 in sample policy 2:260, *Uniform Grievance Procedure*, for more discussion about reconciling 50 ILCS 205/3c with another new law, the Government Severance Pay Act (GSPA) (5 ILCS 415/10(a)(1)), which prohibits school district employees with contract provisions for severance pay to receive any severance pay if they are fired for *misconduct* by the board.

[17] 5 ILCS 430/70-5(a)(consequences for knowingly making a false report of sexual harassment).

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Grievance Procedure, 2:265, *Title IX Grievance Procedure*, and 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and/or the Ill. Human Rights Act (775 ILCS 5/). [18]

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies [19]

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U.S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks. [20]

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[18] Id. (prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/)).

Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009) (holding the anti-retaliation provision in Title VII protects an employee who spoke out about harassment, not only on his or her own initiative, but also in answering questions during an employer's internal investigation).

[19] 5 ILCS 430/70-5(a)(how an individual can report an allegation of sexual harassment, including options for making a confidential report to the Inspector General or the IDHR). This sample policy does not reference the Inspector General because the Inspector General does not have jurisdiction over public school districts. See 5 ILCS 430/20 (executive inspectors general), 5 ILCS 430/25 (legislative inspector general). School districts must also annually disclose to IDHR certain data about *adverse judgment or administrative rulings* made against them where there was a finding of sexual harassment or unlawful discrimination under federal, State, or local laws. 775 ILCS 5/2-108 (scheduled to be repealed on 1-1-30). See IDHR's *FAQ for Employers under Section 5/2-108*, at: https://dhr.illinois.gov/legal/report-adverse-judgments-and-administrative-rulings.html.

[20] A district must notify employees of the grievance procedure and the person(s) designated to coordinate the district's compliance with Title IX. 34 C.F.R. §106.8. A comprehensive employee handbook can provide required notices, along with other important information to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

Informing nonemployees is generally not required by law. However, given the potential for employer liability under the IHRA for harassment of nonemployees, best practice is to publicize this policy to those individuals as well.

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LEGAL REF.: 42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. §1604.11.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
775 ILCS 5/2-101(E) and (E-1), 5/2-102(A), (A-10), (D-5), 5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2, Ill. Human Rights Act.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Vance v. Ball State Univ., 570 U.S. 421 (2013).
Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009).
Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).
Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).
Burlington Indus. v. Ellerth, 524 U.S. 742 (1998).
Faragher v. City of Boca Raton, 524 U.S. 775 (1998).
Harris v. Forklift Systems, 510 U.S. 17 (1993).
Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Porter v. Erie Foods Int, Inc., 576 F.3d 629 (7th Cir. 2009).
Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).
Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).
Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

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General Personnel

Abused and Neglected Child Reporting [1]

Any District employee who suspects or receives knowledge that a student may be an abused or neglected[2] child or, for a student aged 18 through 22, an abused or neglected individual with a

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[1] State or federal law controls this policy's content. The Abused and Neglected Child Reporting Act (ANCRA) (325 ILCS 5/) requires *education personnel* to immediately report to DCFS when they have reasonable cause to believe a child known to them in their professional or official capacities may be abused or neglected; *education personnel* includes school personnel (including administrators and ~~certified~~licensed and non-licensed~~certified~~ school employees) and educational advocates assigned to a child in accordance with the School Code. 325 ILCS 5/4(a)(4). *Education personnel* also includes board members; however, ANCRA does not require them to directly report to DCFS and instead states that a board member "shall direct or cause the school board to direct the superintendent" to report to DCFS. 325 ILCS 5/4(a)(4), (d). See the **Special School Board Member Responsibilities** subhead, below, and sample policy 2:20, *Powers and Duties of the School Board; Indemnification*.

If the report involves an *adult student with a disability*, employees should expect DCFS to instruct them to call the Ill. Dept. of Human Services Office (DHS) office of the Inspector General's statewide 24-hour toll-free telephone number at 1-800-368-1463. 325 ILCS 5/4.4a and 20 ILCS 1305/1-17(b), amended by P.A.s 103-76 and 103-752. Reports involving an adult student with a disability may be made directly to DHS; however, for simplicity, and to preserve a superintendent's duty to disclose certain reports involving an employee or former district employee (see discussion in f/n 19 below) and the immunity for such disclosures, the sample policy directs the initial phone call to DCFS. The Dept. of Human Services Act (DHS Act) (20 ILCS 1305/) allows a *required reporter* four hours to report after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. 20 ILCS 1305/1-17(k)(1). Only employees are required reporters. 20 ILCS 1305/1-17(a).

Any person required by law to report abuse and neglect who willfully fails to report is guilty of a Class A misdemeanor. 325 ILCS 5/4(m) and 20 ILCS 1305/1-17(k)(1), amended by P.A. 103-752.

A teaching license may be suspended or revoked for willful or negligent failure to report suspected child abuse or neglect as required by law and for *sexual misconduct*. 105 ILCS 5/21B-75, ~~amended by P.A.s 102-552 and 102-702~~.

District employees who make a report in good faith receive immunity, except in cases of willful or wanton misconduct. See 325 ILCS 5/4 and 9. Further, for the purpose of any proceedings, civil or criminal, good faith of the person making the report is presumed. Id.

Every two years, each district within an Illinois county served by an accredited Children's Advocacy Center (CAC) must review its sexual abuse investigation policies and procedures to ensure consistency with 105 ILCS 5/22-85. 105 ILCS 5/10-20.71. See sample policy 7:20, *Harassment of Students Prohibited*.

[2] ANCRA covers abuse and neglect of children. 325 ILCS 5/3. The DHS Act covers abuse and neglect of adult students with a disability. 20 ILCS 1305/1-17(b), amended by P.A.s 103-76 and 103-752. Abuse may be generally understood as any physical or mental injury or sexual abuse inflicted on a child or adult student with a disability other than by accidental means or creation of a risk of such injury or abuse by a person who is responsible for the welfare of a child or adult student with a disability. Neglect may be generally understood as abandoning a child or adult student with a disability or failing to provide the proper support, education, medical, or remedial care required by law by one who is responsible for the child's or adult student with a disability's welfare.

Abuse covered by ANCRA also includes *grooming* as defined in the Ill. Criminal Code of 2012 (720 ILCS 5/11-25, amended by P.A. 104-245, eff. 1-1-26). 325 ILCS 5/3(i), ~~added by P.A. 102-676~~ (~~a/k/a~~ *Faith's Law*).

The School Code goes further and prohibits school employees from engaging in *grooming behaviors* and *sexual misconduct*. 105 ILCS 5/10-23.13(b), ~~amended by P.A. 102-610~~ (~~a/k/a~~ *Erin's Law*); 105 ILCS 5/22-85.5(c), ~~added by P.A. 102-676~~ (~~a/k/a~~ *Faith's Law*). To streamline implementation, sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, defines prohibited *grooming behaviors* to include *sexual misconduct* and it explicitly prohibits employees from engaging in *grooming*, *grooming behaviors*, and *sexual misconduct*. While it is possible for low-level *grooming behaviors* and/or *sexual misconduct* to not amount to *grooming* prohibited by ANCRA, best practice is to report suspected *grooming behaviors* and *sexual misconduct* to DCFS.

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disability[3], shall immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY).[4] Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made.[5] The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.[6] *Negligent failure to report* occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS. [7]

Any District employee who discovers child sexual abuse material~~pornography~~ on *electronic and information technology equipment*, as defined in 325 ILCS 5/4.5(a), shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-

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[3] State child and disabled adult protection laws define the same class of individuals differently, but with the same goal: to protect an adult student with a disability, not living in a DCFS licensed facility, who is still finishing school with an Individual Education Plan (IEP). The DHS Act defines "adult student with a disability" as an adult student, age 18 through 21, inclusive (through the day before the student's 22nd birthday), with an IEP other than a resident of a facility licensed by DCFS. 20 ILCS 1305/1-17(b), amended by P.A. 103-76. However, 105 ILCS 5/14-1.02~~, amended by P.A. 102-172,~~ provides that a student who turns 22 years old during the school year shall be eligible for IEP services through the end of the school year. This statutory definition is the basis for this sample policy's language.

For elementary districts, delete the following phrase from the first sentence: "or, for a student aged 18 through 22, an abused or neglected individual with a disability, ."

[4] 325 ILCS 5/7, amended by P.A. 103-624~~, eff. 1-1-25~~. For a board that wants to include what a DCFS report should contain, an optional sentence follows:

The report shall include, if known:

1. The name and address of the child, parent/guardian names, or other persons having custody;
2. The child's age;
3. The child's condition, including any evidence of previous injuries or disabilities; and
4. Any other information that the reporter believes may be helpful to DCFS for its investigation.

When two or more mandated reporters who work within the same workplace share a reasonable cause to believe that a student may be an abused or neglected child, one of them may be designated to make a single report. 325 ILCS 5/4(b). The report must include the name(s) and contact information for the other mandated reporter(s). Id.

[5] ANCRA states that mandated reporters "may also notify the person in charge of [the] school[.]" 325 ILCS 5/4(e). This sample policy makes the report to the superintendent or building principal mandatory to keep the administration informed. The administration may not force the staff member to change or modify his or her report.

[6] Optional. The sample policy makes coordination with DCFS, the SRO, and local law enforcement a step in the process of reporting, so the local agencies and school district are better able to prevent and manage the risks school officials and parents/guardians face when a DCFS report has been made, e.g., situations where parents/guardians, upon learning a DCFS report has been made involving their child(ren), commit an act of self-harm in response to the information.

For school districts in DuPage County, the DuPage County State's Attorney (SAO), Regional Office of Education (ROE), Police Dept. (PD), and DCFS created a *Model Policy Reporting Child Abuse and Neglect for School Officials in DuPage County*, at: www.dupageroe.org/wp-content/uploads/Mandated_Reporting.pdf. Consult the board attorney about this reporting policy – it does not account for legislative changes made to ANCRA since August 2010 and its intent is for school officials to immediately inform the SAO that a report to DCFS has been made to allow the SAO to investigate and prevent evidence spoliation. **Note:** The DuPage SAO, ROE, and PD lack authority under ANCRA over school officials to enforce compliance with this "model reporting policy;" only DCFS has the authority under ANCRA to enforce penalties under ANCRA, not the "model reporting policy." The DuPage SAO, ROE, and PD did not consult school officials in the creation of its "model reporting policy."

[7] 105 ILCS 5/10-23.12(c) (all district employees); 105 ILCS 5/21B-75(b) (teachers).

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LOST (1-800-843-5678) or online at https://report.cybertip.org or www.missingkids.org. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made. [8]

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students. [9]

Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect. [10]

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.

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[8] ANCRA requires an electronic and information technology equipment worker or the worker's employer to report a discovery of child sexual abuse material~~pornography~~ depicted on an item of electronic and information technology equipment. 325 ILCS 5/4.5(b), amended by P.A. 104-245, eff. 1-1-26. Consult the board attorney to determine whether any district employees fit the definition of an *electronic and information technology worker*, i.e., are "persons who in the scope and course of their employment or business install, repair, or otherwise service electronic and information technology equipment for a fee."

The paragraph exceeds the State requirements by requiring all district employees to report a discovery of child pornography on *electronic and information technology equipment*, defined as "equipment used in the creation, manipulation, storage, display, or transmission of data, including internet and intranet systems, software applications, operating systems, video and multimedia, telecommunications products, kiosks, information transaction machines, copiers, printers, and desktop and portable computers." 325 ILCS 5/4.5(a). This furthers the National Center for Missing and Exploited Children's public policy goal of "empowering the public to take immediate and direct action to enforce a zero tolerance policy regarding child sexual exploitation."

Similar to school personnel who are mandated reporters, electronic and information technology equipment workers and their employers have broad immunities from criminal, civil, or administrative liabilities when they report a discovery of child pornography as required under 325 ILCS 5/4.5(b), except for willful or wanton misconduct, e.g., knowingly filing a false report. Failure to report a discovery of child pornography is a business offense subject to a fine of $1001. 325 ILCS 5/4.5(e).

[9] 720 ILCS 5/12C-50.1(b) creates a duty for *school officials* to report hazing. The term *school official* includes all school employees and volunteer coaches. 720 ILCS 5/12C-50.1(a). The duty to report hazing is triggered only when the employee/volunteer is fulfilling his or her responsibilities as a school official and observes hazing which results in bodily harm. 720 ILCS 5/12C-50.1(b). A report must be made to *supervising educational authorities*, which is not defined in the Act. Id. Common sense, however, would require the individual witnessing hazing to report it to the building principal or superintendent. Failure to report hazing is a Class B misdemeanor. 720 ILCS 5/12C-50.1(c). Failure to report hazing that resulted in death or great bodily harm is a Class A misdemeanor. Id. Sample administrative procedure 7:190-AP1, *Hazing Prohibited*, uses the same definition of *hazing*; this definition is based on 720 ILCS 5/12C-50, amended by P.A. 103-765~~, eff. 1-1-25~~.

[10] The drill during such training should be: "If in question, report."

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2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date. [11]
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*)[12], and boundary violations as required by law and policy 5:100, *Staff Development Program*. [13]

Alleged Incidents of Sexual Abuse; Investigations [14]

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity. [15]

If a District employee reports an alleged incident of sexual abuse to DCFS[16] and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC).[17] The Superintendent or designee will implement procedures to coordinate with the CAC.

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[11] ANCRA requires staff members, within three months of employment, to complete mandated reporter training, including a section on implicit bias and racial and ethnic sensitivity. 325 ILCS 5/4(j)~~, amended by P.A. 102-604~~. This training must be completed again at least every three years. Id. The initial ANCRA three-month training requirement applies to the first time staff engage in their professional or official capacity. Id. While the law allows an extension to six months, it is unclear when such an extension is permissible. Consult the board attorney for guidance. As a best practice, to ensure compliance with the requirement in 105 ILCS 5/22-85(c) that mandated reporters annually review Ill. State Board of Education (ISBE) materials regarding notification of DCFS (see f/n 16, below), and to ease the administrative burden to track employee training schedules, a district may consider requiring annual training for all employees.

To reduce liability and align with best practices, ANCRA training for existing district employees appears prudent; however, consult the board attorney about:

1. Whether mandating existing employees to participate in ANCRA training is an item on which collective bargaining may be required. Any policy that impacts upon wages hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.
2. How to comply with both the new ANCRA training requirements and whether compliance with them would also satisfy the School Code's more limited district-provided training requirement discussed in f/n 10 above.

[12] Sexual misconduct under *Faith's Law* is defined in 105 ILCS 5/22-85.5(c)~~, added by P.A. 102-676~~. See f/n 2, above, regarding the inclusion of sexual misconduct in the definition of *grooming behaviors* set forth in sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*.

[13] 105 ILCS 5/10-23.13~~, amended by P.A. 102-610~~ (~~a/k/a~~ *Erin's Law*). For additional *Erin's Law* requirements and definitions, see sample policies and the f/ns in 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and 6:60, *Curriculum Content*.

[14] Delete this subhead if your school district is not within a county served by an accredited CAC. 105 ILCS 5/22-85 governs 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. The law is silent about investigations in counties without CACs.

[15] Though 105 ILCS 5/22-85(b) defines *alleged incident of sexual abuse*, its definition is circular, using the term *sexual abuse* without defining what that means. To provide boards with clarity, the definition of *sexual abuse* used in the Ill. Criminal Code of 2012 is used.

[16] 105 ILCS 5/22-85(c) provides that if a mandated reporter within a school has knowledge of an alleged incident of sexual abuse, the reporter must call the DCFS hotline immediately after obtaining the minimal information necessary to make a report, including the names of the affected parties and the allegations. It further requires ISBE to make available materials detailing the information necessary to enable notification to DCFS of an alleged incident of sexual abuse, and that all mandated reporters annually review ISBE's materials.

[17] 105 ILCS 5/22-85(d).

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DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation.[18] The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with Board policy 7:20, *Harassment of Students Prohibited*.

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS. [19]

When the Superintendent has reasonable cause to believe that a license holder (1) committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA or an act of sexual misconduct under *Faith's Law*, and (2) that act resulted in the license holder's dismissal or resignation from the District, the Superintendent shall notify the State Superintendent and the Regional Superintendent in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged.[20] The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder. [21]

The Superintendent shall develop procedures for notifying a student's parents/guardians when a District employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student as defined in *Faith's Law*. The Superintendent shall also develop procedures for notifying the student's parents/guardians when the Board takes action relating to the employment of the employee, contractor,

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[18] 105 ILCS 5/22-85(j), (k).

[19] ANCRA requires a superintendent, upon being requested for a reference concerning an employee or former employee, to disclose to the requesting school district the fact that a district employee has made a report involving the conduct of the applicant or caused a report to be made to DCFS. 325 ILCS 5/4(d). When a report involves an adult student with a disability, DCFS must instruct mandated reporters making these reports to call the DHS Office of the Inspector General's statewide 24 hour toll-free telephone number: 1-800-368-1463 (325 ILCS 5/4.4a) to make a report under the DHS Act.

The DHS Act (20 ILCS 1305/1-17(l)) then requires a determination of whether a report involving an adult student with a disability should be investigated under it or the Abuse of Adults with Disabilities Intervention Act (20 ILCS 2435), however that Act was repealed by P.A. 99-049 (eff. 7-1-13). The DHS Act does not outline a duty for the superintendent, upon being requested for a reference concerning an employee or former employee, to disclose to the requesting school district the fact that a district employee has made a report involving the conduct of the applicant or caused a report to be made to DHS involving an adult student with a disability.

Given the public policy behind the amendments to 325 ILCS 5/4, a reasonable interpretation of the law is that the superintendent's duty to disclose now involves DHS reports concerning adult students with disabilities. However, with no mechanism requiring DHS to report back to the superintendent a *non-substantiated report* (DHS version of a DCFS *unfounded* report), a superintendent's duty to disclose cannot end. Consult the board attorney about managing the duty to disclose reports that involve adult students with disabilities when DCFS redirects the reporter to DHS. For more information, see sample policy 5:150, *Personnel Records*.

See also f/n 4 of sample policy 5:150, *Personnel Records*, discussing the Elementary and Secondary Education Act's (ESEA) (20 U.S.C. §7926) requirement that school policies must explicitly prohibit school districts from providing a recommendation of employment for an employee, contractor, or agent that a district knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law.

[20] Alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center Executive Director."

[21] 105 ILCS 5/10-21.9(e-5)~~, amended by P.A.s 102-552 and 102-702,~~ requires these notifications and provides superintendents immunity from any liability, whether civil or criminal or that otherwise might result by complying with the statute.

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or agent following the investigation of sexual misconduct. Notification shall not occur when the employee, contractor, or agent alleged to have engaged in sexual misconduct is the student's parent/guardian, and/or when the student is at least 18 years of age or emancipated. [22]

The Superintendent shall execute the recordkeeping requirements of *Faith's Law*. [23]

Special School Board Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse. [24]

If the Board determines that any District employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately. [25]

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in Board policy 2:20, *Powers and Duties of the School Board; Indemnification*. [26]

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

[22] 105 ILCS 5/22-85.10~~, added by P.A. 102-702~~. See sample administrative procedure 5:90-AP2, *Parent/Guardian Notification of Sexual Misconduct*.

[23] 105 ILCS 5/22-94(e)~~, added by P.A. 102-702~~. See sample administrative procedure 5:150-AP, *Personnel Records*.

[24] 325 ILCS 5/4(d), amended by P.A. 103-22. This statute makes board members mandatory child abuse reporters "to the extent required in accordance with other provisions of this section expressly concerning the duty of school board members to report suspected child abuse." Thus, a board member's duty is "to direct the superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse" whenever an "allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which the person is a board member is an abused child." Of course, any board member with reason to doubt that a report was or will be made should directly contact DCFS.

[25] 105 ILCS 5/10-23.12(c). See f/n 7, above, and f/n 3 in sample policy 2:20, *Powers and Duties of the School Board; Indemnification*.

[26] 105 ILCS 5/21B-85(a) and (b), amended by P.A. 103-51~~102-552~~. Because felony charges often arise out of abuse and neglect investigation, this board duty is listed here for convenience. See the discussion in the f/ns tied to these duties in sample policy 2:20, *Powers and Duties of the School Board; Indemnification*.

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LEGAL REF.: 20 U.S.C. §7926, Elementary and Secondary Education Act.
105 ILCS 5/10-21.9, 5/10-23.13, 5/21B-85, 5/22-85.5, and 5/22-85.10.
20 ILCS 1305/1-1 et seq., Department of Human Services Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Law Enforcement Requests~~Police Interviews~~)

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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.

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[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); and 105 ILCS 5/10-23.13 (*Erin's Law*). Sexual misconduct under *Faith's Law* is defined in 105 ILCS 5/22-85.5(c).

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). 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.

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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. Anaphylactic reactions and management, conducted by a person with expertise on anaphylactic reactions and management;
    b. Management of asthma, prevention of asthma symptoms, and emergency response in the school setting;
    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;
    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;
    e. Current best practices regarding identification and treatment of attention deficit hyperactivity disorder; and

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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. 105 ILCS 5/10-22.39, amended by P.A.s 103-41, 103-413, 103-542, and 103-603, 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 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 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 103-41, 103-413, 103-542, and 103-603, 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. Nurses and school nurses, as defined by 105 ILCS 5/10-22.23 (school nurse), are exempt from training on health conditions of students. 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, 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, and No. 7 under the subhead **Additional Training Requirements**.

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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-provided transportation as outlined in 105 ILCS ~~110/3.10~~5/27-240 (see Board policy 7:185, *Teen Dating Violence Prohibited*).

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[5] 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. 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.

[7] 105 ILCS 5/10-22.39(b-15), added by P.A. 103-542.

[8] 105 ILCS 5/10-22.39(b-20), added by P.A. 103-542 and amended by P.A. 103-603. 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. See sample policy 7:185, *Teen Dating Violence Prohibited*. 105 ILCS 5/27-240, added by P.A. 104-391.

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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 5/27-115~~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. 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, 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, are nearly identical to the homelessness training content requirements in 105 ILCS 5/10-22.39(h), added by P.A. 103-41.

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. 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 and amended by P.A. 104-391, and 105 ILCS 5/27-115, renumbered by P.A. 104-391.

[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.).

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1. Ongoing professional development for all school personnel and school resource officers on the requirements of 105 ILCS 5/10-22.6 and 5/10-20.14, the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, trauma-responsive learning environments as defined in 105 ILCS 5/3-11(b), 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), amended by P.A. 103-896. 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, amended by P.A. 103-780; 23 Ill.Admin.Code §1.330.

[19] 105 ILCS 150/25, amended by P.A. 103-542.

[20] 105 ILCS 145/25, amended by P.A. 103-542.

[21] 775 ILCS 5/2-109. See f/n 7 ~~in~~of sample policy 5:20, *Workplace Harassment Prohibited*, for further detail about this training requirement.

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9. Title IX requirements for training in accordance with 34 C.F.R. Part 106 (see Board policy 2:265, *Title IX Grievance Procedure*). [22]
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]
12. Training in accordance with 105 ILCS 5/26A for at least one staff member in each school designated as a resource for students who are parents, expectant parents, or victims of domestic or sexual violence, and for any employees whose duties include the resolution of complaints of violations of 105 ILCS 5/26A (see Board policy 7:255, *Students who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*). [25]

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[22] 34 C.F.R. §106.45. For training requirement details, see sample administrative procedure 2:265-AP1, *Title IX Response*.

[23] 775 ILCS 5/5A-103(c), added by P.A. 103-472. Initial training for existing employees must be completed by 7-31-26. See the Ill. Dept. of Human Rights' *Frequently Asked Questions (FAQs) about Racism-Free Schools Training* at: https://dhr.illinois.gov/training/racism-free-schools.html#rfs-faq. 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] 105 ILCS 5/26A-35, added by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law*, ~~eff. 7-1-25,~~ requires each designated Article 26A Resource Person to either (1) be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence, including training in the subjects set forth in 105 ILCS 5/26A-35(b)(i), or (2) have participated in an in-service training program under 105 ILCS 5/10-22.39(d) that includes training on the rights of minors to consent to counseling services and psychotherapy under the Mental Health and Developmental Disabilities Code within 12 months prior to designation. Id. However, 105 ILCS 5/10-22.39(d) was deleted by P.A. 103-542 and its training contents are in 105 ILCS 5/10-22.39(b-25).

105 ILCS 5/26A-25(b)(1), added by P.A. 102-466, a/k/a *ESS Law,* ~~eff. 7-1-25~~and amended by P.A. 104-391, requires employees whose duties include resolution of Article 26A complaints to initially complete ~~at least eight hours of training~~ on issues related to domestic and sexual violence and how to conduct the district's complaint resolution procedure, and to complete ~~six hours of~~ training annually thereafter. Such training must be conducted by individual(s) with expertise in domestic or sexual violence in youth and expertise in developmentally appropriate communications with elementary and secondary students regarding topics of a sexual, violent, or sensitive nature. Id. See sample administrative procedures 7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence,* and 7:255-AP2, *Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence.*

See pp. 28-30 of the June 2024 report of the second ESS Task Force for existing training requirements that may be suitable to fulfill Article 26A training requirements, at: www.isbe.net/Documents_ESSTaskForce/Final-Report-ESS-Report-June-2024.pdf.

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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*. [26] [27]

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[26] 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*.

[27] Districts are not required to train staff on life-saving techniques, though 105 ILCS 110/3, amended by P.A. 103-608, 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 www.redcross.org/take-a-class/resources/learn-first-aid/adult-child-choking.

For districts that have a practice of providing training~~instruction~~ in life-saving techniques and first-aid in their staff development programs, insert the following optional paragraph that aligns with 105 ILCS 5/3-11, 105 ILCS 110/3, amended by P.A. 103-608, 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.

Persons performing CPR are generally exempt from civil liability if they are trained in CPR. 745 ILCS 49/10. Persons using an AED are generally exempt from civil liability if they were trained and acted according to the standards of the 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 5/27-1055~~23.10~~, amended by P.A. 103-542 and renumbered by P.A. 104-391, 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.

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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, 5/22-115, 5/24-5, and 5/26A.
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), 7:250 (Student Support Services), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 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)

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ADMIN. PROC.: 2:265-AP1 (Title IX Response), 2:265-AP2 (Formal Title IX Complaint Grievance Process), 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), 7:255-AP1 (Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:255-AP2 (Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:285-AP (Anaphylaxis Prevention, Response, and Management Program), 7:290-AP (Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program)

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General Personnel

Employee Ethics; Code of Professional Conduct; and Conflict of Interest [1]

All District employees are expected to maintain high standards in their job performance, demonstrate integrity and honesty, be considerate and cooperative, and maintain professional and appropriate relationships with students, parents/guardians, staff members, and others.

The Superintendent or designee shall provide this policy to all District employees and students and/or parents/guardians in their respective handbooks, and ensure its posting on the District's website, if any.[2]

Professional and Appropriate Conduct

Professional and appropriate employee conduct are important Board goals that impact the quality of a safe learning environment and the school community, increasing students' ability to learn and the District's ability to educate. To protect students from sexual misconduct by employees, and employees from the appearance of impropriety, State law also recognizes the importance for District employees to constantly maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries. Many breaches of employee-student boundaries do not rise to the level of criminal behavior but do pose a potential risk to student safety and impact the quality of a safe learning environment. Repeated violations of employee-student boundaries may indicate the grooming of a student for sexual abuse. As bystanders, employees may know of concerning behaviors that no one else is aware of, so their training on: (1) preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior; (2) this policy;

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[1] The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/), *Erin's Law* (105 ILCS 5/10-23.13~~, amended by P.A. 102-610~~), and *Faith's Law* (105 ILCS 5/22-85.5~~, added by P.A. 102-676~~), require a policy on subjects covered in this sample policy; State and federal law controls its 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.

This policy largely cites 105 ILCS 5/22-85.5, a small portion of the *Faith's Law* package. *Faith's Law* is the entirety of Public Act 102-676, which closed significant legal loopholes related to combating grooming by: (1) broadening the definition of grooming prohibited by the Criminal Code of 2012 (720 ILCS 5/11-25, amended by P.A. 104-245, eff. 1-1-26); (2) authorizing the Ill. Dept. of Children and Family Services to investigate grooming allegations under the Abused and Neglected Child Reporting Act (325 ILCS 5/3); and (3) requiring the Ill. State Board of Education (ISBE) to develop and maintain a resource guide for students, parents/guardians, and teachers about sexual abuse response and prevention resources available in their community (105 ILCS 5/2-3.188). ISBE's *Sexual Abuse Response and Prevention Resource Guide* (Revised April 2024~~June 2023~~) is at: www.isbe.net/Documents/Faiths-Law-Resource-Guide.pdf. Districts must notify parents/guardians about the ISBE resource guide at the beginning of each school year and may do so through the student handbook. See sample exhibit 7:190-E2, *Student Handbook Checklist*. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh. A *Faith's Law* trailer bill, P.A. 102-702, further combats grooming by amending School Code provisions related to district and third-party contractor hiring practices, suspension and revocation of employee licenses, and criminal history records checks for prospective and current employees.

[2] Required by 105 ILCS 5/22-85.5(e)~~, added by P.A. 102-676~~. See sample exhibits 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, and 7:190-E2, *Student Handbook Checklist.* See the IPA MSH at: www.ilprincipals.org/msh/.

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and (3) federal and state reporting requirements is essential to maintaining the Board's goal of professional and appropriate conduct. [3]

The Superintendent or designee shall identify employee conduct standards[4] that define appropriate employee-student boundaries, provide training about them, and monitor the District's employees for violations of employee-student boundaries. The employee conduct standards will require that, at a minimum:

1. Employees who are governed by the *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE), will comply with its incorporation by reference into this policy. [5]
2. Employees are trained on educator ethics, child abuse, grooming behaviors, and employee-student boundary violations as required by law and Board policies 2:265, *Title IX Grievance Procedure*; 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:90, *Abused and Neglected Child Reporting*; and 5:100, *Staff Development Program*. [6]
3. Employees maintain professional relationships with students, including maintaining employee-student boundaries based upon students' ages, grade levels, and developmental levels and following District-established guidelines for specific situations, including but not limited to: [7]
    a. Transporting a student;
    b. Taking or possessing a photo or video of a student; and

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[3] See 105 ILCS 5/22-85.5(b)~~, added by P.A. 102-676~~.

[4] Sample conduct standards are contained in administrative procedure 5:120-AP2, *Employee Conduct Standards*. These items are subjects of mandatory collective bargaining. Consult the board attorney for advice before establishing them.

[5] 105 ILCS 5/22-85.5(d)(1)~~, added by P.A. 102-676~~; 23 Ill.Admin.Code Part 22. 105 ILCS 5/22-85.5(d)(1) requires boards to incorporate ISBE's *Code of Ethics for Illinois Educators* in their policies. Prior to this law requiring boards to incorporate the *Code* by reference, this policy incorporated it to demonstrate a board's commitment to the *Code's* principles, potentially allowing a board to enforce the *Code* independently from any action taken by the State Superintendent.

[6] 105 ILCS 5/22-85.5(d)(5)~~, added by P.A. 102-676~~, requires districts to reference required employee training related to child abuse and educator ethics in its employee professional conduct policy.

105 ILCS 5/10-22.39(b-35), added by P.A. 103-542, requires that ~~beginning 7-1-24, each board conduct~~ in-service training on educator ethics and responding to child sexual abuse and grooming behavior includ~~ing~~, but is not limited to, teacher-student conduct, school employee-student conduct, and evidence-informed training on preventing, recognizing, reporting, and responding to child sexual abuse and grooming as outlined in 105 ILCS 5/10-23.13 (a/k/a *Erin's Law*) for all teachers, administrators, and school support personnel. These trainings will be most effective when the in-service curriculum reflects local conditions and circumstances. While the School Code only requires the in-service, the requirement presents an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Each board may then want to have a conversation with the superintendent and direct him or her to develop a curriculum for the in-service that instructs all district employees to maintain boundaries and act appropriately, professionally, and ethically with students. See discussion in f/n 4 in 5:100, *Staff Development Program*. After its discussion of these issues, the board may have further expectations and may choose to reflect those expectations here.

105 ILCS 5/10-23.13(c)~~, amended by P.A. 102-610,~~ requires districts to provide evidenced-informed training for school personnel on preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior by no later than January 31 of each year. See sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, for further detail about the training requirements.

325 ILCS 5/4(j)~~, amended by P.A. 102-604,~~ requires district employees to complete mandated reporter training within three months of initial employment and at least every three years thereafter.

775 ILCS 5/2-109 requires districts to provide annual workplace sexual harassment prevention training to all employees. See f/n 4 in sample policy 5:20, *Workplace Harassment Prohibited,* for further detail about the training requirements.

[7] Required by 105 ILCS 5/10-23.13(b)~~, amended by P.A. 102-610~~; 105 ILCS 5/22-85.5(d)(3)~~, added by P.A. 102-676~~. Sample expectations and guidelines are contained in sample exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

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c. Meeting with a student or contacting a student outside the employee's professional role.

4. Employees report prohibited behaviors and/or boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*. [8]
5. Discipline up to and including dismissal will occur for any employee who violates an employee conduct standard or engages in any of the following: [9]
   a. Violates expectations and guidelines for employee-student boundaries. [10]
   b. Sexually harasses a student. [11]
   c. Willfully or negligently fails to follow reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/),[12] Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), or the Elementary and Secondary Education Act (20 U.S.C. § 7926). [13]
   d. Engages in grooming as defined in 720 ILCS 5/11-25. [14]
   e. Engages in grooming behaviors. Prohibited grooming behaviors[15] include, at a minimum, *sexual misconduct*. *Sexual misconduct*[16] is any act, including but not limited

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[8] Required by 105 ILCS 5/22-85.5(d)(4), ~~added by P.A. 102-676~~. See also 105 ILCS 5/10-23.13(b), ~~amended by P.A. 102-610~~.

[9] Required by 105 ILCS 5/22-85.5(f), ~~added by P.A. 102-676~~.

[10] Sample expectations and guidelines are contained in sample exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries.* These items are subjects of mandatory collective bargaining. Consult the board attorney for advice before establishing them.

[11] The Ill. Human Rights Act makes it a civil rights violation to fail to take remedial action, or to fail to take appropriate disciplinary action, against any employee when the district knows that the employee committed or engaged in sexual harassment of a student. 775 ILCS 5/5A-102, amended by P.A. 103-472. Sexual harassment (also known as sex-based harassment) of a student is also prohibited by sample policies 2:265, *Title IX Grievance Procedure*, and 7:20, *Harassment of Students Prohibited*. Sexual harassment of an employee is also prohibited by sample policies 2:265, *Title IX Grievance Procedure*, and 5:20, *Workplace Harassment Prohibited*.

[12] 325 ILCS 5/4(a)(4); 105 ILCS 5/10-23.12(c) (all district employees); 105 ILCS 5/21B-75(b) (teachers), ~~amended by P.A.s 102-552 and 102-702~~.

[13] Required by 105 ILCS 5/22-85.5(d)(4), ~~added by P.A. 102-676~~.

[14] 720 ILCS 5/11-25(a), amended by P.A. 104-245, eff. 1-1-26~~P.A. 102-676~~, defines *grooming* as follows: "A person commits grooming when, being 5 years or more older than a child, or holding a position of trust, authority, or supervision in relation to the child at the time of the offense, he or she knowingly: (1) uses a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission, performs an act in person or by conduct through a third party, or uses written communication to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense ~~as defined in Section 2 of the Sex Offender Registration Act~~, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child; or (2) engages in a pattern of conduct that seduces, solicits, lures, or entices, or attempts to seduce, solicit lure, or entice, a child to engage or participate in unlawful sexual conduct that is for the purpose of sexual gratification or arousal of the victim, the accused, or another." A ~~s used in this Section, '~~*child*~~'~~ means a person under 17 years of age and *pattern* means two or more instances of conduct. Id. at (a-5), added by P.A. 104-245, eff. 1-1-26."

[15] Required by 105 ILCS 5/10-23.13(b), ~~amended by P.A. 102-610~~.

[16] Required by 105 ILCS 5/22-85.5(d)(2), ~~added by P.A. 102-676~~. This definition of *sexual misconduct* is adapted from 105 ILCS 5/22-85.5(c), ~~added by P.A. 102-676~~. It results from collaboration to implement some recommendations of the *Make Sexual and Severe Physical Abuse Fully Extinct (Make S.A.F.E.) Taskforce* and was endorsed by Stop Educator Sexual Abuse Misconduct & Exploitation (S.E.S.A.M.E.), a national organization working to prevent sexual exploitation, abuse, and harassment of students by teachers and other school staff. See www.sesamenet.org/ for further information.

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to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:

i. A sexual or romantic invitation.
ii. Dating or soliciting a date.
iii. Engaging in sexualized or romantic dialog.
iv. Making sexually suggestive comments that are directed toward or with a student.
v. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature.
vi. A sexual, indecent, romantic, or erotic contact with the student.

Statement of Economic Interests

The following employees must file a *Statement of Economic Interests* as required by the Ill. Governmental Ethics Act: [17]

1. Superintendent;
2. Building Principal;
3. Head of any department;
4. Any employee who, as the District's agent, is responsible for negotiating one or more contracts, including collective bargaining agreement(s), in the amount of $1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Ethics and Gift Ban

Board policy 2:105, *Ethics and Gift Ban*, applies to all District employees.[18] Students shall not be used in any manner for promoting a political candidate or issue.

Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with 105 ILCS 5/22-5, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of

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[17] 5 ILCS 420/4A-101.5. See 5 ILCS 420/4A-102~~, amended by P.A.s 102-664 and 102-813,~~ for economic interests of an employee's spouse or any other party that is considered the employee's interests if the employee constructively controls them. Any county clerk may use a mandatory system of Internet-based filing of economic interest statements; if done, the clerk must post the statements, without the addresses, of the filers, on a publicly accessible website. 5 ILCS 420/4A-108~~, amended by P.A. 102-664~~.

[18] The SOEEA prohibits State employees from engaging in certain political activities and accepting certain gifts. 5 ILCS 430/. It requires all school districts to adopt an *ordinance or resolution* "in a manner no less restrictive" than the Act's provisions. See sample policy 2:105, *Ethics and Gift Ban.*

Districts may not inhibit or prohibit employees from petitioning, making public speeches, campaigning for or against political candidates, speaking out on public policy questions, distributing political literature, making campaign contributions, and seeking public office. 50 ILCS 135/, Local Governmental Employees Political Rights Act. An employee may not use his/her position of employment to coerce or inhibit others in the free exercise of their political rights or engage in political activities at work. Id.

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instructional materials listed with ISBE and adopted for use by the Board.[19] An employee having an interest in instructional materials must file an annual statement with the Board Secretary. [20]

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award, or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest.[21] A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract:

1. A member of the employee's immediate family;
2. An employee's partner[22]; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above. [23]

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or subcontracts.[24] Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*. [25]

School Counselor Gift Ban [26]

School counselors are prohibited from intentionally soliciting or accepting any gift from a *prohibited source* or any gift that would be in violation of any federal or State statute or rule. For school counselors, a *prohibited source* is any person who is (1) employed by an institution of higher education, or (2) an agent or spouse of or an immediate family member living with a person employed by an institution of higher education. This prohibition does not apply to:

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[19] This sentence quotes 105 ILCS 5/22-5 because the statute does not define important terms making it difficult to paraphrase. No appellate decision defines *school officer* or *apparatus,* or what is meant by *connected*. The statute was enacted in 1961, but earlier versions were in the School Code much longer. A violation of this prohibition is a Class A misdemeanor.

[20] Id.

[21] 2 C.F.R. §200.318(c)(1) prohibits employees, officers, or agents of a school district from participating in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent *conflict of interest*. The uniform federal rules on procurement standards in 2 C.F.R. Part 200 also apply to eligible State grants through the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/). Authoritative sources and guidance regarding conflict of interest and financial disclosure are provided through the GATA Resource Library at https://gata.illinois.gov/. See also ISBE~~'s *Procurement and Purchasing Checklist*~~ resources at: www.isbe.net/Pages/Federal-and-State-Monitoring.aspx. See sample policy 2:100, *Board Member Conflict of Interest*, at f/n 6, for further discussion.

[22] See sample policy 2:100, *Board Member Conflict of Interest,* at f/n 7 for a discussion of the term *partner*.

[23] 2 C.F.R. §200.318(c)(1).

[24] Id.

[25] Id. The rule provides flexibility for school districts to "set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value," along with "disciplinary actions to be applied for violations." Referring to sample policy 2:105, *Ethics and Gift Ban*, for these standards provides clarity and consistency. Sample policy 2:105 refers to **Limitations on Receiving Gifts** in the Ethics Act at 5 ILCS 430/10-10 – 10-30, along with discussion of the specific penalties available under the Ethics Act at 5 ILCS 430/50-5 in its **Enforcement** subhead.

[26] This section is only for those districts with a high school. 105 ILCS 5/22-93, ~~added by P.A. 102-327, renumbered by P.A. 102-813, and~~ amended by P.A. 103-1020. *School counselor* means a person employed by a school district and working in a high school to offer students advice and assistance in making career or college plans. Id.

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1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the school counselor pays market value.
3. A gift from a relative.
4. Anything provided by an individual on the basis of a personal friendship, unless the school counselor believes that it was provided due to the official position or employment of the school counselor and not due to the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the school counselor must consider the circumstances in which the gift was offered, including any of the following:
    a. The history of the relationship between the individual giving the gift and the school counselor, including any previous exchange of gifts between those individuals.
    b. Whether, to the actual knowledge of the school counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.
    c. Whether, to the actual knowledge of the school counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.
5. Bequests, inheritances, or other transfers at death.
6. Any item(s) during any calendar year having a cumulative total value of less than $100.
7. Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.
8. Travel, lodging, food, and beverage costs incurred by the school counselor and paid by an institution of higher education for attendance by the school counselor of an educational or military program at the institution of higher education. [27]

A school counselor does not violate this prohibition if he or she promptly returns the gift to the prohibited source or donates the gift or an amount equal to its value to a 501(c)(3) tax-exempt charity.

Outside Employment

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

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[27] Id. Any costs paid for by the institution of higher education may not exceed the per diem rates for travel, gift, and car expenses set by the Internal Revenue Service (IRS) and referenced in the IRS's Publication 463 or a successor publication. Id.

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Incorporated

by reference: 5:120-E (Code of Ethics for Ill. Educators)

LEGAL REF.: U.S. Constitution, First Amendment.
2 C.F.R. §200.318(c)(1).
5 ILCS 420/4A-101, Ill. Governmental Ethics Act.
5 ILCS 430/, State Officials and Employee Ethics Act.
30 ILCS 708/, Grant Accountability and Transparency Act.
50 ILCS 135/, Local Governmental Employees Political Rights Act.
105 ILCS 5/10-22.39, 5/10-23.13, 5/22-5, 5/22-85.5, and 5/22-93.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/11-25, Criminal Code of 2012.
775 ILCS 5/5A-102, Ill. Human Rights Act.
23 Ill.Admin.Code Part 22, Code of Ethics for Ill. Educators.
Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).
Garcetti v. Ceballos, 547 U.S. 410 (2006).

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Grievance Procedure), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 7:20 (Harassment of Students Prohibited)

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General Personnel

Family and Medical Leave [1]

Leave Description

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act. The U.S. Department of Labor's rules (federal rules) implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period, beginning September 1 and ending August 31 of the next year. [2]

During a single 12-month period, an eligible employee's FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered servicemember (defined in the federal rules) with a serious injury or illness. The "single 12-month period" is measured forward from the date the employee's first FMLA leave to care for the covered servicemember begins. [3]

While FMLA leave is normally unpaid, the District will substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave, provided such leave is available for use in

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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. Ensure this policy aligns with any applicable collective bargaining agreement. This policy implements the very complex Family and Medical Leave Act, 29 U.S.C. §2612, (FMLA) and a school board is urged to have its attorney review it before adoption. A provision in State law expands eligibility for FMLA leave to school district employees who have been employed by the district for at least 12 months and work 1,000 hours (rather than the federal FMLA's 1,250 hours) in the 12-month period immediately preceding the leave, which effectively makes more educational support personnel eligible for the leave. See f/n 9, below. 105 ILCS 5/24-6.4~~, added by P.A. 102-335~~.

All public (and private) school employers are covered by the FMLA without regard to their number of employees. 29 C.F.R. §§825.104 and 825.600. To be eligible for FMLA leave, however, an educational employee must be employed at a worksite where at least 50 employees are employed within 75 miles. 29 C.F.R. §825.600.

The U.S. Dept. of Labor (DOL), Wage & Hour Division, has a very helpful website containing forms, compliance guidance, posters, etc. (www.dol.gov/agencies/whd/fmla). It also contains a link to the complete FMLA rules, 29 C.F.R. Part 825.

[2] 29 C.F.R. §825.200 lists and explains the four methods boards may choose among for determining a 12-month period in which the 12-week entitlement occurs. The methods include: (1) the calendar year, (2) any fixed 12-month leave year, (3) the 12-month period measured forward from the date any employee's first FMLA leave begins, and (4) a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. While using a school year may be the easiest method to administer, **another method may be more suitable for the district**. Consult the board attorney for guidance. Before changing to a different method of calculating the 12-month period, an employer must first give all employees at least 60-days' notice of the intended change; the transition must take place in such a way that the employees retain the full benefit of their leave entitlement under whichever method affords the greatest benefit to the employee. If the district fails to select an option, the one that provides the most beneficial outcome for employees will be used.

[3] 29 C.F.R. §825.127. Section 585 of the National Defense Authorization Act for FY 2008, Pub. L. 110-181, added two types of family military leave – qualifying exigency leave and servicemember family leave. The latter leave extends the possible FMLA leave to 26 weeks in a *single 12-month period*. For more information, see f/n 6.

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accordance with Board policies and rules.[4] In addition, all policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee's FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement. [5]

FMLA leave is available in one or more of the following instances: [6]

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[4] This paragraph presents only one of many possible alternatives. The FMLA permits an employee to choose to substitute paid leave for FMLA leave, and an employer to require an employee to substitute paid leave for FMLA leave (29 C.F.R. §825.207). Substitution of paid leave for FMLA purposes means that the unpaid FMLA leave and the paid leave run concurrently. The sample policy, in the interests of clarity and limiting absences, requires this substitution. For boards that do not allow for compensatory time-off and have not adopted policy 5:310, *Compensatory Time-Off*, delete ~~compensatory time-off and/or~~ from this sentence.

In order to substitute paid leave for FMLA, it must be available for use under the employer's normal leave policies. For example, under 105 ILCS 5/24-6 and sample board policies 5:250, *Leaves of Absence*, and 5:330, *Sick Day, Vacation, Holidays, and Leaves*, an employee may only substitute 30 days of sick leave for birth without providing a medical certification, even if the employee has 100 sick days accrued; only 30 of those days are available for use.

Once an eligible employee communicates a need to take leave for an FMLA-qualifying reason, a district may not delay designating the leave as FMLA leave, and neither the employee nor a district may decline FMLA protection for that leave, even when a collective bargaining agreement requires or allows for such a delay. Further, when a district requires employees to substitute accrued paid leave for FMLA leave, all the benefits and protections that would otherwise apply during the paid leave (such as accrual of seniority) must continue to apply when substituting for FMLA leave. See *DOL Wage and Hour Division Letter FMLA 2019-3-A* (9-10-19), at:

www.dol.gov/sites/dolgov/files/WHD/legacy/files/2019_09_10_3A_FMLA.pdf. Likewise, an employer may require an employee to substitute accrued comp time against the employee's FMLA leave entitlement. 29 C.F.R. §825.207(f). Sample policy 5:310, *Compensatory Time-Off*, addresses the acquisition and use of comp time. The FMLA rules also describe the interaction between FMLA leave and leave taken pursuant to a disability plan and workers' compensation leave. 29 C.F.R. §825.207(d) and (e).

If employees have not previously been required to substitute accrued paid leave, this requirement's implementation may give rise to a duty to bargain because it affects the mandatory bargaining subject of employee paid leave.

[5] 29 C.F.R. §825.200(h). If a holiday occurs within the week taken as FMLA leave, the week is still counted as a week of FMLA leave. However, if an employee is using FMLA leave in increments of less than one week, the holiday will not count against the employee's FMLA entitlement.

[6] 29 C.F.R. §§825.112 and 825.200. See §§825.120 and 825.121 for birth or placement for adoption or foster care. *Spouse* includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state (29 C.F.R. §§825.102 and 825.122(b)). See also Obergefell v. Hodges, 576 U.S. 644 (2015).

Leave for a qualifying exigency (reason number 5) is governed by 29 C.F.R. §§825.122 (definition) and 825.126.

Leave to care for a covered servicemember (reason number 6) is governed by 29 C.F.R. §§825.122 (definition) & 825.127. An eligible employee may take 26 weeks of leave in different ''single 12-month periods'' to care for multiple servicemembers or to care for the same servicemember with a subsequent serious injury or illness. 29 C.F.R. §825.127.

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1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee's spouse, child, or parent.
4. The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or has been notified of an impending call or order to active duty, as provided by federal rules.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness, as provided by federal rules.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above. [7]

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules. [8]

Eligibility [9]

To be eligible for FMLA leave, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles. In addition, one of the following provisions must describe the employee:

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Attorneys disagree whether the Illinois ~~Family~~ Military Leave Act (IMLA), 820 ILCS 151/, amended by P.A. 104-78, applies to schools because its definition of employer does not specify school districts. A covered employer must allow a spouse, parent, child, or grandparent of a person called to military service to take an unpaid leave of 15 or 30 days, depending on the number of individuals employed by the employer. Id. at 151/10(a)-(b). The length of leave provided to an employee under State law because his or her spouse or child is called to military service is reduced by the number of days of leave provided under 29 U.S.C. §2612(a)(1)(E) because of any qualifying exigency arising out of the fact that the employee's spouse or child is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. 820 ILCS 151/10(b). A covered employer must also provide paid leave for an employee to participate in a funeral honors detail for up to eight hours per month for a maximum of 40 hours per calendar year, or more if authorized by the employer or a collective bargaining agreement. 820 ILCS 151/12, added by P.A. 104-78. Consult the board attorney for guidance on the applicability of the IMLA to the district.

[7] 29 C.F.R. §§825.120(a)(3) (birth) and 825.121(a)(3) (adoption and foster care).

[8] 29 C.F.R. §§825.121(b), 825.202 - 825.205 and 825.601. See also DOL guidance available at: www.dol.gov/sites/dolgov/files/WHD/opinion-letters/FMLA/2023_02_09_01_FMLA.pdf.

[9] 29 C.F.R. §§825.110, 825.111, and 825.600; 105 ILCS 5/24-6.4, ~~added by P.A. 102-335~~. **The default policy language exceeds federal and State law requirements because it provides immediate eligibility to full-time classroom teachers.** A board may substitute the following to deny eligibility to classroom teachers who have not worked 12 months for the district, but it should first analyze collective bargaining consequences and seek its board attorney's advice:

To be eligible for FMLA leave, both of the following provisions must describe the employee:

1. The employee is employed at a worksite where at least 50 employees are employed within 75 miles; and
2. The employee has been employed by the District for at least 12 months and has been employed for at least 1,000 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than 7 years before the date of the most recent hiring, except when the service break is due to fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, et seq., or when a written agreement exists concerning the District's intention to rehire the employee.

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1. The employee has been employed by the District for at least 12 months and has been employed for at least 1,000 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than seven years before the date of the most recent hiring, except when the service break is due to fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, et seq., or when a written agreement exists concerning the District's intention to rehire the employee.
2. The employee is a full-time classroom teacher.

Requesting Leave [10]

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days' advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District's operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification [11]

Within 15 calendar days after the Superintendent or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

When the leave is to care for the employee's covered family member with a serious health condition, the employee must provide a complete and sufficient certificate signed by the family member's health care provider.

When the leave is due to the employee's own serious health condition, the employee must provide a complete and sufficient certificate signed by the employee's health care provider.

When the leave is to care for a covered servicemember with a serious illness or injury, the employee must provide a complete and sufficient certificate signed by an authorized health care provider for the covered servicemember.

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A service break due to fulfillment of covered service obligation is found in the *Glossary of Terms Used in FMLA* available at: webapps.dol.gov/elaws/whd/fmla/3.aspx?Glossary_Word=ELIGIBLE.

An employee's eligibility requires analysis of the information available in each case using the guidance in 29 C.F.R. §825.110. Any week during which an employee is maintained on the payroll, even if the employee does not work that week, is counted toward the 12-months' service requirement. Id. at ~~825.110~~(b)(3).

10 29 C.F.R. §§825.302-825.304 require an employee to notify the employer of the need for leave and to generally schedule leave for planned medical treatments in a way that the absences do not unduly disrupt the employer's operations. The policy's notice provisions are the shortest time frame allowable. 29 C.F.R. §825.302. The employee need not expressly request a leave under the FMLA. An employer may require that employees follow its usual and customary notice and procedural requirements for requesting leave.

11 Requests for medical certification, 2nd and 3rd opinions, and recertification are governed by 29 C.F.R. §§825.305-825.310. The appropriate certification forms are available at www.dol.gov/agencies/whd/fmla/forms. Districts must inform the employee of the medical certification requirement and of the consequences for failing to provide it.

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When the leave is because of a qualified exigency, the employee must provide: (a) a copy of the covered military member's active duty orders or other documentation issued by the military indicating that the military member is on active duty or call to active duty status, and the dates of the covered military member's active duty service, and (b) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested.

The District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The District may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the District may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original certification change significantly, or (3) District receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee's expense and must be provided to the District within 15 calendar days after the request. The District may request recertification every six months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with a duration in excess of six months.

Failure to furnish a complete and sufficient certification on forms provided by the District may result in a denial of the leave request.

Continuation of Health Benefits [12]

During FMLA leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. A District's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and the District notifies the employee at least 15 days before coverage will cease.

Changed Circumstances and Intent to Return [13]

An employee must provide the Superintendent or designee reasonable notice of changed circumstances (i.e., within two business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Superintendent or designee, taking into consideration all of the relevant facts and circumstances related to an individual's leave situation, may ask an employee who has been on FMLA leave for eight consecutive weeks whether he or she intends to return to work.

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[12] Required by 29 C.F.R. §825.209. The same health benefits means, for example, that if family member coverage is provided to an employee, family member coverage must be maintained during FMLA leave. If an employer provides a new health plan or benefits or changes health benefits or plans while an employee is on FMLA leave, the employee is entitled to the new or changed plan or benefits to the same extent as if the employee were not on leave. *Health benefits* do not include individual policies paid exclusively by the employee. Districts must provide an advance written description of how premium payments must be made. 29 C.F.R. §825.210. See f/n 1, above. Consult the board attorney about whether any existing collective bargaining agreements alter a district's obligation to continue health benefits even after exhaustion of FMLA.

If coverage lapses because an employee has not made required premium payments, the employer must still restore the employee to coverage and benefits when the employee returns from leave. 29 C.F.R. §825.212. 29 C.F.R. §825.213 governs how districts may recover premium payments if the employee fails to return to work after the leave entitlement is exhausted or expires. The board attorney must be consulted for the appropriate premium recovery method.

[13] This section is optional but allowed by 29 C.F.R. §825.311. Either or both sentences may be changed or omitted, provided the policy is applied uniformly.

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Return to Work

If returning from FMLA leave occasioned by the employee's own serious health condition, the employee is required to obtain and present certification from the employee's health care provider that he or she is able to resume work. [14]

An employee returning from FMLA leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the District may impose as provided in the FMLA or implementing regulations, and (2) the District's reassignment policies and practices. [15]

Classroom teachers may be required to wait to return to work until the next semester in certain situations as provided by the FMLA regulations. [16]

Implementation

The Superintendent or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA;[17] and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations. [18]

LEGAL REF.: 29 U.S.C. §2601 et seq., Family and Medical Leave Act;
29 C.F.R. Part 825.
105 ILCS 5/24-6.4.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

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[14] Requiring *fitness for duty* certification is optional but allowed by 29 C.F.R. §825.312. This sentence may be deleted or changed in accordance with the rule.

[15] 29 C.F.R. §§825.214––825.216 & 825.604. An equivalent position must have the same pay (including any unconditional pay increases), benefits, and working conditions and involve the same or substantially similar duties. 29 C.F.R. §825.215. Determining how an employee will be restored to an *equivalent position* is made on the basis of "established policies and practices" and collective bargaining agreements. 29 C.F.R. §825.604.

[16] Optional but allowed by 29 C.F.R. §825.602.

[17] School districts must provide employees a general notice explaining the FMLA and the process for filing complaints. 29 C.F.R. §825.300(a). This notice must also be provided to FMLA-covered employees; distribution may be accomplished electronically. A poster is available at www.dol.gov/agencies/WHD/fmla, The Family and Medical Leave Act Poster.

When an employee requests FMLA leave or when the employer acquires knowledge that an employee's leave may be for a FMLA-qualifying reason, the employer must provide the employee with a notice of eligibility (within five business days absent extenuating circumstances). 29 C.F.R. §825.300(b). At the same time, the employer must provide the employee with a notice of rights and responsibilities. 29 C.F.R. §825.300(c). Finally, the employer must notify the employee whether it has designated the leave as FMLA-qualifying. 29 C.F.R. §825.300(d). The federal rules contain specific requirements for each of these notices. Fortunately, a prototype for each of these required notices is available at www.dol.gov/agencies/WHD/fmla (*WH-381 Notice of Eligibility and Rights & Responsibilities* and *WH-382 Designation Notice*). Willfully failing to provide the notices can subject an employer to a monetary penalty.

[18] 29 C.F.R. §825.102.

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Professional Personnel

Teacher Qualifications [1]

A teacher, as the term is used in this policy, refers to a District employee who is required to be licensed under State law.[2] The following qualifications apply:

1. Each teacher must: [3]
   a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
   b. Provide the District Office with a complete transcript of credits earned in institutions of higher education.
   c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with a transcript of any credits earned since the date the last transcript was filed.
   d. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements. [4]

The Superintendent or designee shall:

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[2] 105 ILCS 5/21B et seq., amended by P.A. ~~102-894~~104-111, eff. 1-1-26; 23 Ill.Admin.Code §§1.610, 1.705, and Part 25 (educator licensure); 105 ILCS 5/27-24.2~~, amended by P.A. 101-450~~; and 23 Ill.Admin.Code Part 252 (contracted driver education teacher).

[3] Subparagraph 1a is required for all teachers by 105 ILCS 5/21B-15 (qualifications of educators). Four types of educator licenses are listed in 105 ILCS 5/21B-20, amended by P.A. ~~s 102-894 and~~ 103-111: (1) Professional Educator License; (2) Educator License with Stipulations (including endorsements for alternative provisional educator, alternative provisional superintendent, career and technical educator, transitional bilingual educator, language, visiting international educator, paraprofessional educator, chief school business official, provisional in-state educator, school support personnel intern, and special education area); (3) Substitute Teaching License; and (4) until 6-30-28, Short-Term Substitute Teaching License. Districts may not require an individual who holds a valid Professional Educator License or Educator License with Stipulations to seek or hold a Substitute Teaching License to teach as a substitute teacher. 105 ILCS 5/21B-20(3). 105 ILCS 5/21B-120, added by P.A. 104-111, eff. 1-1-26, also provides for a short-term approval credential for teachers in accordance with rules developed by the Ill. State Board of Education (ISBE). See also 23 Ill.Admin.Code §§1.610, 1.705, and Part 25 (per §25.100, teachers are no longer endorsed in any course subjects in which they earn grades lower than a "C-" or equivalent in college). ~~The Ill. State Board of Education's (~~ISBE's~~)~~ *Educator Licensure Information System* (ELIS) is a web-based system that allows educators, administrators, and the public to access licensure information. See www.isbe.net/Pages/Educator-Licensure-Information-System.aspx.

Subparagraph 1b and 1c are required of all teachers by 105 ILCS 5/24-23. Some boards add the word "official" to the phrase, "complete official transcript of credits."

Subparagraph 1d is optional but informs the superintendent when a teacher may be eligible to change lanes on the salary schedule.

[4] Information on State implementation of ESSA is available at: www.isbe.net/essa.

ESEA, as amended by ESSA, requires that each state plan contain assurances that the state educational agency will ensure that all teachers and paraprofessionals meet state certification/licensure requirements. 20 U.S.C. §6311(g)(2)(J).

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1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed; [5]
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified of their right to request their students' classroom teachers' professional qualifications. [6]

LEGAL REF.: 20 U.S.C. §6312(e)(1)(A).
105 ILCS 5/10-20.15, 5/21B-15, 5/21B-20, 5/21B-25, 5/21B-120, and 5/24-23.
23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

CROSS REF.: 6:170 (Title I Programs)

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[5] See the ISBE webpage on educator licensure approval requirements at www.isbe.net/Pages/educator-licensure-approvals.aspx.

ESEA, as amended by ESSA, requires districts to provide parents timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned. 20 U.S.C. §6312(e)(1)(B)(ii). For a sample notice, see 5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements.*

[6] 20 U.S.C. §6312(e)(1)(A).

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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. 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.~~

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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 and compensates them for reasonable time needed to express breast milk 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 Transfers [10]

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. 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, 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/, as amended by P.A. 104-76, eff. 1-1-26. Consult the board attorney to ensure the district is properly accommodating and compensating 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://illinoisattorneygeneral.gov/Page-Attachments/FOIAPAC/PAC-ANNUAL-REPORTS/2012_PAC_Report.pdf~~https://foiapac.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. Betebenner 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).

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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 5/22-96, added by P.A. 103-46 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. 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).

[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~~ 104-20~~ 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, 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. 105 ILCS 5/24-12(d) (procedural mandates), amended by P.A.~~s 102-708 and~~ 103-354. 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. 105 ILCS 5/24-12(d) (procedural mandates), amended by P.A.~~s 102-708 and~~ 103-354. 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge Failure to complete remediation plan with a rating of *Proficient or Excellent*	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. 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge – Optional Alternative Evaluative Dismissal Process for PERA Evaluation Failure to complete remediation plan with a *Proficient* 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 – *Unsatisfactory* 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. 10~~4-202-252~~ (forego remediation and proceed to dismissal) 105 ILCS 5/24-12(d) (procedural mandates)~~, amended by P.A. 102-708.~~

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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, 5/22-96, 5/22.4, 5/24-16.5, 5/24-2, 5/24-8, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.
820 ILCS 260/, Nursing Mothers in the Workplace Act.
23 Ill.Admin.Code Parts 50 (Evaluation of Educator Licensed Employees) and 51 (Dismissal of Tenured Teachers).
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).

CROSS REF.: 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

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	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 5/22-96 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. 2nd 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 and 104-20. Teacher evaluation plans are covered in *PERA Overview for School Board Members* at: www.iasb.com/law/PERAoverview.pdf.

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Professional Personnel

Substitute Teachers [1]

The Superintendent may employ substitute teachers as necessary to replace teachers who are temporarily absent.

A substitute teacher must hold either a valid teaching or substitute license and may teach in the place of a licensed teacher who is under contract with the Board.[2] There is no limit on the number of days that a substitute teacher may teach in the District during the school year, except as follows: [3]

1. A substitute teacher holding a substitute license may teach for any one licensed teacher under contract with the District only for a period not to exceed 90 paid school days in any one school term.
2. A teacher holding a Professional Educator License[4] or Educator License with Stipulations[5] may teach for any one licensed teacher under contract with the District only for a period not to exceed 120 paid school days.

The Ill. Teachers' Retirement System (TRS) limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 120 paid days or 600 paid hours in each school year through June 30, 2026, but not more than 100 paid days in the same classroom. Beginning July 1, 2026, a substitute teacher who is a TRS annuitant may substitute teach for a period not to exceed 100 paid

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[1] State law controls this policy's content. Sample policy 5:30, *Hiring Process and Criteria*, contains the requirements for pre-employment investigations, e.g., a fingerprint based criminal history records check. See also sample administrative procedure 5:30-AP2, *Investigations*. Each board may require new substitute teacher employees to furnish evidence of physical fitness to perform duties assigned and must require new substitute teacher employees to furnish evidence of freedom from communicable disease. 105 ILCS 5/24-5(b-5). Evidence may consist of a physical examination, which must be performed within 90 days before the time it is presented to the board, and the substitute teacher bears the cost of the physical examination. Id. A new or existing substitute teacher may also be subject to additional health examinations as required by the Ill. Dept. of Public Health or by order of a local public health official. Id.

105 ILCS 128/22, added by P.A. 104-198, eff. 1-1-26, requires districts to provide all substitute personnel with: (1) training on school evacuation drills and law enforcement lockdown drills, and (2) support that includes, at a minimum, the information packet given to employees with district-approved materials outlining evacuation and lockdown procedures. Maps indicating all school exits must also be prominently displayed in every classroom. Id.

[2] 23 Ill.Admin.Code §1.790(a)(2), requires that any individual who serves as a substitute teacher for driver's education be endorsed for driver's education pursuant to 23 Ill.Admin.Code §25.100(hk). ~~23 Ill.Admin.Code §25.100(k) has been renumbered as 23 Ill.Admin.Code §25.100(h), however §1.790(a)(2) still cites to §25.100(k).~~

[3] Substitute teaching licenses are governed by 105 ILCS 5/21B-20(3)~~, amended by P.A. 102-717~~; 23 Ill.Admin.Code §§1.790 and 25.520.

[4] Professional educator licenses are governed by 105 ILCS 5/21B-20(1) and 23 Ill.Admin.Code Part 25.

[5] Educator licenses with stipulations are governed by 105 ILCS 5/21B-20(2) ~~, amended by P.A. 102-894~~ and 23 Ill.Admin.Code Part 25. 105 ILCS 5/21B-20(2)(E), amended by P.A. 103-617, permits an individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations but who does not hold a bachelor's degree to substitute teach in career and technical education classrooms.

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days or 500 paid hours in any school year, unless the subject area is one where the Regional Superintendent has certified that a personnel shortage exists. [6]

The School Board establishes a daily rate of pay for substitute teachers. Substitute teachers receive only monetary compensation for time worked and no other benefits. [7]

Short-Term Substitute Teachers [8]

A short-term substitute teacher must hold a valid short-term substitute teaching license and have completed the District's short-term substitute teacher training program.[9] Unless otherwise permitted by law, short-term substitutes may teach no more than five consecutive school days for each licensed teacher who is under contract with the Board. [10]

Emergency Situations [11]

A substitute teacher may teach when no licensed teacher is under contract with the Board if the District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher

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[6] 40 ILCS 5/16-118, amended by P.A.s ~~102-537, 102-709 (temporarily allowed for 140 paid days or 700 paid hours between 7-1-21 and 6-30-22),~~ 103-88 and 103-525 (temporarily allows for 120 paid days or 600 paid hours in each school year through 6-30-26; after 6-30-26, substitute teachers will be allowed 100 paid days or 500 paid hours in each school year) and 16-150.1~~, amended by P.A. 102-440 (TRS annuitants may return to teaching in a subject shortage area until 6-30-24)~~. Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center Executive Director."

[7] If a board provides substitute teachers other benefits, it may consider listing them here.

[8] 105 ILCS 5/21B-20(4), amended by P.A. ~~s 102-712 and~~ 103-111, governs Short-Term Substitute Teaching Licenses, which may be issued from 7-1-18 until 6-30-28. Short-Term Substitute Teaching Licenses are not eligible for endorsements. Id. Applicants for a Short-Term Substitute Teaching License must hold an associate's degree or have completed at least 60 credit hours from a regionally accredited institution of higher education. Individuals who have had their Professional Educator License or Educator License with Stipulations suspended or revoked are not eligible to be short-term substitutes. Id.

[9] 105 ILCS 5/10-20.67, amended by P.A. 103-111, requires boards to conduct this training. This requirement provides an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Each board may then want to have a conversation with the superintendent and direct him or her to develop a curriculum for a short-term substitute teacher training program that provides individuals who hold a Short-Term Substitute Teaching License with information on curriculum, classroom management techniques, school safety, and district and building operations. See also sample administrative procedure 5:220-AP, *Substitute Teachers*, and its f/n 3. These expectations will be most effective when they reflect local conditions and circumstances. Training and curriculum for a short-term substitute teacher training program may be subjects of mandatory collective bargaining, therefore consulting with the board attorney should be a part of this process. A district would commit an unfair labor practice by implementing new programs for staff without first offering to negotiate them with the applicable exclusive bargaining representative.

School boards may choose to also offer this training program to individuals who hold a Substitute Teaching License and/or substitute teachers holding a Professional Educator License.

See f/n 1 above, regarding training on school evacuation drills and law enforcement lockdown drills.

[10] Through 6-30-28, a district may hire a short-term substitute teacher holding a short-term substitute teaching license for up to 15 consecutive school days for each licensed teacher if the Governor has declared a disaster due to a public health emergency pursuant to the Ill. Emergency Management Agency Act, 20 ILCS 3305/7. 105 ILCS 5/21B-20(4), amended by P.A. ~~s 102-712 and~~ 103-111.

[11] 105 ILCS 5/21B-20(3), amended by P.A. 103-193~~, eff. 1-1-24~~. An *emergency situation* is defined as one where an unforeseen vacancy has occurred and (i) a teacher is unexpectedly unable to fulfill his or her contractual duties, or (ii) the district's teacher capacity needs exceed previous indications or vacancies are unfilled due to a lack of qualified candidates and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position. Id.

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is limited to 30 calendar days of employment per each vacant position. The Superintendent shall notify the appropriate Regional Office of Education (ROE) within five business days after the employment of a substitute teacher in an emergency situation. The Board may continue to employ the same substitute teacher in a vacant position for 90 calendar days or until the end of the semester, whichever is greater, if, prior to the end of the then current 30 calendar-day-period, the District makes a written request to the ROE for a 30 calendar-day-extension and the extension is granted by the ROE.

LEGAL REF.: 105 ILCS 5/10-20.68, 5/21B-20(2), 5/21B-20(3), and 5/21B-20(4).
105 ILCS 128/22, School Safety Drill Act.
40 ILCS 5/16-118, Ill. Pension Code.
23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teaching License).

CROSS REF.: 5:30 (Hiring Process and Criteria)

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In order for a substitute teacher to remain in a vacant position for up to 90 days or until the end of the semester, whichever is greater, the position must remain vacant and the district must continue to actively seek qualified candidates and provide documentation to the Regional Office of Education that it has provided training specific to the position, including training on meeting the needs of students with disabilities and English learners if applicable. Id.

Use this alternative for districts in suburban Cook County: replace "Regional Office of Education (ROE)" with "Intermediate Service Center (ISC)."

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Educational Support Personnel

Duties and Qualifications [1]

All support staff: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to School Board policies as they may be changed from time to time at the Board's sole discretion.

Paraprofessionals [2]

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Ill. State Board of Education (ISBE).

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals, and the requirements in this section do not apply. In addition, individuals completing their clinical experiences and/or student teaching do not need to comply with this section, provided their service otherwise complies with ISBE rules. [3]

Nonlicensed Personnel Working with Students and Performing Non-Instructional Duties

Nonlicensed personnel performing non-instructional duties may be used:

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[2] ~~Educator licensure replaced the previous system of certification on 7-1-13. All Illinois teaching, administrative, and school service personnel certificates were converted to a corresponding license.~~ Except as provided in Ill. State Board of Education's (ISBE) ~~ISBE~~ rules at 23 Ill.Admin.Code §§1.630(b)(2), 25.433, and 25.510(a), all new applicants for a paraprofessional credential must hold an educator license with stipulations endorsed for a paraprofessional educator. 105 ILCS 5/21B-20(2)(J)~~, amended by P.A.s 101-220 and 101-594~~; 23 Ill.Admin.Code §§1.630 and 25.510. See ~~the Ill. State Board of Education's (ISBE)~~ ISBE's explanation at:

www.isbe.net/Pages/Educator-Licensure-Requirements.aspx.

A district may continue to use the term *teacher aide* to describe licensed personnel performing instructional support activities. In that situation, use the following alternative for the subhead and first paragraph:

> Paraprofessionals and Licensed Teacher Aides
>
> Paraprofessionals and licensed teacher aides provide supervised instructional support. Personnel performing instructional support activities must hold a current educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by ISBE.

If a district uses teacher aides to perform non-instructional support activities, *unlicensed teacher aides* may be inserted in the subhead for next section as follows: "Nonlicensed Personnel (Including Nonlicensed Teacher Aides) Working with Students and Performing Non-Instructional Duties."

Paraprofessionals are not required to maintain discipline under 105 ILCS 5/24-24. 23 Ill.Admin.Code §1.280.

[3] 105 ILCS 5/10-22.34~~, amended by P.A. 102-894~~; 23 Ill.Admin.Code §§1.630(c)(3) (other nonlicensed personnel) and 25.620 (student teaching). This paragraph is optional and may be deleted if the board desires a streamlined policy.

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1. For supervising study halls, long-distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities; [4]
2. As supervisors, chaperones, or sponsors for non-academic school activities or for school activities connected to the academic program during any time in which the Governor has declared a disaster due to a public health emergency, in accordance with ISBE rule; or [5]
3. For non-teaching duties not requiring instructional judgment or student evaluation. [6]

Nothing in this policy prevents a nonlicensed person from serving as a guest lecturer or resource person under a ~~certificated~~ licensed teacher's direction and with the administration's approval. [7]

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership.[8] Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automated External Defibrillator user according to rules adopted by the Illinois Department of Public Health.[9] Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law. [10]

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[4] 105 ILCS 5/10-22.34(a)(2).

[5] 105 ILCS 5/10-22.34(a)~~, amended by P.A. 102-894~~; 23 Ill.Admin.Code §1.630(c).

[6] 105 ILCS 5/10-22.34(a)(1); 23 Ill.Admin.Code §1.630(a).

[7] 105 ILCS 5/10-22.34b~~, amended by P.A. 102-894, last paragraph~~. Nonlicensed personnel may be used to provide specialized instruction in a field that an individual is particularly qualified by reason of specialized knowledge or skill. 23 Ill.Admin.Code §1.630(c)(3)(C). Districts that frequently use nonlicensed individuals to provide such instruction may consider adding the following optional sentence, substituting Intermediate Service Center Executive Director for Regional Superintendent, if applicable:

> When appropriate, the Superintendent may seek approval from the responsible Regional Superintendent for a nonlicensed individual to provide specialized instruction not otherwise readily available in the school environment, in the field that the individual is particularly qualified by reason of specialized knowledge or skill.

[8] A district should consult the handbooks and by-laws of the appropriate associations, e.g., the Ill. High School Association, the Southern Ill. Junior High School Athletic Association, and the Ill. Elementary School Association.

An optional sentence follows:

> The coach for an extracurricular athletic activity sponsored or sanctioned by the Illinois High School Association (IHSA) at or above the ninth grade level must have completed the IHSA's educational program and competency testing on preventing abuse of performance-enhancing substances, provided the program is available.

[9] Optional and may be amended. The first requirement identifies a basic competency, and the second two requirements are intended to ensure coaches are trained emergency responders. For AED training program requirements, see Automated External Defibrillator Act (410 ILCS 4/15) and Automated External Defibrillator Code (77 Ill.Admin.Code §§525.300 and 525.400).

[10] 225 ILCS 5/3 and 5/4.

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Bus Drivers

All school bus drivers must have a valid school bus driver permit.[11] The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder who is a service member has been called to active duty.[12] New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

LEGAL REF.: 34 C.F.R. §200.58.
105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
625 ILCS 5/6-104 and 5/6-106.1, Ill. Vehicle Code.
23 Ill.Admin.Code §§1.280, 1.630, and 25.510.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

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[11] The regional superintendent is authorized to conduct school bus driver instruction courses and investigate whether persons hired to operate school buses have valid school bus driver permits. 105 ILCS 5/3-14.23.

School bus driver permits are issued by the Ill. Secretary of State (SOS). 625 ILCS 5/6-106.1, amended by P.A. ~~101-458~~104-256. Districts must conduct a pre-employment interview with bus driver candidates, distribute bus driver applications and medical forms, and submit the applicant's fingerprint cards to the Ill. State Police (ISP) for criminal background investigations. Districts must also certify in writing to the SOS that all pre-employment conditions were completed, including an Illinois-specific criminal background investigation through the ISP and the submission of necessary fingerprints to the Federal Bureau of Investigation for criminal history information. Id. The applicant presents this certification to the SOS when submitting the school bus driver permit application. Id.

A school bus driver operating a school bus at the time of an accident is deemed by the implied consent law to agree to submit to tests at the direction of a law enforcement officer of the driver's breath, blood, or urine to determine the presence of alcohol, or other drugs, in the person's system. 625 ILCS 5/6-516.

Anyone driving a bus chartered to transport students to or from interscholastic athletic or interscholastic or school-sponsored activities must have a valid school bus driver permit; this does not apply to any driver employed by a public transportation provider when the bus is on a regularly scheduled route for transporting other fare-paying passengers. 625 ILCS 5/6-104(d-5).

[12] This sentence is optional, but the notification is required by 625 ILCS 5/6-106.1(h). *Active duty* is defined in the statute as active duty pursuant to an executive order of the U.S. President, an act of the Congress, or an order of the Governor. 625 ILCS 5/6-106.1(j). *Service member* means a member of the Armed Services or reserve forces of the United States or a member of the Ill. National Guard. Id. Upon notification, the SOS will characterize the permit as inactive until a permit holder renews the permit pursuant to 625 ILCS 5/6-106.1(h).

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Educational Support Personnel

Schedules and Employment Year [1]

The Superintendent shall supervise a process for setting work schedules and an employment year for educational support employees in accordance with State and federal law, School Board policy, and applicable agreements and shall:

1. Assign each employee one supervisor who will establish a work schedule, including breaks, as required by building or District needs, workload, and the efficient management of human resources;
2. Allow for the ability to respond to changing circumstances by altering work schedules as needed; and
3. Consider the well-being of the employee. The Superintendent's approval is required to establish a flexible work schedule or job-sharing.

Breaks

An employee who works at least 7.5 continuous hours shall receive a 30-minute duty-free meal break that begins within the first five hours of the employee's workday.[2] The District accommodates employees who are nursing mothers and compensates them for reasonable time needed to express breast milk according to State and federal law. [3]

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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's provisions should be customized to meet the district's needs. The local collective bargaining agreement may contain provisions that exceed these requirements. If a collective bargaining agreement contains a provision that supersedes the policy, for those covered employees, the policy should state: "Please refer to the applicable collective bargaining agreement." For employees not covered, the policy should reflect the board's current practice.

The standards listed should be customized to reflect the local board's desires and/or district practices.

[2] This is the minimum required by 105 ILCS 5/10-20.14a.

[3] School districts must accommodate employees who choose to continue breastfeeding after returning to work and compensate the employee during their break time at the employee's regular rate of pay. See the Right to Breastfeed Act, 740 ILCS 137/; Nursing Mothers in the Workplace Act, 820 ILCS 260/, amended by P.A. 104-76, eff. 1-1-26; and Fair Labor Standards Act, 29 U.S.C. §218d, added by P.L. 117-328. Consult the board attorney to ensure the district is properly accommodating and compensating nursing mothers. See sample language for a personnel handbook in sample administrative procedure 5:10-AP, *Workplace Accommodations for Nursing Mothers.*

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LEGAL REF.: 29 U.S.C. §§207 and 218d, Fair Labor Standards Act.
105 ILCS 5/10-20.14a, 5/10-22.34, and 5/10-23.5.
740 ILCS 137/, Right to Breastfeed Act.
820 ILCS 105/, Minimum Wage Law.
820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:35 (Compliance with the Fair Labor Standards Act)

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Instruction

School Year Calendar and Day [1]

School Calendar

The School Board, upon the Superintendent's recommendation and subject to State regulations, annually establishes the dates for opening and closing classes, teacher institutes and in-services, the length and dates of vacations, and the days designated as legal school holidays.[2] The school calendar shall have a minimum of 185 days to ensure 176 days of actual student attendance. [3]

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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.

[2] State-mandated school holidays are found in 105 ILCS 5/24-2, amended by P.A. ~~s 102-15 (2022 General Election Day), 102-14 and 102-334 (both establishing Juneteenth National Freedom Day), and~~ 103-467 (2024 General Election Day). See sample policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, for a holiday listing. The law allows a school board to hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on five identified school holidays if: (1) the school board first holds a public hearing on the proposal; and (2) the person or persons honored by the holiday are recognized through instructional activities conducted on the school holiday or on the first school day preceding or following the school holiday. Districts must redo the public hearing process in the event they change plans for use of holidays. See Ill. State Board of Education (ISBE) guidance at: www.isbe.net/Documents/district-holiday-plans13.pdf. This is an item on which collective bargaining may be required, and a board that wishes to implement this law should consult its attorney.

A State mandated school holiday on *Good Friday* is unconstitutional according to Metzl v. Leininger, 57 F.3d 618 (7th Cir. 1995). Closing school on religious holidays may still be permissible for those districts able to demonstrate, e.g., through surveys, that remaining open would be a waste of educational resources due to widespread absenteeism. Also, districts may be able to close school on Good Friday by adopting a *spring holiday* rationale or ensuring that it falls within spring break. School districts should discuss all of these options, and collective bargaining implications with their board attorneys.

If the county board or board of election commissioners chooses a school to be a polling place, the school district must make the school available. 10 ILCS 5/11-4.1. For Election Day, the law encourages a school district to either: (1) close the school; or (2) hold a teachers' institute on that day with the students not in attendance. Id. and 105 ILCS 5/24-2, amended by P.A. ~~s 102-15, 102-14, 102-334, 102-411, and~~ 103-467. ~~10 ILCS 5/1-24, added by P.A. 103-467 and repealing on 1-1-25, establishes *2024 General Election Day* as a State holiday and it requires schools to be available to an election authority as a polling place for *2024 General Election Day*. Id.~~

By July 1 each year, ISBE must prominently post on its website and distribute to each school district a nonexhaustive list of days and dates of cultural, religious, or other observances for, at a minimum, the school year that begins in the next calendar year. 105 ILCS 5/2-3.206, added by P.A. 104-115. The list is intended as a planning resource for districts to consider as they make scheduling decisions for *major school events*, which are school sanctioned or sponsored events that are part of a district's local school calendar, including, but not limited to, those that would be difficult for a student to make up. Id at (a). The list encourages schools to be mindful of the days and dates of cultural, religious, or other observances that impact student participation. Districts may still include additional days and dates on its locally created school calendars based on community feedback or demographics. Id. at (c).

[3] The school calendar must have a minimum 185 days to ensure 176 days of actual pupil attendance that may include remote learning days, blended remote learning days, and up to five remote and blended remote learning planning days pursuant to 105 ILCS 5/10-30. 105 ILCS 5/10-19 and 5/24-1; 23 Ill.Admin.Code §1.420. See sample policy 4:180, *Pandemic Preparedness; Management; and Recovery*, for information about remote and/or blended remote learning day plans. Schools must be closed during county institute days. 105 ILCS 5/24-3. The school calendar may be a mandatory subject of collective bargaining. The calendar for the school term and any changes must be submitted to and approved by the regional superintendent before the calendar or changes may take effect. 105 ILCS 5/10-19.

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Commemorative Holidays

The teachers and students ~~shall~~may devote a portion of the school day on each commemorative holiday designated in the School Code to study and honor the commemorated person or occasion.[4] The Board may, from time to time, designate a regular school day as a commemorative holiday.

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E-learning days allow a school district to provide instruction to students electronically while they are not physically present due to inclement weather or other unexpected events. 105 ILCS 5/10-20.56, amended by P.A. ~~s 102-584 (e-learning days allowed when a school is selected as a polling place under the Election Code), 102-697, and~~ 103-780. Before a school district can implement an e-learning program and use e-learning days it must, along with other requirements: (1) hold a public hearing on the initial proposal for the e-learning program, (2) obtain verification from the Regional Office of Education (ROE) or Intermediate Service Center (ISC) for the school district that the initial proposal meets the requirements specified in the law, and (3) by resolution adopt a research-based program for district-wide e-learning days. Before implementing an e-learning program, boards must collectively bargain the impact of the program on the wages, hours, terms, and conditions of employment with employee representative(s). Additionally, the ROE or ISC must annually verify the district's e-learning program before the district can implement any e-learning days in that school year, and the board must renew its program every three school years. More information about e-learning is available at: www.isbe.net/Pages/Electronic-Learning.aspx. The law requires that districts pay employees and contractors who provide educational support services their regular rate of pay if the employee/contractor otherwise would have worked on an e-learning day. Id. at (d-10) and (d-15). Consult the board attorney regarding whether the board must pay contractors for consumables, such as fuel and school meals; the legislative history supports that consumables were not intended to be part of the payment. See 102nd General Assembly House Transcript 3-1-22, p. 7~~6~~7, available at: www.ilga.gov/house/transcripts/htrans102/10200077.pdf.

[4] 105 ILCS 5/24-2(c), amended by P.A.s ~~102-411 and~~ 103-15 and 104-391, lists the following as commemorative holidays, which are optional to observe: Jan. 17 (Muhammad Ali's birthday), Jan. 28 (Christa McAuliffe Day commemorating space exploration); Feb. 15 (Susan B. Anthony's birthday); Mar. 29 (Vietnam War Veterans' Day); the last Friday in April (Arbor and Bird Day) (105 ILCS 5/24-2(c), amended by P.A. 104-391); Sept. 11 (Sept. 11th Day of Remembrance); Sept. 17 (Constitution Day); the school day immediately preceding Veterans' Day (Korean War Veterans' Day); Oct. 1 (Recycling Day); Oct. 7 (Iraq and Afghanistan Veterans Remembrance Day); October 9 (Leif Erikson Day) (105 ILCS 5/24-2(c), amended by P.A. 104-391); the day immediately after Thanksgiving (Native American Heritage Day) (105 ILCS 5/24-2(c), amended by P.A. 104-391); and Dec. 7 (Pearl Harbor Veterans' Day).

Other commemorative holidays include, but are not limited to: ~~Arbor and Bird Day on the last Friday in April (105 ILCS 5/27-18391); Leif Erickson Day on October 9 if a school day and otherwise on a school day nearest the date (105 ILCS 5/27-19391); American Indian Day on the 4th Friday of September (105 ILCS 5/27-20);~~ Ill. Law Week during the first full school week in May (105 ILCS 5/27-~~20.1~~1025, renumbered by P.A. 104-391); ~~Just Say No Day on a school day in May designated by official proclamation of the Governor (105 ILCS 5/20.2);~~ Ronald Reagan Day on Feb. 6 (5 ILCS 490/2); Barack Obama Day on August 4 (5 ILCS 490/3); Indigenous Peoples Day on the last Monday in September (5 ILCS 490/7); Lincoln's Birthday February 12 (5 ILCS 490/60); Juneteenth National Freedom Day on June 19 each year (5 ILCS 490/63), amended by P.A.s 102-14 (second to pass both houses and controlling (5 ILCS 70/6)) and 102-334 (first to pass both houses)~~)~~ – potential conflicts related to celebrating Juneteenth when it falls on a Saturday or Sunday exist, e.g., P.A. 102-14 states "when June nineteenth falls on a Saturday or Sunday, neither the preceding Friday nor the following Monday shall be held or considered as a *paid* holiday" but contrast P.A. 102-334, stating "when June nineteenth falls on a Sunday, the following Monday shall be held and considered the holiday" – notice the word *paid* is missing; consult the board attorney about whether Juneteenth should be celebrated as an *unpaid holiday* on either the preceding Friday or the following Monday when it falls on a Saturday or Sunday, respectively, or not at all when it falls on a Saturday); Martin Luther King, Jr. Birthday the third Monday in January (5 ILCS 490/65); Prairie Week the third full week in September (5 ILCS 490/75); Retired Teachers' Week the fourth week in May (5 ILCS 490/80); Veterans Day November 11 (5 ILCS 490/90); Preventing Lost Potential Day September 19 (5 ILCS 490/141); Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade on March 25 (5 ILCS 490/155); the first full week of January is Emancipation Proclamation Week (5 ILCS 490/160); Mother Mary Ann Bickerdyke Day on the second Wednesday in May (5 ILCS 490/175); April is Arab American Heritage Month (5 ILCS 490/6); and the first full week of April each year is Autism Acceptance Week (5 ILCS 490/137~~, added by P.A. 102-588~~).

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School Day

The Board establishes the length of the school day with the recommendation of the Superintendent and subject to State law requirements.[5] The Superintendent or designee shall ensure that observances required by State law are followed during each day of school attendance. [6]

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[5] A school day is required to consist of a minimum 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, unless (1) the Governor issues a disaster declaration due to a public health emergency pursuant 20 ILCS 3305/7, and (2) the State Superintendent of Education establishes minimum clock-hour requirements to align with the circumstances of the Governor's disaster declaration. 105 ILCS 5/10-19.05, amended by P.A.s 103-560 and 104-250, eff. 1-1-26. See 105 ILCS 5/10-19.05, amended by P.A.s 103-560 and 104-250, eff. 1-1-26, for additional exceptions to the attendance calculation.

Contrast 105 ILCS 5/18-12. It allows a partial day of attendance to be counted as a full day due to an adverse weather condition, condition beyond the control of the school district that poses a health and safety threat, or use of school facilities by local or county authorities for holding a memorial or funeral service in remembrance of a community member (up to two school days per school year) provided one of following conditions is met: (1) the school district has provided at least one hour of instruction prior to the closure of the school district; (2) a school building has provided at least one hour of instruction prior to the closure of the school building; or (3) the normal start time of the school district is delayed. The law also outlines the process to claim attendance prior to providing any instruction when a school district must close a building or buildings, but not the entire district, after consultation with a local emergency response agency or due to a condition beyond the control of the district. Additionally, 105 ILCS 5/18-12.5 outlines the process for claiming attendance when a school district must close a building or buildings, but not the entire district, specifically because of a public health emergency. Attendance for such days may only be claimed if the school building(s) was scheduled to be in operation on those days.

Alternative education programs may provide fewer than five hours under certain circumstances. 105 ILCS 5/13B-50.

[6] 105 ILCS 5/27-~~3~~510 requires the Pledge of Allegiance to be recited every day in elementary and secondary schools. 105 ILCS 5/27-510, added by P.A. 104-391. Note that the Illinois statute does not require every student to recite the Pledge – that kind of mandatory participation would violate the U.S. Constitution. Schools may not coerce a student into saying the Pledge, nor may they punish students for refusing to participate in any aspect of the flag ritual, including standing, saluting the flag, and reciting the Pledge. West Virginia State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943); Sherman v. Cmty. Consol. Sch. Dist. 21 of Wheeling Twp., 980 F.2d 437 (7th Cir. 1992). Consider using permissive rather than mandatory language to introduce the recitation of the Pledge, such as, "You may now stand to recite the Pledge." Schools may, of course, require that non-participants maintain order and decorum appropriate to the school environment.

The Silent Reflection and Student Prayer Act mandates a *brief period of silence* for all Illinois public school students at the opening of each school day. 105 ILCS 20/1. A student filed a federal lawsuit challenging the constitutionality of this law under the First Amendment, but the law was ultimately upheld by the Appeals Court. Sherman v. Koch, 623 F.3d 501 (7th Cir. 2010), *cert denied by* 565 U.S. 815 (2011). 105 ILCS 5/10-20.46 requires a moment of silence to recognize veterans during any type of event held at a district school on Nov. 11.

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LEGAL REF.: 105 ILCS 5/10-19, 5/10-19.05, 5/10-20.46, 5/10-20.56, ~~5/10-20.46,~~ 5/10-30, 5/18-12, 5/18-12.5, 5/24-2, 5/27-5103~~, 5/27-18~~, ~~5/27-19, 5/27-20,~~ and 5/27-1025~~20.1, and 5/27-20.2~~.
10 ILCS 5/11-4.1, Election Code.
5 ILCS 490/, State Commemorative Dates Act.
23 Ill.Admin.Code §1.420(f).
Metzl v. Leininger, 850 F.Supp. 740 (N.D. Ill. 1994), *aff'd by* 57 F.3d 618 (7th Cir. 1995).

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 6:60 (Curriculum Content), 6:70 (Teaching About Religions), 7:90 (Release During School Hours)

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Instruction

Curriculum Development [1]

Adoption [2]

The Superintendent shall recommend a comprehensive curriculum that is aligned with:

1. The District's educational philosophy and goals,
2. Student needs as identified by research, demographics, and student achievement and other data,
3. The knowledge, skills, and abilities required for students to become life-long learners,
4. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements, [3]
5. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available, [4]
6. The Illinois State Learning Standards and any District learning standards, and
7. Any required State or federal student testing.

The School Board will adopt, upon recommendation of the Superintendent, a curriculum that meets the above criteria. [5]

Experimental Educational Programs and Pilot Projects [6]

The Superintendent may recommend experimental educational programs and/or pilot projects for Board consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Superintendent shall submit to the Board periodic progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program's completion.

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[1] State or federal law controls this policy's content. For information about managing curriculum objections, see sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs*, and its footnotes.

[2] This section is not dictated by State or federal law, but reflects board work regarding curriculum. Each board should ~~dwell over~~ review this section to ensure it articulates the board's intent.

[3] State law mandates certain courses of study, but local school boards may set requirements exceeding State law-mandated courses of study. 105 ILCS 5/10-20.8 and 5/27-1 et seq.

[4] Alternative for unit districts:

5. The curriculum District-wide and articulated across all grade levels.

[5] The following is an alternative for boards that do not want the sample language's degree of delegation:

The School Board will consider the Superintendent's recommendation and adopt a curriculum that meets the above criteria.

[6] Experimental educational programs may require the approval of the Ill. State Board of Education and an agreement with the affected exclusive bargaining agent. 105 ILCS 5/10-19~~, amended by P.A.s. 100-465, 101-12, and 101-643~~. Experimental educational programs may include, but are not limited to, e-learning days as authorized under 105 ILCS 5/10-20.56, amended by P.A.103-780; self-directed learning; or outside of formal class periods; other programs that comply with the requirements of the School Code for numbers of days of actual pupil attendance and courses of instruction.

Education preparation pilot programs are addressed in 105 ILCS 5/2-3.52A~~, amended by P.A. 100-1046~~.

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Single-Gender Classes and Activities [7]

The Superintendent may recommend a program of nonvocational[8] single-gender classes and/or activities to provide diverse educational opportunities and/or meet students' identified educational needs. Participation in the classes or activities must be voluntary, both genders must be treated with substantial equality, and the program must otherwise comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*. At least every two years, tThe Superintendent must periodically evaluate any single-gender class or activity to ensure that: (1) it does not rely on overly broad generalizations about the different talents, capabilities, or preferences of either gender, (2) it is substantially related to the achievement of the important objective for the class or activity, and (32) it continues to comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*.

Development [9]

The Superintendent shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The Superintendent shall report to the Board as appropriate, the curriculum review program's efforts to:

1. Regularly evaluate the curriculum and instructional program.
2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents/guardians, and students, representing all schools, grade levels, disciplines, and specialized and alternative programs.
4. Coordinate with the process for evaluating the instructional program and materials.

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[7] This subhead may be removed if a district will not offer single-gender classes or activities. The U.S. Dept. of Education (DOE) amended its regulation implementing Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. §1681) to make it easier for schools to have single-sex classes and extracurricular activities. 34 C.F.R. §106.34. Title IX generally protects students from discrimination on the basis of sex. However, the DOE added flexibility to its rules on single-sex classes and activities, citing research that suggests that some students benefit in single-sex classes. 71 Fed. Reg. 62530 (10-25-06). The federal rules require districts to evaluate single-sex classes and extracurricular activities at least every two years. 34 C.F.R. §106.34(b)(4)(ii). The rules are very specific and should be reviewed with the board attorney when designing single-sex classes or activities. See also an FAQ from the U.S. Dept. of Education's Office of Civil Rights at: www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/faqs-title-ix-single-sex-201412.pdf.

Consult the board attorney about accommodation issues for transgender or gender non-conforming students in single sex classes. State law prohibits gender-based discrimination, including transgender and gender non-conforming students. 775 ILCS 5/5-101(A)(11); 775 ILCS 5/1-103(O-1); and 23 Ill.Admin.Code §1.240. Title IX prohibits exclusion and discrimination on the basis of sex. 20 U.S.C. §1681(a). The DOE's Office for Civil Rights has taken varying positions on the application of Title IX to transgender or gender non-conforming students depending upon the administration in office. See sample procedure ~~www2.ed.gov/about/offices/list/ocr/lgbt.html;~~ 7:10-AP1, *Accommodating Transgender Students or Gender Non-Conforming Students*.

[8] 34 C.F.R. §106.34(b)(1).

[9] The last two sections of this policy provide a process for the board to monitor the extent that its ends for curriculum development are being pursued. However, a board may be concerned that these sections offend the board's efforts to delegate authority to the superintendent to manage the district. If so, these sections should be deleted. See the IASB *Foundational Principles of Effective Governance* at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

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Curriculum Guides and Course Outlines

The Superintendent shall develop and provide subject area curriculum guides to appropriate staff members.

LEGAL REF.: 20 U.S.C. §1681, Title IX of the Education Amendments of 1972~~, implemented by;~~ 34 C.F.R. Part 106.
105 ILCS 5/10-20.8 and 5/10-19.

CROSS REF.: 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:70 (Teaching About Religions), 6:80 (Teaching About Controversial Issues) 6:100 (Using Animals in the Educational Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 6:185 (Remote Educational Program), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights)

DRAFT

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Instruction

Curriculum Content [1]

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. In kindergarten through grade 8,[2] subjects include: (a) language arts, (b) reading,[3] (c) other communication skills, (d) science, (e) mathematics[4], (f) social studies, (g) art, and (h) music;~~[5]~~

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

[1] Districts must have a policy on: (1) physical education (23 Ill.Admin.Code §1.425) ~~and~~, (2) what grade level(s) students will be offered cursive writing instruction (105 ILCS 5/27-3~~15, renumbered by P.A. 104-391~~20.7), (3) educating students on the effective methods of preventing and avoiding traffic injuries related to walking and bicycling (105 ILCS 5/27-110, renumbered by P.A. 104-391), (4) activities to address intergroup conflict, if offered (105 ILCS 5/27-1050, amended by P.A. 103-542 and renumbered by P.A. 104-391), and (5) Internet safety education, if a district receives e-rate funding (47 C.F.R. §54.520(c)(1)(i)). Policies on the remaining topics in this policy are optional. State or federal law controls this policy's content. 23 Ill.Admin.Code §1.410, recommends that activities, including student internships and observations of government in action, be a part of the instructional program where appropriate.

State law mandates certain courses of study but local school boards may set requirements exceeding State-law mandated courses of study. 105 ILCS 5/10-20.8 and 5/27-1 et seq. For a resource on instructional mandates, see *Illinois Instructional Mandates* (formerly *Mandated Units of Study*), at: www.isbe.net/Pages/Learning-Standards.aspx, under the Administrator Resources tab.

[2] Items (a)-(h) are listed in 23 Ill.Admin.Code §1.430.

By 7-1-26, the Ill. State Board of Education (ISBE) will encourage districts to collect teaching resources to support American Sign Language (ASL) programs. 105 ILCS 5/2-3.206, added by P.A. 104-399, eff. 1-1-26. Teaching resources may include: (1) the importance and benefit of ASL instruction for early ages and the prevalence of ASL in the United States; (2) information on ways to implement ASL instruction into the K-8 curriculum; and (3) information on how to properly administer ASL for students in K-8. Id.

By 12-15-26, ISBE must adopt comprehensive guidance for districts about the establishment of new dual language education programs and the expansion of existing programs. 105 ILCS 5/14D, added by P.A. 104-266, eff. 1-1-26. By 7-1-27, ISBE must also establish recognition pathways for biliteracy at certain grade levels before high school. Id.

[3] 105 ILCS 5/2-3.200, added by P.A. 103-402 and renumbered by P.A. 103-605, required ~~the Ill. State Board of Education (~~ISBE~~)~~ to develop a Statewide literacy plan by 1-31-24, make certain resources and guidance on literacy curriculum and instruction available to schools by 7-1-24, and offer training opportunities for teachers by 7-1-25. For further information and resources, see www.isbe.net/literacyplan.

[4] 105 ILCS 5/2-3.156 requires ISBE to coordinate, adapt and develop middle and high school math curriculum models. There is no consistent definition for *middle school or high school* in either State or federal law. Districts are not required to use ISBE's models and may develop their own mathematics curricula.

The purpose of the math curriculum models will be to aid school districts and teachers in implementing the *Common Core Standards*. ISBE adopted math and English language arts (ELA) standards for K-12 education referred to as the *New Ill. State Learning Standards Incorporating the Common Core*. The goal of incorporating the *Common Core Standards* into the *State Goals for Learning and Learning Standards* is to better prepare Ill. students for success in college and the workforce in a competitive global economy. See www.isbe.net/Documents/cc-overview-0913.pdf.

The terms *Common Core Standards* and the *New Ill. State Learning Standards Incorporating the Common Core* are synonymous. Referencing the Ill. Learning Standards includes them both. That is because they are incorporated by reference into ISBE's rules and *State Goals for Learning and Learning Standards*. A district that wants to include the term *Common Core Standards* in its policy may do so; however, districts should understand that referring to the *Common Core Standards* only will cover only math and ELA learning standards and goals and not any other subject areas that the *Ill. Learning Standards cover*. The best practice is to continue using *Ill. Learning Standards*, which includes the *Common Core Standards*.

~~[5] 23 Ill.Admin.Code §1.430(a).~~

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DRAFT

~~and (i) drug and substance abuse prevention including the dangers of opioid abuse~~.[6] A reading opportunity of 60 minutes per day will be promoted for all students in kindergarten through grade 3 whose reading levels are one grade level or more lower than their current grade level.[7] Daily time of at least 30 minutes (with a minimum of at least 15 consecutive minutes if divided) will be provided for supervised, unstructured, child-directed play for all students in kindergarten through grade 5.[8] Before the completion of grade 5, students will be offered at least one unit of cursive instruction.[9] In grades 6, 7, or 8, students must receive at least one semester of civics education in accordance with Illinois Learning Standards for social science.[10]

2. In grades 9 through 12, subjects include:[11] (a) language arts, (b) writing intensive courses, (c) science, (d) mathematics,[12] (e) social studies including U.S. history, American government and

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[6] ~~105 ILCS 5/27-13.2. See also f/n 33, below, regarding instruction on the dangers of fentanyl.~~

[7] 105 ILCS 5/10-20.53.

[8] 105 ILCS 5/27-~~7156.3~~, amended and renumbered by P.A. 104-391~~added by P.A. 102-357~~. Schools must provide at least 30 minutes of play time for any school day five clock hours or longer in length. For any school days less than that, the total time allotted during the school day must be at least one-tenth of a day of attendance for the student. Time spent dressing or undressing for outdoor play may not count towards the daily time allotment. Play time must be computer-, tablet-, phone-, and video-free. Play time may be withheld as a disciplinary or punitive action only if a student's participation poses an immediate threat to the safety of the student or others. Id. For ISBE guidance and resources, see www.isbe.net/Pages/School-Health-Issues.aspx (Unstructured Play Time/Recess dropdown).

[9] 105 ILCS 5/27-315, renumbered by P.A. 104-391~~20.7~~, requires districts to offer students a unit of cursive instruction before they complete grade 5. Other than before completing grade 5, the law is silent about what grade level(s) in which students must receive their unit of cursive instruction. This provides an opportunity for a board to have a conversation with the superintendent about local community expectations and direct him or her to determine the appropriate grade level(s) in which students will be offered a unit of cursive instruction.

Use the following alternative if the board wants to specify grade level(s) before the end of grade 5 in which cursive instruction will be offered:

A unit of cursive instruction will be offered in grade(s) _____.

[10] 105 ILCS 5/27-510(b), added by P.A. 104-391~~3.10~~. Course content must include discussion on current societal issues, service learning, simulations of the democratic process, and instruction on the Australian Ballot (secret ballot) system as a method of voting at elections.~~The statute specifically states that school districts may utilize private funding available for offering civics education.~~ If taught in grade 7 or 8, at least one hour a week, or an amount of time equal to one hour per school week through the school year, must be devoted to civics education. 105 ILCS 5/27-515, amended and renumbered by P.A. 104-391.

[11] 105 ILCS 5/27-60522, amended by P.A.~~s 102-366, 102-551, 102-864, and~~ 103-743 and 104-387 and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.440. ISBE may adopt rules to modify these requirements for students in grades 9 through 12 if the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7. 105 ILCS 5/27-60522(e)(3.5)~~, amended by P.A. 102-864,~~ and 5/27-60522(e-5)(3.5), both renumbered by P.A. 104-391~~ added by P.A. 102-864~~, require~~s~~ "a year of a course that includes intensive instruction in computer literacy, which may be English, social studies, or any other subject." Because computer literacy may be included within another subject, it is not listed here, but in number ~~76~~ of this policy with f/n 26, below.

[12] 105 ILCS 5/2-3.156. See f/n 42.

105 ILCS 5/27-60522(e-5)(3), renumbered by P.A. 104-391, allows the substitution of an advanced placement computer science course for a year of mathematics. For specific requirements, see sample exhibit 6:300-E2, *State Law Graduation Requirements*, and sample policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-entering Students*.

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DRAFT

one semester of civics,[13] (f) foreign language,[14] (g) music, (h) art, (i) driver and safety education,[15] and (j) career and technical~~vocational~~ education.

Students otherwise eligible to take a driver education course must receive a passing grade in at least eight courses during the previous two semesters before enrolling in the course. The Superintendent or designee may waive this requirement if he or she believes a waiver to be in the student's best interest.[16] The course shall include: (a) instruction necessary for the safe operation of motor vehicles, including motorcycles, to the extent that they can be taught in the classroom,[17] (b) classroom instruction on distracted driving as a major traffic safety issue,[18] (c) instruction on required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, including worker safety in those zones, and railroad crossings and their approaches,[19] and (d) instruction concerning law enforcement procedures for traffic stops, including a demonstration of the proper actions to be taken during a traffic stop and appropriate interactions with law enforcement.[20] Automobile safety instruction covering traffic regulations and highway safety must include instruction on the consequences of alcohol consumption and the operation of a motor vehicle.[21] The eligibility requirements contained in State law for the receipt of a certificate of completion from the Secretary of State shall be provided to students in writing at the time of their registration. [22]

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[13] 105 ILCS 5/27-60522(e-5)(5), renumbered by P.A. 104-391. The statute specifically states that school districts may utilize private funding available for offering civics education.

[14] The General Assembly encouraged school boards to implement American Sign Language courses into the school foreign language curriculum. 105 ILCS 5/10-20.52. Senate Joint Resolution 68 (96th General Assembly, 2010) encourages school districts to explore the introduction of Arabic as a foreign language in their curriculums.

[15] The ISBE rule on driver education personnel is found at 23 Ill.Admin.Code §252.40. School districts may contract with a commercial driver training school (CDTS) for driver education. 105 ILCS 5/27-815, renumbered by P.A. 104-39124.2. To qualify to contract with a school district, a CDTS must: (a) hold a valid license issued by the Ill. Sec. of State; (b) provide teachers who meet the educator licensure and endorsement requirements under 105 ILCS 5/21B; and (c) follow the same evaluation and observation requirements that apply to non-tenured teachers under 105 ILCS 5/24A. Id. A district contracting with a CDTS must provide a list to ISBE of the CDTS instructors. Id. The list must include the name, personal ISBE identification number, birth date and driver's license number of each instructor who will teach driver education. Id. Although a formal waiver for outsourcing of driver's education is no longer required, districts must consider their applicable collective bargaining agreement(s), board policy, and the reduction in force (RIF) provisions of the School Code as they relate to outsourcing of instructional staff. Consult the board attorney for guidance.

A school district may decide to allow a student to take a portion of the driver education course through a distance learning course. This is determined on a case-by-case basis and must be approved by the district's administration, the student's driver's education teacher, and the student's parent/guardian. 105 ILCS 5/27-81524.2, renumbered by P.A. 104-391; 23 Ill.Admin.Code §252.20(c)(2).

[16] 105 ILCS 5/27-81024.1, ~~amended by P.A. 102-455,~~ and 5/27-81524.2, both renumbered by P.A. 104-391; 23 Ill.Admin.Code §252.25.

[17] 105 ILCS 5/27-81024.1, ~~amended by P.A. 102-455,~~ and 5/27-815-24.2, both renumbered by P.A. 104-391.

[18] Id.

[19] Id., amended by P.A. 103-944 and renumbered by P.A. 104-391.

[20] Id.

[21] Required if a board offers safety education under 105 ILCS 5/27-102017, amended and renumbered by P.A. 104-391.

[22] The Ill. Vehicle Code, 625 ILCS 5/6-408.5~~, amended by P.A. 102-1100,~~ contains these requirements; they are paraphrased below.

Before a certificate of completion will be requested from the Secretary of State, a student must receive a passing grade in at least eight courses during the two semesters last ending before requesting the certificate. A certificate of completion will not be requested for any person less than 18 years of age who has dropped out of school unless the individual provides:

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DRAFT

3. In all schools, drug and alcohol abuse prevention education, including: (a) in each year in grades K though 4, age- and developmentally appropriate instruction, study, and discussion of effective methods for the prevention and avoidance of drugs and the dangers of opioid and substance abuse, (b) in grades 5 through 12, age- and developmentally appropriate classroom instruction on alcohol and drug use and abuse, (c) in grades 6-12, the dangers of fentanyl, and (d) in grades 7 through 12, ~~as well as in interscholastic athletic programs,~~ anabolic steroid abuse prevention, which must also be taught in interscholastic athletic programs. [23]
4. In kindergarten through grade 12, provided it can be funded by private grants or the federal government, violence prevention and conflict resolution must be stressed, including: (a) causes of conflict, (b) consequences of violent behavior, (c) non-violent resolution, and (d) relationships between drugs, alcohol, and violence.[24] In addition, anti-bias education and intergroup conflict resolution may be taught as an effective method for preventing violence and lessening tensions in schools; these prevention methods are most effective when they are respectful of individuals and their divergent viewpoints and religious beliefs, which are protected by the First Amendment to the Constitution of the United States. [25]
5. In grades kindergarten through 12, through the 2026-2027 school year, age-appropriate Internet safety must be taught, the scope of which shall be determined by the Superintendent or designee. The curriculum must incorporate Board policy 6:235, *Access to Electronic Networks*, and, at a minimum, include: (a) education about appropriate online behavior, (b) interacting

Commented [DJ1]: Note to subscribers: Drug abuse prevention education is no longer part of the Comprehensive Health Education Program (CHEP) and is therefore included as a separate item in this sample policy. P.A. 104-391 consolidated drug prevention education related topics into one new section of the School Code, 105 ILCS 5/27-255.

DRAFT

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1. Written verification of his or her enrollment in a high school equivalency or alternative education program or a State of Illinois High School Diploma (formerly GED certificate);
2. Written verification that before dropping out, the individual had received passing grades in at least eight courses during the two previous semesters last ending before requesting a certificate;
3. Written consent from the individual's parent/guardian and the Regional Superintendent (or appropriate Intermediate Service Center Executive Director); or
4. Written waiver from the Superintendent of the School District in which the individual resides or resided at the time he or she dropped out of school, or from the chief school administrator with respect to a dropout who attended a non-public high school. A waiver may be given if the Superintendent or chief administrator deems it to be in the individual's best interests.

23 Requirements (a)-(d) are addressed in 105 ILCS 5/27-255, added by P.A. 104-391~~23.3~~. These instructional requirements are also addressed in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.

24 105 ILCS 5/27-~~23.4~~115, renumbered by P.A. 104-391.

25 Optional. 105 ILCS 5/27-1050~~23.6~~, (anti-bias education), amended by P.A. 103-542 and renumbered by P.A. 104-391, allows districts to incorporate activities to address intergroup conflict, with the objectives of improving intergroup relations on and beyond the school campus, defusing intergroup tensions, and promoting peaceful resolution of conflict. If a district does not offer anti-bias education, delete "5/27-1050" from the Legal References.

Boards that adopt a policy to incorporate activities to address intergroup conflict pursuant to this law must make information available to the public that describes the manner in which the district has implemented the activities. Methods for making this information available include: the district's website, if any, and in the district's offices upon request. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Districts may also include the information in a student handbook and in district newsletters. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/msh.

See f/n 12 in sample policy 6:180, *Extended Instructional Programs*, and ensure that these policies align.

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with other individuals on social networking websites and in chat rooms, and (c) cyberbullying awareness and response. [26]

~~5.~~6. Beginning in the fall of 2027, in grades 3-8 each year, age- and developmentally appropriate instruction on online safety. [27]

~~6.~~7. In all grades, students must receive developmentally appropriate opportunities to gain computer literacy skills that are embedded in the curriculum. [28]

~~7.~~8. In all grades, ~~character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage.[29]~~ Instruction ~~in all grades will include~~on ~~examples of~~ behaviors that violate Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. [30]

Commented [DJ2]: Note to subscribers: P.A. 104-391 repealed the requirement to teach character education formerly at 105 ILCS 5/27-12.

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

26 47 C.F.R. §54.520 and 105 ILCS 5/27-410~~13.3~~ (scheduled for repeal on 7-1-27), amended by P.A. 104-399, eff. 1-1-26, and renumbered by P.A. 104-391, control this section. "Grades kindergarten through 12" is used because federal law requires school districts that receive E-rate funding to certify that they have an Internet safety education policy for all minors. 47 C.F.R. §54.520(c)(1)(i). This federal law defines minors as any individual who has not attained the age of 17 years. 47 C.F.R. §54.520(a)(4)(i).

105 ILCS 5/27-410~~13.3~~, amended by P.A. 104-391, only requires a unit on Internet safety for students in grades 3 or above. It recommends seven topics for the unit on Internet safety and required ISBE to "make available resource materials for educating children regarding child online safety." See www.isbe.net/Pages/Internet-Safety.aspx. It also invites schools to "adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12."

For boards that do not receive E-rate funds and do not want to exceed the requirements of the School Code, replace this section with the following sentence:

In grades 3 or above, the curriculum contains a unit on Internet safety, the scope of which shall be determined by the Superintendent or designee.

For boards that do not receive E-rate funds, but want to exceed the requirements of 105 ILCS 5/27-410~~13.3~~ to include grades K-2, replace this section with the following sentences:

In grades 3 or above, the curriculum contains a unit on Internet safety, the scope of which shall be determined by the Superintendent or designee. In kindergarten through grade 2, age-appropriate Internet safety must be taught.

27 105 ILCS 5/27-405(b), added by P.A. 104-391. Boards locally determine the scope and duration of this unit of instruction. Topics to include in online safety instruction are not mandated but the following are recommended: (1) safe and responsible use of the Internet, social networking websites, electronic mail, online messaging and posting, and other means of communication on the Internet; (2) recognizing, avoiding, and reporting online solicitations of students, their classmates, and their friends by sexual predators; (3) risks of transmitting personal information on the Internet; (4) recognizing and avoiding unsolicited or deceptive communications received online; (5) reporting online harassment, cyber-bullying, and illegal activities and communications on the Internet; (6) the legal penalties and social ramifications for illicit actions taken online, including infringement of copyright laws and the creation and sharing of harmful, defamatory, or sexually explicit content; and (7) the relationship between responsible use of online resources and social-emotional health. Id. *Online safety* means safe practices relating to an individual's or group's use of the Internet, social networking website, electronic mail, online messaging and posting, and other means of communication on the Internet. Id. at (a).

28 105 ILCS 5/10-20.79, 5/10-20.74, and 5/27-22(e-5)(3.5), amended by P.A. 102-894, and 5/27-605~~22~~(e-5)(3.5), renumbered by P.A. 104-391~~added by P.A. 102-894~~. 105 ILCS 5/10-20.74 requires that districts submit an annual report to ISBE regarding educational technology capacities and policies. See the subhead **Educational Technology Committee** and f/n 20 in sample administrative procedure 2:150-AP, *Superintendent Committees*.

~~**29** 105 ILCS 5/27-12.~~

30 Required as part of a district's Bullying Prevention and Response Plan pursuant to 105 ILCS 5/22-1107~~-23.7~~, renumbered by P.A. 104-391. Because of the negative outcomes associated with bullying in schools, the Ill. General Assembly has found "that [school districts] should educate students, parents, and [school district personnel] about what behaviors constitute prohibited bullying." ~~105 ILCS 5/27-23.7~~Id. at (a). This language aligns with sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

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~~8.~~9. In all schools, citizenship values must be taught, including: (a) American patriotism, (b) principles of representative government (the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois), (c) proper use and display of the American flag, and (d) the Pledge of Allegiance~~, and (e) the voting process~~. [31]

~~9.~~10. In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage in a physical education course with such frequency as determined by the Board after recommendation from the Superintendent,[32] but at a minimum of three days per five-day week.[33] For exemptions and substitutions, see Board policies 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students* and 7:260, *Exemption from Physical Education*. [34]

Commented [DJ3]: Note to subscribers: P.A. 104-391 moved instruction on the voting process to civics education for grades 6-8 (see Item #1 of the sample policy).

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The Ill. General Assembly invited boards to "make suitable provisions for instruction in gang resistance education in all grades and include such instruction in the courses of study regularly taught in those grades." See 105 ILCS 5/27-1055~~23.10~~(c), amended by P.A. 103-542 and renumbered by P.A. 104-391. A board that shares this concern may add the following option and add "5/27-1055" to the Legal References (in numerical order): "In addition, in all grades gang resistance education must be taught."

[31] 105 ILCS 5/27-510(a), (c), added by P.A. 104-391. This instruction may be taught as part of the curriculum in the semester of civics education for student in grades 6 through 8. See f/n 8, above. 105 ILCS 5/27-510(c)~~3~~ requires the Pledge of Allegiance to be recited every day in elementary and secondary schools. See also Palmer v. City of Chicago, 466 F. Supp. 600 (N.D. Ill. 1979) (teacher would not teach and direct the Pledge of Allegiance to the flag of the United States for religious reasons and was terminated for not doing so because it was part of the curriculum). Requirements for displaying a U.S. flag at each school and in each classroom are found in 5 ILCS 465/3 and 465/3a.

Note that the Illinois statute does not require every student to recite the *Pledge* – that kind of mandatory participation would violate the U.S. Constitution. Schools may not coerce a student into saying the Pledge, nor may they punish students for refusing to participate in any aspect of the flag ritual, including standing, saluting the flag, and reciting the *Pledge*. West Virginia State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943); Sherman v. Cmty. Consol. Sch. Dist. 21 of Wheeling Twp., 980 F.2d 437 (7th Cir. 1992). Consider using permissive rather than mandatory language to introduce the recitation of the *Pledge*, such as, "You may now stand to recite the *Pledge*." Schools may, of course, require that non-participants maintain order and decorum appropriate to the school environment.

[32] The phrase "after recommendation by the Superintendent" is optional. If a superintendent does not bring this topic to the board for discussion, the board may not have a trigger to make the determination.

[33] 23 Ill.Admin.Code §1.425(b). Boards that want their daily physical education requirement to align with their goal in policy 6:50, *School Wellness*, may replace "minimum of three days per five-day week" with their local daily requirements. See f/n 10 in sample policy 6:50, *School Wellness*.

[34] 105 ILCS 5/27-~~705~~5, renumbered by P.A. 104-391, requires school boards to provide for students' physical education and allows the P.E. course offered in grades 5 through 10 to include the health education courses required by the Critical Health Problems and Comprehensive Health Education Act (105 ILCS 5/27-205 through 5/27-230~~110~~/). See also 23 Ill.Admin.Code §1.425(c).

105 ILCS 5/27-~~710~~6, amended and renumbered by P.A. 104-391, describes when students may be excused from P.E. See also 23 Ill.Admin.Code §1.425(d).

105 ILCS 5/27-~~710~~6, amended and renumbered by P.A. 104-391, contains an exception to the minimum of three days per five-day week P.E. requirement for schools engaged in block scheduling; if this is applicable, substitute this sentence for the second-to-last sentence in this paragraph:

Unless otherwise exempted, all students are required to engage with such frequency as determined by the Board, but at a minimum of three days per five-day week, during the school day, except on block scheduled days, in a physical education course.

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11. In all schools, health education must be stressed, including[35]: (a) human ecology, health, growth, development, personal health habits, and nutrition, (b) family life, (c) prevention and control of disease, ~~proper nutrition, (b) physical fitness, (c) personal health habits, (d) dangers and avoidance of abduction,~~ (de) age- and developmentally -appropriate and evidence-informed sexual abuse and assault awareness and prevention education in all grades, (e) public health, environmental health, disaster preparedness, and safety education, (f) mental health and illness, (g) dental health, (h) cancer education, and (i) age- and developmentally appropriate consent education[36] ~~and (f) in grades 6-12, the dangers of fentanyl~~. The Superintendent shall implement a comprehensive health education program in accordance with State law. [37]

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105 ILCS 5/27-720, ~~6.5~~ renumbered by P.A. 104-391, describes physical fitness assessments required every school year for grades 3-12 in an effort to meet State Goal 20 of the Illinois Learning Standards for Physical Development and Health at: www.isbe.net/Pages/Enhanced-Physical-Education.aspx. Schools must integrate the testing into the curriculum as an instructional tool, to teach students how to assess their fitness levels, set goals for improvement, and monitor progress in reaching their goals.

See also 23 Ill.Admin.Code §1.425(g) and (h); ISBE's *IL Fitness Assessments and Data Reporting Requirements Questions and Answers (Rev. ~~2017~~2023)* at: www.isbe.net/Documents/Physical_Fitness_Assessment_FAQ.pdf.

105 ILCS 5/27-725, amended and renumbered by P.A. 104-391, describes the goals and requirements for P.E. courses; these are re-stated in this sample policy.

35 ~~Citations for l~~Letters (a) - (~~i~~), ~~are~~ required by the ~~C~~comprehensive ~~H~~health c~~E~~ducation pProgram (CHEP), at ~~(~~105 ILCS 5/27-215, added by P.A. 104-391, ~~110/3)~~ in this paragraph as follows:

(a) Id. at (a)(1); 105 ILCS 5/2-3.139(a)(2) (nutrition education) ~~and 105 ILCS 5/27-7 (proper nutrition) and S~~see also sample policy 6:50, *School Wellness*.

(b) Id. at (a)(2).~~Id. (physical fitness) and see also sample policy 6:50, *School Wellness*.~~

(c) Id. at (a)(3)~~Id. (healthy habits and attitudes for a healthy lifestyle)~~.

(d) Id. at (a)(4),~~105 ILCS 5/27-13.2 (dangers and avoidance of abduction). The Ill. State Police and ISBE must develop instruction on child abduction prevention. 20 ILCS 2605/2605-480.~~

~~(e) 105 ILCS 110/3~~ and 105 ILCS 5/10-23.13, ~~amended by P.A. 102-610~~ a/k/a *Erin's Law* ~~(child sexual abuse prevention)~~. See f/n 11 in sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, for a definition of *evidence-informed*. 105 ILCS 5/10-23.13. While 105 ILCS 5/10-23.13(b) states pre-K through 12th, this policy uses *all schools~~grades~~* for brevity and ease of administration. *Erin's Law* requires a policy addressing child sexual abuse prevention and curriculum content on that subject (see sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*). A sentence in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, restates the basic recommendations from page 16 of the *Erin's Law* Taskforce Final Report (Report) to Governor Quinn at: www.isbe.net/Documents/erins-law-final0512.pdf, which was the basis for ~~P.A. 102-676~~*Erin's Law*. The professional educator training component of *Erin's Law* is addressed in sample policies 5:90, *Abused and Neglected Child Reporting* and 5:100, *Staff Development Program*. The Report also encouraged parental involvement because parents play a key role in protecting children from child sexual abuse.

(c~~f~~) Id. at (a)(5)~~105 ILCS 110/3(c), amended by P.A. 103-810 (dangers of fentanyl)~~. 105 ILCS 5/27-815, renumbered by P.A. 104-391, also requires safety instruction in each of grades 1 through 8, equivalent to one class period each week. Neither CHEP nor 105 ILCS 5/27-815 (as it pertains to grades 1-8) define safety education or explain how it differs from the optional safety education that boards can offer under 105 ILCS 5/27-1020, renumbered by P.A. 104-391, though districts could draw from the topics listed in that section.

(f) Id. at (a)(6).

(g) Id. at (a)(7).

(h) Id. at (a)(8).

(i) Id. at (a)(9). Consent education under CHEP is limited to the definition of *consent* under 105 ILCS 5/27-215(a), added by P.A. 104-391; this basic consent instruction is separate from the more extensive, optional consent education under 105 ILCS 5/27-1010, amended and renumbered by P.A. 104-391, discussed in f/n 33, below.

~~36~~ ~~See f/n 11 in sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, for a definition of *evidence-informed*. 105 ILCS 5/10-23.13, amended by P.A. 102-610.~~

37 105 ILCS 5/27-215~~110/3~~, ~~amended~~ added by P.A.104-391s ~~102-464, 102-1034, 103-212, 103-365, and 103-608~~; and 23 Ill.Admin.Code §1.420(n). ~~Each school system shall provide a program in compliance CHEP, 105 ILCS 110/.~~

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More detailed ~~critical health problems and~~ comprehensive health education program content and other health education topics covered in the School Code are ~~is~~ described in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*. That procedure ~~follows CHEP, 105 ILCS 110/3, amended by P.A.s 102-464, 102-1034, 103-212, 103-365, and 103-608, and it~~ formerly included the requirements for the development of the now-repealed family life and sex education programs in 105 ILCS 5/27-9.1 and 9.2~~, amended by P.A. 102-412 and repealed by P.A. 102-522~~.

The former family life and sex education programs were replaced with the National Sex Education Standards (NSES) (105 ILCS 5/27-1015~~9.1a~~, renumbered~~added~~ by P.A. 10~~4-391~~2-522) and an age- and developmentally appropriate consent education curriculum (105 ILCS 5/27-10109~~.1b~~, renumbered by P.A. 104-391~~added by P.A. 102-522~~). But the term *family life*, "including evidence-based and medically accurate information regarding sexual abstinence," remains in the CHEP. ~~The CHEP also includes many other health education topics that all elementary and secondary schools in Illinois must provide, including teen dating violence (105 ILCS 110/3.10, see sample policy 7:185, *Teen Dating Violence Prohibited*, for the required "teen dating violence policy") and cardiopulmonary resuscitation and automated external defibrillator use. 105 ILCS 110/3.~~ For ease of administration, sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, content includes reference to the new NSES curriculum that is outlined in more detail at sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*. 105 ILCS 5/27-1015~~9.1a~~, added by P.A. 104-391~~102-522~~. ISBE's learning standards and resources are available at www.isbe.net/sexualhealth, however, no guidance exists about whether districts that provide the now-repealed family life and sex education programs formerly in 105 ILCS 5/27-9.1 and 9.2~~, repealed by P.A. 102-522,~~ could continue to do so. Consult the board attorney if the district offered the now-repealed family life and sex education program to assess whether that program may continue during future school years.

Two choices exist for school boards related to providing students with a sex education curriculum:

1. No sex education; or
2. NSES a/k/a Comprehensive Personal Health and Safety and Sexual Health Education Program (105 ILCS 5/27-1015~~9.1a~~, renumbered~~added~~ by P.A. 104-391~~102-522~~, and see sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*).

While boards are not required to include sex education curriculum information in their policies, if they offer it, the ~~new~~ law requires them to identify the curriculum their districts use along with the name and contact information, including an email address, of a school staff member who can respond to inquiries about instruction and materials. ~~105 ILCS 5/27-9.1a, added by P.A. 102-522~~Id. Methods for making this information available include: the district's website, if any, and in the district's offices upon request. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

For boards that do offer NSES but do not wish to communicate it in this policy, ensure that superintendents: (1) identify the curriculum along with the name and contact information, including an email address of the school staff member designated to respond to inquiries about instruction and materials (see sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*); and (2) implement both administrative procedures 6:60-AP1, *Comprehensive Health Education Program*, and 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

For boards that want to communicate to their communities in this policy that they offer NSES, insert the following text into the last sentence in number 10:

The Superintendent shall implement a comprehensive health education program in accordance with State law, including a personal health and safety and sexual health education program (National Sex Education Standards) pursuant to 105 ILCS 5/27-~~9.1a~~1015.

Legal Reference insertions are not necessary with the statute in the text of the policy. Ensure: (1) the implementation of both administrative procedure 6:60-AP1, *Comprehensive Health Education Program* and administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*, align with this policy; and (2) that the superintendent identifies the curriculum along with the name and contact information, including an email address of the school staff member designated to respond to inquiries about instruction and materials (see sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*).

For boards that communicated NSES in this policy and also want to communicate that they additionally offer developmentally appropriate consent education curriculum, insert the following sentence as the last sentence of the number 10 paragraph:

The Superintendent shall also implement an age- and developmentally appropriate consent education curriculum pursuant to 105 ILCS 5/27-10109~~.1b~~.

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DRAFT

12. In all schools, abduction education that addresses the danger of and avoidance of abduction. [38]

13. In grades 9-12, the dangers of allergies must be taught. [39]

~~10.~~14. In grades 9-12, training on how to properly administer cardiopulmonary resuscitation and how to use an automated external defibrillator. [40]

~~11.~~15. In all schools, career/vocational education must be taught, including: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides the student with work experience as an extension of the regular classroom. A career awareness and exploration program must be available at all grade levels.[41] In grades 6-12, students engage in career exploration and career development activities to prepare them to make informed plans and decisions about their future education and career goals.[42] In grades 9-12, a College and Career

Commented [DJ4]: Note to subscribers: These topics are no longer required by Comprehensive Health Education Program (CHEP), but they are addressed in new School Code provisions.

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Legal Reference insertion is not necessary with the statute in the text of the policy. Ensure the implementation of administrative procedure 6:60-AP3, *Developmentally Appropriate Consent Education*, aligns with this policy.

For boards that do offer NSES and do not communicate that in policy AND/OR boards that do not offer NSES, but want to communicate that they offer age and developmentally appropriate consent education curriculum, insert the following text into the last sentence in number 10:

The Superintendent shall implement a comprehensive health education program in accordance with State law, including an age- and developmentally appropriate consent education curriculum pursuant to 105 ILCS 5/27-10109.1b.

Legal Reference insertion is not necessary with the statute in the text of the policy. Ensure that implementation of 6:60-AP3, *Developmentally Appropriate Consent Education*, aligns with this policy.

[38] 105 ILCS 5/27-105, added by P.A. 104-391. The Ill. State Police and ISBE must develop instruction on child abduction prevention. 20 ILCS 2605/2605-480. See www.isbe.net/Documents/Child-Abduction-Prevention.pdf. This instructional requirement is also addressed in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.

[39] 105 ILCS 5/27-245, added by P.A. 104-391. This instructional requirement is also addressed in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.

[40] 105 ILCS 5/27-250, added by P.A. 104-391. This instructional requirement is also addressed in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.

[41] 23 Ill.Admin.Code §1.420(i). See 105 ILCS 435/, Vocational Education Act

A unit or high school district may offer workplace preparation instruction in grades 9 through 12 that covers legal protections in the workplace, including protection against sexual harassment and racial and other forms of discrimination and protections for employees. 105 ILCS 5/27-1065~~23.14~~, renumbered by P.A. 104-391.

For high school and unit boards, add~~insert~~ "5/27-1065~~23.14~~," ~~after 105 ILCS 5/27-23.11 in~~ to the Legal References (in numerical order) ~~or if a board offers a course on hunting safety as part of its curriculum during the school day (see the option in f/n 55 below), after its Legal Reference 105 ILCS 5/27-23.13,~~ and the following text to the end of number 1~~5~~ if the board wants to offer workplace preparation instruction:

In grades 9-12, workplace preparation instruction will be offered, covering legal protections in the workplace, including protection against sexual harassment and racial and other forms of discrimination and protections for employees.

105 ILCS 5/27-1075~~23.17 (final citation pending)~~, added by P.A. 103-598 and renumbered by P.A. 104-391, allows high schools to designate and annually observe a Workplace Readiness Week. If the week is observed, students must be provided information on their rights as workers in accordance with the topics listed in 105 ILCS 5/27-1075~~23.17~~(a) ~~(final citation pending)~~, added by P.A. 103-598 and renumbered by P.A. 104-391. Students in grades 11 and 12 must be provided the required information within the regular school program, but it may also be provided during special events after regular school hours. Id. at (b).

[42] 105 ILCS 5/10-20.84(a), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154. For elementary districts, revise the grade levels to grades 6-8. Unless a board ~~has~~ opted out, career exploration and career development activities in grades 6-12 (or grades 6-8 in elementary districts) had to ~~must~~ be implemented by 7-1-25 in accordance with the model framework adopted by State agencies known as the PaCE Framework. See www.isac.org/pace/il-pace-resource-materials.html for the middle school and high school frameworks and additional implementation resources.

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DRAFT

Pathway Endorsement is awarded to students who meet the requirements for a specific endorsement area. [43]

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To fully or partially opt out of career exploration and career development activities under 105 ILCS 5/10-20.84(d), a board must adopt a set of findings that considers the following: (1) the district's current systems for college and career readiness; (2) the district's cost of implementation balanced against the potential benefits to students and families through improved postsecondary education and career outcomes; (3) the willingness and capacity of local businesses to partner with the district for successful implementation of pathways other than education; (4) the willingness of institutions of higher education to partner with the district for successful implementation of the pathway and whether the district has sought and established a partnership agreement with a community college district incorporating provisions of the Model Partnership Agreement under the Dual Credit Quality Act (110 ILCS 27/) (see www.isbe.net/Documents/DCQA-Model-Partnership-Agreement-Form.pdf); (5) the availability of a statewide database of participating local business partners, as provided under the Postsecondary and Workforce Readiness Act (110 ILCS 148/), for the purpose of career readiness and the accessibility of those work experiences and apprenticeships listed in the database to district students (see the link to the *Work-based Learning Database* at www.isbe.net/cte); and (6) the availability of properly licensed teachers or teachers meeting faculty credential standards for dual credit courses to instruct in the program required for the endorsement areas. 105 ILCS 5/10-20.84(d)(1)-(6), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154. A board opting out must report its findings and decision to ISBE. A board may also reverse its decision regarding implementation in whole or in part at any time. 105 ILCS 5/10-20.84(d), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154.

In practice, unless a district has created its own career exploration and career development activities framework that does not align with the PaCE Framework, a board is unlikely to opt out of the PaCE Framework under 105 ILCS 5/10-20.84(a) and still implement College and Career Pathway Endorsements under 105 ILCS 5/10-20.84(c) (CCPE) because career exploration activities are a prerequisite to award of the endorsements. 23 Ill.Admin.Code §258.20. See f/n 398, below.

Delete this sentence if the board ~~has~~ fully opted out of implementation of career exploration and career development activities under 105 ILCS 5/10-20.84(d), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154. Regarding partial opt-out from this requirement, the law does not address the types of partial opt-out(s) available. As of the date of the publication of **PRESS** Issue 12017 (Oct. 20254), ISBE had not issued any rulemaking or guidance on this topic or any details regarding reporting of a full or partial opt-out to ISBE, other than to indicate to IASB that districts can submit their decision to CTE@isbe.net. Boards interested in opting out from this requirement should consult the Board attorney and check for any further guidance that may be issued by ISBE.

43 105 ILCS 5/10-20.84(b) and (c), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154; 23 Ill.Admin.Code Part 258.

By 7-1-25, a board had~~must elect~~ to either implement CCPE or take action to opt out of it. See www.isbe.net/pathwayendorsements for more information. 105 ILCS 5/10-20.84(c) requires a district to implement CCPE either independently, through an area career center, or through an inter-district cooperative, on the following schedule: (1) at least one endorsement area for the graduating class of 2027; (2) at least two endorsement areas for the graduating class of 2029; and (3) at least three endorsement areas for the graduating class of 2031, if a district 's grade 9-12 enrollment is more than 350 students, as calculated by ISBE for the 2022-2023 school year. A board implementing CCPE had to~~must~~, by 7-1-25, submit the necessary application materials (including an Endorsement Plan, see 23 Ill.Admin.Code §258.20) to ISBE, or ~~the board must~~ adopt a timeline for implementation of the number of endorsement areas required by 105 ILCS 5/10-20.84(c). A board may opt out of implementing CCPE entirely or it may initially implement an endorsement area for the class of 2027 and then later choose to partially opt out by opting out of the class of 2029 and/or class of 2031 endorsement area schedule. 105 ILCS 5/10-20.84(c) and (d), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154; 23 Ill.Admin.Code §258.40(a) and (b). A board that choseses to fully opt out of CCPE ~~must~~ had to submit documentation of its decision and specific findings to ISBE by 7-1-25. A board that later chooses to partially opt out of CCPE by opting out of the 2029 and/or 2031 endorsement area schedule must submit documentation of its decision and specific findings no later than July 1 immediately before the school year the district would be required to award the endorsement. Id. at (b).

If fully opting out of CCPE by 7-1-25 or later partially opting out of the 2029 and/or 2031 endorsement area schedule, a board must adopt a set of findings that considers the six factors described in f/n 387, above. 105 ILCS 5/10-20.84(d)(1)-(6), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154. A board opting out must report its findings and decision on implementation by submitting the following information to ISBE, via the College and Career Pathway Endorsement portal: (1) the reasoning for opting out, and (2) copies of the board's meeting agenda, board findings, and board meeting minutes. 23 Ill.Admin.Code §258.40(a). A board can manage compliance with the documentation requirements by adopting a written resolution or adopting findings set forth in another document. A board may also reverse its decision regarding implementation of CCPE in whole or in part at any time. 105 ILCS 5/10-20.84(d), ~~added by P.A. 102-917 and~~ renumbered by P.A. 103-154.

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~~12.~~16. In grades 9 through 12, consumer education must be taught, including: (a) financial literacy, including consumer debt and installment purchasing (including credit scoring, managing credit debt, and completing a loan application); budgeting; savings and investing; banking (including balancing a checkbook, opening a deposit account, and the use of interest rates); understanding simple contracts; State and federal income taxes; personal insurance policies; the comparison of prices; higher education student loans; identity-theft security; and homeownership (including the basic process of obtaining a mortgage and the concepts of fixed and adjustable rate mortgages, subprime loans, and predatory lending); and (b) the roles of consumers interacting with agriculture, business, labor unions and government in formulating and achieving the goals of the mixed free enterprise system. [44] [45]

~~13.~~17. In grades 9 through 12, intensive instruction in computer literacy, which may be included as a part of English, social studies, or any other subject. [46]

~~14.~~18. In grades 9 through 12, through the 2026-2027 school year, a unit of instruction on media literacy that includes, but is not limited to~~, all of~~ the following topics: (a) accessing information to evaluate multiple media platforms and better understand the general landscape and economics of the platforms, and issues regarding the trustworthiness of the source of information; (b) analyzing and evaluating media messages to deconstruct media representations according to the authors, target audience, techniques, agenda setting, stereotypes, and authenticity to distinguish fact from opinion; (c) creating media to convey a coherent message using multimodal practices to a specific target audience that includes, but is not limited to, writing blogs, composing songs, designing video games, producing podcasts, making videos, or coding a mobile or software application; (d) reflecting on media consumption to assess how media affects the consumption of information and how it triggers emotions and behavior; and (e) social responsibility and civics to suggest a plan of action in the class, school, or community for engaging others in a respectful, thoughtful, and inclusive dialogue over a specific issue using facts and reason. Beginning in the fall of 2027, in grades 9 through 12, a unit of instruction on media literacy and Internet safety that includes, but is not limited to, all of the following topics: (a) accessing and evaluating information; (b) creating

DRAFT

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Delete this sentence if a board has fully opted out of implementing CCPE, and delete 105 ILCS 5/10-20.84 from the Legal References if the board has fully opted out of CCPE *and* also fully opted out of the career exploration and career development activities in grades 6-12 (see f/n 37, above).

[44] 105 ILCS 5/27-305, renumbered by P.A. 104-391~~12.1~~; 23 Ill.Admin.Code §1.420(k).

[45] For high school and unit boards that want to offer a unit of instruction about the process of naturalization pursuant to 105 ILCS 5/27-1070~~23.16, added by P.A. 102-472 and~~ renumbered by P.A. ~~102-813~~ 104-391, add "5/27-1070" to the Legal References (in numerical order), insert an optional number 1~~7~~3, and amend numbers after it accordingly:

1~~7~~3. In grades 9 through 12, a unit of instruction about the process of naturalization by which a foreign citizen or foreign national becomes a U.S. citizen that includes content from the components of the naturalization test administered by the U.S. Citizenship and Immigration Services.

[46] 105 ILCS 5/27-605~~22~~(e-5)(3.5), renumbered by P.A. 104-391. ISBE states that *computer literacy* is broadly defined as one's knowledge of and ability to use computers and related technologies efficiently and effectively. See www.isbe.net/keeplearning for more ISBE guidance on computer literacy.

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media; (c) reflecting on media consumption and social responsibility; (d) legal and social penalties for illicit actions online; and (e) reporting illicit content online. [47]

~~15.~~19. In grades 9 through 12, an opportunity for students to take at least one computer science course aligned to Illinois learning standards. Computer science means the study of computers and algorithms, including their principles, hardware and software designs, implementation, and impact on society. Computer science does not include the study of everyday uses of computers and computer applications; e.g., keyboarding or accessing the Internet. [48]

~~16.~~20. In all schools, environmental education, including instruction on: (a) the current problems and needs in the conservation of natural resources and (b) beginning in the fall of 2026, instruction on climate change. [49]

21. In all schools, instruction as determined by the Superintendent or designee on United States (U.S.) history must be taught, including: (a) the principles of representative government, (b) the Constitutions of the U.S. and Illinois, (c) the role of the U.S. in world affairs, (d) the role of labor unions, (e) the role and contributions of ethnic groups, including but not limited to, African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovakians in the history of this country and State, (f) a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois, (g) Illinois history, (h) the contributions made to society by Americans of different faith practices, including, but not limited to, Muslim Americans, Jewish Americans, Christian Americans, Hindu Americans, Sikh Americans, Buddhist Americans, and any other collective community of faith that has shaped America, (i) Native American nations' sovereignty and self-determination, both historically and in the present day, with a focus on urban Native Americans, and (j) ~~beginning in the fall of 2024,~~ the

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[47] 105 ILCS 5/27-20.08, scheduled to be repealed on 7-1-27 by P.A. 104-391, ~~added by P.A. 102-55~~; 105 ILCS 5/27-405, added by P.A. 104-391, details the requirements for media literacy and Internet safety instruction effective for the 2027-2028 school year. ISBE is required to make available instructional resources and professional development available for the development of a unit of instruction under 105 ILCS 5/27-405, subject to appropriation. Beginning with the 2027-2028 school year, media literacy instruction must also: (1) be age- and developmentally appropriate for each grade level being taught; (2) teach about the harmful physical, emotional, and psychological effects associated with unhealthy use of the Internet and social media; and (3) provide information on resources to report cyberbullying and the illicit online behavior of others. 105 ILCS 5/27-405, added by P.A. 104-391. *Media literacy* means the ability to access, analyze, evaluate, create, and communicate using a variety of objective forms, including, but not limited to, print, visual, audio, interactive, and digital texts. For additional resources, see www.isbe.net/keeplearning. See also f/n 24, above, regarding internet safety.

[48] 105 ILCS 5/27-310~~23.15~~(b), renumbered by P.A. 104-391. Subject to appropriation, school districts can apply for a competitive grant to support computer science programs. 105 ILCS 5/2-3.199, added by P.A. 103-264 and renumbered by P.A. 103-605.

[49] 105 ILCS 5/27-260~~13.1~~, amended by P.A. 103-837 and renumbered by P.A. 104-391, ~~eff. 7-1-25~~; 23 Ill.Admin.Code §1.420(l). Instruction on the conservation of natural resources must include, but is not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides, preservation of wilderness areas, forest management, protection of wildlife, and humane care of animals. Id. Instruction on climate change must include, but is not limited to, identifying the environmental and ecological impacts of climate change on individuals and communities and evaluating solutions for addressing and mitigating the impact of climate change. Id. Instruction on climate change must align with State learning standards, as appropriate and subject to funding, and ISBE is required to make instructional resources and professional development learning opportunities available for educators. Id.

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events of the Native American experience and Native American history within the Midwest and Illinois since time immemorial in accordance with 105 ILCS 5/27-20.05. [50]

In addition, all schools shall hold an educational program on the United States Constitution on Constitution Day, each September 17, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week. [51]

~~17. In grade 7 and all high school courses concerning U.S. history or a combination of U.S. history and American government, students must view a Congressional Medal of Honor film made by the Congressional Medal of Honor Foundation, provided there is no cost for the film. [52]~~

Commented [DJ5]: Note to subscribers: This requirement was repealed by P.A. 104-391, formerly at 105 ILCS 5/27-3.5.

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

50 105 ILCS 5/27-5052~~1~~, amended by P.A.~~s 102-411 (adding contributions made to society by Americans of different faith practices) and~~ 103-422 (adding teaching about Native American nations' sovereignty and self-determination) and renumbered by P.A. 104-391, and 105 ILCS 5/27-5202~~0.05~~, added by P.A. 103-422 (adding instruction on Native American experience and history) and amended and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.420(r). 105 ILCS 5/27-5052~~1~~, amended by P.A.~~s 102-411 and~~ 103-422~~;~~ and renumbered by P.A. 104-391, requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. ~~"~~"[Evidence of having comprehensive knowledge [of United States history], which may be administered remotely" is not clear. The practical reading is that it refers to teachers collecting evidence through remote assessments when students are engaged in a remote learning program during a disaster declaration due to a public health emergency.

~~Note that instruction on Native American nations' sovereignty and self-determination under 105 ILCS 5/27-21, amended by P.A.s 103-422 and 103-564, is not required until instructional materials are made available on ISBE's website, which ISBE was required to post by 7-1-24. ISBE has indicated that instruction materials should be posted by the fall of 2024.~~

Instruction in events of the Native American experience and Native American history must include "the contributions of Native Americans in government and the arts, humanities, and sciences, as well as the contributions of Native Americans to the economic, cultural, social, and political development of their own nations and of the United States." Additionally, in grades 6 through 12, the instruction must include "the study of the genocide of and discrimination against Native Americans, as well as tribal sovereignty, treaties made between tribal nations and the United States, and the circumstances around forced Native American relocation." 105 ILCS 5/27-20.05, added by P.A. 103-422. See also f/n 48, below. ISBE's *Native American and Indigenous Peoples Resource Guide* (March 2025) is available at: www.isbe.net/keeplearning~~ may make instructional materials and professional development opportunities available to support instruction on Native Americans under 105 ILCS 5/27-20.05, added by P.A. 103-422~~. ISBE has shared that professional development opportunities (for a fee) may also be available through Northwestern University, see Homepage | Teaching With and About Native Peoples. For additional resources, see https://americanindian.si.edu/nk360 and www.iste.org/explore/classroom/15-resources-teaching-native-american-history-and-culture. 105 ILCS 5/27-5052~~1~~ does not specify at what grade level districts must cover these topics as part of U.S. history instruction; however, no student may graduate from grade 8 unless the student has received instruction in U.S. history and demonstrated comprehensive knowledge of the subject matter.

For guidance about the requirements of adding the roles and contributions of LGBT people in U.S. and Illinois, see:

1. Inclusive Curriculum Law Frequently Asked Questions (FAQs) at:

   www.phimc.org/wp-content/uploads/2020/05/Inclusive-Curriculum-FAQs.pdf;

2. Inclusive Curriculum Law Overview at:

   www.phimc.org/wp-content/uploads/2020/05/Inclusive-Curriculum-One-Pager.pdf; and

3. Inclusive Curriculum Implementation Guidance (Condensed Edition) at:

   www.isbe.net/Documents/Support-Students-Implementation-Guidance.pdf

51 Section 111 of Division J of Pub. L. 108-447, the Consolidated Appropriations Act, 2005, 12-8-04; 118 Stat. 2809, 3344-45 (Section 111). Section 111(b) states: "[e]ach educational institution that receives Federal funds for a fiscal year shall hold an educational program on the U.S. Constitution on September 17 of such year for the student served by the educational institution."

~~**52** 105 ILCS 5/27-3.5. The Congressional Medal of Honor film is available on ISBE's website for no cost at: www.isbe.net/Pages/Medal-of-Honor.aspx.~~

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~~18.~~22. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the Holocaust and crimes of genocide, including Nazi atrocities of 1933-1945, the Native American genocide in North America, Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan. [53]

~~19.~~23. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the history, struggles, and contributions of women. [54]

~~20.~~24. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on Black History, including the history of the pre-enslavement of Black people from 3,000 BCE to AD 1619, the African slave trade, slavery in America, the study of the reasons why Black people came to be enslaved, the vestiges of slavery in this country, the study of the American civil rights renaissance, as well as the struggles and contributions of African-Americans. [55]

~~21.~~25. In all schools offering a secondary agricultural education program, the curriculum includes courses as required by 105 ILCS 5/2-3.80. [56]

~~22.~~26. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement. [57]

~~23.~~27. In all schools, instruction as determined by the Superintendent or designee on the events of Asian American history, including the history of Asian Americans in Illinois and the Midwest, as well as the contributions of Asian Americans toward advancing civil rights from the 19th century onward, which must include the contributions made by individual Asian Americans in government and the arts, humanities, and sciences, as well as the contributions

Commented [DJ6]: **Note to subscribers:** The optional Irish famine instruction is not new but is now offered as optional language for this policy.

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

[53] 105 ILCS 5/27-525~~20.3~~, amended by P.A.s 103-422 and 103-564 and renumbered by P.A. 104-391. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. Beginning with the 2024-2025 school year, instruction on Native American genocide in grades 6-12 is ~~also~~ required by 105 ILCS 5/27-520~~20.05~~, added by P.A. 103-422 and renumbered by P.A. 104-391~~in grades 6-12~~. ~~Note that instruction on Native American genocide under 105 ILCS 5/27-20.3, amended by P.A.s 103-422 and 103-564, is not required until instructional materials are made available on ISBE's website, which ISBE was required to post by 7-1-24. See f/n 45, above.~~

A district may include in its curriculum a unit of instruction studying the causes and effects of mass starvation in mid-19th century Ireland, known as the "Irish Famine." 105 ILCS 5/27-1030, renumbered by P.A. 104-391. If offered, the board locally determines the minimum amount of instruction time. Id. For a resource originally developed by the NJ Commission on Holocaust Education, see www.oregon.gov/ode/educator-resources/standards/socialsciences/Documents/IrishFamine.pdf. If a board provides this instruction, insert "the Irish Famine" before the last item listed in this sentence and insert "5/27-1030" in the Legal References (in numerical order).

[54] 105 ILCS 5/27-535~~20.5~~, renumbered by P.A. 104-391. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. House Resolution 365 (98th General Assembly, 2013) and Senate Resolution 1073 (98th General Assembly, 2014) both urge all Illinois educators to share with students of an appropriate age the story of *comfort women* when discussing the history of Asia or World War II, or the issue of human trafficking.

[55] 105 ILCS 5/27-530~~20.4~~, renumbered by P.A. 104-391. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. A school may meet this curriculum requirement through an online program or course. Id.

[56] 105 ILCS 5/2-3.80(e) or (f), as applicable.

[57] 105 ILCS 5/27-545~~23.8~~, renumbered by P.A. 104-391. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. The statute requires that the instruction be founded on the principle that all students, including students with disabilities, have the right to exercise self-determination. It urges districts to request individuals with disabilities to assist with the development and delivery of this instruction and allows instruction to be supplemented by knowledgeable guest speakers.

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of Asian American communities to the economic, cultural, social, and political development of the United States. [58]

~~24.~~28. In kindergarten through grade 8, education must be available to students concerning effective methods of preventing and avoiding traffic injuries related to walking and bicycling. [59] [60]

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

[58] 105 ILCS 5/27-~~540~~20.8, renumbered by P.A. 104-391~~added by P.A. 102-44~~. Id. at (c) states that the regional superintendent of schools [or Intermediate Service Center Executive Director, whichever is appropriate] will monitor districts' compliance with this law during the annual compliance review visits. Districts may meet this law's requirements through online programs or courses. Id. at (d). 105 ILCS 5/3-0.01 states any reference to "regional superintendent" includes the chief administrative officer of Intermediate Service Centers established under 105 ILCS 5/2-3.62. For resources, see www.isbe.net/Pages/ContinueEDResources.aspx (TEACCH Act).

[59] 105 ILCS 5/27-110, renumbered by P.A. 104-391~~23.11~~ requires districts that maintain any of the grades kindergarten through 8 to adopt a policy. The law is silent about how to educate students on this topic. See sample exhibit 6:60-AP1, E2, *Resources for Biking and Walking Safety Education*, for additional information.

[60] A school district may offer a course on hunting safety as part of its curriculum during the school day. 105 ILCS 5/27-10602~~3.13~~, renumbered by P.A. 104-391. No grade levels are specified in the statute. Insert "5/27-10602~~3.13~~," ~~after 105 ILCS 5/27-23.11~~ in the Legal References (in numerical order), and an optional number 296, if the board wants to offer a course on hunting safety as part of its curriculum:

In grade(s) [*insert grade level(s)*], a course on hunting safety will be offered during the school day.

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LEGAL REF.: Pub. L. No. 108-447, Section 111 of Division J, Consolidated Appropriations Act of 2005.
Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008), Protecting Children in the 21st Century Act.
47 C.F.R. §54.520.
5 ILCS 465/3 and 465/3a.
20 ILCS 2605/2605-480.
105 ILCS 5/2-3.80(e) and (f), 5/10-20.79, 5/10-20.84, 5/10-23.13, 5/22-110~~5/27-3~~, ~~5/27-3.5, 5/27-5, 5/27-6, 5/27-6.5, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.05, 5/27-20.08, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-20.7, 5/27-20.8, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-23.10, 5/27-23.11, 5/27-23.15, 5/27-23.16, 5/27-24.1, and 5/27-24.25~~/27-105, 5/27-110, 5/27-115, 5/27-210, 5/27-215, 5/27-245, 5/27-250, 5/27-255, 5/27-260, 5/27-305, 5/27-310, 5/27-315, 5/27-405, 5/27-410 (scheduled for repeal on 7-1-27), 5/27-415 (scheduled for repeal on 7-1-27), 5/27-505, 5/27-510, 5/27-515, 5/27-520, 5/27-525, 5/27-530, 5/27-535, 5/27-540, 5/27-545, 5/27-605, 5/27-705, 5/27-710, 5/27-715, 5/27-720, 5/27-725, 5/27-810, 5/27-815, and 5/27-1050.
~~105 ILCS 110/3, Comprehensive Health Education Program.~~
105 ILCS 435/, Vocational Education Act.
625 ILCS 5/6-408.5, Ill. Vehicle Code.
23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.

CROSS REF.: 4:165 (Awareness and Prevention of Child Sex Abuse and Grooming Behaviors), 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:70 (Teaching About Religions), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:260 (Exemption from Physical Education)

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Instruction

Program for the Gifted [1]

The Superintendent or designee shall implement an education program for gifted and talented learners that will challenge and motivate academically advanced learners and engage them in appropriately differentiated learning experiences to develop their unique abilities.[2] This program will be responsive to student needs and within the budget parameters as set by the Board.~~If the State Superintendent of Education issues a Request for Proposals because sufficient State funding is available to support local programs of gifted education the Superintendent or designee shall inform the Board concerning the feasibility and advisability of developing a "plan for gifted education" that would qualify for State funding.~~ [3]

Eligibility to participate in the gifted program shall not be conditioned upon race, religion, sex, disability, or any factor other than the student's identification as gifted or talented learner. [4]

The School Board will monitor this program's performance by meeting periodically with the Superintendent or designee to determine and/or review the indicators and data that evidence whether the educational program for gifted and talented learners is accomplishing its goals and objectives and is otherwise in compliance with this policy.

LEGAL REF.: 105 ILCS 5/14A.

~~23 Ill.Admin.Code Part 227.~~

CROSS REF.: 6:135 (Accelerated Placement Program)

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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~~ to the extent that districts can qualify for State funding for the education of gifted and talented children, should such funding be available~~. 105 ILCS 5/14A, amended by P.A. 104-129, eff. 1-1-26. While a policy on programs for gifted and talented children is not required, a policy on accelerated placement is required. 105 ILCS 5/14A-32 (the Accelerated Placement Act)~~, amended by P.A.s 101-654 and 102-209~~. See sample policy 6:135, *Accelerated Placement Program*, and sample administrative procedure 6:135-AP, *Accelerated Placement Program Procedures*.

[2] The goals and objectives of this program may be modified by the board.

[3] School districts have the authority and flexibility to design education programs for gifted and talented learners~~, but these programs must comply with~~ 105 ILCS 5/14A-15 and 5/14A-30, amended by P.A. 104-129, eff. 1-1-26~~; and 23 Ill.Admin.Code Part 227~~.

~~If a board does not wish to tie the gifted program to requirements for State funding, use this alternative:~~

~~The Superintendent or designee shall implement an education program for gifted and talented learners that is responsive to student needs and is within the budget parameters as set by the Board.~~

[4] 105 ILCS 5/14A-25.

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Instruction

Accelerated Placement Program [1]

The District provides an Accelerated Placement Program (APP). The APP advances the District's goal of providing educational programs with opportunities for each student to develop to his or her maximum potential.[2] The APP provides an educational setting with curriculum options usually reserved for students who are older or in higher grades than the student participating in the APP.[3] APP options include, but may not be limited to: (a) accelerating a student in a single subject; (b) other grade-level acceleration; and (c) early entrance to kindergarten or first grade.[4] Participation in the APP is open to all students who demonstrate high ability and who may benefit from accelerated placement. It is not limited to students who have been identified as gifted and talented.[5] Eligibility to participate in the District's APP shall not be conditioned upon the protected classifications identified in Board policy 7:10, *Equal Educational Opportunities*, or any factor other than the student's identification as an accelerated learner. [6]

The Superintendent or designee shall implement an APP that includes:

1. Decision-making processes that are fair, equitable, and involve multiple individuals, e.g. District administrators, teachers, and school support personnel, and a student's parent(s)/guardian(s). [7]
2. Processes that provide a student's parent(s)/guardian(s) with: [8]
    a. Written notification when their child is eligible for enrollment in accelerated courses; and

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

[1] State law requires this subject matter be covered by policy and controls its content. 105 ILCS 5/14A (the Accelerated Placement Act (APA)); 23 Ill.Admin.Code Part 227. Ill. State Board of Education (ISBE) rules require this policy to be posted on the district website, if available. 23 Ill.Admin.Code §227.60(a). ISBE rules also require districts to annually report, by July 31, demographic information regarding students participating in accelerated placement. 23 Ill.Admin.Code §227.60(c).

[2] Optional. Ensure this statement matches the board's current educational philosophy and objectives. See sample policy 6:10, *Educational Philosophy and Objectives*.

[3] 105 ILCS 5/14A-17, amended by P.A. 103-263; 23 Ill.Admin.Code §227.5.

[4] Id. For high school districts, delete "~~; and (c) early entrance to kindergarten or first grade~~" and insert the word "and" between (a) and (b).

Attorneys disagree whether the APA conflicts with 105 ILCS 5/10-20.12 (*School year – School age.*). The APA requires accelerated placement to include "early entrance to kindergarten or first grade." 105 ILCS 5/14A-17. 105 ILCS 5/10-20.12 *permits* districts to offer early entrance to kindergarten or first grade "based upon an assessment of the student's readiness to attend school." 105 ILCS 5/10-20.12 also states that students may enter first grade early when they: (1) are assessed for readiness; (2) have attended a non-public preschool and continued their education at that school through kindergarten; (3) were taught in kindergarten by an appropriately certified teacher; and (4) will attain the age of 6 years on or before December 31. Id. See sample policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. **Consult the board attorney for guidance**.

[5] 105 ILCS 5/14A-32(a)(1); 23 Ill.Admin.Code §227.5.

[6] 105 ILCS 5/14A-25.

[7] 105 ILCS 5/14A-32(a)(2) requires that the accelerated placement policy include "a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians" but does not specify what individuals are to be involved or limit those individuals to district employees. Amend this listing to align with the local board's preference.

[8] Id. at (a-25), added by P.A. 103-743, and (a)(3).

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b. Notification of a decision affecting their child's participation in the APP.

3. Assessment processes that include multiple valid, reliable indicators. [9]
4. The automatic enrollment, in the following school term, of a student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment administered under 105 ILCS 5/2-3.64a-5, as follows: [10]
    a. A student who meets or exceeds State standards in English language arts shall be automatically enrolled into the next most rigorous level of advanced coursework in English, social studies, humanities, or related subjects.
    b. A student who meets or exceeds State standards in mathematics shall be automatically enrolled into the next most rigorous level of advanced coursework in mathematics.
    c. A student who meets or exceeds State standards in science shall be automatically enrolled into the next most rigorous level of advanced coursework in science.
5. Waiver of a course completion requirement under Board policy 6:300, *Graduation Requirements*, if the District determines that the student has demonstrated mastery of or competency in the content of the course or unit of instruction. [11]

The Superintendent or designee shall annually notify the community, parent(s)/guardian(s), students, and school personnel about the APP, the process for referring a student for possible evaluation for accelerated placement, and the methods used to determine whether a student is eligible for accelerated placement, including strategies to reach groups of students and families who have been historically

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[9] Id. at (a)(4).

[10] Required only for districts with grades 9-12 by 105 ILCS 5/14A-32(a-5), amended by P.A.s ~~102-209 and~~ 103-743 and 104-261, eff. 1-1-26. Delete for elementary school districts. This provision originally applied to "a student who meets or exceeds State standards" but was amended by P.A.s 103-743 and 104-261, eff. 1-1-26, to only apply to "a student who ~~meets or~~ exceeds State standards." P.A. 103-743 also added new 105 ILCS 5/14A-32(a-10), requiring that by the beginning of the 2027-28 school year, districts with grades 9-12 state in their policy that "a student who meets State standards" will, in the following school term (the 2028-29 school year), be automatically enrolled in the next most rigorous level of advanced coursework offered by the high school. Nothing in the law prohibits districts from continuing to offer automatic enrollment to students who meet State standards before the 2028-29 school year. **Consult with the board attorney to determine whether to keep or strike "meets or" from Item #4 and its subsections (a)-(c).**

Though not set forth explicitly in the statute, ISBE asserts that 105 ILCS 5/14A-32(a-5), amended by P.A.s ~~102-209 and~~ 103-743 and 104-261, eff. 1-1-26, is limited to "[d]istricts with grades 9-12." See ISBE *Accelerated Placement Policy Guidance for Districts Frequently Asked Questions* (May 2024), at: www.isbe.net/Documents/Accelerated-Placement-Act-FAQ.pdf. The FAQ further explains that districts must "have the automatic enrollment policy in place prior to the start of the school year 2023-24 and districts will use scores from that school year to automatically enroll students during school year 2024-25." Id.

A district must provide the parents/guardians of a student eligible for automatic enrollment with the option to instead enroll in alternative coursework that better aligns with the student's postsecondary education or career goals. For a student entering grade 12, the next most rigorous level of advanced coursework in English language arts or mathematics must be a *dual credit course* (as defined in the Dual Credit Quality Act, 110 ILCS 27/5), an *Advanced Placement course* (as defined in the College and Career Success for All Students Act, 105 ILCS 302/10), or an International Baccalaureate course. The same is true for all other subjects, except that the next most rigorous level of advanced coursework may also include an honors class, an enrichment opportunity, a gifted program, or another program offered by the district. 105 ILCS 5/14A-32(a-15), ~~amended by P.A. 102-209 and~~ renumbered by P.A. 103-743. See sample administrative procedure 6:135-AP, *Accelerated Placement Program Procedures*.

For a description of State assessments, see www.isbe.net/Pages/Assessment.aspx.

[11] Optional and only for districts with grades 9-12. 105 ILCS 5/14A-32(a-20), added by P.A. 103-743 and amended by 104-261, eff. 1-1-26.

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underrepresented in accelerated placement programs and advanced coursework.[12] Notification may: (a) include varied communication methods, such as student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate. [13]

LEGAL REF.: 105 ILCS 5/14A.
23 Ill.Admin.Code Part 227, Gifted Education.

CROSS REF.: 6:10 (Educational Philosophy and Objectives), 6:130 (Program for the Gifted), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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[12] Optional. 105 ILCS 5/14A-32(b)(1) permits, but does not require "procedures for annually informing the community at-large, including parents or guardians, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework[.]"

[13] Optional. 105 ILCS 5/14A does not require this but it is a recommended best practice and aligns with sample policy 7:10, *Equal Educational Opportunities*.

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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. A *homeless child* is defined as provided in the McKinney-Vento Homeless Assistance Act and the Education for Homeless Children Act.[2] [3] The Superintendent or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation. [4]

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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.

105 ILCS 5/2-3.206, added by P.A. 104-302, eff. 1-1-26, requires districts to annually report to the Ill. State Board of Education (ISBE) on funding to serve homeless children and youth and how such funding was spent.

[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* means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of 42 U.S.C. §11302(a)(1)) and 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/ for the U.S. Dept. of Education's information about federal requirements.

[4] 42 U.S.C. §11432(g)(l)(J)(ii).

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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 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~~ISBE's *Homeless Dispute Resolution Procedures* (updated 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 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.

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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)

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Instruction

English Learners [1]

The District offers opportunities for resident English Learners to achieve at high levels in academic subjects and to meet the same challenging State academic standards that all children are expected to meet. The Superintendent or designee shall develop and maintain a program for English Learners that will:

1. Assist all English Learners to achieve English proficiency, facilitate effective communication in English, and encourage their full participation in school activities and programs as well as promote participation by the parents/guardians of English Learners. [2]
2. Appropriately identify students with limited English language proficiency. [3]

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. The assessment and accountability provisions in the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act, and State law include English Learners. 20 U.S.C. §§6312, 6314, 6315, and 6318; 34 C.F.R. Part 200.

ESEA Title III, Part A, also known as the English Language Acquisition, Language Enhancement, and Academic Achievement Act, provides funding to support schools' efforts to help children who are English learners "achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet." 20 U.S.C. §6812(2). Reimbursement for programs is contingent on the submission and approval of a program plan and request for reimbursement in accordance with the requirements in 105 ILCS 5/14C-12 and 23 Ill.Admin.Code Part 228. This policy uses *English Learners* (EL) rather than *English Language Learners* (ELL) or *Limited English Proficient* (LEP). LEP and ELL are no longer terms used generally among educators and researchers in the field of English language acquisition. 37 Ill. Reg. 16804. The Ill. State Board of Education (ISBE) now uses the term *English learners*, which are synonymous with LEP and ELL. P.A. 99-30 also deleted *language* from "English ~~language~~ learner."

For purposes of this policy, *English Learners* is synonymous with the School Code definition, which means: (1) all students in grades Pre-K through 12 who were not born in the United States, whose native tongue is a language other than English, and who are incapable of performing ordinary classwork in English; and (2) all students in grades Pre-K through 12 who were born in the United States of parents possessing no or limited English-speaking ability and who are incapable of performing ordinary classwork in English. 105 ILCS 5/14C-2. **Note**: The Ill. Administrative Code definition of *English Learner* still provides that *English Learner* means any student in preschool, kindergarten or any of grades 1 through 12, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English is not yet sufficient to provide the student with: (1) the ability to meet the State's proficient level of achievement on State assessments; (2) the ability to successfully achieve in classrooms where the language of instruction is English, or (3) the opportunity to participate fully in the school setting. 23 Ill.Admin.Code §228.10.

The Office for Civil Rights (OCR) at the U.S. Dept. of Education (DOE) and the Civil Rights Division at the U.S. Dept. of Justice (DOJ) have issued joint guidance to assist school districts and all public schools in meeting their legal obligations to ensure that English Learners can participate meaningfully and equally in educational programs and services. The guidance is available at: www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf (copy and paste link into browser if clicking doesn't work). In support of this guidance, the Office of English Language Acquisition released an *English Learner (EL) Tool Kit* to assist school districts in providing EL students with the support necessary to achieve their full academic potential. The *Tool Kit* is available at: www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

[2] This policy's first sentence and the first numbered paragraph both allow a school board to consider the goals for its English Learners programs; a board should amend the sample policy accordingly.

[3] 23 Ill.Admin.Code §228.15. Districts must administer a home language survey to each student entering the district's schools for the first time within 30 days after the student's enrollment. The survey's purpose is to identify students of non-English background. ISBE's website contains useful information about communicating with parents/guardians of English Learners (www.isbe.net/Pages/Resources-for-Families-of-English-Learners.aspx), including sample Home Language Surveys and program letters in many languages (www.isbe.net/Pages/Screening-for-English-Language-Proficiency.aspx).

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3. Comply with State law regarding the Transitional Bilingual Educational Program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable. [4]
4. Comply with any applicable State and federal requirements for the receipt of grant money for English Learners and programs to serve them. [5]
5. Determine the appropriate instructional program and environment for English Learners. [6]
6. Annually assess the English proficiency of English Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment. [7]
7. Include English Learners, to the extent required by State and federal law, in the District's student assessment program to measure their achievement in reading/language arts and mathematics. [8]
8. Provide information to the parents/guardians of English Learners about: (a) the reasons for their child's identification, (b) their child's level of English proficiency, (c) the method of instruction to be used, (d) how the program will meet their child's needs, (e) how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation, (f) specific exit requirements of the program, (g) how the program will meet their child's individualized education program, if applicable, and (h) information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged. [9]

Parent/Guardian Involvement [10]

Parents/guardians of English Learners will be informed how they can: (1) be involved in the education of their children; (2) be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students; and (3) participate and serve on the District's Transitional Bilingual Education Programs Parent Advisory Committee.

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For purposes of identifying students eligible to receive special education, districts must administer non-discriminatory procedures to English Learners coming from homes in which a language other than English is used. 105 ILCS 5/14-8.02.

[4] 105 ILCS 5/14C-3, amended by P.A. 104-261, eff. 1-1-26, and 23 Ill.Admin.Code §§228.25, and 228.30.

[5] 20 U.S.C. §§6312, 6314, 6315, 6318, and 6801 et seq.; 34 C.F.R. Part 200; 105 ILCS 5/14C-1 et seq.; and 23 Ill.Admin.Code Part 228.

[6] 23 Ill.Admin.Code §228.25.

[7] 23 Ill.Admin.Code §228.25(b). Districts must annually assess the English language proficiency of all English learners using the assessment prescribed by the State Superintendent of Education. This assessment is the Assessing Comprehension and Communication in English State to State for English Language Learners (ACCESS for ELLs) test. See www.isbe.net/Pages/AccessforELL.aspx

[8] 34 C.F.R. Part 200.

[9] 20 U.S.C. §6312(e)(3)(A) and 23 Ill.Admin.Code §228.40.

[10] 20 U.S.C. §6312(e)(3)(C) and 23 Ill.Admin.Code Part 228. 105 ILCS 5/14C-10 requires school districts to establish parental advisory committees for transitional bilingual education programs. See sample administrative procedure 2:150-AP, *Superintendent Committees*.

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LEGAL REF.: 20 U.S.C. §§6312, 6314, 6315, and 6318.
20 U.S.C. §6801 et seq.
34 C.F.R. Part 200.
105 ILCS 5/14C-1 et seq.
23 Ill.Admin.Code Part 228.

CROSS REF.: 6:15 (School Accountability), 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program)

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Instruction

Instructional Materials [1]

All District classrooms and learning centers should be equipped with an evenly-proportioned, wide assortment of instructional materials, including textbooks, workbooks, audio-visual materials, and electronic materials. These materials should provide quality learning experiences for students and: [2]

1. Enrich and support the curriculum;
2. Stimulate growth in knowledge, literary appreciation, aesthetic values, and ethical standards;
3. Provide background information to enable students to make informed judgments and promote critical reading and thinking;
4. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society; and
5. Contribute to a sense of the worth of all people regardless of sex, race, religion, nationality, ethnic origin, sexual orientation, disability, or any other differences that may exist.

The Superintendent or designee shall annually provide a list or description of textbooks and instructional materials used in the District to the School Board. Anyone may inspect any textbook or instructional material. [3]

Teachers are encouraged to use age-appropriate supplemental material only when it will enhance, or otherwise illustrate, the subjects being taught. No R-rated movie shall be shown to students unless prior approval is received from the Superintendent or designee, and no movie rated NC-17 (no one 17 and under admitted) shall be shown under any circumstances. These restrictions apply to television programs and other media with equivalent ratings. The Superintendent or designee shall give parents/guardians an opportunity to request that their child not participate in a class showing a movie, television program, or other media with an R or equivalent rating. [4]

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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 some of this policy's content.

[2] A local board may customize these standards to be consistent with the board's mission, vision, and goals. See sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs*, at f/n 3, for discussion of accommodation of parent religious objections to instructional materials.

[3] This paragraph is optional; either or both sentences may be struck although the second sentence describes a right granted by statute. 105 ILCS 5/28-19.1. The requirement to provide the board with a list or description of texts and instructional material allows the board to monitor this policy's implementation. Moreover, as 105 ILCS 5/28-19.1 grants anyone the right to inspect texts and instructional materials, having an annual list of texts and instructional materials facilitates compliance with such a request. Because some instructional materials, e.g., Internet sites, are difficult to list, the sample policy permits a list or *description*. Federal law grants parents/guardians the right to inspect all instructional material that will be used for a survey, analysis, or evaluation. 20 U.S.C. §1232h. See sample policy 7:15, *Student and Family Privacy Rights*.

[4] This paragraph is optional. Its content is at the board's discretion. While allowing parents/guardians to opt their child out of viewing such material is not a legal requirement, it is a best practice.

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Instructional Materials Selection and Adoption

The Superintendent shall approve the selection of all textbooks and instructional materials according to the standards described in this policy.[5] The School Code governs the adoption and purchase of textbooks and instructional materials. [6]

LEGAL REF.: 105 ILCS 5/10-20.8 and 5/28-19.1.

CROSS REF.: 6:30 (Organization of Instruction), 6:40 (Curriculum Development), 6:80 (Teaching About Controversial Issues), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

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[5] An alternative provision:

The Superintendent shall recommend to the Board for consideration and adoption all textbooks and instructional materials and shall include the following information: (1) title, publisher, copyright dates, number of copies desired, and cost; (2) any texts being replaced; and (3) rationale for recommendation.

A board that does not have the capacity or desire to approve all instructional materials may use the following alternative:

The Superintendent shall recommend to the Board for consideration and adoption all textbooks and primary instructional materials and shall include the following information: (1) title, publisher, copyright dates, number of copies desired, and cost; (2) any texts being replaced; and (3) rationale for recommendation. The Superintendent shall approve the selection of all other instructional materials.

[6] 105 ILCS 5/28~~, amended by P.A. 101-17~~. The term *textbook* includes electronic or digital textbooks used for educational purposes. 105 ILCS 5/28-20. The term *instructional materials* means both print and non-print materials, including electronic textbooks being used in the educational process. Id.

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Instruction

Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct [1]

The Superintendent or designee shall establish a *Bring Your Own Technology* (BYOT) *Program*. The program will: [2]

1. Promote educational excellence by facilitating resource sharing, innovation, and communication to enhance (a) technology use skills; (b) web-literacy and critical thinking skills about Internet resources and materials, including making wise choices; and (c) habits for responsible digital citizenship required in the 21st century. [3]
2. Provide sufficient wireless infrastructure within budget parameters. [4]
3. Provide access to the Internet only through the District's electronic networks. [5]
4. Identify approved BYOT devices and what District-owned technology devices may be available; e.g., laptops, tablet devices, E-readers, and/or smartphones.
5. Align with Board policies 4:140, *Waiver of Student Fees*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 5:125, *Personal Technology and Social Media; Usage and Conduct*; 5:170, *Copyright*; 6:120, *Education of Children with Disabilities*; 6:235,

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[1] This policy is optional. It concerns an area in which the law is unsettled. 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. Consult the board attorney and the district's information technology professional(s) for advice to create a legally sound program that fits your district's mission statement for instruction.

[2] Customize paragraphs 1-8 to reflect the how the program will align with the board's mission statement for instruction and goals for its program.

[3] 105 ILCS 5/27-~~4101~~3.3, renumbered by P.A. 104-391 and scheduled for repeal on 7-1-27; 5/27-405, added by P.A. 104-391, and 47 C.F.R. §54.520(c)(1)(i) require Internet safety instruction. See f/n 24 in 6:60, *Curriculum Content*, for more discussion.

[4] Districts may want to consider a *guest network*, similar to what hotels and other service industry hosts provide to their customers. This can protect a district's network from malicious software, which is discussed in f/n 5 below.

[5] Care must be taken to comply with the Children's Internet Protection Act (CIPA) (47 U.S.C. §254). CIPA requires the district to provide content filters, blocking lists, or district monitoring of Internet website traffic for patterns of usage that could indicate inappropriate network usage. While a program using district-owned technology devices is always subject to the district's electronic network rules, a BYOT program creates the possibility for students to bypass the district's electronic network and access the Internet through their own wireless providers' signals. This *bypass* complicates a district's duty under CIPA because it cannot guarantee students use its electronic network; preventing bypassing is hard for school officials to control.

Consult the board attorney about managing CIPA compliance issues in the context of a BYOT program. This sample policy is conservative, and it requires that CIPA govern the use of any BYOT device's Internet access capability while the device is at school. If the board will allow a student to bypass the district's electronic network and access his or her wireless providers' signals, consult the board attorney.

Care must also be taken to reduce the electronic network's vulnerability to malicious viruses and malware. Malicious viruses and malware ~~are increasingly being~~ may target~~ed to~~ smartphone users through spam text messages. ~~This is evidenced by the Federal Trade Commission (FTC) filing lawsuits around the country accusing companies of ordering or engineering the sending of hundreds of millions of spam text messages to mobile phone users.~~ The district may want to require students to ensure their BYOT devices contain an anti-virus and/or anti-malware software product. While many of these software products are free, some are not. Requiring all BYOT devices to have this type of software presents equity issues between students because it may require parents/guardians to spend funds to participate (see the discussion at~~in~~ f/n 6 below).

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Access to Electronic Networks; 7:140, *Search and Seizure*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:190*, Student Behavior*; 7:340, *Student Records*; and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*. [6]

6. Provide relevant staff members with BYOT professional development opportunities, including the provision of: [7]
    a. Classroom management information about issues associated with the program, e.g., technical support, responsible use, etc.;

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[6] A BYOT program must continue to follow established policies. Boards may use this alternative, "Align with established Board policies."

Managing the following board policy issues may require a consultation with the board attorney:

1. 4:140, *Waiver of Student Fees*, needs examination because most BYOT programs require parents/guardians to spend funds to participate. 105 ILCS 5/10-20.13, amended by P.A. 104-391~~s 102-1032 and 102-805, eff. 1-1-23~~, requires districts, at a minimum, to waive charges for textbooks, instructional materials, and other fees for children whose families are unable to afford them. See also policy 6:210, *Instructional Materials*, stating that district classrooms and learning centers should be equipped with an evenly-proportioned, wide assortment of instructional materials, including textbooks, workbooks, audio-visual materials, and electronic materials.
2. Management issues concerning 5:125, *Personal Technology and Social Media; Usage and Conduct*, and 5:170, *Copyright* are discussed in f/ns 7 and 8 below.
3. 6:120, *Education of Children with Disabilities*, requires consideration for students with disabilities when integrating any technology programs into the educational environment. As with district-provided devices (often referred to as 1:1 *technology programs*), devices must be accessible to students with disabilities, including those who are blind, have low vision or have a disability that affects their ability to access print information. The use of mobile devices that do not allow a student with a disability to access the instructional materials would be a violation of the student's right under the Individuals With Disabilities Education Act (IDEA) (20 U.S.C. §1400 et seq.).
4. 6:235, *Access to Electronic Networks*, is discussed in f/n 5 above.
5. 7:140, *Search and Seizure*, still applies in a BYOT program. The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. However, 105 ILCS 5/10-22.6(e) allows school officials to inspect the personal effects left by a student on property owned or controlled by the school, e.g., lockers, desks, and parking lots. Many cases suggest that to search a student's possessions left in the locker, school officials need individualized suspicion of wrongdoing. Many of the issues re: the search of electronic devices that are discussed in 7:190-AP6, *Guidelines for Investigating Sexting Allegations*, will apply to investigations involving BYOT devices. To minimize mediating with law enforcement for parents/guardians about confiscated devices, districts should distinguish whether they are acting upon their own initiative or need to contact law enforcement. See f/ns in sample policy 7:140, *Search and Seizure*, and the policy's **Seizure of Property** subhead.
6. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, and 7:190, *Student Behavior*, present similar issues to #3 and #4 above. Students must be aware that traditional expectations for appropriate behavior, and the consequences for inappropriate behavior, apply to a BYOT program.
7. See 7:340, *Student Records*. The law is not clear whether materials created by students participating in a BYOT program through a district's network access are *school student records*.
8. 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, requires districts to comply with the Student Online Personal Protection Act (SOPPA), 105 ILCS 85/~~, amended by P.A. 101-516~~; see also 23 Ill.Admin.Code Part 380. Implementation of a BYOT program does not exempt a district from complying with SOPPA's contractual and security mandates, including implementation and maintenance of reasonable security procedures and practices designed to protect student's *covered information*. Reasonable security practice guidance adopted by ISBE recommends, in part, that districts create a separate wireless network for personal or untrusted devices. See sample policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, at f/n 11 for more information.

[7] See f/n 1 above re: collective bargaining. Moving forward without properly training educators to manage BYOT issues may create pedagogical problems. One option for this training is to incorporate it into the training required during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*. Many issues involved in BYOT programs intersect with maintenance of appropriate behavior and policy 5:125, *Personal Technology and Social Media; Usage and Conduct*.

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b. A copy of or access to this policy and any building-specific rules for the program;
c. Additional training, if necessary, about 5:170, *Copyright*; and
d. Information concerning appropriate behavior of staff members as required by State law and Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*. [8]

7. Provide a method to inform parents/guardians and students about this policy.
8. Include the program in the annual report to the Board as required under Board policy 6:10, *Education Philosophy and Objectives*.

The District reserves the right to discontinue its BYOT program at any time. The District does not provide liability protection for BYOT devices, and it is not responsible for any damages to them.

Responsible Use [9]

The District recognizes students participating in the program as responsible young adults and holds high expectations of their conduct in connection with their participation in the program. Teachers may encourage students to bring their own devices as supplemental in-class materials when: (a) using the devices will appropriately enhance, or otherwise illustrate, the subjects being taught; (b) the Building Principal has approved their use and found that their use is age-appropriate; and (c) the student's parent/guardian has signed the *Bring Your Own Technology* (BYOT) *Program Participation Authorization and Responsible Use Agreement Form*. A student's right to privacy in his or her device is limited; any reasonable suspicion of activities that violate law or Board policies will be treated according to policy 7:140, *Search and Seizure*.

Responsible use in the program incorporates into this policy the individual's *Acceptable Use of Electronic Networks* agreement pursuant to Board policy 6:235, *Access to Electronic Networks*. Responsible use also incorporates the established usage and conduct rules in Board policies~~y~~ 5:125, *Personal Technology and Social Media; Usage and Conduct*, for staff, and 7:190, *Student Behavior*, for students. Failure to follow these rules and the specific BYOT program student guidelines may result in: (a) the loss of access to the District's electronic network and/or student's BYOT privileges; (b) disciplinary action pursuant to Board policies 7:190, *Student Behavior*; 7:200, *Suspension Procedures*; or 7:210, *Expulsion Procedures*; and/or (c) appropriate legal action, including referrals of suspected or alleged criminal acts to appropriate law enforcement agencies.

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[8] 23 Ill.Admin.Code §22.20 and 105 ILCS 5/21B-75~~, amended by P.A. 102-552~~.

[9] This section provides general guidelines. A BYOT program will require a parent/guardian authorization to participate in it and specific guidelines for students. See sample exhibits 6:220-E1, *Authorization to Participate in the Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct Agreement*; 6:220-E2, *Bring Your Own Technology (BYOT) Program Student Guidelines*; and 6:235-E5, *Children's Online Privacy Protection Act*. See f/ns 7 and 8 above re: teachers' guidelines. See f/n 1, above discussing how the application of additional guidelines for teachers may have collective bargaining implications.

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LEGAL REF.: 15 U.S.C. §§6501-6506~~8~~, Children's Online Privacy Protection Act; 16 C.F.R. Part 312, Children's Online Privacy Protection Rule.
20 U.S.C §~~6751 et seq.~~7101, Every Student Succeeds Act~~Enhancing Education Through Technology Act~~.
47 U.S.C. §254(h) and (l), Children's Internet Protection Act.
47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.
~~105 ILCS 5/10-20.28.~~

CROSS REF.: 1:30 (School District Philosophy), 4:140 (Waiver of Student Fees), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:170 (Copyright), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:120 (Education of Children with Disabilities), 6:210 (Instructional Materials), 6:235 (Access to Electronic Networks), 7:140 (Search and Seizure), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:340 (Student Records), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

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Instruction

Access to Electronic Networks [1]

Electronic networks are a part of the District's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication. [2]

The term *electronic networks* includes all of the District's technology resources, including, but not limited to:

1. The District's local-area and wide-area networks, including wireless networks (Wi-Fi), District-issued Wi-Fi hotspots, and any District servers or other networking infrastructure;
2. Access to the Internet or other online resources via the District's networks or to any District-issued online account from any computer or device, regardless of location;
3. District-owned or District-issued computers, laptops, tablets, phones, or similar devices.

The Superintendent shall develop an implementation plan for this policy and appoint system administrator(s). [3]

The School District is not responsible for any information that may be lost or damaged, or become unavailable when using the network, or for any information that is retrieved or transmitted via the Internet.[4] Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Curriculum and Appropriate Online Behavior

The use of the District's electronic networks shall: (1) be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library resource

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[1] State or federal law requires this subject matter be covered by policy. 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 concerns an area in which the law is unsettled.

A policy on Internet safety is necessary to receive *E-rate* funds under the Elementary and Secondary Education Act, Student Support and Academic Enrichment Grants (20 U.S.C. §7131) and to qualify for universal service benefits under the Children's Internet Protection Act (CIPA) (47 U.S.C. §254(h) and (l)).

Generally, federal rules prohibit schools from soliciting or accepting gifts or other things of value exceeding $20 from Internet service providers that participate or are seeking to participate in the E-rate program. 47 C.F.R. §54.503. However, during the COVID-19 pandemic, the Federal Communications Commission (FCC) temporarily waived its rules prohibiting such gifts to enable service providers to support remote learning efforts without impacting school E-rate funding. See https://docs.fcc.gov/public/attachments/DA-20-1479A1.pdf.

[2] This goal is repeated in sample exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*.

[3] Topics for the implementation plan include integration of the Internet in the curriculum, staff training, and safety issues. The implementation plan can also include technical information regarding service providers, establishing Internet accounts, distributing passwords, software filters, menu creation, managing resources and storage capacity, and the number of access points for users to connect to their accounts. Another topic is investigation of inappropriate use.

[4] No system can guarantee to operate perfectly or to prevent access to inappropriate material; this policy statement attempts to absolve the district of any liability.

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center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyberbullying awareness and response.[5] Staff members may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use. [6]

Acceptable Use [7]

All use of the District's electronic networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate school business purpose. Use is a privilege, not a right.[8] Users of the District's electronic networks have no expectation of privacy in any material that is stored on, transmitted, or received via the District's electronic networks. General rules for behavior and communications apply when using electronic networks. The District's administrative procedure, *Acceptable Use of the District's Electronic Networks*, contains the appropriate uses, ethics,

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[5] Required by 47 U.S.C. §254(h)(5)(B)(iii) and 47 C.F.R. §54.520(c)(i) only for districts that receive *E-rate* discounts for Internet access or plan to become participants in the *E-rate* discount program. All boards receiving an *E-rate* funding for Internet access were required to certify that they had updated their Internet safety policies. See, *FCC Report and Order 11-125* (8-11-11). This sentence is optional if the district only receives discounts for telecommunications, such as telephone service, unless the district plans to participate in the *E-rate* discount program.

[6] School authorities may reasonably regulate student expression in school-sponsored publications for education-related reasons. Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988). This policy allows such control by clearly stating that school-sponsored network information resources are not a "public forum" open for general student use but are, instead, part of the curriculum.

It is an unfair labor practice (ULP) under the Ill. Educational Labor Relations Act (IELRA) for an employer to discourage employees from becoming or remaining members of a union. 115 ILCS 5/14(a)(10). In connection with that potential penalty, the IELRA requires employers to establish email policies in an effort to prohibit the use of its email system by outside sources. 115 ILCS 5/14(c-5). This policy aligns with IELRA requirements by clarifying the District's electronic network is not a public forum for general use by outside parties and by limiting use of the network to the purposes stated under the **Acceptable Use** subhead. However, districts are still prohibited under the First Amendment to the U.S. Constitution from suppressing messages based on viewpoint and may be subject to liability if they affirmatively block individual senders. See Lindke v. Freed, 601 U.S. 187 (2024); Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37 (1983); People for the Ethical Treatment of Animals v. Tabak, 109 F.4th 627 (D.C. Cir. 2024). Consult the board attorney if the board wants to amend this policy to prohibit access by specific parties and/or before taking steps to "block" any specific party from the district's email system based on the content of the party's message.

[7] This paragraph provides general guidelines for acceptable use regardless of whether Internet use is supervised. In practice, many districts allow for incidental personal use of their networks during duty-free times. The specific rules are provided in sample exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks,* and 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks* (see also f/n 1). This paragraph's application to faculty may have collective bargaining implications.

[8] The "privilege, not a right" dichotomy is borrowed from cases holding that a student's removal from a team does not require due process because such participation is a privilege rather than a right. The deprivation of a privilege typically does not trigger the Constitution's due process provision. Clements v. Bd. of Educ. of Decatur Public Sch. Dist. No. 61, 133 Ill.App.3d 531 (4th Dist. 1985). But see Mahanoy Area Sch. Dist. v. B.L., 594 U.S. 180. (2021). Use of the privilege concept in the context of district network access has not been tested. Increasing integration of 1:1 devices into school curriculum may impact the analysis. Consult the board attorney for guidance in this area. ~~Nevertheless~~Even if due process protections do not apply, before access privileges are revoked, the user should be notified and allowed to give an explanation.

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and protocol.[9] Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials. [10]

Internet Safety [11]

Technology protection measures shall be used on each District computer with Internet access.[12] They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Superintendent or designee.[13] The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or system administrator.[14] The

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[9] If students are allowed only supervised access and are not required to sign the *Authorization for Access to the District's Electronic Networks*, the provisions from the *Authorization* should be used as administrative procedures for covering student Internet use. See 6:235-AP1, *Acceptable Use of the District's Electronic Networks*. This is an optional sentence:

The Superintendent shall establish administrative procedures containing the appropriate uses, ethics, and protocol for Internet use.

The Harassing and Obscene Communications Act criminalizes harassing and obscene electronic communication. 720 ILCS 5/26.5.

[10] The Fourth Amendment to the U.S. Constitution protects individuals from searches only when the person has a legitimate expectation of privacy. This provision attempts to avoid Fourth Amendment protection for communications and downloaded material by forewarning users that their material may be read or searched, thus negating any expectation of privacy.

Email and computer files are "public records" as defined in the Ill. Freedom of Information Act (FOIA) if they are, as in this policy, "under control" of the school board. 5 ILCS 140/2. They may be exempt from disclosure, however, when they contain information that, if disclosed, "would constitute a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7.

Alternatively, a school board may believe that making email semi-private enhances its educational value. The following grants limited privacy to email communications and can be substituted for the sample policy's sentence preceding this footnote:

School officials will not intentionally inspect the contents of email without the consent of the sender or an intended recipient, unless as required to investigate complaints regarding email that is alleged to contain material in violation of this policy or the District's administrative procedure, *Acceptable Use of the District's Electronic Networks*.

[11] See f/n 1.

[12] While it is best practice to do so, neither CIPA nor the rules for the E-Rate program specifically address whether school-owned computers or other mobile computing devices must be filtered when using a non-school Internet connection. Consult the board attorney for guidance on this issue.

[13] This sample policy language is broader than the requirements in federal law (20 U.S.C. §7131, 47 U.S.C. §254, and 47 C.F.R. §54.520(c)(i)). It does not distinguish between minors (children younger than 17) and non-minors. The terms, *minor*, *obscene*, *child pornography*, and *harmful to minors* have not changed, but are now explicitly referred to in the regulations at 47 C.F.R. §54.520(a). Federal law defines *harmful to minors* as:

…any picture, image, graphic image file, or other visual depiction that–(i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The Federal Communications Commission specifically declined to find that access to social networking websites are per se *harmful to minors*. However, the U.S. Dept. of Health and Human Services issued a Surgeon General's Advisory stating there is not enough evidence to conclude that social media is safe for children. See www.hhs.gov/surgeongeneral/reports-and-publications/youth-mental-health/social-media/index.html. School officials have discretion about whether or not to block access to these and similar sites. See ~~supra~~ f/n 3, above.

[14] Permitted by 20 U.S.C. §7131(c). The policy's provision for prior approval is not in the law and may be omitted. The entire sentence may be eliminated if a board does not want the filtering device to be disabled.

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Superintendent or designee shall include measures in this policy's implementation plan to address the following: [15]

1. Ensure staff supervision of student access to online electronic networks, [16]
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials,
3. Ensure student and staff privacy, safety, and security when using electronic communications,
4. Restrict unauthorized access, including "hacking" and other unlawful activities, and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

Use of Artificial Intelligence (AI)-Enabled Tools [17]

The Board recognizes that AI-enabled tools are important to enhance student learning, educator effectiveness, and school operations. The use of AI-enabled tools in the District shall be implemented in a safe, ethical, and equitable manner and in accordance with Board policies 1:30, *School District Philosophy*, and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*.

To implement the use of AI-enabled tools in the District, the Superintendent or designee shall:

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[15] In order to qualify for universal service benefits under the federal Children's Internet Protection Act (CIPA), the district's Internet safety policy must address the items listed in the sample policy. 47 U.S.C. §254(l). The sample policy accomplishes this task by requiring these items be addressed in the policy's implementation plan or administrative procedure.

Note that federal law required school boards to hold at least one hearing or meeting to address the *initial* adoption of the Internet safety policy. Later revisions of the existing policy need not follow the public notice rule of CIPA, though a board will still need to follow its policy regarding revisions and the mandates of FOIA.

CIPA also requires this policy and its documentation to be retained for at least five years after the last day of service delivered in a particular funding year. This means the five-year retention requirement begins on the last day of service delivered under E-rate, not from the day the policy was initially adopted. Consult the board attorney about this requirement and the best practices for your individual board.

[16] Monitoring the online activities of *students* is broader than the requirement in federal law to monitor *minors*. The definition of minor for this purpose is "any individual who has not attained the age of 17 years." See 47 C.F.R. §54.520(a)(4)(i). The use of the word *students* is a best practice.

[17] Optional. Artificial intelligence is a rapidly evolving and complex technology that implicates many unsettled legal and ethical issues. This content 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.

A Statewide Generative AI and Natural Language Processing Taskforce issued a report to the General Assembly in December 2024 (https://doit.illinois.gov/content/dam/soi/en/web/doit/meetings/ai-taskforce/reports/2024-gen-ai-task-force-report.pdf) that recommended the Ill. State Board of Education (ISBE) provide guidance on the use of AI in schools, best practices, and educator training. 105 ILCS 5/2-3.118a, added by P.A. 104-399, eff. 1-1-26, requires ISBE to develop statewide guidance by 7-1-26 on the use of AI in K-12 education in nine different areas, and it empowers ISBE to convene a statewide council as needed to develop further guidance, resources, or other support. The U.S. Dept. of Education released a toolkit to assist education leaders with the safe, ethical, and equitable integration of AI within education systems, available at: http://downloads.microscribepub.com/il/press/federal_resources/FINAL-ED-OET-EdLeaders-AI-Toolkit-10.29.24_20250221.pdf. Note: This resource may no longer be available on a federal government website but is being maintained at **PRESS** Online to provide consistent subscriber access. Additional resources are also available through the Learning Technology Center of Illinois, at: www.ltcillinois.org/focus/ai/ and www.ltcillinois.org/anticipating-il-ai/.

Adopting policy language that addresses AI provides (a) a way for boards to monitor how this technology is being used in the district, and (b) an opportunity for the board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Before adoption of this subhead, the board may want to have a conversation with the superintendent to determine how local conditions, resources, and current practices will support the full implementation of a policy that addresses AI and its goals. The use of AI will be most effective when the policy reflects local conditions and circumstances. Consult the board attorney about these issues. See sample administrative procedure 6:235-AP3, *Development of Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines*, for a suggested framework for developing an AI plan and guidelines.

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1. Develop a District-wide AI Plan that addresses the District's approach to the integration of AI;
2. Based on the District-wide AI Plan, establish AI Responsible Use Guidelines to address the responsible use of AI in the District by students and staff;
3. Ensure that AI-enabled tools comply with State and federal law;
4. Ensure that staff receive training and students receive instruction on the use of AI, as appropriate; and
5. Review the District's AI Plan and AI Responsible Use Guidelines on an annual basis and update them as needed.

Authorization for Electronic Network Access [18]

Each staff member must sign the *Authorization for Access to the District's Electronic Networks* as a condition for using the District's electronic network. Each student and his or her parent(s)/guardian(s) must sign the *Authorization* before being granted unsupervised use. [19]

Confidentiality

All users of the District's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

Violations

The failure of any user to follow the terms of the District's administrative procedure, *Acceptable Use of the District's Electronic Networks*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

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[18] The District's administrative procedure, 6:235-AP1, *Acceptable Use of the District's Electronic Networks*, rather than this board policy, specifies appropriate conduct, ethics, and protocol for Internet use. This is consistent with the principle that detailed requirements are not appropriate for board policy; instead, they should be contained in separate district documents that are authorized by board policy. Keeping technical rules specifying acceptable use out of board policy will allow for greater flexibility, fewer changes to the policy manual, and adherence to the belief that board policy should be confined to governance issues and the provision of guidance on significant district issues. This sample policy only requires staff and students to sign the *Authorization*; however, all users of the District's Electronic Networks, including board members and volunteers, are bound by this policy and its implementing procedure and should be familiar with their content.

[19] The Superintendent's implementation plan should describe appropriate supervision for students on the Internet who are not required, or refuse, to sign the *Authorization*.

The use of personal electronic communication devices owned by students but used to gain Internet access that has been funded by *E-rate* is not addressed yet.

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LEGAL REF.: 20 U.S.C. §7131, Elementary and Secondary Education Act.
47 U.S.C. §254(h) and (l), Children's Internet Protection Act.
47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.
115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.
720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:210 (Instructional Materials), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct), 6:230 (Library Media Program), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

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

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Instruction

Field Trips [1]

Field trips are permissible when the experiences are a part of the school curriculum and/or contribute to the District's educational objectives. [2]

All field trips must have the Superintendent or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the School Board.[3] The Superintendent or designee shall analyze the following factors to determine whether to approve a field trip:[4] educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Superintendent or designee may be charged to help defray the transportation costs. [5]

Parents/guardians of students: (1) shall be given the opportunity to consent to their child's participation in any field trip; and (2) are responsible for all entrance fees, food, lodging, or other costs, except that the District will pay such costs for students who qualify for a fee waiver under Board policy 4:140, *Waiver of Student Fees*. All non-participating students shall be provided an alternative experience. Any field trip may be cancelled without notice due to an unforeseen event or condition.

Privately arranged trips, including those led by District staff members, shall not be represented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them. [6]

DRAFT

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

[1] This is an optional policy. The following is an optional section for including recreational class trips; add to the bottom of the policy and add "and Recreational Class Trips" to the policy's title.

> Recreational Class Trips
>
> Recreational class trips are permissible provided they do not interfere with the District's educational program. The provisions in this policy concerning field trips, except those regarding educational value, are also applicable to recreational class trips.

[2] As an alternative, substitute the verb "encouraged" for "permissible." State law also permits educational tours as a course supplement but does not authorize the use of school funds for such tours. 105 ILCS 5/10-22.29b.

[3] According to 105 ILCS 5/29-3.1, "[t]he school board may provide transportation for pupils on bona fide field trips in Illinois or adjacent states." The superintendent or designee is delegated the responsibility to approve field trips after considering the factors in the policy.

105 ILCS 5/29-6.3, amended by P.A. 104-367, eff. 1-1-26, allows districts to transport students in multi-function school activity buses (MFSABs) for school sponsored activities. The use of an MFSAB for curriculum-related or career-related activities is subject to certain conditions. 625 ILCS 5/11-1414.1, amended by P.A.s 104-256, eff. 7-1-26, and 104-367, eff. 1-1-26.

[4] These are at the local board's discretion.

[5] Transportation fees are permitted by 105 ILCS 5/29-3.1. Such fees cannot exceed the cost of transportation but may include a reasonable allowance for vehicle depreciation. Id.

[6] This paragraph is optional. It seeks to distinguish privately arranged trips from those that are controlled and sponsored by the district and provides a disclaimer.

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LEGAL REF.: 105 ILCS 5/29-3.1.

CROSS REF.: 4:140 (Waiver of Student Fees), 6:10 (Educational Philosophy and Objectives), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

DRAFT

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Instruction

Complaints About Curriculum, Instructional Materials, and Programs

Parents/guardians have the right to inspect any instructional material used as part of their child's educational curriculum pursuant to School Board policy 7:15, *Student and Family Privacy Rights*. [1]

Parents/guardians, employees, and community members who believe that curriculum, instructional materials, or programs violate rights guaranteed by any law or Board policy may file a complaint using Board policy 2:260, *Uniform Grievance Procedure*. [2]

Parents/guardians, employees, and community members with other suggestions or complaints about curriculum, instructional materials, or programs should complete a *Curriculum Objection Form*. A parent/guardian may request that his/her child be exempt from using a particular instructional material or program by completing a *Curriculum Objection Form*. The Superintendent or designee shall establish criteria for the review of objections and inform the parent/guardian, employee, or community member, as applicable, of the District's decision. [3]

DRAFT

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[1] 20 U.S.C. §1232h(c)(1)(C)(i).

[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 last sentence of this paragraph is optional. It strengthens the policy's connection to IASB's *Foundational Principles of Effective Governance*. See www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance. For criteria that can be used in reviewing curriculum objections, see sample administrative procedure, 6:260-AP, *Responding to Complaints About Curriculum, Instructional Materials, and Programs*.

A school district is not required to automatically accommodate a ~~student's or his/her~~ parent's~~'~~ religious beliefs by allowing the parent ~~student~~ to opt their child out of reading required materials or programs. ~~A student is entitled to A~~accommodation is required only if a district's requirement burdens ~~his/her~~the parent's free exercise of religion and the requirement is not justified by a compelling state interest. Mahmoud v. Taylor, 145 S.Ct. 2332 (2025). Instruction will burden parents' religious free exercise rights if it requires their children to submit to instruction "that poses 'a very real threat of undermining' the religious beliefs and practices that the parents wish to instill." Id. at 2342. Whether the instruction substantially interferes with the religious upbringing of a child is a fact-intensive inquiry. Relevant factors to consider include: (1) the specific religious beliefs/practices asserted, (2) the nature of the educational requirement or curriculum at issue, (3) the age of the students, and (4) whether the materials at issue are presented in a neutral manner or in a way that is hostile to religious viewpoints. Id. at 2353. In Mahmoud, the Court ruled that the district likely violated parents' free exercise rights when it refused to give notice and allow them to opt their elementary-age children out of literacy instruction that involved the use of LGBTQ+- inclusive storybooks. The Court found the books at issue contained normative messages to which young children were particularly susceptible. Moreover, the district's refusal to give notice and allow opt-outs based on administrative burden (where it previously provided notice and the ability to opt-out) was not a compelling enough a reason to justify the burden on the parents' religious exercise.~~Mozert v. Hawkins Co. Bd. of Educ., 827 F.2d 1058 (6th Cir. 1987). A student's free exercise right would unlikely be burdened by compelling the student to be exposed to ideas with which his/her religion disagrees. See Fleischfresser v. Directors of Sch. Dist. 200, 15 F.3d 680 (7th Cir. 1994). On the other hand, compelling a student to perform an act that violates the student's religious beliefs would burden his/her free exercise right, and the school district would need to justify the requirement with a compelling state interest in order to be able to enforce it.~~ Unless otherwise required by law, it is unclear from Mahmoud whether a district would ever need to give advance notice to all parents/guardians of the use of certain curriculum or instructional materials that could trigger religious objections. Doing so could present discrimination concerns. Given the many unsettled legal issues in this area and the fact-dependent nature of the analysis involved, boards should consult with the board attorney regarding any curriculum objections.

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LEGAL REF.: 20 U.S.C. §1232h, Protection of Pupil Rights Amendment.
Mahmoud v. Taylor, 145 S.Ct. 2332 (2025).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

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Instruction

Guidance and Counseling Program [1]

The School District provides a guidance and counseling program for students.[2] The Superintendent or designee shall direct the District's guidance and counseling program. School counseling services, as described by State law, may be performed by school counselors or licensed educators with a school support personnel endorsement in the area of school counseling. [3]

[For Elementary and Unit Districts]

Each staff member is responsible for effectively guiding students under his/her supervision in order to provide early identification of intellectual, emotional, social, or physical needs, diagnosis of any learning disabilities, and development of educational potential. The District's counselors shall offer counseling to those students who require additional assistance.

[For High School and Unit Districts]

The guidance program will assist students to identify career options consistent with their abilities, interests, and personal values. Students shall be encouraged to seek the help of counselors to develop specific curriculum goals that conform to the student's career objectives. High school juniors and seniors will have the opportunity to receive career-oriented information. Representatives from colleges and universities, occupational training institutions and career-oriented recruiters, including the military,

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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] School boards may employ school counselors. 105 ILCS 5/10-22.24a, amended by P.A. 102-894. 105 ILCS 5/10-22.24b, amended by P.A.s 102-876, 103-542, and 103-780, and 104-353 provides an extensive but non-exhaustive list of permissible school counseling services, including but not limited to providing: educational opportunities for students, teachers, and parents on mental health issues; academic, social-emotional, and college and career supports to all students irrespective of special education or Section 504 status; and collaborating as a team member in Multi-Tiered Systems of Support and other school initiatives. These services must be provided to address the needs of all students regardless of their citizenship status. Id. See www.oneclickadmit.org/ for more information.

All districts must conduct a comprehensive needs assessment to determine the scope of pupil needs in the areas of guidance and counseling, psychological, social work, and health. 23 Ill.Admin.Code §1.420(q).

The Children's Mental Health Act requires districts to develop protocols for responding to students with social, emotional, or mental health needs that impact learning. 405 ILCS 49/, amended by P.A. 102-899. See f/n 3 in sample policy 6:65, *Student Social and Emotional Development*, for further information. See sample policy 7:250, *Student Support Services*, and sample administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*.

[3] Optional. 105 ILCS 5/10-22.24b, amended by P.A.s 102-876, 103-542, and 103-780, provides that school counselors as defined in 105 ILCS 5/10-22.24a or individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under 105 ILCS 5/21B-25 may provide school counseling services. The following optional sentence recognizes the importance of interventions; however, it creates duties that are not present in law. This is a classic "who, gets what, for how much" issue.

> The counseling program will assist students with interventions related to academic, social and/or personal issues. Students shall be encouraged to seek academic, social, and/or personal assistance.

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may be given access to the school campus in order to provide students and parents/guardians with information. [4]

LEGAL REF.: 105 ILCS 5/10-22.24a and 5/10-22.24b.
23 Ill.Admin.Code §1.420(q).

CROSS REF.: 6:50 (School Wellness), 6:65 (Student Social and Emotional Development), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention)

ADMIN. PROC.: 7:340-AP1 (School Student Records), 7:340-AP1, E1 (Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records), 7:340-AP1, E3 (Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information)

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

[4] A district must provide military recruiters and state public institutions of higher education access to students if it has provided such access to persons or groups who tell students about educational or occupational opportunities. 105 ILCS 5/10-20.5a, amended by P.A. 103-204 and 104-15. By 1-1-24, districts were to make student directory information electronically accessible through a secure centralized data system for official recruiting representatives of the armed forces and for State public institutions of higher education. Id. Beginning 7-1-26 and on 7-1 each year after that, schools must make student directory information and student direct admission information for students graduating within the next year, available to the Ill. Student Assistance Commission (ISAC) through a centralized data system of ISAC to carry out the Public University Direct Admissions Program Act. 105 ILCS 5/10-20.5a, amended by P.A. 104-15.

Such access must be consistent with the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g). Id. Parents or students who are age 18 or older must sign an opt-in form to release student direct admission information, which includes a student's name, home address, birth date, telephone number, email address, cumulative grade point average, and high school, to ISAC. 105 ILCS 5/10-20.5a, amended by P.A. 104-15.

Another federal law requires a secondary school to grant military recruiters and institutions of high learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parents/guardians request that the information not be disclosed without prior written consent. 20 U.S.C. §7908. See also sample administrative procedure 7:340-AP1, *School Student Records*, and sample exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*.

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Instruction

Grading and Promotion [1]

The Superintendent or designee shall establish a system of grading and reporting academic achievement to students and their parents/guardians.[2] The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, and performance on the standardized tests required by the Ill. State Board of Education (ISBE) and/or other assessments.[3] A student shall not be promoted based upon age or any other social reason not related to academic performance.[4] The administration shall determine remedial assistance for a student who is not promoted. [5]

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

[1] State law requires districts to have a school board policy containing the reasons for which a grade may be changed and prohibiting social promotion. 105 ILCS 5/10-20.9a. State law controls this policy's content.

If a district uses weighted grades for classes by degree of difficulty, it must be reflected in the affected students' class ranking and permanent records. 105 ILCS 5/27-27.

[2] Absent a court order to the contrary, upon the request of either parent of a student whose parents are divorced, copies of report cards, along with other notices and records, must be furnished to both parents by the district. If a student is in the legal custody of the Ill. Dept. of Children and Family Services (DCFS), copies must be furnished to the DCFS Office of Education and Transition Services. 105 ILCS 5/10-21.8, ~~amended by P.A. 102-199~~.

[3] 105 ILCS 5/10-20.9a, amended by P.A. 104-391. Each board may determine its own promotion criteria and augment the statute's criteria. ~~105 ILCS 5/10-20.9a(c) and (d), added by P.A. 102-727, and inoperative "on and after three years" from 5-6-22, prohibits public high schools from withholding a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account. Given potential different interpretations, the exact date on which this law expires is unclear; consult the board attorney for guidance on this issue. See also 105 ILCS 5/28-19.2, which prohibits student punishment of any kind, including the lowering of grades, if a parent/guardian is unable to pay school fees.~~ **Note:** P.A. 104-391 purported to both amend and repeal 105 ILCS 5/10-20.9a. It is IASB's understanding that the repeal of this provision was in error and will be addressed if needed; it is therefore retained in this sample policy.

105 ILCS 5/2-3.64 contained the State assessment program until it was repealed by P.A. 98-972.

105 ILCS 5/2-3.25a, amended by P.A. 103-175, requires ISBE to "develop standards for student performance, such as proficiency levels on State assessments." 105 ILCS 5/2-3.64a-5(b) requires ISBE to "establish the academic standards that are to be applicable to students who are subject to State assessments." It contains the schedule for assessing students by calendar year and grade. ISBE selects standardized tests for the State assessment and accountability measure. In House Joint Resolution 54 (2015), members of the Ill. House and Senate encouraged school districts to not use results of the *Partnership for Assessment of Readiness for College and Careers* (PARCC) test for the 2014-2015 through the 2017-2018 school years "as a determining factor for making decisions about a student's educational opportunities, the evaluation of educators, and the allocation of resources based on educational achievement on this assessment." Starting in 2019, PARCC was no longer used by ISBE.

105 ILCS 5/2-3.64a-5(c) requires that the assessment administered by ISBE for the purpose of student application to or admissions consideration by institutions of higher education be administered on a school day during regular student attendance hours. Assessments are not required if ISBE receives a waiver from the administration of assessments from the U.S. Dept. of Education. Id.

105 ILCS 5/2-3.64a-5(e) no longer requires that the scores attained by a student on an assessment that includes a college and career readiness determination be entered on the student's transcript; however, the scores must still be placed in the student's permanent record. See also 23 Ill.Admin.Code §375.10.

[4] 105 ILCS 5/10-20.9a(b).

[5] Id.

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Every teacher shall maintain an evaluation record for each student in the teacher's classroom. A District administrator cannot change the final grade assigned by the teacher without notifying the teacher.[6] Reasons for changing a student's final grade include:

- A miscalculation of test scores,
- A technical error in assigning a particular grade or score,
- The teacher agrees to allow the student to do extra work that may impact the grade,
- An inappropriate grading system used to determine the grade, or
- An inappropriate grade based on an appropriate grading system.

Should a grade change be made, the administrator making the change must sign the changed record.

LEGAL REF.: 105 ILCS 5/2-3.64a-5, 5/10-20.9a, 5/10-21.8, and 5/27-27.

CROSS REF.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:300 (Graduation Requirements), 6:340 (Student Testing and Assessment Program), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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[6] The specific reasons and procedure for changing a grade are at the local board's discretion; however, State law provides that no grade may be changed without notification to the teacher concerning the nature and reason for the change. 105 ILCS 5/10-20.9a(a). The person making the change must assume all responsibility and must initial the change. Id.

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Instruction

Graduation Requirements [1]

To graduate from high school, unless otherwise exempted, each student is responsible for:

1. Completing all District graduation requirements that are in addition to the State requirements.[2]
2. Completing all courses as provided in the School Code, 105 ILCS 5/27-22605. [3]
3. Completing all minimum requirements for graduation as specified in State law. [4]
4. Passing an examination on patriotism, and principles of representative government, and proper use and display of the American flag methods of voting, and the Pledge of Allegiance. [5]

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[1] State or federal law controls this policy's content. Graduation requirements are often published in student handbooks. The Illinois Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh.

In accordance with 105 ILCS 5/2-3.159, amended by P.A. 101-503, and 23 Ill.Admin.Code Part 680, a school district may establish a program to recognize high school graduates who attained a high level of proficiency in one or more languages in addition to English by designating on a student's diploma and transcript a State Seal of Biliteracy. See sample policy 6:320, *High School Credit for Proficiency*.

105 ILCS 5/10-20.9a(c) and (d), added by P.A. 102-727, and inoperative "on and after three years" from 5-6-22, prohibits public high schools from withholding a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account. See sample policy 6:280, *Grading and Promotion*, at f/n 3, for a discussion about the expiration date of this law.

[2] Optional. 23 Ill.Admin.Code §1.440(f). A school board should ensure that all district graduation requirements that are in addition to the State requirements are aligned with the district educational objectives. See sample policy 6:10, *Educational Philosophy and Objectives*.

[3] 105 ILCS 5/27-60522(e), amended by P.A.s 101-464, 101-654, 102-366, 102-551, and 102-864renumbered by P.A. 104-391, contains the list of required courses in effect for students entering 9th grade through the 2023-2024 school year. 105 ILCS 5/27-60522(e-5), amended by P.A. 104-387 and renumbered by P.A. 104-391 added by P.A. 101-654 and amended by P.A. 102-864, contains the list of required courses for students entering 9th gradeeffective beginning with the 2024-2025 school year (to include two years of laboratory science). 105 ILCS 5/27-60522(e-10), added by P.A. 101-654 renumbered by P.A. 104-391, increases the foreign language requirement from one to two years beginning with the 2028-2029 school year. 105 ILCS 5/27-60522(e)(3) and (e-5)(3) allow the substitution of an advanced placement computer science course for a year of mathematics, and it further states that a mathematics course that includes geometry content may be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path. 105 ILCS 5/27-60522(e)(5), amended by P.A. 102-366, and 105 ILCS 5/27-60522(e-5)(5), both renumbered by P.A. 104-391amended by P.A. 102-864, require students entering the 9th grade in the 2016-2017 school year and each year thereafter to complete one semester of civics. As part of the two-year social studies requirement, districts may include a financial literacy course that is one semester or part of one semester. Id. For specific requirements, see sample exhibit 6:300-E2, *State Law Graduation Requirements,* and sample policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*. The Ill. State Board of Education (ISBE) may adopt rules modifying graduation requirements for students in grades 9-12 if the Governor has declared a disaster due to a public health emergency under 20 ILCS 3305/7. 105 ILCS 5/27-60522(i), renumbered by P.A. 104-391 added by P.A. 101-643.

[4] 105 ILCS 5/27-60522(e), renumbered by P.A. 104-391 and (e-5), amended by P.A. 104-387 and renumbered by P.A. 104-391amended by P.A.s 101-464, 101-654, 102-366, 102-551, and 102-864; 23 Ill.Admin.Code §1.440.

[5] Required by 105 ILCS 5/27-5103, amended by P.A. 101-643 added by P.A. 104-391.

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5. Participating in State assessments that are required for graduation by State law. [6]
6. Filing one of the following: (1) a Free Application for Federal Student Aid (FAFSA) with the U.S. Dept. of Education, (2) an application for State financial aid, or (3) an Ill. State Board of Education (ISBE) waiver form indicating that the student understands what these aid opportunities are and has chosen not to file an application. If the student is not at least 18 years of age or legally emancipated, the student's parent/guardian must file one of these documents on the student's behalf.

   A student is exempt from this requirement if: (1) the student is unable to file a financial aid application or an ISBE waiver due to extenuating circumstances, (2) the Building Principal attests the District made a good faith effort to assist the student or the student's parent/guardian with filing a financial aid application or an ISBE waiver form, and (3) the student has met all other graduation requirements. [7]

The Superintendent or designee is responsible for: [8]

1. Maintaining a description of all course offerings that comply with the above graduation requirements.
2. Notifying students and their parents/guardians of graduation requirements.
3. Developing the criteria for #4 above.

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

[6] 105 ILCS 5/2-3.64a-5(c)~~, amended by P.A. 101-643,~~ states that "[s]tudents who do not take the State's final accountability assessment or its approved alternate assessment may not receive a regular high school diploma unless the student is exempted." Assessments are not required if ISBE receives a waiver from the administration of assessments from the U.S. Dept. of Education. Id.

105 ILCS 5/2-3.64a-5(c)~~, amended by P.A.101-643~~; 23 Ill.Admin.Code §1.30. Section 2-3.64a-5(c) requires that the assessment administered by ISBE for the purpose of student application to or admissions consideration by institutions of higher education be administered on a school day during regular student attendance hours.

105 ILCS 5/2-3.64a-5(e) no longer requires that the scores attained by a student on an assessment that includes a college and career readiness determination be entered on the student's transcript. The student's final accountability assessment scores, however, must be placed in the student's permanent record. See also 23 Ill.Admin.Code §375.10.

[7] 105 ILCS 5/22-87, amended by P.A.s 104-13 and 104-14~~added by P.A. 101-180~~; 23 Ill.Admin.Code §1.440(c)(4). See sample exhibit 6:300-E3, *Form for Exemption from Financial Aid Application Completion*. ISBE provides a waiver form, the FAFSA Nonparticipation Form, for a parent/guardian or eligible student to opt of this graduation requirement, which is available through the Ill. Student Assistance Commission's (ISAC) student portal, see https://studentportal.isac.org/. Instructions for the form are available at: www.isbe.net/Pages/FAFSA.aspx. The Alternative Application for Ill. Financial Aid referenced in that form is intended for use by qualifying undocumented and transgender students and is available at: https://studentportal.isac.org/alternativeapp.

Beginning with the 2025-2026 school year, each high school must: (1) designate at least one staff member as a contact for matters related to the financial aid application graduation requirement; (2) inform high school seniors of the designated staff member who is available to answer their questions about this requirement or refer them to an appropriate resource, such as ISAC (see www.isac.org/students/before-college/financial-aid-planning/index.html); and (3) annually provide the name and contact information of the designated staff member to ISBE and ISAC. 105 ILCS 5/22-87(b), amended by P.A.s 104-13 and 104-14. The designated staff member must complete an initial orientation and is encouraged to participate in annual briefings, for which the individual may receive professional development hours, if applicable. Id.

Additionally, beginning with the 2025-2026 school year, each district must offer appropriate supports to each high school student to educate and assist them with completion of the financial aid application. How, when, and where this support is offered is at a district's discretion; however, a district must provide an opportunity for students to get help during the school day completing the student portion of the application. Districts may request free assistance from ISAC to support completion of financial aid applications. Id.

[8] Items #1 and #2 are required by 23 Ill.Admin.Code §1.440(d) and (e), respectively. Item #3 must be addressed because the law leaves many implementation issues unanswered. A comprehensive Student Handbook can provide notice of the district's graduation requirements, conduct rules, and other important information. Item #4 includes discussion of the adjustments required by the Educational Opportunity for Military Children Act, 105 ILCS 70/35(d).

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4. Complying with State law requirements for students who transfer during their senior year because their parent(s)/guardian(s) are on active military duty. This includes making reasonable adjustments to ensure graduation if possible, or efforts to ensure that the original (transferor) school district issues the student a diploma.
5. Taking all other actions needed or necessary to implement this policy.

Early Graduation [9]

The Superintendent or designee shall implement procedures for students to graduate early, provided they finish seven semesters of high school and meet all graduation requirements.

Certificate of Completion [10]

A student with a disability who has an Individualized Education Program prescribing special education, transition planning, transition services, or related services beyond the student's four years of high school, qualifies for a certificate of completion after the student has completed four years of high school. The student is encouraged to participate in the graduation ceremony of his or her high school graduation class. The Superintendent or designee shall provide timely written notice of this requirement to children with disabilities and their parents/guardians.

Service Member Diploma [11]

The District will award a diploma to a service member who was killed in action while performing active military duty with the U.S. Armed Forces or an honorably discharged veteran of World War II, the Korean Conflict, or the Vietnam Conflict, provided that he or she (1) resided within an area currently within the District at the time he or she left high school, (2) left high school before graduating in order to serve in the U.S. Armed Forces, and (3) has not received a high school diploma.

LEGAL REF.: 105 ILCS 5/2-3.64a-5, 5/22-27, 5/22-87, 5/27-5103, 5/27-60522, and 5/27-61522.10.
105 ILCS 70/, Educational Opportunity for Military Children Act.
23 Ill.Admin.Code §1.440.

CROSS REF.: 6:30 (Organization of Instruction), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:315 (High School Credit for Students in Grade 7 or 8), 6:320 (High School Credit for Proficiency), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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

[9] This is optional. State law and rules are silent regarding early graduation. As an alternative, a board may delete the phrase "~~finish 7 semesters of high school and~~."

[10] Required by 105 ILCS 5/14-16.

[11] Optional. 105 ILCS 5/22-27~~, amended by P.A. 101-131,~~ does not designate a time requirement for when the service member killed in action or veteran "resided within an area currently within the district." Thus, a reasonable interpretation may be adopted locally. The sample policy designates "at the time he or she left high school" as the pertinent time for residence. See sample exhibit 6:300-E1, *Application for a Diploma for a Service Member Killed in Action or for Veterans of WWII, the Korean Conflict, or the Vietnam Conflict*.

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Instruction

High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students [1]

Credit for Non-District Experiences [2]

A student may receive high school credit for successfully completing any of the listed courses or experiences even when it is not offered in or sponsored by the District:

1. Distance learning course, including a correspondence, virtual, or online course
2. Courses in an accredited foreign exchange program
3. Summer school or community college courses [3]
4. College or high school courses offering dual credit at both the college and high school level [4]

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

[1] State law requires that several of the programs in this policy be covered in policy. State law controls this policy's content. Note that 23 Ill.Admin.Code §1.420(b) requires "[e]very school district [to] have an organized plan for recording pupil progress and/or awarding credit, including credit for courses completed by correspondence, online, or from other external sources, that can be disseminated to other schools within the State." Section 1.460 requires "[e]ach local board of education with a high school [to] adopt a policy which defines the board's position with reference to the awarding of high school credit on the basis of local examinations to pupils who have achieved the necessary proficiencies through independent study, either with or without private tutoring, or for work taken in or from another institution." 23 Ill.Admin.Code §1.460.

Sample policy 6:185, *Remote Educational Program*, provides for educational programs **delivered by the district** in a location outside of the school.

Sample policy 6:315, *High School Credit for Students in Grade 7 or 8*, allows students enrolled in grade 7 or 8 to enroll in a course required for high school graduation. 105 ILCS 5/27-615~~22.10~~(a), amended and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.440(c)(3).

[2] Each board may choose for which, if any, of the listed non-district experiences the district will grant high school credit. If a district does not grant credit for any of the listed activities, substitute the following alternative for all text in the entire section: "The District does not grant graduation credit for learning experiences that an enrolled student does not complete through the District."

[3] 105 ILCS 5/27-905~~22.1~~, amended and renumbered by P.A. 104-391, provides that no fewer than 60 hours of classroom instruction in summer school is required for one semester of high school course credit. Districts may accept courses completed in a community college (CC) toward graduation. 23 Ill.Admin.Code §1.440(f). Superintendents, pursuant to 105 ILCS 5/10-21.4, must annually report to the Ill. State Board of Education (ISBE) the number of students enrolled in accredited courses at any CC along with the name(s) and number(s) of the course(s) each student is taking.

[4] The Dual Credit Quality Act (DCQA) (110 ILCS 27/, amended by P.A. 104-12) defines dual credit as a college course taken by a high school student for credit at both the college and high school level. 110 ILCS 27/5 and 105 ILCS 5/10-20.62(a). An instructor who teaches a dual credit course does not need the certification required by Article 21 of the School Code but must meet the minimum standards set forth in 110 ILCS 27/20(1), (2), (2.5), or (3). Dual credit programs require: (a) a specific partnership agreement between the district and a CC containing specified elements, as long as the district is in the CC's jurisdiction (110 ILCS 27/16), or (b) cooperation between the school district and the *postsecondary institution* (defined as an *institution of higher learning* under ~~providing the dual credit courses (see~~ the Higher Education Student Assistance Act, ~~at~~ 110 ILCS 947/10 ~~for a definition of *institution*~~). Partnership agreements that are entered into, amended, renewed, or extended after 1-1-23, must allow high school students who do not otherwise meet the CC's academic eligibility requirements to enroll in a dual credit course taught at the high school, but only for high school credit. 110 ILCS 27/16.5(a). Upon a district's written request for a partnership agreement, the district and community college district must each designate a liaison and begin negotiations on an agreement within 60 calendar days of the district's initial request. Id. at 27/16(a), amended by P.A. 104-12. If the district and CC cannot agree within 180 days of a district's initial request to enter into a partnership agreement, the two parties must use the model partnership agreement referenced at 110 ILCS 27/19.

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5. Foreign language courses taken in an ethnic school program approved by the Illinois State Board of Education [5]
6. Work-related training at manufacturing facilities or agencies in a Tech Prep Partnership for Careers p~~P~~rogram [6]
7. Credit earned in a Vocational Academy [7]

The student must seek approval from the Superintendent or designee to receive graduation credit for any non-District course or experience. The Superintendent or designee shall determine the amount of credit and whether a proficiency examination is required before the credit is awarded. As approval is not guaranteed, students should seek conditional approval of the experience before participating in a non-District course or experience. The student assumes responsibility for any fee, tuition, supply, or other expense. The student seeking credit is responsible for (1) providing documents or transcripts that demonstrate successful completion of the experience, and (2) taking a proficiency examination, if requested. The Superintendent or designee shall determine which, if any, non-District courses or experiences, will count toward a student's grade point average, class rank, and eligibility for athletic and extracurricular activities. When applicable, the Building Principal or designee shall, prior to the

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Out-of-state dual credit contracts are prohibited until a district first offers the CC in the CC district in which the district is located the opportunity to provide a dual credit course. 110 ILCS 27/17, amended by P.A. 104-12. In addition, a district seeking to enter into an agreement with an out-of-state postsecondary institution must provide notice to the Ill. Community College Board~~State Board of Higher Education~~ (ICCB~~BHE~~) of its intent, to which the ICCB~~BHE~~ will have 30 days to provide the district with a list of in-state postsecondary institutions that can provide the district an equivalent dual credit opportunity. Id. Beginning 6-30-25, a district may not enter into a contract with an out-of-state postsecondary institution until it demonstrates to the ICCB that it has taken appropriate steps to consider the listing of in-state postsecondary institutions and provides a rationale as to why the course can only be provided by an out-of-state postsecondary institution. ~~Agreements between a district and an out-of-state institution that were in effect before 1-1-19 were not affected.~~ Id. A high school evaluation of a dual credit program must also incorporate the analysis of data from the ISBE statewide longitudinal data system (see the P-20 Longitudinal Education Data System Act, 105 ILCS 13/, for more information). Id. at 27/30.

105 ILCS 5/10-20.62(c), requires school boards to require the district's high schools, if any, to inform all 11th and 12th grade students of dual enrollment and dual credit opportunities at public CCs for qualified students. Qualified students may enroll in an unlimited amount of dual credit courses and earn an unlimited amount of academic credits from them if the course(s) are taught by an Ill. instructor, as provided by 110 ILCS 27/. Id. at (b). In addition, all dual credit coursework completed by a high school student must be transferred to all public institutions in Illinois on the same basis as coursework completed by a public CC student who previously earned a high school diploma in the manner set forth under the Ill. Articulation Initiative Act. Id. at 27/1~~8~~9.

The DCQA requires partnership agreements between districts and CCs to address access to dual credit courses by individual students with disabilities. 110 ILCS 27/16(b)(8.5), amended by P.A. 104-12. 105 ILCS 5/14-8.03 also requires districts to provide special education students with information about career and technical education (CTE) opportunities, including at the postsecondary level. See *Increasing Postsecondary Opportunities and Success for Students and Youth with Disabilities* at: www.sites.ed.gov/idea/idea-files/qa-increasing-postsecondary-opportunities-success-for-students-youth-with-disabilities-sept-17-2019/#Letter for information on providing transition services to high school students who have individualized education programs (IEPs), are receiving services under the IDEA, and take courses offered by a community college or other postsecondary education institution program prior to high school graduation.

[5] 105 ILCS 5/2-3.44 and 5/10-22.43a. An ethnic school is a part-time, private school that teaches the foreign language of a particular ethnic group as well as the culture, geography, history, and other aspects of a particular ethnic group. 105 ILCS 5/2-3.44; 23 Ill.Admin.Code §1.465(b). For requirements, see 23 Ill.Admin.Code §1.465.

[6] Optional. 105 ILCS 5/2-3.115, amended by P.A. 104-261, eff. 1-1-26, authorizes ISBE to make grants to districts to be used for these programs.~~The State Superintendent and Board of Higher Education were encouraged by 105 ILCS 5/2-3.115 to establish a program of academic credit for Tech Prep work based learning for secondary school students with an interest in pursuing such career training, which could be instituted by school districts.~~ See also 23 Ill.Admin.Code §1.445.

[7] Vocational Academies Act, 105 ILCS 433/. The Act's purpose is to "integrate workplace competencies and career and technical education with core academic subjects." School districts are permitted to partner with CCs, local employers, and community-based organizations to establish a vocational academy that functions as a two-year school within a school for grades 10 through 12. Grant funds may be available from ISBE when the vocational academy meets statutory requirements.

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first day of class, inform individual high school students enrolled in a mixed enrollment dual credit course that includes students who have and have not met the community college's criteria for dual credit coursework of whether or not they are eligible to earn college credit for the course.[8] This section does not govern the transfer of credits for students transferring into the District.

Substitutions for Required Courses

Vocational or technical education.[9] A student in grades 9-12 may satisfy one or more high school courses (including physical education) or graduation requirements by successfully completing related vocational or technical education courses if: [10]

1. The Building Principal approves the substitution(s) and the vocational or technical education course is completely described in curriculum material along with its relationship to the required course; and
2. The student's parent/guardian requests and approves the substitution(s) in writing on forms provided by the District.

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[8] 110 ILCS 27/16.5(c). Written notification is not required by the law, but it is a best practice to show compliance with this requirement.

[9] Allowing for this substitution is optional, but, if offered, must be included in board policy. 105 ILCS 5/27-610~~22.05~~, amended and renumbered by P.A. 104-391. By 7-1-26, ISBE is required to post on its website a form for organizations to submit opportunities for externships, internships, or volunteer work related to career and technical education pathways. After its review and approval, ISBE will annually post a list of approved opportunities on its website. 105 ILCS 5/2-3.206, added by P.A. 104-249, eff. 1-1-26.

[10] The *related* requirement is met if the course contains at least 50% of the content of the required course. Id. 23 Ill.Admin.Code §1.445 requires that the vocational or technical education course be completely described in the policy along with its relationship to the required course. The sample policy satisfies these requirements by referring to the courses as described in curricular material.

ISBE requires that the parent/guardian of a student under the age of 18 request the course substitution "on forms that the school district makes available" and that the request must be maintained in the student's temporary record. 23 Ill.Admin.Code §1.445. See sample exhibit 6:310-E, *Class Substitution Request*. There is no parallel recordkeeping requirement in the rules for registered apprenticeships; however, it is best practice to maintain all types of substitution requests as evidence of compliance with the form requirement.

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Registered Apprenticeship Program.[11] The Superintendent or designee will ensure that the District complies with State law requirements for registered apprenticeship programs.[12] The opportunities and requirements for registered apprenticeship programs contained in this policy will be posted on the District's website, and parents/guardians and students will also be notified of such opportunities in the appropriate school handbook(s). [13]

A student in grades 9-12 who is 16 years or older may satisfy one or more high school courses (including physical education) or graduation requirements by successfully completing a registered apprenticeship program if:

1. The registered apprenticeship program meets all criteria contained in State law;
2. The registered apprenticeship program is listed by the District, or the student identifies a registered (but not listed) apprenticeship program with a business or organization if one is not offered in the District;
3. The student enrolled in a registered apprenticeship program has the opportunity to earn post-secondary credit toward a certificate or degrees, as applicable;
4. The student's parent/guardian requests and approves the substitution(s) in writing on forms provided by the District and on its website; [14]
5. The Building Principal approves the substitution(s); and

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

[11] Allowing for this substitution is optional, but, if offered, must be included in board policy. 105 ILCS 5/2-3.175; 23 Ill.Admin.Code §255.200. A *registered apprenticeship program* is an industry-based occupational training program of study with standards reviewed and approved by the U.S. Dept. of Labor that meets characteristics set forth in State law and ISBE rules. The introductory sentence and listed items 1, 3, 4, and 6 are required to be in the policy if a board decides to allow students to participate in registered apprenticeship programs. See 23 Ill.Admin.Code §255.200(b). Item #2 is not required to be stated in policy, but is required to be included in a district's website notification (if any) to parents/guardians about registered apprenticeship opportunities. See f/n 13, below.

If a board adopts a policy to allow for student participation in registered apprenticeship programs, the policy must be posted on the district's website (if any) for students, parents, and members of the business and industry community to access. 23 Ill.Admin.Code §255.200(c)(1). See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, and f/ns 13 and 14 below for other related website posting requirements.

Employers providing apprenticeships may be eligible for tax credits for certain educational expenses they incur on behalf of qualifying apprentices. 35 ILCS 5/231(b), amended by P.A. 103-1059. Districts that carry out registered apprenticeship programs should, but are not required to, aid an employer in claiming an available credit by providing a written receipt documenting the apprenticeship education expenses paid to the school by the employer. 14 Ill.Admin.Code §522.50(e). See https://dceo.illinois.gov/expandrelocate/incentives/ilapprenticeshiptaxcredit.html for more information about the credit.

[12] 105 ILCS 5/2-3.175; 23 Ill.Admin.Code Part 255. In addition to the requirements listed in the policy, districts allowing for student participation in registered apprenticeship programs must also: (1) submit data on participating students through ISBE's Student Information System, (2) identify and attempt to eliminate any barriers to student participation, and (3) include the program in the Career Pathway Endorsement if the district awards endorsements under the Postsecondary and Workforce Readiness Act (110 ILCS 148/). 23 Ill.Admin.Code §255.200(d)-(f).

[13] 23 Ill.Admin.Code §255.200(c). The Illinois Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH),* at: www.ilprincipals.org/msh. The notification to students and parents on the district's website must include: (1) a statement that a student may participate in any registered apprenticeship program listed by the district; and (2) a statement that a student may find a registered, but not listed, apprenticeship program with a business or organization, if a registered apprenticeship program is not offered in the district. 23 Ill.Admin.Code §255.200(c)(2). See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. For districts that do not maintain a website, use the following alternative sentence:

> Parents/guardians and students will be notified of opportunities for registered apprenticeship programs in the appropriate school handbook(s).

[14] 23 Ill.Admin.Code §255.200(b)(4). See sample exhibits 6:310-E, *Class Substitution Request*, and 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. If the district does not maintain a website, delete ~~and on its website~~.

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6. All non-academic requirements mandated by the School Code for high school graduation that would otherwise prohibit or prevent the student from participating in the registered apprenticeship program are waived.

Advanced placement computer science.[15] The advanced placement computer science course is equivalent to a high school mathematics course. A student in grades 9-12 may substitute the advanced placement computer science course for one year of mathematics, in accordance with Section 27-22 of the School Code. The transcript of a student who completes the advanced placement computer science course will state that it qualifies as a mathematics-based, quantitative course.

Substitutions for physical education. A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated below.[16] The Superintendent or designee shall maintain records showing that the criteria set forth in this policy were applied to the student's individual circumstances, as appropriate. [17]

1. Ongoing participation in a marching band program for credit; [18]
2. Enrollment in Reserve Officer's Training Corps (ROTC) program sponsored by the District;[19]
3. Ongoing participation in an *interscholastic* or *extracurricular athletic program*; [20]

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

[15] Optional, but allowed by 105 ILCS 5/27-~~6052~~2(e)(3) and 5/27-~~6052~~2(f-5), both renumbered by P.A. 104-391.

[16] Optional, but allowed by 105 ILCS 5/27-~~710~~6(b), renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.425(e). A board that wants to allow any of these P.E. exemptions must include the ones it selects in a policy that excuses students on an individual basis.

[17] 23 Ill.Admin.Code §1.425(e).

[18] 23 Ill.Admin.Code §1.425(e)(4)(A). This policy excuses students from P.E. only during the marching band season because the statute allows the exemption "for ongoing participation in such marching band program." Thus, if the marching band season is over, the student's *ongoing participation* has ceased and the student no longer qualifies for the P.E. exemption. Common sense, however, would allow the exemption to continue until the end of the current grading period.

[19] 23 Ill.Admin.Code §1.425(e)(4)(B).

[20] 23 Ill.Admin.Code §1.425(e)(2) and (e)(3)(A). Prior to P.A. 100-465, the statute only allowed students in grades 11 and 12 to be excused from P.E. "for ongoing participation in an interscholastic athletic program." ~~105 ILCS 5/27-6(b)(1).~~ 105 ILCS 5/27-~~710~~6(b) ~~now~~, renumbered by P.A. 104-391, states "on a case-by-case basis, excuse pupils in grades 7 through 12 who participate in an interscholastic or extracurricular athletic program." While the statute no longer requires such participation to be *ongoing*, 23 Ill.Admin.Code §1.425(e)(3) requires *ongoing participation*. Thus, if the athletic program is over, the student's *ongoing participation* has ceased and the student no longer qualifies for the P.E. exemption. Common sense, however, would allow the exemption to continue only until the end of the grading period during which the athletic program is active. 23 Ill. Admin. Code §1.425(e)(2) limits interscholastic and extracurricular athletic programs to those that are sponsored by the school district as defined in school board policy. Boards do not have the "authority to honor parental excuses based upon students' participation in athletic training, activities or competitions conducted outside the auspices of the school district." Id. at §1.425(e)(6).

State statutes do not define *interscholastic athletic program* or *extracurricular athletic program*; however, 105 ILCS 5/22-80 defines *interscholastic athletic activity* as "any organized school-sponsored or school-sanctioned activity for students, generally outside of school instructional hours, under the direction of a coach, athletic director, or band leader, including, but not limited to, baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, ice hockey, lacrosse, marching band, rugby, soccer, skating, softball, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, and wrestling." 23 Ill.Admin.Code §1.425(e)(2) defines *interscholastic* and *extracurricular athletic programs* as "those programs that are sponsored by the school district as defined by school district policy." Boards have no authority to honor parental excuses based upon students' participation in athletic training, activities or competition conducted outside the auspices of the school district. 23 Ill.Admin.Code §1.425(e)(6).

For boards that want to explain the meaning of *interscholastic or extracurricular athletic program*, insert the following option at the end of #3:

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4. Enrollment in academic classes that are required for admission to an institution of higher learning (student must be in the 11th or 12th grade);[21] or
5. Enrollment in academic classes that are required for graduation from high school, provided that failure to take such classes will result in the student being unable to graduate (student must be in the 11th or 12th grade). [22]

A student who is eligible for special education may be excused from physical education courses pursuant to 7:260, *Exemption from Physical Education*.

Volunteer service credit.[23] A student participating in the District's Volunteer Service Credit Program, if any, may earn credit toward graduation for the performance of community service. The amount of credit given for program participation shall not exceed that given for completion of one semester of language arts, math, science, or social studies.

Re-Entering Students [24]

Individuals younger than 21 years of age may re-enter high school to acquire a high school diploma or an equivalency certificate, subject to the limitations in Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. Re-entering students may obtain credit through the successful completion of the following (not all of these may be available at any one time):

1. District courses
2. Non-District experiences described in this policy
3. Classes in a program established under Section 10-22.20 of the School Code, in accordance with the standards established by the Illinois Community College Board
4. Proficiency testing, correspondence courses, life experiences, and other nonformal educational endeavors
5. Military service, provided the individual making the request has a recommendation from the American Council on Education

The provisions in the section **Credit for Non-District Experiences**, above, apply to the receipt of credit for any non-District course.

DRAFT

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(organized school-sponsored or school-sanctioned activities for students that are not part of the curriculum, not graded, not for credit, generally take place outside of school instructional hours, and under the direction of a coach, athletic director, or band leader)

For unit districts, ensure the definition matches the definition in policy 7:260, *Exemption from Physical Education*.

[21] 23 Ill.Admin.Code §1.425(e)(3)(B).

[22] 23 Ill.Admin.Code §1.425(e)(3)(C).

[23] Optional. The credit given for one semester may not exceed that stated in this policy. 105 ILCS 5/27-1035~~22.3~~, renumbered by P.A. 104-391. The program may include participation in the organization of a high school or community blood drive or other blood donor recruitment campaign. Id. ISBE must provide assistance to districts opting to offer the program. 105 ILCS 5/2-3.108.

[24] Required by 23 Ill.Admin.Code §1.470(a). While the sample policy does not provide for it, a school board may permit adults 21 years of age or older to re-enter high school. 23 Ill.Admin.Code §1.470(b). Items #4 & #5 are optional, but must be included in a policy if credit will be granted for them. 105 ILCS 5/27-6; 27-610~~22.05~~, amended and renumbered by P.A. 104-391.

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LEGAL REF.: 105 ILCS 5/2-3.44, 5/2-3.108, 5/2-3.115(b), 5/2-3.142, 5/2-3.175, 5/10-22.43a, 5/10-20.62, 5/27-610, 5/27-7106, and 5/27-1035~~22.3, and 5/27-22.05~~.
110 ILCS 27/, Dual Credit Quality Act.
23 Ill.Admin.Code §§1.425(e), 1.440(f), 1.470(c), and Part 255.

CROSS REF.: 6:180 (Extended Instructional Programs), 6:300 (Graduation Requirements), 6:315 (High School Credit for Students in Grade 7 or 8), 6:320 (High School Credit for Proficiency), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:260 (Exemption from Physical Education)

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Instruction

High School Credit for Students in Grade 7 or 8 [1]

The Superintendent or designee may investigate, coordinate, and implement a program for students in grades 7 and 8 to enroll in a course required for a high school diploma.

[*The next two paragraphs are only for unit and high school districts; the final paragraph is only for elementary districts.*]

If a program is available, students in grades 7 and 8 may enroll in a course required for a high school diploma when the course is offered by the high school that the elementary student would attend and ~~either~~ one of the following is satisfied: (1) the student participates in the course at the high school and the elementary student's enrollment in the course would not prevent a high school student from being able to enroll, or (2) the student participates in the course where the student attends school as long as the student passes the course and the end-of-course examination given at the high school granting the credit for the same course, demonstrating proficiency at the high school level, or (3) the course is taught by a teacher who holds a professional educator license with an endorsement for the grade level and content area of the course. [2]

A student who successfully completes a course required for a high school diploma while in grades 7 and 8 shall receive academic credit for the course.[3] That academic credit shall satisfy the requirements of ~~Section 27-22 of the School Code~~105 ILCS 5/27-615 for purposes of receiving a high school diploma, unless evidence about the course's rigor and content show that the course did not address the relevant Illinois learning standard at the level appropriate for the high school grade during which the course is usually taken.[4] The student's grade in the course shall also be included in the student's grade point average. [5]

[*Elementary school districts only*]

If a program is available, students in grades 7 and 8 may enroll in a course required for a high school diploma. Students in grades 7 and 8 who successfully complete a course required for a high school

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[1] While State law controls this policy's content, districts are not required to implement it. The board of any district that maintains any grades 9-12 may adopt a policy for students enrolled in grade 7 or 8 to enroll in a course required for high school graduation. 105 ILCS 5/27-~~22.10~~615(a), amended by P.A. 104-267, eff. 1-1-26, and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.440(c)(3). The first sentence recognizes that this policy's implementation requires cooperation between school districts, superintendents, building principals, and other administrators.

[2] A high school board may choose the following alternative if it believes condition (2) would be difficult to manage because its students come from multiple districts having been taught by multiple non-district teachers:

> If a program is available, students in grades 7 and 8 may enroll in a course required for a high school diploma when the course is offered by the high school that the elementary student would attend when the student participates in the course at the high school and the elementary student's enrollment in the course would not prevent a high school student from being able to enroll.

[3] 105 ILCS 5/27-~~22.10~~615(c), amended and renumbered by P.A. 104-391.

[4] Id. ~~at (c).~~

[5] Id. at (d), renumbered by P.A. 104-391.

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diploma will receive academic credit if permitted by, and in accordance with, the policy of the district where the elementary student will attend high school.

LEGAL REF.: 105 ILCS 5/10-22.43 and 5/27-615~~22.10~~.
23 Ill.Admin.Code §1.460.

CROSS REF.: 6:135 (Accelerated Placement Program), 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:320 (High School Credit for Proficiency)

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Instruction

High School Credit for Proficiency

Proficiency Credits [1]

Subject to the limitations in this policy and State law, the Superintendent or designee is authorized to establish and approve a program for granting credit for proficiency with the goal of allowing a student who would not benefit from a course because the student is proficient in the subject area to receive credit without having to take the course. A student who demonstrates competency under this program will receive course credit for the applicable course and be excused from any requirement to take the course as a graduation prerequisite. No letter grade will be given for purposes of the student's cumulative grade point average. The Superintendent or designee shall notify students of the availability of and requirements for receiving proficiency credit.

Proficiency credit will be offered in the following subject areas: [2]

Foreign language - A student is eligible to receive one year of foreign language credit if the student has graduated from an accredited elementary school and can demonstrate proficiency, according to this District's academic criteria, in a language other than English.[3] A student who demonstrates proficiency in American Sign Language is deemed proficient in a foreign language and will receive one year of foreign language credit.[4] A student who studied a foreign language in an approved ethnic school program is eligible to receive appropriate credit according to the level of proficiency reached; the student may be required to take a proficiency examination. [5]

Other proficiency testing - The program for granting credit for proficiency may allow, as the Superintendent deems appropriate, course credit to be awarded on the basis of a local examination to a student who has achieved the necessary proficiency through independent study or work taken in or through another institution.[6] Proficiency testing may also be used to determine eligible credit

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

[1] An ISBE rule requires districts with a high school to have a policy on earning credit through proficiency exams. 23 Ill.Admin.Code §1.460. State law controls this policy's content. Students must *successfully complete* the courses listed in 105 ILCS 5/27-~~22~~605, amended by P.A. 104-387, and amended and renumbered by P.A. 104-391~~s 101-643, 101-654, 102-366~~, in order to receive a high school diploma. See 6:300-E2, *State Law Graduation Requirements*. 105 ILCS 5/27-~~12.1~~305, renumbered by P.A. 104-391, no longer allows districts to grant consumer education proficiency credit.

In accordance with 105 ILCS 5/2-3.159~~, amended by P.A. 101-503,~~ and 23 Ill.Admin.Code §680.20, a school district may establish a program to recognize high school graduates who attain a high level of proficiency in one or more languages in addition to English by designating on a student's diploma and transcript a State Seal of Biliteracy.

[2] This paragraph should be revised to reflect the actual practice concerning granting proficiency credits. A board may delete all text concerning foreign language proficiency credit and keep only the text in the second indented paragraph without using a subheading.

[3] Optional, but permitted by 105 ILCS 5/10-22.43.

[4] See f/n 2. Required only if the district offers proficiency credit for foreign language. Id.

[5] See f/n 2. Optional, but permitted by 105 ILCS 5/10-22.43a.

[6] Optional. *Local examination* is not defined but is generally understood to mean examinations developed by the district, school, or instructor, not standardized examinations developed by the state or an outside entity, e.g. advanced placement examinations by the College Board.

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for other subjects whenever students enter from non-graded schools, non-recognized or non-accredited schools, or were in a home-schooling program.

LEGAL REF.: 105 ILCS 5/10-22.43, 5/10-22.43a, and 5/27-60522, and 5/27-24.3.
23 Ill.Admin.Code §1.460; Part 680, State Seal of Biliteracy.

CROSS REF.: 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:315 (High School Credit for Students in Grade 7 or 8)

DRAFT

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IASB POLICY REFERENCE MANUAL
TABLE OF CONTENTS
SECTION 7 - STUDENTS

Equity

7:10 Equal Educational Opportunities

7:10-AP1 Administrative Procedure - Accommodating Transgender, Nonbinary, or Gender Nonconforming Students

7:10-AP2 Administrative Procedure – Accommodating Breastfeeding Students

7:10-E Exhibit - Equal Educational Opportunities Within the School Community

7:15 Student and Family Privacy Rights

7:15-E Exhibit - Notification to Parents of Family Privacy Rights

7:20 Harassment of Students Prohibited

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

Assignment and Admission

7:30 Student Assignment and Intra-District Transfer

7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students

7:40-AP Administrative Procedure - Placement of Nonpublic School Students Transferring Into the District

7:50 School Admissions and Student Transfers To and From Non-District Schools

7:50-AP Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools

7:60 Residence

7:60-AP1 Administrative Procedure - Challenging a Student's Residence Status

7:60-AP2 Administrative Procedure - Establishing Student Residency

7:60-AP2, E1 Exhibit - Letter of Residence from Landlord in Lieu of Lease

7:60-AP2, E2 Exhibit - Letter of Residence to be Used When the Person Seeking to Enroll a Student Is Living with a District Resident

7:60-AP2, E3 Exhibit - Evidence of Non-Parent's Custody, Control, and Responsibility of a Student

DRAFT

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Attendance

7:70 Attendance and Truancy

7:80 Release Time for Religious Instruction/Observance

7:90 Release During School Hours

7:100 Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students

7:110 **OPEN**

7:120 **OPEN**

Rights and Responsibilities

7:130 Student Rights and Responsibilities

7:140 Search and Seizure

7:140-AP Administrative Procedure - Use of Metal Detectors and Searches for Student Safety

7:140-E Exhibit - Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act

7:150 Agency and ~~Police~~ Law Enforcement ~~Interviews~~Requests

7:150-AP Administrative Procedure - Managing Agency and ~~Police~~ Law Enforcement ~~Interviews~~Requests

7:150-AP, E Exhibit - Record of Agency and Law Enforcement Requests

7:160 Student Appearance

7:165 School Uniforms

7:170 Vandalism

7:180 Prevention of and Response to Bullying, Intimidation, and Harassment

7:180-AP1 Administrative Procedure - Prevention, Identification, Investigation, and Response to Bullying

7:180-AP1, E1 Exhibit - Resource Guide for Bullying Prevention

7:180-AP1, E2 Exhibit - Be a Hero by Reporting Bullying

7:180-AP1, E3 Exhibit - Memo to Staff Regarding Bullying

7:180-AP1, E4 Exhibit - Memo to Parents/Guardians Regarding Bullying

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7:180-AP1, E5 Exhibit - Report Form for Bullying

7:180-AP1, E6 Exhibit - Interview Form for Bullying Investigation

7:180-AP1, E7 Exhibit - Response to Bullying

7:185 Teen Dating Violence Prohibited

7:185-E Exhibit - Memo to Parents/Guardians Regarding Teen Dating Violence

7:190 Student Behavior

7:190-AP1 Student Handbook - Hazing Prohibited

7:190-AP2 Student Handbook - Gang Activity Prohibited

7:190-AP3 Administrative Procedure - Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students

7:190-AP4 Administrative Procedure - Use of Isolated Time Out, Time Out, and Physical Restraint

7:190-AP5 Student Handbook - Electronic Devices

7:190-AP6 Administrative Procedure - Guidelines for Investigating Sexting Allegations

7:190-AP7 Administrative Procedure - Student Discipline Guidelines

7:190-AP8 Administrative Procedure - Student Re-Engagement Guidelines

7:190-AP9 Administrative Procedure - Administrative Transfer to Regional Safe School Program

7:190-E1 Exhibit - Aggressive Behavior Reporting Letter and Form

7:190-E2 Exhibit - Student Handbook Checklist

7:190-E3 Exhibit - Memorandum of Understanding

7:190-E4 Exhibit - Acknowledgement of Receiving Student Behavior Policy and Student Conduct Code

7:200 Suspension Procedures

7:200-E1 Exhibit - Short Term Out-of-School Suspension (1-3 Days) Reporting Form

7:200-E2 Exhibit - Long Term Out-of-School Suspension (4-10 Days) Reporting Form

7:210 Expulsion Procedures

7:210-E1 Exhibit - Notice of Expulsion Hearing

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7:220 Bus Conduct

7:220-AP Administrative Procedure - Electronic Recordings on School Buses

7:230 Misconduct by Students with Disabilities

7:240 Conduct Code for Participants in Extracurricular Activities

7:240-AP1 Administrative Procedure - Code of Conduct for Extracurricular Activities

7:240-AP2 Administrative Procedure - Extracurricular Drug and Alcohol Testing Program

7:240-AP2, E1 Exhibit - Consent to Participate in Extracurricular Drug and Alcohol Testing Program

Welfare Services

7:250 Student Support Services

7:250-AP1 Administrative Procedure - Measures to Control the Spread of Head Lice at School

7:250-AP2 Administrative Procedure - Protocol for Responding to Students with Social, Emotional, or Mental Health Needs

7:255 Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

7:255-AP1 Administrative Procedure - Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

7:255-AP2 Administrative Procedure - Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

7:260 Exemption from Physical Education

7:270 Administering Medicines to Students

7:270-AP1 Administrative Procedure - Dispensing Medication

7:270-AP2 Administrative Procedure - Checklist for District Supply of Undesignated Medication(s)

7:270-E1 Exhibit - School Medication Authorization Form

7:270-E2 Exhibit - School Medication Authorization Form - Medical Cannabis

7:275 Orders to Forgo Life-Sustaining Treatment

7:280 Communicable and Chronic Infectious Disease

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7:280-AP Administrative Procedure - Managing Students with Communicable or Infectious Diseases

7:280-E1 **OPEN**

7:280-E2 Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases

7:280-E3 Exhibit - Preventing Staphylococcal Infections for Schools

7:285 Anaphylaxis Prevention, Response, and Management Program

7:285-AP Administrative Procedure - Anaphylaxis Prevention, Response, and Management Program

7:285-AP, E Administrative Procedure - Allergy and Anaphylaxis Emergency Plan

7:290 Suicide and Depression Awareness and Prevention

7:290-AP Administrative Procedure - Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program

Activities

7:300 Extracurricular Athletics

7:300-E1 Exhibit - Agreement to Participate

7:300-E2 Exhibit - Certificate of Physical Fitness for Participation in Athletics

7:300-E3 Exhibit - Authorization for Medical Treatment

7:305 Student Athlete Concussions and Head Injuries

7:305-AP Administrative Procedure - Program for Managing Student Athlete Concussions and Head Injuries

7:310 Restrictions on Publications; Elementary Schools

7:310-AP Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools

7:315 Restrictions on Publications; High Schools

7:315-AP Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications; High Schools

7:320 **OPEN**

7:325 Student Fundraising Activities

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7:325-E Exhibit - Application and Procedures to Involve Students in Fundraising Activities

7:330 Student Use of Buildings - Equal Access

7:330-E Exhibit - Application for Student Groups that Are Not School Sponsored to Request Free Use of School Premises for Meetings

Records

7:340 Student Records

7:340-AP1 Administrative Procedure - School Student Records

7:340-AP1, E1 Exhibit - Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records

7:340-AP1, E2 Exhibit - Using a Photograph or Video Recording of a Student

7:340-AP1, E3 Exhibit - Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

7:340-AP1, E4 Exhibit - Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information

7:340-AP1, E5 Exhibit - Biometric Information Collection Authorization

7:340-AP2 Administrative Procedure - Storage and Destruction of School Student Records

7:340-AP2, E1 Exhibit - Letter Containing Schedule for Destruction of School Student Records

7:345 Use of Educational Technologies; Student Data Privacy and Security

7:345-AP Administrative Procedure - Use of Educational Technologies; Student Data Privacy and Security

7:345-AP, E1 Exhibit - Student Covered Information Reporting Form

7:345-AP, E2 Exhibit - Student Data Privacy; Notice to Parents About Educational Technology Vendors

7:345-AP, E3 Exhibit - Parent Notification Letter for Student Data Breach

7:345-AP, E4 Exhibit - Notice of Parent Rights Regarding Student Covered Information

7:345-AP, E5 Exhibit - Parent Request Form for Student Covered Information

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7:345-AP, E6 Exhibit - Parent Request Form for Correction of Student Covered Information

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Students

Equal Educational Opportunities [1]

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race,[2] national origin, religion, sex,[3] sexual orientation, ancestry, age, physical or mental disability, gender identity,[4] status of being homeless, immigration status, order of protection status,

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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. Many civil rights laws guarantee equal educational opportunities; see citations in the Legal References.

[2] The Ill. Human Rights Act (IHRA) defines *race* 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). The Ill. Dept. of Human Rights' (IDHR) jurisdiction over schools as "places of public accommodation" is limited, see f/n 4, below. See also sample policy 7:160, *Student Appearance*, regarding hairstyles associated with race.

[3] With some exceptions, Title IX of the Education Amendments of 1972 (Title IX) guarantees that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance…" 20 U.S.C. §1681(a). See sample policy 2:265, *Title IX Grievance Procedure*, for further discussion.

Title IX implementing regulations at 34 C.F.R. §106.40 and 49 C.F.R. §25.445 prohibit "any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex." Ill. State Board of Education (ISBE) sex equity regulation at 23 Ill.Admin.Code §200.50(e) prohibits discrimination against a student "because of his or her actual or potential marital or parental status," and it specifies that: (1) pregnancy shall be treated as any other temporary disability, (2) pregnancy or parenthood shall not be considered cause for dismissal or exclusion from any program or activity, (3) participation in special programs provided for pregnant students or students who are parents shall be at the student's option, and (4) systems shall eliminate administrative and programmatic barriers to school attendance and school completion by pregnant students or students who are parents. Id. See f/n 8, below, regarding support services for pregnant and parenting students.

[4] The IHRA and an ISBE rule prohibit schools from discriminating against students on the basis of *sexual orientation* and *gender identity*. 775 ILCS 5/1-103(Q), 5/5-101(11), and 5/5-102; 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 IHRA. The 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.

Adopting separate policies or inserting policy statements about accommodations and inclusion of transgender students in the educational program are unsettled areas of the law. Some lawyers believe doing so may open boards to equal protection challenges for not creating separate policies for other protected statuses, e.g., race, national origin, religion, etc. Governor Pritzker issued Executive Order (EO) 2019-11, titled "Strengthening Our Commitment to Affirming and Inclusive Schools" which established the Affirming and Inclusive Schools Task Force (Task Force) to identify strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students. The Task Force delivered a report that served as the basis for two non-regulatory guidance documents entitled *Supporting Transgender, Nonbinary and Gender Nonconforming Students* and *Sample District Policy and Administrative Procedures* at www.isbe.net/supportallstudents. ~~The Ill. State Board of Education (~~ISBE~~)~~ hosts these documents on its website. The Ill. Dept. of Human Services, the Legal Council for Health Justice and other community organizations partnered to create ILPrideConnect, which has resources for school administrators, parents, and students at www.ilprideconnect.org/school-and-education.

Consult the board attorney if your board wishes to adopt a separate policy or insert policy statements about accommodations and inclusion of transgender students.

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military status, unfavorable military discharge, reproductive health decisions, or actual or potential marital or parental status, including pregnancy.[5] Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under Board policy 8:20, *Community Use of School Facilities*.[6] Any student may file a discrimination complaint by using Board policy 2:260, *Uniform Grievance Procedure*, or in the case of discrimination on the basis of race, color, or national origin, Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. [7]

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

For boards that want to incorporate ISBE's *Sample District Policy and Administrative Procedures* policy recommendation into this policy, insert the following in place of "gender identity,": gender, gender identity (whether or not traditionally associated with the student's sex assigned at birth), gender expression.

If the board inserts this option, it must also insert the options in f/n 2~~7~~, below and in f/n 2 of sample policy 7:20, *Harassment of Students Prohibited*, but note the protected statuses list in this policy is different and should not be copied from here into 7:20, *Harassment of Students Prohibited*.

See sample administrative procedure 7:10-AP1, *Accommodating Transgender, Nonbinary, or Gender Nonconforming Students*, for a case-by-case procedure that school officials may use when a student requests an accommodation based upon his or her gender identity.

For a list of policies that address the equal educational opportunities, health, safety, and general welfare of students within the District, see sample exhibit 7:10-E, *Equal Educational Opportunities Within the School Community*.

[5] 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26, codifies Plyler v. Doe, 457 U.S. 202 (1982), which held that it is unconstitutional for states to deny children a free public education based on immigration status. The law prohibits districts from taking any action that would deny a child free public education based on the child's or their parent's/guardian's actual or perceived citizenship or immigration status, and it requires districts to establish a policy and procedures regarding agency and law enforcement requests, to ensure this right is preserved. 105 ILCS 5/22-105(c)(1-3), added by P.A. 104-288, eff. 1-1-26. See sample policy 7:150, *Agency and Law Enforcement Requests*, and sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*. In 23 Ill.Admin.Code §1.240, ISBE states that "no school system may deny access to its schools or programs to students who lack documentation of their immigration status or legal presence in the United States, and no school system may inquire about the immigration status of a student (Plyler v. Doe, 457 U.S. 202 (1982))."

775 ILCS 5/1-102(A), amended by P.A.s 103-472 and 103-785, lists the following protected categories: race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, reproductive health decisions, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations, including in elementary, secondary, and higher education. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, and its footnotes for definitions of some of these terms.

The IHRA prohibits schools from discriminating against students on the bases of *reproductive health decisions*. 775 ILCS 5/1-103(Q), amended by P.A. 103-785. See 775 ILCS 5/1-103(O-2), amended by P.A. 103-785, for a definition of *reproductive health decisions*.

The IHRA's jurisdiction in regard to schools as places of public accommodation is specifically limited to: (1) failing to enroll an individual, (2) denying or refusing full and equal enjoyment of 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.

[6] 23 Ill.Admin.Code §200.40(g) prohibits entering into agreements with entities that discriminate against students on the basis on sex. Section 200.80(a)(4) contains an exception for single sex youth organizations, e.g., Girl Scouts. Note that the U.S. Supreme Court refused to apply New Jersey's public accommodation law to the Boy Scouts because forcing the Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of America v. Dale, 530 U.S. 640 (2002). When deciding whether to allow non-school groups to use its facilities, a public school district may not engage in viewpoint discrimination. Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).

[7] Districts must have a grievance procedure. See the Legal References following this policy and 105 ILCS 5/22-95, added by P.A. 103-472, regarding the internal complaint process for claims of discrimination on the basis of race, color, or national origin, which is addressed in sample policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. Absent a specific statute or rule, there is no consensus on whether students have the right to appeal a board's decision to the Regional Superintendent and thereafter to the State Superintendent pursuant to 105 ILCS 5/2-3.8.

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Sex Equity [8]

No student shall, based on sex, sexual orientation, or gender identity[9] be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using Board policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8). [10]

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

[8] Every district must have a policy on sex equity. 23 Ill.Admin.Code §200.40(b). The IHRA, Public Accommodation section, prohibits schools from: (1) failing to enroll an individual, (2) denying or refusing an individual full and equal enjoyment of its facilities, goods, or services, or (3) failing take corrective action to stop severe or pervasive harassment of an individual (775 ILCS 5/5-102.2), on the basis of the individual's sex or sexual orientation, among other classifications (775 ILCS 5/5-101(11)). Every four years, districts must evaluate their policies and practices to identify and eliminate sex discrimination as well as evaluate course enrollment data to identify disproportionate enrollment based on sex. In-service training for all staff members is required. 23 Ill.Admin.Code §200.40(e).

Every four years, districts must survey students about their athletic interests and must use survey results in planning for the future and assessing current program comparability. 23 Ill.Admin.Code §200.80(b)(1). Equal participation and equal opportunity in athletics is addressed in Title IX implementing regulations. 34 C.F.R. §106.41. Generally, when a school district offers a team for one gender but not for the other, a member of the excluded gender is allowed to try out for the team unless the sport is a *contact sport*. Contact sports are boxing, wrestling, rugby, ice hockey, football, basketball, and other sports involving bodily contact. The rules also list the factors that determine whether equal opportunities are available to both genders. These include: whether the selection of athletics accommodates the interests and abilities of both genders; equipment and supplies; scheduling; opportunity to receive coaching and academic tutoring; locker rooms, practice facilities, and fields; and publicity. Title IX prohibits any person from sexually harassing a student. See sample policy 2:265, *Title IX Grievance Procedure*, for further discussion.

105 ILCS 5/10-20.60 requires public schools to provide reasonable accommodations to breastfeeding students. See sample administrative procedure 7:10-AP2, *Accommodating Breastfeeding Students*, for specific *reasonable accommodations* under Illinois law.

105 ILCS 5/10-20.63 requires school districts to make menstrual hygiene products (defined as tampons and sanitary napkins for use in connection with the menstrual cycle) available, at no cost to students, in bathrooms of every school building that is open for student use in grades 4 through 12 during the regular school day. **Note:** While P.A. 102-340 expanded the availability of menstrual hygiene products to students in grades 4 and 5, it did not expand the definition of *school building*, which remains defined as serving students in grades 6 through 12. Consult with the board attorney about implementing this law.

105 ILCS 5/26A-40, added by P.A. 102-466, a/k/a *Ensuring Success in School Law*~~, eff. 7-1-25~~, requires schools to "facilitate the full participation of students who are parents, expectant parents, or victims of domestic or sexual violence" by providing certain in-school support services. For further information, see sample policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.

[9] For boards that want to incorporate ISBE's *Sample District Policy and Administrative Procedures* policy recommendations into this policy (see f/n 4 above), insert:

1. In place of "or gender identity" as follows: "~~or~~ gender identity, or gender expression".
2. The following sentence as the second sentence of this subhead: "Students shall be supported in a manner consistent with their gender identity. This will include, but not be limited to, use of restrooms, locker rooms, and other facilities that correspond with the student's gender identity."

[10] Districts must have a sex equity grievance procedure and must tell students that they may appeal a board's resolution of a sex equity complaint to the Regional Superintendent and, thereafter, to the State Superintendent. 23 Ill.Admin.Code §200.40. Student complaints regarding breastfeeding accommodations must also be processed in accordance with these procedures. See sample policy 2:260, *Uniform Grievance Procedure*, at f/n 9.

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

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Any student may file a sexual harassment complaint by using Board policy 2:265, *Title IX Grievance Procedure*.

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator and a Title IX Coordinator.[11] The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and related grievance procedures. [12]

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 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.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
Plyler v. Doe, 457 U.S. 202 (1982).
Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).
Ill. Constitution, Art. I, §18.
105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60, 5/10-20.63, 5/10-22.5, 5/22-105, 5/26A, and 5/27-1.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
775 ILCS 35/5, Religious Freedom Restoration Act.
23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Law Enforcement Requests), 7:160 (Student Appearance), 7:165 (School Uniforms), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

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[11] Required by regulations implementing Title IX. 34 C.F.R. §106.8(a). See f/ns 24 and 25 in sample policy 2:260, *Uniform Grievance Procedure*. The Nondiscrimination Coordinator often also serves as the Title IX Coordinator.

[12] Required by regulations implementing Title IX. 34 C.F.R. Part 106; 23 Ill.Admin.Code §200.40. Comprehensive faculty and student handbooks can provide required notices, along with other important information, to recipients. Handbooks can be developed by the building principal but should be reviewed and approved by the superintendent and board. Faculty handbooks may contain working conditions and be subject to mandatory collective bargaining. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh.

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Students

Attendance and Truancy [1]

Compulsory School Attendance [2]

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades kindergarten through 12 in the public school regardless of age.

Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because of religious reasons, including to observe a religious holiday, for religious instruction, or because his or her religion forbids secular activity on a particular day(s) or time of day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness (including mental or behavioral health of the student),[3] attendance at a verified medical or therapeutic appointment (including a victim services provider),[4] observance of a religious holiday, death in the

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[1] State law requires boards to adopt a policy covering some of the topics herein and controls this policy's content. 105 ILCS 5/22-92; 23 Ill.Admin Code Part 207. Any school receiving public funds must develop and annually communicate to its students and their parents/guardians an absenteeism and truancy policy. Id. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook* (MSH), at: www.ilprincipals.org/msh/.

This policy must be updated every two years and filed with the Ill. State Board of Education (ISBE) and the regional superintendent of schools [or Intermediate Service Center Executive Director, whichever is appropriate]. 105 ILCS 5/22-92(b); 23 Ill.Admin.Code §207.30(a). 105 ILCS 5/3-0.01 states that any references to *regional superintendent* include the chief administrative officer of Intermediate Service Centers established under 105 ILCS 5/2-3.62. See the **Updating~~Monitoring~~** subhead and f/n 2~~1~~, below.

[2] 105 ILCS 5/26-2 addresses enrolled students below or over set compulsory attendance ages. The law also requires any persons having custody or control of a child who is enrolled in grades kindergarten through 12 in the public school to cause the child to attend school.

105 ILCS 5/26-1 contains the compulsory school age exemptions. Each listed exception is specifically included in the statute, except the reference to *home school*. See sample policy 7:40, *Nonpublic School Students, Including Parochial and Home-Schooled Students*, regarding assigning students who enroll from a non-public school. See sample policy 6:150, *Home and Hospital Instruction*, regarding providing instruction to a pregnant student or other student who is medically unable to attend school.

[3] 105 ILCS 5/26-1 and 5/26-2a. A student may be absent for mental or behavioral health for up to five days without providing a medical note, and the student must be given an opportunity to make up any missed school work. *Medical note* is not defined, but the same portion of the statute discusses a student's inability to attend school due to a disability being certified by an Illinois licensed physician, chiropractic physician, advanced practice registered nurse, or physician assistant; presumably, any of these individuals could provide a *medical note*. After the second mental health day used, the student may be referred to the appropriate school support personnel. Id. See sample policy 7:250, *Student Support Services*.

[4] 105 ILCS 5/26-2a, amended by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law*~~, eff. 7-1-25~~.

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immediate family, attendance at a civic event,[5] family emergency, other situations beyond the control of the student as determined by the Board, voting pursuant to Board policy 7:90, *Release During School Hours* (10 ILCS 5/7-42 and 5/17-15), other circumstances that cause reasonable concern to the parent/guardian for the student's mental, emotional, or physical health or safety, or other reason as approved by the Superintendent or designee.[6] For students who are parents, expectant parents, or victims of domestic or sexual violence, valid cause for absence also includes the fulfillment of a parenting responsibility and addressing circumstances resulting from domestic or sexual violence.[7] Students absent for a valid cause may make up missed homework and classwork assignments in a reasonable timeframe. [8]

Absenteeism and Truancy Program

The Superintendent or designee shall manage an absenteeism and truancy program in accordance with the School Code and School Board policy. The program shall include but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified. [9]

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

[5] 105 ILCS 5/26-1 and 5/26-2a. Subject to ISBE guidelines, a middle or high school student shall be permitted one school day-long excused absence per school year to engage in a *civic event*, defined as "an event sponsored by a non-profit organization or governmental entity that is open to the public. *Civic event* includes, but is not limited to, an artistic or cultural performance or educational gathering that supports the mission of the sponsoring non-profit organization. Schools may require students to provide an appropriate administrator with reasonable advance notice of the intended absence and documentation of participation.

[6] 105 ILCS 5/22-92(a)(1) requires a policy with a definition of valid cause for absence in accordance with 105 ILCS 5/26-2a. These reasons are in 105 ILCS 5/26-2a except that (1) "other reason as approved by the Superintendent," and (2) absences for students to vote authorized by 10 ILCS 5/7-42 and 5/17-15 were added. An ISBE rule requires that the absenteeism and truancy policy define valid causes for absence. 23 Ill.Admin.Code §1.290.

For elementary districts, delete the following phrase from the second sentence of this paragraph: "~~voting pursuant to policy 7:90, *Release During School Hours* (10 ILCS 5/7-42 and 5/17-15),~~" and delete 7:90, *Release During School Hours*, from the Cross References.

For high school and unit districts that do not wish to include the **Voting** subhead in policy 7:90, *Release During School Hours*, amend the second sentence of this paragraph as follows: "~~policy 7:90, Release During School Hours~~ (the Election Code, 10 ILCS 5/7-42 and 5/17-15,)"and delete 7:90, *Release During School Hours* from the Cross References.

[7] 105 ILCS 5/26-2a, amended by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. *Fulfillment of a parenting responsibility* includes, but is not limited to, arranging and providing child care, caring for a sick child, attending prenatal or other medical appointments for the expectant student, and attending medical appointments for a child. Id. *Circumstances resulting from domestic or sexual violence* includes, but is not limited to, experiencing domestic or sexual violence, recovering from physical or psychological injuries, seeking medical attention, seeking services from a domestic or sexual violence organization as defined in 105 ILCS 5/26A-10, seeking psychological or other counseling, participating in safety planning, temporarily or permanently relocating, seeking legal assistance or remedies, or taking any other action to increase the safety or health of the student or to protect the student from future domestic or sexual violence. Id. Before an absence of three or more consecutive days that is related to domestic or sexual violence, a district may require a student to verify his or her claim of domestic or sexual violence under 105 ILCS 5/26A-45. Id. See sample policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, and sample administrative procedure 7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.

[8] See f/n 3. In addition, 105 ILCS 5/10-20.78 requires a written policy related to absences and missed homework or classwork assignments as a result of or related to a student's pregnancy. It makes sense to apply such a policy to all students who are absent for a valid cause.

[9] Any child "necessarily and lawfully employed" may be exempted from attendance by the superintendent "on certification of the facts by and the recommendation of the school board." 105 ILCS 5/26-1. The policy's language serves to delegate this "certification of the facts" to the superintendent or designee. The following option allows a board to consider and include specific criteria in the policy:

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2. A protocol for excusing a student in grades 6 through 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran. [10]
3. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. [11]
4. A process to telephone, within two hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification. [12]
5. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in 105 ILCS 5/26-2a.
6. A description of diagnostic procedures for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information about the reasons for the student's attendance problem. [13]
7. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent students, including parent-teacher conferences, student and/or family counseling, and information about available community services relevant to such students' needs.[14] See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
8. A process for the collection and review of chronic absence data and to:
    a. Determine what systems of support and resources are needed to engage chronically absent students and their families, and

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A student may be excused, at the Superintendent's discretion, when: (1) the student has a last period study hall, (2) the parent/guardian provides written permission, (3) the student's employer provides written verification of employment, (4) the student provides evidence of a valid work permit, or (5) other reason deemed justifiable by the Superintendent.

Child Labor laws include: 29 C.F.R. Part 570 (minimum age standards, occupations, conditions, etc.); Child Labor Law of 2024, 820 ILCS 206/, added by P.A. 103-721; 56 Ill.Admin.Code Part 250 (child labor regulations). To streamline the employment certificate process for minors, the Ill. Dept. of Labor (IDOL) has a paperless certification system for districts to provide IDOL with the name and contact information of the superintendent or designee as the *issuing officer*. The *school issuing officer* will then be granted access to electronically complete and submit either the IDOL's *Employment Certificate Form* or *Temporary Employment Certificate Form*, at: ~~www2.illinois.gov/idol/Laws-Rules/FLS/Pages/Employment-Certificates-Minors.aspx~~https://labor.illinois.gov/laws-rules/fls/employment-certificates-minors.html.

[10] 105 ILCS 5/26-1. A student must notify the building principal or other administrator at least two days prior to the absence providing the date, time, and location of the military honors funeral. This requirement may be waived if the student did not receive notice at least two days in advance, but the student shall notify the administration as soon as possible of the absence.

A student whose absence is excused to sound *Taps* shall be counted in attendance for purposes of calculating the average daily attendance of students in the district. The district must allow the student reasonable time to make up school work and if school work is satisfactorily completed, the day of absence is counted as an attendance day for the student.

[11] 105 ILCS 5/26-1. Such a student must be granted five days of excused absences in any school year and, at the board's discretion, may be granted additional excused absences to visit the student's parent/guardian. The student and his/her parent/guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his/her return to school from the excused absence period. Id.

[12] This notification is required by 105 ILCS 5/26-3b. Delete for high school districts.

[13] 105 ILCS 5/22-92(a)(2).

[14] Id. at (3). The School Code references to dropout prevention include: 105 ILCS 5/26-3a (regional superintendent activities and annual report); 105 ILCS 5/10-20.25a (annual report by boards); and 105 ILCS 5/1A-4(E) (ISBE report).

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b. Encourage the habit of daily attendance and promote success. [15]

9. Reasonable efforts to provide ongoing professional development to all school personnel, Board members, and school resource officers on the appropriate and available supportive services for the promotion of student attendance and engagement. [16]
10. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered. [17]
11. A protocol for cooperating with non-District agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records. [18]

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[15] 105 ILCS 5/22-92(a)(4) requires the incorporation of provisions relating to chronic absenteeism in accordance with 105 ILCS 5/26-18. 105 ILCS 5/26-18 requires districts to collect and review chronic absence data and determine what systems of support and resources are needed to engage chronically absent students and their families to encourage the habit of daily attendance and promote success. 105 ILCS 5/26-18(c). The review must include an analysis of chronic absence data from each attendance center. Id. Districts are also encouraged to: (1) provide a system of support to students at risk of reaching or exceeding chronic absence levels, i.e., those available through the Illinois Multi-tiered Systems of Support Network; and (2) make resources available to families, i.e., those available through ISBE's Family Engagement Framework, to support and engage students and their families. 105 ILCS 5/26-18(d). *Chronic absence* means "absences that total 10% or more of school days of the most recent school year, including absences with and without valid cause, as defined in Section 26-2a of this Code, and out-of-school suspensions for an enrolled student." 105 ILCS 5/26-18(a). In contrast, a *chronic or habitual truant* is "a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 5% or more of the previous 180 regular attendance days." 105 ILCS 5/26-2a.

[16] 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896.

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

[18] 105 ILCS 5/26-9 requires school officers and superintendents to assist truant officers. A minor who is reported by the regional superintendent as a chronic truant may be adjudicated a "truant minor in need of supervision" if the minor declines or refuses to fully participate in truancy intervention services. 705 ILCS 405/3-33.5, amended by P.A. 103-379. Truant minors in need of supervision may be required by the court to perform reasonable public service that does not interfere with school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian. Id. Fees or costs may not be ordered or imposed in contempt proceedings related to the minor's adjudication as a truant minor in need of supervision. Id.

Counties may regulate truants by ordinance and impose fines and/or community services on truants, as permitted by law, or, if the truant is under 10 years of age, on the parent or custodian. 55 ILCS 5/5-1078.2; 55 ILCS 5/5-1101.3, amended by P.A. 103-379. Municipalities may regulate truants by ordinance and impose fines and/or community services on truants, as permitted by law, or, if the truant is under 13 years of age, on the parent or custodian. 65 ILCS 5/11-5-9. Local officials or authorities that enforce, prosecute, or adjudicate municipal ordinances adopted under 65 ILCS 5/11-5-9, or that work with school districts to address truancy problems, are designated as: (a) part of the juvenile justice system, established by the Juvenile Court Act of 1987, and (b) *juvenile authorities* within the definition set forth in subsection (a)(6.5) of Section 10-6 of the Ill. School Student Records Act. 105 ILCS 10/6(a)(6.5). Id. **A superintendent should consult with the board attorney before disclosing school student records to non-district entities.** See 7:340-AP1, *School Student Records*, for a sample procedure for release of such records to juvenile authorities.

Passed in response to a ProPublica article series entitled The Price Kids Pay, at: www.propublica.org/series/the-price-kids-pay, P.A. 103-379 restricts the ability of the juvenile courts and certain county boards to assess fines, fees, assessments, and costs to minors and the minor's parents/guardians, subject to the minor's adjudication under various ordinances and statutes.

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12. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student. [19]

13. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies. [20]

~~13.~~14. An approval process for students to attend activities allowed under 105 ILCS 5/10-19.05(k), including provisions for making up missed coursework that do not penalize students. [21]

[*For high school and unit districts only*]

~~14.~~15. A process for a 17-year-old resident to participate in the District's various programs and resources for truants.[22] The student must provide documentation of his/her dropout status for the previous six months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.

~~15.~~16. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student. [23]

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[19] 105 ILCS 5/26-12, amended by P.A. 104-430, prohibits punitive action "unless available supportive services and other school resources have been provided to the student." School personnel may not refer a truant, chronic truant, or truant minor to any other local public entity, school resource officer, or peace officer to issue the child a fine or fee as punishment for truancy. Id. In addition, "a truant minor may not be expelled for nonattendance unless he or she has accrued 15 consecutive days of absences without valid cause and the student cannot be located by the school district or the school district has located the student but cannot, after exhausting all available supportive services, compel the student to return to school." Id.

[20] 105 ILCS 5/26-3a requires the district to "establish, in writing, a set of criteria for use by the local superintendent of schools in determining whether a pupil's failure to attend school is the result of extraordinary circumstances, including but not limited to economic or medical necessity or family hardship."

This statute also requires the "clerk or secretary" of the board to quarterly report to the regional superintendent and Secretary of State the identity of students who were removed from the regular attendance roll, exclusive of transferees, because they were expelled; have withdrawn; left school; withdrew due to extraordinary circumstances; have re-enrolled in school since their names were removed from the attendance rolls; were certified to be chronic or habitual truants; or were previously certified as chronic or habitual truants who have resumed regular school attendance. The statute provides that the status of a driver's license or instructional permit will be jeopardized for a student who is the subject of this notification because of non-attendance unless the non-attendance is due to extraordinary circumstances as determined by the local district. State Superintendent Koch announced in his *Weekly Message*, 8-28-07, see **Funding & Disbursements** subhead, p.2, at: www.isbe.net/Documents_Superintendent_Weekly_Message/message_082807.pdf, that ISBE is delaying implementing this statute based upon legal guidance from the U.S. Dept. of Education's Family Policy Compliance Office that its implementation would violate the federal Family Educational Rights and Privacy Act.

[21] Required by 105 ILCS 5/10-19.05(k), amended by P.A. 104-250, eff. 1-1-26, no later than the beginning of the 2026-27 school year. Allowable activities are: (1) instruction in a college course where the student is dually enrolled for both high school and college credit, (2) participation in a Supervised Career Development Experience in which student participation and learning outcomes are approved by an educator licensed under 105 ILCS 5/21B for assessment of competencies, (3) participation in any work-based learning experience in which student participation and learning outcomes are approved by an educator who holds an Educator License with Stipulations with a career and technical educator endorsement and a work-based learning designation, (4) participation in a youth apprenticeship in which student participation and learning outcomes are approved by an educator licensed under 105 ILCS 5/21B for assessment of competencies, and (5) participation in a blended learning program approved by the district in which course content, student evaluation, and instructional methods are supervised by an educator licensed under 105 ILCS 5/21B. Id.

[22] A district must allow this participation; the length of the drop-out period and the documentation requirement contained in the next sentence are permissive. 105 ILCS 5/26-14.

[23] Optional, but provided in 105 ILCS 5/26-2(c)(3); ISBE's rule controls the appeal process, 23 Ill.Admin.Code §1.242.

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Updating [24]

Pursuant to State law and Board policy 2:240, *Board Policy Development*, the Board updates this policy at least once every two years. The Superintendent or designee shall assist the Board with its update.

LEGAL REF.: 105 ILCS 5/10-19.05(k), 5/22-92, ~~and~~ 5/26-1 through 5/26-3, 5/26-5 through 5/26-16, 5/26-18, and 5/26A.
705 ILCS 405/3-33.5, Juvenile Court Act of 1987.
23 Ill.Admin.Code §§1.242 and Part 207.

CROSS REF.: 5:100 (Staff Development Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:90 (Release During School Hours), 7:190 (Student Behavior), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:340 (Student Records)

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[24] 105 ILCS 5/22-92(b). Every two years this policy must be updated and, even if no updates are made, filed with ISBE and the regional superintendent of schools [or Intermediate Service Center Executive Director, whichever is appropriate]. Id.; 23 Ill.Admin.Code §207.30. The policy must contain all requirements of 105 ILCS 5/22-92, indicate the date of adoption (by month, day, and year) and any revision dates, and be filed electronically by September 30 each review year through ISBE's MyISBE (formerly Ill. Web Application Security (IWAS)) system. 23 Ill.Admin.Code §§207.20(a), 207.30(a). If, after review and re-evaluation of the policy, the district determines that no updates are necessary, either a copy of board minutes clearly indicating the policy was re-evaluated and no changes were deemed necessary or a signed statement from the board president indicating the policy was re-evaluated and no changes were deemed necessary must be submitted to MyISBE~~IWAS~~. 23 Ill.Admin.Code §207.30(a)(3). ISBE has stated that for districts that update the adoption date listed on a policy whenever the policy is updated, the date of adoption is sufficient to also indicate the revision date. See ISBE *Absenteeism and Truancy Policy FAQ*, at: www.isbe.net/Documents/Absenteeism-Truancy-Policy-FAQ.pdf.

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Students

Student Rights and Responsibilities [1]

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.[2] Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures. [3]

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee.[4] *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends. [5]

LEGAL REF.: 20 U.S.C. §7904.
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
105 ILCS 20/5, Silent Reflection and Student Prayer Act.

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Law Enforcement Requests~~Police Interviews~~), 7:160 (Student Appearance), 7:190 (Student Behavior), 7:330 (Student Use of Buildings - Equal Access)

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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] In 1969 the U.S. Supreme Court changed the relationship between schools and students by finding that students "do not shed their constitutional rights at the schoolhouse door." Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

[3] Consult the board attorney to ensure the district's non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon bullying and/or sexual violence under Title IX's sexual harassment umbrella. U.S. Dept. of Education (DOE) guidance states that while acts of sexual violence are crimes, they may also be discrimination under Title IX. See *Dear Colleague Letter: Sexual Violence Background, Summary, and Fast Facts*, U.S. Dept. of Education Office for Civil Rights, 111 LRP 23852 (~~April 4, 2011~~4-4-11), at https://obamawhitehouse.archives.gov/sites/default/files/fact_sheet_sexual_violence.pdf.

[4] This language is from 105 ILCS 20/5. The statute provides these examples of religious-based meetings: prayer groups, B I B L E (Basic Instruction Before Leaving Earth) clubs, and *meet at the flagpole for prayer* days. ~~**Districts with secondary schools should amend the Cross References by adding "7:330 (Student Use of Buildings – Equal Access)."**~~

In addition, federal law requires districts to certify that "no [district] policy... prevents, or otherwise denies participation in, constitutionally protected prayer in both public elementary and secondary schools." 20 U.S.C. §7904(b). The State provides certification instructions and DOE provides guidance on constitutionally protected prayer in public schools. See *Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools*, www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html. Certification with the Ill. State Board of Education occurs through the signed assurances that a superintendent provides through the grant application process.

[5] 105 ILCS 20/5.

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Students

Search and Seizure [1]

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers. [2]

School Property and Equipment as well as Personal Effects Left ~~On~~ on School Property by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. [3]

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[1] State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. Consult the board's attorney with questions about implementing this policy and searching students or seizing their possessions.

According to Fourth Amendment cases, a search by the police requires "probable cause" supported by a warrant. However, in a U.S. Supreme Court decision cited in every student search case, the Court upheld the warrantless search of a student. A search is: (1) justified at its inception when there are reasonable grounds for suspecting the search of a particular student will turn up evidence that the student violated the law or school rules, and (2) permissible in its scope when it is reasonably related to the search's objective and not excessively intrusive. T.L.O. v. New Jersey, 469 U.S. 325 (1985).

[2] The Ill. Supreme Court upheld a search conducted by a school liaison officer, saying: "Decisions … that involve police officers in school settings can generally be grouped into three categories: (1) those where school officials initiate a search or where police involvement is minimal, (2) those involving school police or liaison officers acting on their own authority, and (3) those where outside police officers initiate a search. Where school officials initiate the search or police involvement is minimal, most courts have held that the reasonable suspicion test [applies]. …The same is true in cases involving school police or liaison officers acting on their own authority. …However, where outside police officers initiate a search, or where school officials act at the behest of law enforcement agencies, the probable cause standard has been applied. In the present case, the record shows that Detective Ruettiger was a liaison police officer on staff at the Alternate School, which is a high school student with behavioral disorders. … We hold that the reasonable suspicion standard applies under these facts." People v. Dilworth, 169 Ill.2d 195 (1996).

[3] The School Code allows school officials to inspect the personal effects left by a student on property owned or controlled by the school, e.g., lockers, desks, and parking lots. 105 ILCS 5/10-22.6(e). This law does not mean that school officials have an excuse for unjustifiably opening students' possessions looking for contraband (see footnote 1). See Doe v. Little Rick Sch. Dist., 380 F.3d 349 (8th Cir. 2004) (searches conducted pursuant to the following policy were unconstitutional: "[B]ook bags, backpacks, purses and similar containers are permitted on school property as a convenience for students," and "if brought onto school property, such containers and their contents are at all times subject to random and periodic inspections by school officials.").

The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. While case law supports that lockers, as school property, may be searched without individualized suspicion of wrongdoing, many cases suggest that in order to search a student's possessions left in the locker, school officials need individualized suspicion of wrongdoing. This paragraph, as well as 105 ILCS 5/10-22.6(e), attempts to avoid Fourth Amendment protection for personal property left by students on school property by telling students not to expect privacy in these places or in their personal property left there. **This is an unsettled area of the law and should be reviewed with the school board's attorney.**

Option for high school and unit districts, insert the following paragraph:

> In addition, Building Principals shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

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The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. [4]

Students [5]

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. [6] The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction. [7]

When feasible, the search should be conducted as follows: [8]

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. By a licensed employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary

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[4] 105 ILCS 5/10-22.6(e). The sample policy may be amended to name other staff members who are authorized to request law enforcement aid.

[5] For more information about searches, seizures, and interviews of students, see *Guidelines for Interviews of Students at School by Law Enforcement Authorities*, published by the Ill. Council of School Attorneys and available at: www.iasb.com/law/ICSAGuidelinesforInterviewsofStudents.pdf.

[6] T.L.O., 469 U.S. at 342. An unsubstantiated tip from a student may serve as the grounds for a search. People v. Pruitt, 278 Ill.App.3d 194 (1st. Dist. 1996).

[7] 105 ILCS 5/10-22.6(e) and T.L.O., 469 U.S. at 326.

[8] Optional; these are practical guidelines that will help to ensure that all searches comply with constitutional requirements. State or federal law requires nothing in this paragraph. For an alternative to intrusive pat-down searches and guidelines on strip searches, see Cornfield v. Consolidated High Sch. Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993). There, school officials had reason to believe that a high school student was concealing illegal drugs in his crotch area. Believing a pat down to be excessively intrusive and ineffective at detecting drugs, the school officials required the student to change into his gym clothes in a locked locker room while male school officials observed him. The search was upheld. But see Stuczynski v. Bremen High Sch., 423 F.Supp.2d 823 (N.D.Ill. 2006) (the requisite individualized, reasonable suspicion to conduct a strip search was missing where the only reason for the strip search was the dean's belief that the students were the last students in a locker room before the money was reported missing.). See also Safford Unified Sch. Dist. v. Redding, 557 U.S. 364 (2009) (finding a strip search of student was not justified under the circumstances even though the asst. principal had reasonable suspicion but still awarded qualified immunity to the asst. principal because the law was unclear).

A school district may randomly conduct a mass search by using a metal detector. People v. Pruitt, 278 Ill.App.3d 194 (1st. Dist. 1996). The use of a metal detector must be according to the district's standards for when and how metal detector searches are to be conducted.

The U.S. Supreme Court upheld a random drug testing policy for student athletes and extracurricular participants. Vernonia Sch. Dist. 47J v. Acton, 515 U.S. 646 (1995); and Indep. Sch. Dist. No. 92 of Pottawatomie County v. Earls, 536 U.S. 822 (2002). The circumstances justifying random drug searches do not exist for the entire student body; thus, random drug tests of the student body would probably not survive constitutional scrutiny.

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action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities. [9]

Notification Regarding Student Accounts or Profiles on Social Networking Websites [10]

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

LEGAL REF.: T.L.O. v. New Jersey, 469 U.S. 325 (1985).
Vernonia Sch. Dist. 47J v. Acton, 515 U.S. 646 (1995).
Safford Unified Sch. Dist. No. 1 v. Redding, 557 U.S. 364 (2009).
~~105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.~~
~~105 ILCS 75/, Right to Privacy in the School Setting Act.~~
Cornfield v. Consolidated High Sch. Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993).
105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
105 ILCS 75/, Right to Privacy in the School Setting Act.
People v. Dilworth, 169 Ill.2d 195 (1996), *cert. denied*, 517 U.S. 1197 (1996).
People v. Pruitt, 278 Ill.App.3d 194 (1st Dist. 1996), *app. denied*, 167 Ill.2d 564 (1996).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Law Enforcement Requests~~Police Interviews~~), 7:190 (Student Behavior)

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[9] See 105 ILCS 5/10-22.6(e).

[10] Right to Privacy in the School Setting Act, 105 ILCS 75/15. This law prohibits school officials from requiring or requesting a student to provide a password or other related account information. It requires districts to provide parents/guardians with notice of the law. The notification must be published in the school's disciplinary rules, policies, or handbook, or communicated by similar means. The Ill. Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh/.

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Students

Agency and Law Enforcement Requests [1]

The District recognizes the right of every student to equal access to a free public education under State and federal law, consistent with Board policy 7:10, *Equal Educational Opportunities*. District administrators and staff stand *in loco parentis*[2] when government agency and law enforcement authority requests occur at school.

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[1] By 7-1-26, 105 ILCS 5/22-105(d), added by P.A. 104-288, eff. 1-1-26, requires a board to adopt a policy to ensure that no child is denied a free public education based on the child's perceived or actual citizenship or immigration status, consistent with the U.S. Supreme Court's decision in Plyler v. Doe, 457 U.S. 202 (1982), which held that it is unconstitutional for states to deny children a free public education based on immigration status. The **Federal and State Law Requirements Regarding Citizenship and Immigration Status in Schools** subhead of this sample policy contains the policy elements required by 105 ILCS 5/22-105(d). By 7-1-26, districts are also required to develop procedures for reviewing and authorizing requests from *law enforcement agents* attempting to enter a school or school facility. 105 ILCS 5/22-105(c)(4), added by P.A. 104-288, eff. 1-1-26. 105 ILCS 5/22-105(b), added by P.A. 104-288, eff. 1-1-26, defines *law enforcement agent* as "an agent of federal, State, or local law enforcement authorized with the power to arrest or detain individuals or manage the custody of detained individuals for a law enforcement purpose, including civil immigration enforcement. *Law enforcement agent* does not include a school resource officer as defined in 105 ILCS 5/10-20.68. Id. See sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*.

The Illinois TRUST Act, 5 ILCS 805/, prohibits law enforcement agencies and officials from enforcing federal civil immigration laws. Under 5 ILCS 805/15(b), law enforcement cannot stop, arrest, search, detain, or continue to detain a person solely based on an individual's citizenship or immigration status. The Keep Illinois Families Together Act, 5 ILCS 835/, further provides that no law enforcement agency or official may enter into or remain in an agreement with U.S. Immigration and Customs Enforcement (ICE) under a federal 287(g) program, which would permit ICE to delegate certain enforcement duties to State and local law enforcement agencies.

An excellent resource is the *Guidelines for Interviews of Students*, published by the Ill. Council of School Attorneys (*ICSA Guidelines*) at: www.iasb.com/law/ICSAGuidelinesforInterviewsofStudents.pdf. Another resource, *Policing in Schools, Developing a Governance Document for School Resource Officers in K-12 Schools*, developed by the American Civil Liberties Union (ACLU), is available at: www.aclu.org/racial-justice/policing-schools-developing-governance-document-school-resource-officers-k-12-schools. It, like the *ICSA Guidelines*, highlights the need for collaboration between law enforcement and school officials. It recommends that school officials provide law enforcement agencies with information about the school's mission to ensure a safe school environment while respecting student rights. To accomplish this, the ACLU recommends that school officials create a *model governance document*, e.g., 7:150-AP, *Managing Agency and Law Enforcement Requests,* and provide it to law enforcement authorities with whom they work.

The Ill. State Board of Education (ISBE) published *Non-Regulatory Guidance on Immigration Enforcement Actions* (Jan. 2025) available at: www.isbe.net/Documents/Immigration-Enforcement-Guidance.pdf. In addition, ISBE published *Non-Regulatory Guidance on Registration: Residency & Enrollment, Immigrant Pupils, Homeless Pupils and School Fees & Waivers* (September 2025) available at: www.isbe.net/Documents/guidance_reg.pdf. Another helpful resource is *School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA)*, from the Privacy Technical Assistance Center of the U.S. Dept. of Educ. (2019), at: www.studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcement-units-and-ferpa.

105 ILCS 5/10-20.64 prohibits *student booking stations* from being established or maintained on school grounds. A *student booking station* is "a building, office, room, or any indefinitely established space or site, mobile or fixed, which operates concurrently as: (1) predominantly or regularly a place of operation for a municipal police department, county sheriff department, or other law enforcement agency, or under the primary control thereof, and (2) a site at which students are detained in connection with criminal charges or allegations against those students, taken into custody, or engaged with law enforcement personnel in any process that creates a law enforcement record of that contact with law enforcement personnel or processes." 105 ILCS 5/10-20.64(d).

[2] 105 ILCS 5/24-24. See the *ICSA Guidelines*, for a discussion of *in loco parentis*.

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Federal and State Law Requirements Regarding Citizenship and Immigration Status in Schools [3]

No student shall be denied an education based on the student's, or their parent's/guardian's, actual or perceived citizenship or immigration status. Based on such status, the District will not:

1. Exclude a student from participating in, or deny them the benefits of, any District program or activity. [4]
2. Use policies or procedures or engage in practices that have the effect of excluding a student from participating in or denying the benefits of any District program or activity. [5]
3. Use policies or procedures or engage in practices that have the effect of excluding participation of a student's parent(s)/guardian(s) from District parental engagement activities or programs. [6]
4. Threaten to disclose information related to the actual or perceived citizenship or immigration status of a student or a person associated with the student to any other person, entity, or immigration or law enforcement agency. [7]
5. Disclose information related to the perceived citizenship or immigration status of a student or a person associated with the student to any other person, entity, or immigration or law enforcement agency if the District does not have direct knowledge of the student's or associated person's actual citizenship or immigration status, subject to the requirements in 105 ILCS 5/22-105(c)(3). [8]
6. Disclose information related to the actual citizenship or immigration status of a student or a person associated with the student to any other person or nongovernmental entity if the District has direct knowledge of the student's or associated person's actual citizenship status, subject to the requirements in 105 ILCS 5/22-105(c)(3). [9]

State law does not prohibit or restrict the District from sending or receiving information about the citizenship or immigration status of an individual to or from the U.S. Dept. of Homeland Security or any other governmental entity under 8 U.S.C. §§1373 and 1644.[10]

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[3] The contents of this subhead are required by 105 ILCS 5/22-105(d), added by P.A. 104-288, eff. 1-1-26.

[4] 105 ILCS 5/22-105(c)(1), added by P.A. 104-288, eff. 1-1-26.

[5] Id. at (c)(2), added by P.A. 104-288, eff. 1-1-26.

[6] Id., added by P.A. 104-288, eff. 1-1-26.

[7] Id. at (c)(3)(A), added by P.A. 104-288, eff. 1-1-26.

[8] Id. at (c)(3)(B), added by P.A. 104-288, eff. 1-1-26. Districts must also still comply with federal and State laws, e.g., FERPA and the Ill. School Student Records Act, governing the disclosure of student records or information. Id. 8 U.S.C. §1373(b) states, "Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual: (1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service. (2) Maintaining such information. (3) Exchanging such information with any other Federal, State, or local government entity." 8 U.S.C. §1644 states, "Notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States." See also, Section VII of the *ICSA Guidelines* for a discussion of the intersection of federal and state laws relating to compliance with immigration enforcement actions. This area of law is rapidly evolving and the subject of litigation by the federal government challenging Illinois laws that limit local and state cooperation with federal immigration authorities. **Consult the board attorney regarding legal requirements when requests are received from federal law enforcement agencies.**

[9] 105 ILCS 5/22-105(c)(3)(C), added by P.A. 104-288, eff. 1-1-26, and see f/n 8, above, for additional legal compliance considerations.

[10] See f/n 8, above.

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Responding to Agency and Law Enforcement Requests [11]

The Superintendent shall develop procedures to manage requests by government agencies or law enforcement authorities regarding students at school. Procedures will:

1. Recognize individual student rights and privacy.
2. Recognize the potential impact the release of information or an interview may have on an individual student.
3. Minimize potential disruption.
4. Foster a cooperative relationship with government agencies and law enforcement authorities.
5. Maintain discipline and recognize that school employees stand in the relationship of the parents/guardians to the students[12] during the school day.
6. Comply with State law including, but not limited to, ensuring that before a law enforcement agent, school resource officer, or other school security person detains and questions on school grounds a student under 18 years of age who is suspected of committing a criminal act, the Superintendent or designee will: [13]
    a. Notify or attempt to notify the student's parent(s)/guardian(s) and document the time and manner in writing;
    b. Make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if they are not present, ensure that school employees (including, but not limited to, a school social worker, psychologist, nurse, counselor, or any other mental health professional) are present during the questioning; and
    c. If practicable, make reasonable efforts to ensure a trained law enforcement officer to promote safe interactions and communications with the student is present during questioning. [14]

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[11] With the exception of items #6 and #7, the listed standards for procedures are at the local school board's discretion and may be omitted. For procedures addressing #1-6, refer to the *ICSA Guidelines* in consultation with the board attorney. For procedures addressing the items listed in #7, refer to sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*, in consultation with the board attorney. Procedures covering item #7 are required by 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26, and must be implemented by 7-1-26.

[12] See f/n 2, above.

[13] 105 ILCS 5/22-88. The statute does not specifically assign these duties to a school official, but instead states that "a law enforcement officer, school resource officer, or other school security personnel" must ensure these conditions are met before detaining and questioning a student on school grounds. For ease of implementation, this policy assigns these duties to a school official as they routinely contact parents/guardians and can arrange for the presence of school personnel during an interview. See the *ICSA Guidelines* for further discussion of school officials' responsibilities when law enforcement authorities interview students at school.

[14] 105 ILCS 5/22-88(b)(4). 105 ILCS 5/22-88 uses the term *law enforcement officer* but does not define it, whereas 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26, uses and defines the term *law enforcement agent*. See f/n 1, above. With the exception of *trained law enforcement officer* in Item #6.c, this sample policy and sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*, use *law enforcement agent*. A *trained law enforcement officer* is someone who: (1) received training in youth investigations approved or certified by his/her law enforcement agency or under 50 ILCS 705/10.22, or (2) is a juvenile police officer per 705 ILCS 405/1-3(17). 105 ILCS 5/22-88(b)(4).

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7. Manage reviewing and authorizing requests from law enforcement agents attempting to enter a school or school facility, in accordance with the requirements of 105 ILCS 5/22-105(c)(4).[15]

LEGAL REF.: U.S. Constitution, Amend. IV.
8 U.S.C. §1373 and §1644.
Plyler v. Doe, 457 U.S. 202 (1982).
Ill. Constitution, Art. I, §6.
105 ILCS 5/10-20.64, 5/10-20.68, 5/22-88, 5/22-105, and 5/24-24.
55 ILCS 80/, Children's Advocacy Center Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/31-1 et seq., Interference with Public Officers Act.
725 ILCS 120/, Rights of Crime Victims and Witnesses Act.

CROSS REF.: 2:160 (Board Attorney), 2:260 (Uniform Grievance Procedure), and 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 5:90 (Abused and Neglected Child Reporting), 7:10 (Equal Educational Opportunities), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Behavior)

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[15] 105 ILCS 5/22-105(c)(4), added by P.A. 104-288, eff. 1-1-26, requires a district to develop procedures that: (1) designate authorized personnel at the school and the superintendent's office or school administrative office who may contact the board attorney, (2) require the designated authorized person and board attorney to work together to review requests from law enforcement agents to enter a school or school facility, including under judicial warrants, nonjudicial warrants, and subpoenas, (3) require the designated authorized personnel to monitor or accompany and to document all interactions with law enforcement agents while on the school's premises, and (4) require the designated authorized person to notify and seek consent from a student's parent/guardian, or from the student if the student is 18 years old or older or emancipated, if a law enforcement agent requests access to a student for immigration enforcement purposes, unless such access is in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the student's parent/guardian.

Regarding requirement #2 in the paragraph immediately above, ensure that the superintendent's authority to designate others to contact the board attorney aligns with policy 2:160, *Board Attorney*. The superintendent will need to work with the board attorney to create a list of administrators authorized to consult directly with the board attorney if any agency or law enforcement request is received. Factors to consider when drafting this list include: the type of request received, the type of agency or law enforcement unit making the request, whether or not a warrant is presented, and whether or not exigent circumstances are claimed.

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Students

Prevention of and Response to Bullying, Intimidation, and Harassment [1]

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity

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[1] All districts must have a policy on bullying, monitor it, review and re-evaluate it, and file it with the Ill. State Board of Education (ISBE) every two years, no later than September 30 of the review year. 105 ILCS 5/22-110~~27-23.7~~, amended by P.A. 103-47 and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.295. The policy must be based on ISBE's template for a model bullying prevention policy (available at www.isbe.net/Documents/Model-Bullying-Prevention-Policy.pdf), contain all requirements of 105 ILCS 5/22-110~~27-23.7~~, renumbered by P.A. 104-391, indicate the date of adoption (by month, day, and year), and be filed electronically each review year through ISBE's MyISBE~~IWAS~~ system (formerly known as Ill. Web Application Security (IWAS)). 105 ILCS 5/22-110~~7-23.7~~(d), amended by P.A. 103-47 and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.295(b), (c).

ISBE monitors policy implementation, including by providing technical assistance upon receipt of an allegation by a parent/guardian that a school or district has not substantially complied with its bullying policy. 23 Ill.Admin.Code §1.295(e)~~, (f)~~. If ISBE finds that a school or district has not substantially complied with its bullying policy, the school or district must accept technical assistance from ISBE. 23 Ill.Admin.Code §1.295(f). If a district fails to file its policy by the deadline or submits a deficient policy, ISBE will provide a written request for filing and provide the district with technical assistance and resources to assist it in meeting bullying policy requirements and, as appropriate, notify the district's regional office of education or intermediate service center. 105 ILCS 5/~~27-23.7~~22-110(d), renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.295(g). If the district still fails to file its policy within 14 days of receipt of ISBE's written request, ISBE shall issue a letter of non-compliance ~~(23 Ill.Admin.Code §1.295(e)(3)),~~ and publish notice of non-compliance on its website, and maintain the school or district on its website until thirty days after the district comes into compliance. ~~(~~105 ILCS 5/22-110(d)~~27-23.7(g)(3),~~ renumbered by P.A. 104-391~~);~~ 23 Ill.Admin.Code §1.295(e)(3).

This sample policy's first paragraph allows a school board to consider its goals for preventing bullying and remedying its consequences; it may be amended.

In addition to a bullying prevention policy, all districts must have a policy on student behavior. 105 ILCS 5/10-20.14, amended by P.A. 104-430; 23 Ill.Admin.Code §1.280. Boards must, in consultation with their parent-teacher advisory committees and other community-based organizations, address aggressive behavior, including bullying, in their student behavior policy. See sample policy 7:190, *Student Behavior*, and sample exhibit 7:190-E1, *Aggressive Behavior Reporting Letter and Form.*

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. See f/n 9, below.

Additionally, 105 ILCS 5/~~27-23.7~~22-110(f), added by P.A. 103-47 and renumbered by P.A. 104-391, requires districts to collect non-identifiable data regarding verified allegations of bullying within the District and submit it in an annual report to ISBE by no later than August 15 of each year, beginning with the 2024-25 school year through the 2030-31 school year. ISBE rules for data submission require that data be submitted electronically on a form approved by ISBE and include: (1) a record of each verified allegation of bullying and action taken; (2) whether the instance of bullying was based on actual or perceived characteristics identified in 105 ILCS 5/~~27-23.7~~22-110(a) and, if so, lists the relevant characteristics; and (3) a record demonstrating that the district adhered to its bullying policy. 23 Ill.Admin.Code §1.295(h). If a school or district fails to submit the required data, ISBE will provide a written request for submission. Id. See www.isbe.net/Pages/Bullying-Prevention.aspx for ISBE's *Racism-Free Schools Law and Bullying Prevention Data Collection Guidance* (8-7-24) and *Bullying Racism Free Schools Data Collection Template*.

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or expression, unfavorable discharge from military service, order of protection status, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations: [2]

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program.

Definitions from 105 ILCS 5/22-110~~27-23.7~~ [3]

Artificial intelligence means a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. *Artificial intelligence* includes generative artificial intelligence.

Bullying includes *cyberbullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, posting or distributing sexually explicit images, theft, public humiliation, destruction of property, or

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[2] This paragraph and its subparts 1-4 are from the bullying prevention statute. 105 ILCS 5/~~27-23.7~~22-110(a), renumbered by P.A. 104-391; see also 775 ILCS 5/1-103 and 23 Ill.Admin.Code §1.240. With the exception of order of protection status, the protected statuses are mandated by the bullying prevention statute. *Order of protection status* is not a basis for bullying in 105 ILCS 5/22-110~~27-23.7~~, amended by P.A. 103-47 and renumbered by P.A. 104-391, but it is listed here because the Ill. Human Rights Act (IHRA) prohibits harassment based on *order of protection status*. 775 ILCS 5/1-103(K-5), (Q). Including *order of protection status* in the list of protected statuses aligns with the protected statuses listed in sample policy 7:20, *Harassment of Students Prohibited*.

[3] All definitions are directly from 105 ILCS 5/22-110~~27-23.7~~, amended by P.A. 104-338, eff. 7-1-26, and renumbered by P.A. 104-391, or any other statutes it incorporates by reference. See also resources from Cyberbullying Research Center, available at: www.cyberbullying.org/, and the U.S. School Safety Clearinghouse website at: www.SchoolSafety.gov, discussed in f/n 1, para. 3 of sample policy 4:170, *Safety*.

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retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

Cyberbullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyberbullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying. *Cyberbullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*. *Cyberbullying* also includes the posting or distribution of an unauthorized digital replica by electronic means if the posting or distribution creates any of the effects enumerated in the definition of *bullying*. [4]

Digital replica means a newly created, electronic representation of the identity of an actual individual created using a computer, algorithm, software, tool, artificial intelligence, or other technology that is fixed in a sound recording or audiovisual work in which that individual did not actually perform or appear and that is so realistic that a reasonable observer would believe it is a performance by the individual being portrayed and no other individual.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Ill. Human Rights Act. [5]

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards. [6]

Unauthorized digital replica means the use of a digital replica of an individual without the consent of the depicted individual.

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[4] This sentence is required beginning with the 2026-27 school year. 105 ILCS 5/22-110, amended by P.A. 104-338, eff. 7-1-26, and renumbered by P.A. 104-391.

[5] ~~105 ILCS 5/27-23.7(b).~~

[6] ~~105 ILCS 5/27-23.7(b).~~

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Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below. [7]

1. The District uses the definition of *bullying* as provided in this policy. [8]
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Title IX Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking.[9] Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying.[10] Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

Nondiscrimination Coordinator: [11]

Name

Title IX Coordinator:

Name

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[7] Each numbered requirement, 1-12, corresponds with the same number in 5/~~27-23.7~~22-110(b)(1) - (b)(12), renumbered by P.A. 104-391, and the requirements of 105 ILCS 5/~~27-23.7~~22-110(b)(13), renumbered by P.A. 104-391, are included in numbered requirement 4. As a result, there are no reference citations in footnotes. All non-statutory requirements, plus alternatives and optional provisions, are described in footnotes.

[8] 105 ILCS 5/~~27-23.7~~22-110(b), para. 3(1), renumbered by P.A. 104-391. See f/n 4, above and ISBE's *School Policies for Bullying Prevention* at: www.isbe.net/Documents/Bullying-Prev-Policy-Req.pdf.

A board may augment the School Code requirement by using this alternative:

Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (a) the District prohibits bullying; and (b) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior.

[9] The statute requires that the policy contain the email address and telephone number for the staff person(s) responsible for receiving bullying reports. Using the district Nondiscrimination Coordinator and Complaint Managers is consistent with sample policy 2:260, *Uniform Grievance Procedure*. 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. A telephone number for making anonymous reports may also be added.

[10] 105 ILCS 5/~~27-23.7~~22-110(d), renumbered by P.A. 104-391, requires that "[s]chool personnel available for help with a bully or to make a report about bullying" be made known to parents/guardians, students, and school personnel.

[11] Sample policy 2:260, *Uniform Grievance Procedure*, states that a district's Nondiscrimination Coordinator often also serves as its Title IX Coordinator. 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.

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Address	Address
Email	Email
Telephone	Telephone

Complaint Managers:

Name	Name
Address	Address
Email	Email
Telephone	Telephone

1. Consistent with federal and State laws and rules governing student privacy rights, the parents/guardians of all students involved in an alleged incident of bullying will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within 24 hours after the school's administration is made aware of the student's involvement in the incident. As appropriate, the school's administration shall also discuss the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained within the 24-hour period. [12]
2. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:
    a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
    b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
    c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
    d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

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[12] 105 ILCS 5/10-20.14(d) contains a similar requirement. See sample exhibit 7:190-E1, *Aggressive Behavior Reporting Letter and Form.*

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The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District's jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs. [13]

3. The Superintendent or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services. [14]
4. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion[15] with regard to students.
5. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.
6. The District's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.
7. The Superintendent or designee shall post this policy on the District's publicly accessible website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty. [16]
8. Pursuant to State law and Board policy 2:240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation: [17]
    a. The frequency of victimization;

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[13] This sentence contains requirements found in 105 ILCS 5/~~27-23.7~~22-110(d), renumbered by P.A. 104-391.

[14] A grant may be available from ISBE for the promotion of a safe and healthy learning environment. 105 ILCS 5/2-3.180 and 3.181. A list of grant funding opportunities is available at: www.isbe.net/Pages/Grants.aspx. ISBE is also directed to create the Illinois Bullying and Cyberbullying Prevention Fund, through which a grant may be available to support anti-bullying programming. 30 ILCS 105/5.997 and 105 ILCS 5/~~27-23.7~~22-110(i)-(j), all added by P.A. 103-47 and renumbered by P.A. 104-391.

[15] Consult the board attorney about the potential conflict of 105 ILCS 5/~~27-23.7~~22-110(b)(7), renumbered by P.A. 104-391, (allowance of suspension and/or expulsion of students for reprisal/retaliation against reports of bullying) with 105 ILCS 5/10-22.6(b-20) (districts must resolve threats, address disruptions, and minimize the length (and implementation of) suspensions and expulsions to the greatest extent practicable). See sample policies 7:200, *Suspension Procedures*, at f/n 8 and 7:210, *Expulsion Procedures*, at f/ns 11 and 13.

[16] 105 ILCS 5/~~27-23.7~~22-110(b)(10), amended by P.A. 103-47 and renumbered by P.A. 104-391. The policy posted on the district's website may not be password protected and must be easily accessible to students and parents/guardians. 23 Ill. Admin. Code §1.295(c)(1).

[17] 105 ILCS 5/~~27-23.7~~22-110, renumbered by P.A. 104-391. See the ISBE guidance document that is cited in f/n 7, above. Including the month, date, and year that an updated policy was adopted is required by 23 Ill. Admin.Code §1.295(c)(2).

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b. Student, staff, and family observations of safety at a school;
c. Identification of areas of a school where bullying occurs;
d. The types of bullying utilized; and
e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

i. An updated version of the policy with the amendment/modification date specifying the date of adoption (indicated by month, date, and year) included in the reference portion of the policy;
ii. If no revisions are deemed necessary, a copy of Board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
iii. A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Superintendent or designee must post the information developed as a result of the policy re-evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

9. The Superintendent or designee shall fully implement the Board policies, including without limitation, the following: **18**
   a. 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
   b. 2:265, *Title IX Grievance Procedure*. Any person may use this policy to complain about sexual harassment in violation of Title IX of the Education Amendments of 1972.
   c. 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. Any person may use this policy to complain about discrimination or harassment on the basis of race, color, or national origin in violation of Title VI of the Civil Rights Act of 1964 and/or the Illinois Human Rights Act.
   d. 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.

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18 The statute requires that the bullying policy *be consistent with* other board policies. The list of policies may be deleted and the following alternative used: "12. The District's bullying prevention plan must be consistent with other Board policies." If a policy list is included, be sure the referenced policies were adopted locally and amend the list accordingly.

The bullying statute does not identify staff member duties regarding the prevention of or response to student bullying. The following optional provision addresses staff member responsibilities and may be added as a new paragraph 13:

13. The Superintendent or designee shall fully inform staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
   a. Communicating the District's expectation and State law requirement that teachers and other licensed employees maintain discipline.
   b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
   c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
   d. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.

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e. 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into the District's educational program as required by State law.
f. 6:235, *Access to Electronic Networks*. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.
g. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on an identified actual or perceived characteristic (the list of characteristics in 7:20 is the same as the list in this policy).
h. 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.
i. 7:190, *Student Behavior*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.
j. 7:310, *Restrictions on Publications; Elementary Schools*, and 7:315, *Restrictions on Publications; High Schools*. These policies prohibit students from and provide consequences for: (1) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (2) creating and/or distributing written, printed, or electronic material, including photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members. [19]

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/22-110, and 5/24-24~~, and 5/27-23.7~~.
405 ILCS 49/, Children's Mental Health Act.
775 ILCS 5/1-103, Ill. Human Rights Act.
23 Ill.Admin.Code §§1.240, 1.280, and 1.295.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

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[19] For elementary districts, delete: ~~and 7:315, *Restrictions on Publications; High Schools*~~ and delete the Cross Reference to 7:315, *Restrictions on Publications; High Schools*. For high school districts, delete ~~7:310, *Restrictions on Publications; Elementary Schools,* and~~ and delete the Cross Reference to 7:310, *Restrictions on Publications; Elementary Schools*. In both cases, revise the beginning of the sentence to read: "This~~es~~ policy~~ies~~ prohibits students from and provides."

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Students

Student Behavior [1]

The goals and objectives of this policy are to provide effective discipline practices that: (1) ensure the safety and dignity of students and staff; (2) maintain a positive, weapons-free, and drug-free learning environment; (3) keep school property and the property of others secure; (4) address the causes of a student's misbehavior and provide opportunities for all individuals involved in an incident to participate in its resolution; and (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the school community and society. [2]

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[1] All districts must have a policy on student discipline, including school searches and bullying prevention (105 ILCS 5/10-20.14, amended by P.A.s 103-896); re-engagement of students returning from an exclusionary discipline or an alternative school (105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896); and corporal punishment (105 ILCS 5/24-24). See also 23 Ill.Admin.Code §1.280. See the Cross References for policies on searches and bullying. Each district must furnish a copy of the discipline policy to parents/guardians within 15 days after the beginning of the school year, or within 15 days after starting classes for a student who transfers into the district. 105 ILCS 5/10-20.14(a), amended by P.A.s 103-896 and 104-391. The school board must require that each school inform its pupils of the discipline policy's contents. Id.

School boards, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, those policies' implementation, and any other factors related to the safety of their schools, students, and staff. Id. For more information about the parent-teacher advisory committee, see sample policy 2:150, *Committees*. The parent-teacher advisory committee, in cooperation with local law enforcement agencies, must develop, with the school board, a reciprocal reporting system. 105 ILCS 5/10-20.14(b), amended by P.A.s 103-896 and 104-430. See sample administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students*. ~~School districts are encouraged to create memoranda of understanding that define law enforcement's role in schools. See sample exhibit 7:190-E3, *Memorandum of Understanding*. In consultation with stakeholders~~ See also *Development of Reciprocal Reporting Systems Guidance*, developed by the Ill. State Board of Education (ISBE) in consultation with stakeholders, available at: www.isbe.net/Documents/Reciprocal-Reporting-June-2025.pdf ~~must draft and publish guidance for development of reciprocal reporting systems by 7-1-25.~~ Id.

105 ILCS 5/10-20.14(b), amended by P.A.s 103-896 and 104-430, encourages districts to create memoranda of understanding that define law enforcement's role in schools. Beginning 7-1-26, a memorandum of understanding with a local law enforcement agency is required for any district that uses a school resource officer. 105 ILCS 5/10-20.68(a-5), added by P.A. 104-430. See sample exhibit 7:190-E3, *Memorandum of Understanding*.

Given the unique concerns facing school officials, school disciplinary codes are not required to be drafted as narrowly or with the same precision as criminal statutes. Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

[2] The goals and objectives in this policy give the board a focus for monitoring it. This list can be deleted, replaced, or modified by the board. Data on student discipline is available at: www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

See f/n 1 in sample policy 4:170, *Safety,* for information on the U.S. School Safety Clearinghouse website at: www.schoolsafety.gov.

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When and *Where* Conduct Rules Apply [3]

A student is subject to disciplinary action for engaging in prohibited student conduct, as described in the section with that name below, whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

1. On, or within sight of, school grounds before, during, or after school hours or at any time;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including, but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property. [4]

Prohibited Student Conduct [5]

The school administration is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

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[3] Board policy should provide a jurisdictional statement telling students and staff the circumstances under which the district will take disciplinary action. Jurisdictional rules in board policy should generally be as broad as possible to give staff members authority to respond to unforeseen situations. Taking jurisdiction over off-campus misconduct generally survives the test of reasonableness when the misconduct has a direct nexus to the school. A countervailing interest concerns liability for off-campus student injuries, i.e., the greater the jurisdiction a district is willing to impose, the greater the scope of liability it may be assuming. Ultimately, a decision whether to discipline for off-campus misconduct requires a thorough factual inquiry to determine the degree of nexus and impact on the school. Consult the board attorney in these situations.

A U.S. Supreme Court decision and many lower court decisions address disciplining a student for off-campus misconduct. See Mahanoy Area Sch. Dist. v. B.L., 594 U.S. 180 (2021), discussed in f/n 3 of sample policy 7:240, *Conduct Code for Participants in Extracurricular Activities*; and J.S. v. Blue Mountain Sch. Dist., 650 F.3d 915 (3rd Cir. 2011), combined with Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3d Cir. 2011), cert. denied 565 U.S. 1156 (2012)(absent evidence that parodies of school personnel caused, or could cause, substantial disruption, school districts may not punish out-of-school expressive conduct, even if it is lewd, indecent, or offensive speech).

In contrast, the 7th Circuit Court of Appeals upheld a student's expulsion for an article in an underground newspaper titled "So You Want to be a Hacker." The article's instructions for hacking into the school's computers clearly interfered with the school's operations. Boucher v. Sch. Bd. of the Sch. Dist. of Greenfield, 134 F.3d 821 (7th Cir. 1998). See also Wisniewski v. Bd. of Educ. of the Weedsport Central Sch. Dist., 494 F.3d 34 (2nd Cir. 2007), cert. denied 552 U.S. 1296 (2008), (holding a student's transmission of an icon of a pistol with blood splattering and the words "Kill Mr. VanDer Molen" crossed the boundary of protected speech and posed a reasonably foreseeable risk that the icon would come to the attention of school authorities and materially and substantially disrupt the school).

Historically, schools have had more leeway in disciplining participants in athletics and extracurricular activities; however, the Mahanoy decision raises unresolved questions about the degree of leeway now afforded to school officials. See sample policy 7:240, *Conduct Code for Participants in Extracurricular Activities* at f/n 3 for further discussion.

A judge may transfer a student to another school for committing stalking or non-consensual sexual contact against another student, or for aiding and abetting such an act; the parents/guardians are responsible for transportation and other costs associated with the transfer. Stalking No Contact Order Act and the Civil No Contact Order Act, 740 ILCS 21/80 and 22/213. A school district is seldom notified when a transfer order is requested. When notified, school officials should immediately seek the board attorney's advice concerning available options.

[4] The factual context will determine the appropriateness of taking jurisdiction. Contact the board attorney before disciplining a student for off-campus conduct. See, e.g., Doe v. Superintendent of Schs. of Stoughton, 767 N.E.2d 1054 (Mass. 2002)(suspension for off-campus commission of a felony was upheld). See f/n 3, above.

[5] Consult the board attorney for advice on deleting or modifying any of the items in this section on prohibited student conduct.

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1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes. [6]
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages.[7] Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
    a. Any illegal drug or controlled substance, or cannabis (including marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*). [8]
    b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription. [9]
    c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription. [10]
    d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited

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[6] 105 ILCS 5/10-20.5b prohibits use of tobacco on school property. Federal law prohibits smoking within schools by anyone. Pro-Children Act of 2004, 20 U.S.C. §7971 et seq. Districts that fail to comply risk a civil penalty of up to $1,000 per violation per day. 20 U.S.C. §7973(e)(1). See sample policy 8:30, *Visitors to and Conduct on School Property*, for more information.

The U.S. Food and Drug Administration now regulates electronic cigarettes. 21 C.F.R. Parts 1100, 1140, and 1143. An electronic or e-cigarette resembles a regular cigarette and contains a battery-operated heating element that turns a liquid into a mist for inhaling. The liquid may contain nicotine. E-cigarettes are sometimes referred to as e-cigs, vapes, e-hookahs, vape pens, and electronic nicotine delivery systems (ENDS), and they are generally involved in *vaping*. Vaping is the act of inhaling and exhaling the aerosol, often referred to as vapor that is produced by an e-cigarette or similar device. An e-cigarette resembles a cigarette and contains a battery-operated heating element that turns a liquid into a mist for inhaling. Some e-cigarettes do not look like tobacco products and are shaped like other objects, such as USB flash drives, and are more easily concealed.

Information and resources are available at:
www.isbe.net/Pages/School-Health-Issues.aspx
www.fda.gov/tobacco-products
www.cdc.gov/tobacco/e-cigarettes/index.html
www.dph.illinois.gov/topics-services/prevention-wellness/tobacco/e-cigarettes-and-vapes
https://nida.nih.gov/research-topics/tobacconicotine-vaping

[7] *Alcoholic beverages* are defined in 235 ILCS 5/1-3.01 to 3.05.

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

[9] *Anabolic steroid* is defined in 720 ILCS 570/102(c-1).

[10] See sample policies 7:240, *Conduct Code for Participants in Extracurricular Activities*, and 7:300, *Extracurricular Athletics*.

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unless the student is authorized to be administered a medical cannabis infused product under Ashley's Law. [11]

e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.

f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form. [12]

g. *Look-alike* or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug, controlled substance, or other substance that is prohibited by this policy. [13]

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[11] To legally use medical cannabis, an individual must first become a *registered qualifying patient*. The use of cannabis by a *registered qualifying patient* is permitted only in accordance with the Compassionate Use of Medical Cannabis Program. 410 ILCS 130/. There are many situations in which no one, even a *registered qualifying patient*, may possess or use cannabis. This includes in a school bus or on the grounds of any preschool, or primary or secondary school unless the student meets the requirements of 105 ILCS 5/22-33, a/k/a *Ashley's Law*. 410 ILCS 130/30(a)(2) and (3). *Ashley's Law* provides that school districts "shall authorize a parent or guardian or any other individual registered with the Department of Public Health as a designated caregiver of a student who is a registered qualifying patient to administer a medical cannabis infused product to the student on the premises of the child's school or on the child's school bus if both the student (as a registered qualifying patient) and the parent or guardian or other individual (as a registered designated caregiver) have been issued registry identification cards under the Compassionate Use of Medical Cannabis Program Act." 105 ILCS 5/22-33(b). Once the product is administered, the designated caregiver must remove the product from the school premises/bus. Id. 105 ILCS 5/22-33(b-5) allows a properly trained school nurse or administrator to administer medical cannabis infused products to a student while at school, a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus. The product may not be administered in a manner that would (in the school or district's opinion) create a disruption or expose other students to the product, and schools are not required to authorize use of the product if the school or district would lose federal funding as a result. 105 ILCS 5/22-33(c). For more information, see f/ns 22-32 in sample policy 7:270, *Administering Medicines to Students*. Contact the board attorney for advice concerning medical cannabis, including whether a federal or State law requires the district to accommodate a student who is a *registered qualifying patient*. See Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.; Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 et seq.; Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794; 105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b; and 23 Ill.Admin.Code Part 226.

[12] The Powdered Caffeine Control and Education Act states: "No person may sell, offer for sale, give away, or provide free samples of powdered pure caffeine to any person under age 18 located within the State or to any person under age 18 making the purchase from within the State." A limited exception to this prohibition exists for "the sale of any powdered pure caffeine product that receives explicit approval as safe and effective for its intended use under the federal Food, Drug, and Cosmetic Act or is lawfully marketed under an over-the-counter monograph issued by the United States Food and Drug Administration." 410 ILCS 647/20.

[13] *Counterfeit* and *look-alike substances* are defined in 720 ILCS 570/102(g) and (y). This provision is broader because it would apply, for example, if a student represents a powdered vitamin to be pure caffeine – pure caffeine is prohibited on campus even though it is a legal substance. Look-alike drugs should be defined; an unpublished Ill. appellate decision in 2000 found a policy prohibiting possession of *look-alikes* had vagueness problems.

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h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances. [14]

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

4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the **Weapons** section of this policy, or violating the **Weapons** section of this policy. [15]
5. Using or possessing an electronic paging device. [16]
6. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered off or silenced and out-of-sight[17] during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP) or Section 504 plan; (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals. [18]
7. *Sexting*, which, for purposes of this policy, is the act of creating, sending, sharing, viewing, receiving, or possessing sexually explicit messages, images, or videos electronically, regardless of whether they are authentic or computer-generated, through the use of a computer, electronic communication device, or cellular phone. Sexting also includes creating, sending, sharing, viewing, receiving, or possessing *indecent visual depictions*, *non-consensual dissemination of*

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[14] *Drug paraphernalia* is defined in 720 ILCS 600/2(d), amended by P.A. 103-336. Contact the board attorney for advice concerning a student who is a *registered qualifying patient*, as explained in f/n 11.

[15] This language is broader than the **Weapons** section of this policy. The **Weapons** section contains the statutorily required punishment for "a student who is determined to have brought" a weapon to school along with the statutory definition of *weapon*. 105 ILCS 5/10-22.6(d). The language in item #4 is broader because it prohibits "using, possessing, controlling, or transferring" a weapon in addition to violating the **Weapons** section. See the footnotes in the **Weapons** section for a discussion of the Firearm Concealed Carry Act's provisions.

[16] 105 ILCS 5/10-21.10.

[17] Delete "and out-of-sight" if the district wants to provide greater flexibility. A board should, in consultation with the superintendent and board attorney, carefully review its policy on the use of electronic devices to ensure it aligns with building-level practices and any student handbook provisions addressing student use of personal mobile devices, including, but not limited to, cell phones, smartwatches, and smart glasses.

[18] State law leaves to local boards the discretion whether to prohibit student possession of cellular phones. 105 ILCS 5/10-20.28. The misuse of camera phones can seriously invade a student's privacy. A board wanting a sweeping prohibition may use the following alternative for item #6:

> Using or possessing a cellular telephone, two-way radio, video recording device, and/or other telecommunication device, unless authorized and approved by the Building Principal.

Operating transmitters designed to jam or block wireless communications violates the federal Communications Act of 1934. 47 U.S.C. §§301, 302a, and 333. Fines are as high as $10,000 for each violation and/or imprisonment, and the device may also be seized. 47 U.S.C. §§501-510.

Making a video recording or live video transmission of another person without their consent in a restroom, locker room, or changing room is a Class 4 felony. 720 ILCS 5/26-4. A minor who distributes or disseminates an indecent visual depiction of another minor through the use of a computer or electronic communication device may be subject to adjudication as a minor in need of supervision. 705 ILCS 405/3-40.

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private sexual images, and *non-consensual dissemination of sexually explicit digitized depictions*, as defined in State law. [19]

8. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
9. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
10. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, using a writing service and/or generative artificial intelligence technology in place of original work unless specifically authorized by staff,[20] wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
11. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct. [21]

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[19] This definition of *sexting* is adapted from Merriam-Webster's definition at www.merriam-webster.com/dictionary/sexting, and it incorporates offenses under State law that address the dissemination of explicit images. A district may wish to use another definition or create its own with the board attorney. See sample administrative procedure 7:190-AP6, *Guidelines for Investigating Sexting Allegations*, for definitions of the italicized terms in this paragraph and their accompanying citations. See also sample administrative procedure 7:190-AP5, *Student Handbook - Electronic Devices*.

[20] Optional. *Artificial intelligence* (AI) is defined in State law to mean "a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments" and to also include generative artificial intelligence. 105 ILCS 5/22-110, renumbered by P.A. 104-391 and incorporating by reference the definition of AI in the Digital Voice and Likeness Protection Act, 815 ILCS 550/. *Generative artificial intelligence* (Gen AI) is defined in State law as "an automated computing system that, when prompted with human prompts, descriptions, or queries, can produce outputs that simulate human-produced content, including, but not limited to, the following: (1) textual outputs, such as short answers, essays, poetry, or longer compositions or answers; (2) image outputs, such as fine art, photographs, conceptual art, diagrams, and other images; (3) multimedia outputs, such as audio or video in the form of compositions, songs, or short-form or long-form audio or video; and (4) other content that would be otherwise produced by human means." ~~775 ILCS 5/2-101(N), added by P.A. 103-804, eff. 1-1-26~~Id. When not used for academic dishonesty purposes, Gen AI tools may present innovative learning opportunities for students and teaching opportunities for educators. For further information, see sample policy 6:235, *Access to Electronic Networks*, and its f/n 17, and sample administrative procedure 6:235-AP3, *Development of an Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines*.

[21] All districts must have a policy on bullying. 105 ILCS 5/~~27-23.7~~22-110(d), amended by P.A. 103-47 and renumbered by P.A. 104-391. Sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the statutory definition of bullying. Districts must also have an age-appropriate policy on sexual harassment. 105 ILCS 5/10-20.69. See sample policy 7:20, *Harassment of Students Prohibited*, and its f/n 9 for further detail.

105 ILCS 5/10-20.14(d), amended by P.A. 103-896, requires boards, in consultation with their parent-teacher advisory committees and other community-based organizations, to include provisions in their student discipline policy to address aggressive behavior, including bullying. These provisions must include procedures for notifying a student's parents/guardians about his/her aggressive behavior and early intervention procedures based upon available community-based and district resources. See sample exhibit 7:190-E1, *Aggressive Behavior Reporting Letter and Form*. ~~In consultation with stakeholders~~*Guidance for Evidence-Based Intervention Procedures*, developed by ISBE in consultation with stakeholders, is available at: www.isbe.net/Documents/Evidence-Based-Intervention-June-2025.pdf~~must draft and publish guidance for evidence-based intervention procedures, including examples, by 7-1-25.~~ Id. *Evidence-based intervention* means an intervention that has demonstrated a statistically significant effect on improving student outcomes, documented in a peer-reviewed scholarly journal. Id.

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12. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
13. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*. [22]
14. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property. [23]
15. Entering school property or a school facility without proper authorization.
16. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
17. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants. [24]
18. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member. [25]
19. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia. [26]

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Suspending students for hazing was upheld in Gendelman v. Glenbrook North High Sch. and Northfield Twp. Sch. Dist. 225, 2003 WL 21209880 (N.D.Ill. 2003). This decision may have been legislatively overturned by amending 105 ILCS 5/10-20.14.

The failure of a school official (including any administrator, teacher, counselor, support staff, or coach) to report hazing is a Class B misdemeanor. 720 ILCS 5/12C-50.1.

A person commits a felony hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors, he or she commits assault, battery, aggravated assault, intimidation, stalking, cyberstalking, misdemeanor theft, criminal trespass to residence, misdemeanor criminal damage to property, criminal trespass to vehicle, criminal trespass to real property, mob action, disorderly conduct, transmission of obscene message, harassment by telephone, or harassment through electronic communications as these crimes are defined in the Criminal Code. 720 ILCS 5/12-7.1. The penalty is heightened when the offense is committed in a school or administrative facility.

720 ILCS 5/26-1(a)(3.5) and (b) make transmitting a threat of violence, death, or bodily harm directed against persons at a school, school function, or school event, whether or not school is in session, or causing such a threat to be transmitted, a Class 4 felony.

[22] All school boards must have a policy on prohibited teen dating violence. 105 ILCS ~~110/3.10~~5/27-240, renumbered by P.A. 104-391. Verify that the board adopted the policy listed and amend its title in this policy, if necessary.

[23] 720 ILCS 5/26-1(a)(3.5) and (b) make threatening to destroy a school building or school property, whether or not school is in session, or causing such a threat to be transmitted, a Class 4 felony.

[24] 105 ILCS 5/26-2a; 5/26-9; and 5/26-12. School personnel cannot refer a truant, chronic truant, or truant minor to any other local public entity, school resource officer, or peace officer to have them issue a fine or fee as punishment for truancy. 105 ILCS 5/26-12(b), amended by P.A. 104-430. See sample policies 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*, and 7:70, *Attendance and Truancy*.

[25] State law requires schools to suspend or expel any student who engages in this activity. 105 ILCS 5/31-3.

[26] See Kelly v. Bd. of Educ. of McHenry Cmty. High Sch. Dist. 156, 2007 WL 114300 (N.D.Ill. 2007) (upheld student's expulsion for drawing gang symbols while at school; testimony that the danger posed by gang signs and the presence of gangs at school supported the board's insistence on strict enforcement of board policy prohibiting gang related behavior and made expulsion a proper remedy).

740 ILCS 147/15 et seq. allows a school district to bring a civil suit against a gang, gang officers, or gang members for losses it suffers due to their criminal activity.

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20. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
21. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school. [27]
22. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee. [28]
23. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property. [29]

For purposes of this policy, the term possession includes having control, custody, or care, currently or in the past, of an object or substance, including situations in which the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event. [30]

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident.[31] The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student. [32]

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[27] This statement of misconduct restates 105 ILCS 5/10-22.6(d-5). The following alternative provides a shorter statement but will require the administrator to check the statute before imposing discipline based on it:

> Making an explicit threat on an Internet website against a school, employee, or any school-related personnel under circumstances described in 105 ILCS 5/10-22.6(d-5).

[28] For more information regarding unmanned aircraft systems, see www.faa.gov/uas.

[29] A catchall provision, e.g., this one, gives staff members authority to respond to unforeseen situations.

If the board adopts a mandatory uniform policy (see sample policy 7:165, *School Uniforms*), add the following item to the list as number 22: "Failing to comply with the mandatory uniform policy, but only after repeated attempts to secure compliance, such as conferences with parents/guardians, have been unsuccessful."

[30] *Possession* should be defined to avoid vagueness problems.

[31] See f/n 2~~10~~.

[32] Mandated by 105 ILCS 5/10-20.36.

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Disciplinary Measures [33]

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions.[34] School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties.[35] Potential disciplinary measures include, without limitation, any of the following: [36]

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property. [37]

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[33] ~~**IMPORTANT:**~~ A student cannot be issued a monetary fine, fee, ticket, or citation as a school-based disciplinary consequence or for a municipal code violation on school grounds during school hours or while taking school transportation by any person. 105 ILCS 5/10-22.6(i), amended by P.A. 104-430.

The practice of suspending or expelling a student based on the number of accumulated disciplinary infractions is illegal under 105 ILCS 5/10-22.6. This includes a system of assigning points to specific infractions and then tallying the points a student receives over a period of time to determine a disciplinary exclusion from school.

Before amendments to 105 ILCS 5/10-22.6, courts used the following factors to determine if a board abused its discretion when it expelled a student: (1) the egregiousness of the student's conduct; (2) the record of the student's past conduct; (3) the likelihood that such conduct will affect the delivery of educational services to other students; (4) the severity of the punishment; and (5) the intent of the child. Robinson v. Oak Park, 213 Ill.App.3d 77 (1st Dist. 1991); Wilson ex rel. Geiger v. Hinsdale Elementary Dist., 349 Ill.App.3d 243 (2nd Dist. 2004). The amendments to 105 ILCS 5/10-22.6 called into question the validity of relying on past misconduct in suspension or expulsion decisions. At least one Ill. appellate court has held that the Robinson factors no longer apply because the legislature incorporated specific criteria for expulsion directly into 105 ILCS 5/10-22.6 when it amended the statute. A.A. v. Bd. of Educ.~~Summit Sch. Dist. No. 104~~, 257 N.E.3d 617 (Ill. App. Ct. 1st Dist. 2024)~~2024 IL App (1st) 232451~~. **Consult the board attorney for guidance**.

Aside from procedural due process protection, students have a constitutional substantive due process right. This right protects them from an abuse of government power which "shocks the conscience." While the scope of substantive due process is very limited, it is available to students who believe they were subject to arbitrary and excessive discipline. Generally, however, school officials need not fear being found guilty of a substantive due process violation. Federal courts are loath to second-guess school officials. See Tun v. Whitticker, 398 F.3d 899 (7th Cir. 2005) (expulsion did not amount to a substantive due process violation because it fell short of the required *shocks the conscience* standard).

[34] 105 ILCS 5/10-22.6(b-5). In addition, subsection c-5 states, "[s]chool districts must make reasonable efforts to provide ongoing professional development to all school personnel, school board members, and school resource officers on the requirements of [105 ILCS 5/10-20.14], the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, trauma-responsive learning environments, as defined in [105 ILCS 5/3-11(b)], 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." 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896.

[35] 105 ILCS 5/10-22.6(h).

[36] Most school attorneys advise against using a grade reduction as a disciplinary measure. A decision upholding such a policy is Knight v. Bd. of Educ., 38 Ill.App.3d 603 (4th Dist. 1976). A decision striking one is Smith v. Sch. City of Hobart, 811 F.Supp. 391 (N.D.Ind. 1993) (grade reduction policy requiring 9-week grades to be reduced 4% for each day of a suspension was found unconstitutional).

[37] While restitution is permitted, issuing a fine or fee as a disciplinary consequence is not permitted. 105 ILCS 5/10-22.6(i). Possible parental liability for damages under the Parental Responsibility Law (740 ILCS 115/5) is discussed in f/n 2 in sample policy 7:170, *Vandalism*.

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6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised. [38]
7. After-school study or Saturday study[39] provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs.[40] The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules. [41]
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*. [42]
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*.[43] A student who has been suspended may also be restricted from being on school grounds and at school activities. [44]
12. Expulsion from school and all school activities for a definite time period not to exceed two calendar years in accordance with Board policy 7:210, *Expulsion Procedures*.[45] A student who has been expelled may also be restricted from being on school grounds and at school activities.[46]

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[38] An in-school suspension program may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel, and districts may employ a school social worker or a licensed mental health professional to oversee in-school suspension programs. 105 ILCS 5/10-22.6(l). Providing programming during in-school suspensions is not required, however providing such programming will help distinguish them from exclusionary suspensions. See f/n 4 in sample policy 5:230, *Maintaining Student Discipline*, for further discussion of in-school suspension programs.

[39] Teachers may not be required to teach on Saturdays. 105 ILCS 5/24-2.

[40] See Herndon v. Chapel Hill-Carrboro City Bd., 89 F.3d 174 (4th Cir. 1996) (upheld policy requiring students to complete community service in order to graduate).

[41] Consult the board attorney for advice concerning confiscated devices. There is no binding Ill. court decision regarding school personnel seizing and retaining a student's property. The Supreme Court of Arkansas held that a teacher and principal did not violate a student's state or federal rights when they confiscated and retained a student's cell phone for two weeks for violating school rules on cell phones. Koch v. Adams, 361 S.W.3d 817 (Ark. 2010).

[42] 105 ILCS 5/10-22.6(b) and (b-30). *School Bus Safety Guidance*, developed by ISBE in consultation with stakeholders, is available at: www.isbe.net/Documents/Bus-Safety-Guidance-June-2025.pdf.

[43] A suspension may be imposed in only limited situations that vary according to the suspension's length. 105 ILCS 5/10-22.6(b-15)-(b-25). This is explained in sample board policy 7:200, *Suspension Procedures*, and its footnotes.

[44] This sentence is optional. A board may make this mandatory by replacing "may also be" with "shall also be."

[45] An expulsion may be imposed in only limited situations. 105 ILCS 5/10-22.6(b-20). This is explained in sample policy 7:210, *Expulsion Procedures*, and its footnotes.

105 ILCS 5/10-22.6(d) permits expulsion for a definite period of time not to exceed two calendar years. School officials must document whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions.

[46] This sentence is optional. A board may make this mandatory by replacing "may also be" with "shall also be."

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13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code. [47]
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), look-alikes, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies. [48]

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion. [49]

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[47] 105 ILCS 5/10-22.6(a) and (b), amended by P.A. 103-896. 105 ILCS 5/13A, amended by P.A. 103-473, a/k/a *Safe Schools Law*, governs the transfer of *disruptive students*, defined to include suspension- or expulsion-eligible students in grades 6-12, to an alternative school program. See sample administrative procedure 7:190-AP9, *Administrative Transfer to Regional Safe School Program*, and the ISBE regional safe schools program webpage at: www.isbe.net/Pages/Regional-Safe-Schools-Program.aspx. 105 ILCS 5/13B governs the transfer of students to an alternative learning opportunities program. See ISBE's alternative learning opportunities program webpage at: www.isbe.net/Pages/Special-Education-Alternative-Learning-Opportunities-Programs.aspx.

Contact the board attorney regarding the necessary due process procedures before imposing a disciplinary transfer to an alternative school. The court in Leak v. Rich Twp. High Sch. Dist. 227 (397 Ill.Dec. 90 (1st Dist. 2015)), held that placement in an alternative school is tantamount to an expulsion. Thus, according to dicta in this decision, districts must follow expulsion procedures before a student is transferred to an alternative school. Schools may still reach agreements with parents/guardians to transfer students to such schools without completing the expulsion procedures.

The alternative program may not deny the transfer on the basis of the suspension or expulsion, except in cases in which the transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

[48] 105 ILCS 5/22-88. See sample policy 7:150, *Agency and Law Enforcement Requests~~Police Interviews~~*.

[49] **Note:** Districts that receive early childhood block grant funding (authorized by 105 ILCS 5/1C-2, amended by P.A. 103-594, of the School Code) are prohibited from expelling children from their early childhood programs. 105 ILCS 5/2-3.71(a)(7), amended by P.A. 103-594 (making it inoperative on 7-1-26), and 105 ILCS 5/10-22.6(k). On and after 7-1-26, the Dept. of Early Childhood Act, 325 ILCS 3/15-30(a)(7), added by P.A. 103-594, will prohibit expulsion of children enrolled in early childhood programs funded under 325 ILCS 3/1-10~~)~~. A district may, however, transition a child to a new program if: (1) it has documented evidence that all available interventions and supports recommended by a qualified professional have been exhausted; (2) the program determines that transitioning a child is necessary for the well-being of the child or his or her peers and staff; and (3) the current and pending programs create a transition plan for the child with parent or legal guardian permission. 105 ILCS 5/2-3.71(a)(7)(C) (inoperative on 7-1-26); 325 ILCS 3/15-30(a)(7)(C) on and after 7-1-26. A district may temporarily remove a child from attendance in the group setting in the case of a serious safety threat to a child or others, or in the case of possession of a weapon as described in 105 ILCS 5/10-22.6(d), but it must then begin the process of documenting interventions and supports as outlined in the law. 105 ILCS 5/2-3.71(a)(7)(E) (inoperative on 7-1-26); 325 ILCS 3/15-30(a)(7) on and after 7-1-26. ISBE rules implementing these requirements are at 23 Ill.Admin.Code §§ 235.300-235.340. For guidance on behavior support and transition plans, including links to ISBE Form 37-50A, *Early Childhood Block Grant (ECBG) Program Transition Plan*, and ISBE Form 37-50B, *Early Childhood Block Grant (ECBG) Behavior Support Plan*, see ISBE's *Frequently Asked Questions: Behavior Support and Program Transition* (~~March 2021~~November 2024) at: www.isbe.net/Documents/EC-FAQ-Behavior-Transition-Plan.pdf. **Consult the board attorney for advice to ensure compliance with ISBE rules.** Compliance with this law does not relieve a district of its obligations to also comply with the Individuals with Disabilities Education Improvement Act of 2004 when disciplining students with disabilities. For further information, see sample policy 7:230, *Misconduct by Students with Disabilities*. For districts that receive early childhood block grant funding, add the following:

Students enrolled in the District's State-funded preschool program(s) may be temporarily removed or transitioned to a new program in accordance with federal and State law. State law prohibits the expulsion of students from the program(s).

If this language is inserted, add 105 ILCS 5/2-3.71(a)(7) to the Legal References for this policy.

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Corporal punishment is prohibited in all circumstances. *Corporal punishment* is defined as a discipline method in which a person deliberately inflicts pain upon a student in response to the student's unacceptable behavior or inappropriate language, with an aim to halt an offense, prevent its recurrence, or set an example for others.[50] It includes slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as permitted by 105 ILCS 5/10-20.33. [51]

Isolated Time Out, Time Out, and Physical Restraint [52]

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, Ill. State Board of Education (ISBE) rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the District's procedure(s).

Weapons [53]

A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than two calendar years:

1. A *firearm*, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm

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[50] 105 ILCS 5/22-100, added by P.A. 103-806.

[51] The last two sentences of this paragraph paraphrase 105 ILCS 5/24-24, amended by P.A. 103-806.

[52] *Physical restraint* or *restraint* does not include momentary periods of physical restriction by direct person to person contact, without the aid of material or mechanical devices, that are accomplished with limited force and that are designed to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property. 105 ILCS 5/10-2~~2~~0.33(b). Isolated time out, time out, or physical restraint may be used by staff members **only if** their use is authorized by policy and administrative procedure. 105 ILCS 5/2-3.130 and 5/10-20.33; 105 ILCS 5/24-24; 23 Ill.Admin.Code §§1.280(c) and 1.285. See sample administrative procedure 7:190-AP4, *Use of Isolated Time Out, Time Out, and Physical Restraint*. **The sample policy allows the use of isolated time out, time out, and physical restraint pursuant *only* to the conditions allowed in the School Code and ISBE rules.** State statute and ISBE rules contain complex restrictions on the use of isolated time out, time out, and physical restraint. 105 ILCS 5/2-3.130 and 5/10-20.33; 105 ILCS 5/24-24; 23 Ill.Admin.Code §§1.280(c) and 1.285. According to the ISBE rule, isolated time out, time out, and physical restraints are allowed only if a board authorizes their use in a policy containing the numerous components identified in the rule. To comply with ISBE's rule, a board must also incorporate by reference the district's procedure, i.e., 7:190-AP4, *Use of Isolated Time Out, Time Out, and Physical Restraint*. By doing this, the policy includes the district's procedure. **For a board that wants to prohibit the use of isolated time out, time out, and physical restraint** (1) replace the contents of this subhead with "The district prohibits the use of isolated time out, time out, and physical restraint, as defined in 105 ILCS 5/10-20.33."; (2) amend the Legal References as follows "23 Ill.Admin.Code §~~§~~ 1.280~~, 1.285,~~" and (3) delete "Incorporated by Reference: 7:190-AP4 (Use of Isolated Time Out, Time Out, and Physical Restraint)."

[53] This section paraphrases 105 ILCS 5/10-22.6(d) and contains the statutorily required punishment for bringing a weapon to school along with the statutory definition of *weapon*. When preparing for a due process hearing, a principal needs to use the applicable State and federal law definitions of *firearm* – not just the School Code.

While subsection 105 ILCS 5/10-22.6(b-10) explicitly forbids zero tolerance policies, it provides an exception for those zero tolerance policies established by State or federal law, which includes weapons in school. Section 10-22.6(d) provides that a student who brings a weapon to school, as defined in the section, "shall be expelled for a period not less than one year," unless modified by the superintendent or board. The federal Gun-Free Schools Act (20 U.S.C. §7961 et seq.) provides for at least a one-year expulsion for students who bring firearms to school. As directed by 20 U.S.C. §7961(b)(1), 105 ILCS 5/10-22.6(d), the superintendent and the board may modify that consequence; however, the superintendent/board may decline to exercise that discretion and instead impose the maximum penalty authorized by law. Analyzing the student's circumstances on a case-by-case basis may avoid a judicial finding that an expulsion is too severe. See Washington v. Smith, 248 Ill.App.3d 534 (1st Dist. 1993).

Item #4 in the **Prohibited Student Conduct** section is broader because it prohibits "using, possessing, controlling, or transferring" a weapon in addition to violating the **Weapons** section.

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Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 2012 (720 ILCS 5/24-1).

2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including *look-alikes* of any *firearm* as defined above.

The expulsion requirement under either paragraph one or two above may be modified by the Superintendent, and the Superintendent's determination may be modified by the Board on a case-by-case basis. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.[54]

This policy's prohibitions concerning weapons apply regardless of whether: (1) a student is licensed to carry a concealed firearm, or (2) the Board permits visitors, who are licensed to carry a concealed firearm, to store a firearm in a locked vehicle in a school parking area. [55]

Re-Engagement of Returning Students [56]

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit. [57]

Required Notices

A school staff member shall immediately notify the office of the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on ~~or around~~ school grounds, becomes aware of any person in possession of a firearm on school grounds, or becomes aware of any threat of gun violence on school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any

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[54] Optional.

[55] The Firearm Concealed Carry Act permits a properly licensed individual to carry a concealed firearm within a vehicle into a school parking area and store it in a locked vehicle out of plain view. 430 ILCS 66/65(b). The federal Gun-Free Schools Act has a similar provision. 20 U.S.C. §7961(g). The School Code, however, contains no similar exception to the ban on firearms at schools. Contact the board attorney before permitting students to store their firearms in their vehicle's trunk while parked at school.

[56] Required by 105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896. See sample administrative procedure 7:190-AP8, *Student Re-Engagement Guidelines*. ~~In consultation with stakeholders~~*Guidance for Re-Engagement*, developed by ISBE in consultation with stakeholders, is available at: www.isbe.net/Documents/Re-Engagement-Guidance-June-2025.pdf~~must draft and publish guidance for the re-engagement of students who are suspended out-of-school, expelled, or returning from an alternative school setting by 7-1-25. Id~~.

[57] A goal for re-engagement is optional. Schools must permit students who were suspended, including students suspended from the school bus who do not have alternate transportation to school, to makeup work for equivalent academic credit. 105 ILCS 5/10-22.6(b-30).

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staff member or is subject to a battery.[58] *School grounds* includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Upon receiving a report of (1), above, the Building Principal or designee shall immediately notify local law enforcement. If the report of (1), above, pertains to a threat of firearm violence made by a student, the Building Principal or designee shall attempt to notify the student's parent/guardian as soon as possible and shall further attempt to contact the parent/guardian to ensure that the student does not have access to a firearm. In addition, upon receiving a report on any of the above (1)-(3), the Building Principal or designee shall notify the Superintendent or designee and any involved student's parent/guardian. [59]

Upon receiving a report on any of the above (1)-(3), the Superintendent or designee shall immediately notify local law enforcement. The Superintendent or designee shall also report these incidents to ISBE through its web-based School Incident Reporting System as they occur during the year and no later than July 31 for the preceding school year. [60]

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other licensed educational employees, and any other persons (whether or not a licensed employee) providing a related service for or with respect to a student, may only use reasonable force as permitted by 105 ILCS 5/10-20.33. Teachers may temporarily remove students from a classroom for disruptive behavior. [61]

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[58] 105 ILCS 5/10-27.1A(a), amended by P.A. 104-174; 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling)~~,~~; and 105 ILCS 5/10-21.7. *School grounds* includes the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground.

[59] Id. State law imposes the duty to report firearm possession only on school officials; this duty may be also imposed on volunteers and community members. Only staff members, however, are vulnerable to committing a petty offense for their failure to report, and only staff members are protected from civil or criminal liability that might arise as a result of making a report (although the liability potential for anyone making a report is remote).

The building principal must notify the student's parent/guardian only when the alleged offense is firearm possession by a student or a threat of firearm violence by a student. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174. The policy expands this notification duty to include drug-related incidents and battery of a staff member; a board disinclined to do this should amend the second sentence as follows:

> In addition, upon receiving a report on any of the above (1)-(3), the Building Principal or designee shall notify the Superintendent or designee and, if a student is reportedly in possession of a firearm or threatens firearm violence, also any involved student's parent/guardian.

[60] 105 ILCS 5/10-27.1A, amended by P.A.s 103-34, 103-609 (first to pass both houses), ~~and~~ 103-780 (second to pass both houses and controlling), and 104-174; 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); and 105 ILCS 5/10-21.7. See f/n 6 and subhead **J. Required Notices** of sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. Reporting on SIRS does not satisfy the requirement to report incidents to local law enforcement authorities.

[61] 105 ILCS 5/24-24, amended by P.A. 103-806, requires: (1) teachers, other licensed educational employees, and any other person (whether or not a licensed employee) providing a related service for or with respect to a student (except for individuals employed as paraprofessionals) to maintain discipline, and (2) the district to have a policy on discipline that provides that:

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The Superintendent, Building Principal, Assistant Building Principal, or Dean of Students is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed.[62] The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons. [63]

Student Handbook [64]

The Superintendent, with input from the parent-teacher advisory committee,[65] shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

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

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[A] teacher, other licensed employee, and any other person, whether or not a licensed employee, providing a related service for or with respect to a student may only use reasonable force as permitted under [105 ILCS 5/10-20.33], shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall prohibit the use of corporal punishment, as defined in [105 ILCS 5/22-100], in all circumstances. 105 ILCS 5/24-24, amended by P.A. 103-806.

[62] Required by 105 ILCS 5/10-22.6(b).

[63] Id.

[64] 105 ILCS 5/10-20.14(a), amended by P.A. 104-391, requires schools to provide a copy of the student discipline policy to parents/guardians within 15 days after the beginning of the school year, or within 15 days after a transfer student starts classes, but it does not specify how to provide copies. For ease of administration, this policy specifies that copies will be provided via student handbooks.

[65] The board must establish and maintain a parent-teacher advisory committee to develop guidelines on student discipline. See sample policy 2:150, *Committees.* This policy's dissemination requirements are from 105 ILCS 5/10-20.14.

A comprehensive student handbook can provide notice of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. The Illinois Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh/.

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by Reference: 7:190-AP4 (Use of Isolated Time Out, Time Out, and Physical Restraint)

LEGAL REF.: 20 U.S.C. §7971 et seq., Pro-Children Act of 2004.
20 U.S.C. §7961 et seq., Gun Free Schools Act.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33, 5/22-100, 5/22-110, 5/24-24, 5/26-12, 5/27-2427-23.7, and 5/31-3.
~~105 ILCS 110/3.10, Critical Health Problems and Comprehensive Health Education Act.~~
410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.
410 ILCS 647/, Powdered Caffeine Control and Education Act.
430 ILCS 66/, Firearm Concealed Carry Act.
23 Ill.Admin.Code §§ 1.280, 1.285.

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Law Enforcement Requests~~Police Interviews~~), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:30 (Visitors to and Conduct on School Property)

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Students

Student Support Services [1]

The District provides a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services when enrolling in or changing schools. [2]

The following student support services may be provided by the School District: [3]

1. Health services supervised by a qualified school nurse.[4] The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease.

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[1] State or federal law controls this policy's content. The Children's Mental Health Act requires all districts to have a policy for incorporating social and emotional development into its educational program. 405 ILCS 49/15(b). The policy must address two areas: (1) teaching and assessing social and emotional skills; and (2) protocols for responding to children with social, emotional, or mental health problems, or a combination of such problems, that impact learning ability. Id. Sample policy 6:65, *Student Social and Emotional Development*, addresses the first required area and this sample policy addresses the second required area.

[2] Required by 105 ILCS 5/10-20.59. See f/n 16 in sample policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, for liaison responsibilities and requirements. Professional development and resources for educators supporting adoptive, foster, and kinship students are available through the nonprofit iCare 4 Adoptive And Foster Families, at: https://icare4aaff.org/.

[3] All districts are required to conduct a comprehensive needs assessment to determine the scope of student personnel services needs in the areas of: (1) guidance and counseling needs; (2) psychological needs; (3) social work needs; and (4) health needs. 23 Ill.Admin.Code §1.420(q). Endorsement requirements for various types of school support personnel are referenced in f/ns 3 through 6 below, and further information is available at: www.isbe.net/Pages/PEL-School-Support-Ed-Lic.aspx. Until 6-20-26, an individual who fails to meet the necessary qualifications for a specific school support personnel endorsement, but holds another professional license or certification approved by ISBE, may seek short-term approval for assignment to a position in situations where an unforeseen vacancy occurs. 23 Ill.Admin.Code §25.48. Short-term approvals are valid for three full fiscal years. 23 Ill.Admin.Code §25.432.

105 ILCS 5/2-3.147~~, added by P.A. 95-558 and repealed by P.A. 99-30~~, created the Ensuring Success in School Task Force. 105 ILCS 5/26A-15, added by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law,* and scheduled to be repealed on 12-1-25, created a subsequent Ensuring Success in School Task Force. See f/n 1 in sample policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, for further information.

[4] School districts may employ non-professional-educator-licensed *registered professional nurse*s to perform professional nursing services. 105 ILCS 5/10-22.23; 23 Ill.Admin.Code §1.760(c). A *registered professional nurse* means any nurse who is licensed to practice professional nursing in Illinois under the Nurse Practice Act (225 ILCS 65/) and whose license is active and in good standing with the Ill. Dept. of Financial and Professional Regulation. 23 Ill.Admin.Code §1.760(b).

A *school nurse* means any registered professional nurse who also holds a professional educator license endorsed for school support services in school nursing, or any registered professional nurse who does not hold the professional educator license but was employed in the school district of current employment before 7-1-76. 23 Ill.Admin.Code §1.760(c).

105 ILCS 5/10-22.23 provides that any nurse first employed on or after 7-1-76, whose duties require teaching or the exercise of instructional judgment or educational evaluation of students, must be licensed under 105 ILCS 5/21B-25.

A school nurse may hold a Professional Educator License with a school support personnel endorsement. 105 ILCS 5/21B-25(2)(G); 23 Ill.Admin.Code §§1.760(c), 23.120, 25.245.

Health services may also be available through school based/linked health centers implemented by the Ill. Dept. of Public Health. 105 ILCS 129/; 77. Ill.Admin.Code Part 641. For further information, see: https://dph.illinois.gov/topics-services/life-stages-populations/maternal-child-family-health-services/school-health#resources.

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2. Educational and psychological testing services and the services of a school psychologist[5] as needed. In all cases, written permission to administer a psychological examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a school social worker.[6] A student's parent/guardian must consent to regular or continuing services from a social worker.
4. School counseling[7] services. The Superintendent or designee shall annually inform all school personnel and students 12 years of age and older, in writing, of the availability of counseling without parent/guardian consent under 405 ILCS 5/3-550. [8]

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health needs that impact learning ability.[9] The District, however, assumes no liability for preventing, identifying, or treating such needs.

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[5] A *school psychologist* means a psychologist who holds a Professional Educator License with a school psychologist endorsement per 105 ILCS 5/21B-25 and either: (1) has graduated with a master's degree or higher degree in psychology or educational psychology from an institution of higher education that maintains equipment, courses of study, and standards of scholarship approved by the Ill. State Board of Education (ISBE), has had at least one school year of full-time supervised experience in the delivery of school psychological service approved by the State Superintendent of Education, and has such additional qualifications as may be required by ISBE; or (2) holds a valid Nationally Certified School Psychologist credential. 105 ILCS 5/14-1.09. School psychologists hold a Professional Educator License with a school support personnel endorsement. 105 ILCS 5/21B-25(2)(G); 23 Ill.Admin.Code §§1.760(a), 23.130, 25.235. The scope of school psychological services is described in 105 ILCS 5/14-1.09.1.

[6] A *school social worker* means a social worker who has graduated from an accredited graduate school of social work and has such additional qualifications as may be required by ISBE and who holds a Professional Educator License with a school support personnel endorsement for school social work per 105 ILCS 5/21B-25. 105 ILCS 5/14-1.09a. See 105 ILCS 5/10-22.24a and 5/21B-25(2)(G); 23 Ill.Admin.Code §§1.760(a), 23.140, 25.215. School social workers may not provide services outside of their district employment to any student(s) attending school in the district. 105 ILCS 5/14-1.09a. The *School Social Work Best Practice Guide* (2020) published by ISBE and the Ill. Association of School Social Workers is available at: www.isbe.net/Documents/ISBE-IASSW-School-Social-Work-Guide.pdf.

School marriage and family therapists are another type of school support personnel; they hold a Professional Educator License with a school support personnel endorsement. 105 ILCS 5/21B-25(2)(G); 23 Ill.Admin.Code §§23.150, 25.260. The scope of school social worker services is described in 105 ILCS 5/14-1.09.2.

[7] *School counselors* hold a Professional Educator License with a school support personnel endorsement. 105 ILCS 5/21B-25(2)(G); 105 ILCS 5/10-22.24a; 23 Ill.Admin.Code §§1.760(a), 23.110, 25.225. *School counselors* refers to district employees that work in high schools to offer students advice and assistance in making career or college plans. 105 ILCS 5/22-93, amended by P.A. 103-1020. School counseling services shall address the needs of all students, regardless of citizenship status, and may include, but are not limited to, the numerous services detailed in 105 ILCS 5/10-22.24b, amended by P.A.s 103-542, ~~and~~ 103-780, and 104-353.

In contrast, *professional counselors* and professional counseling practice in Illinois are governed by the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act and its implementing regulations. 225 ILCS 107/; 68 Ill.Admin.Code Part 1375. The Mental Health and Developmental Disabilities Code, 405 ILCS 5/, provides that minors 12 years of age or older may request and receive up to eight 90-minute sessions (previously five 45-minute sessions) of professional counseling services or psychotherapy (provided by a clinical psychologist) without the consent of the minor's parent, guardian, or person in loco parentis. 405 ILCS 5/3-550. Most school districts do not regularly provide *professional* counseling or *clinical* psychological services to students. Instead, most districts provide *school counseling* or *school psychological* services to students, and Illinois law does not specify any limits on the number of school counseling or school psychological sessions which a minor may have before obtaining parent/guardian permission. If your district seeks to regularly provide *professional counseling* or *clinical psychological* services to students, consult with your board attorney about potential changes to board policies and administrative procedures, as well as collective bargaining issues.

[8] 105 ILCS 5/26A-40(h), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

[9] Required by 405 ILCS 49/15(b).

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Erin's Law Counseling Options, Assistance, and Intervention [10]

The Superintendent or designee will ensure that each school building's Student Support Committee identifies counseling options for students who are affected by sexual abuse and grooming behaviors, along with District and community-based options for victims of sexual abuse and grooming behaviors to obtain assistance and intervention. Community-based options must include a Children's Advocacy Center and sexual assault crisis center(s) that serve the District, if any.

Article 26A Domestic or Sexual Violence and Parenting Resource Personnel [11]

The Superintendent or designee will ensure that at least one staff member in each school building is designated as a resource person (Article 26A Resource Person) for students who are parents, expectant parents, or victims of domestic or sexual violence and offers those services required by 105 ILCS 5/26A. See Board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*. The Article 26A Resource Person may be a member of the building's Student Support Committee.

The Superintendent shall ensure that this policy is implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq., and that it is respectful of student privacy, including that student records are maintained and their confidentiality protected in accordance with Board policy and District procedures. [12]

LEGAL REF.: 105 ILCS 5/10-23.13(b), 5/10-20.59, 5/21B-25(G), and 5/26A.
405 ILCS 5/, Mental Health and Developmental Disabilities Code.
405 ILCS 49/, Children's Mental Health Act.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.

CROSS REF.: 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:280 (Communicable and Chronic Infectious Disease), 7:340 (Student Records)

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[10] Required by *Erin's Law,* 105 ILCS 5/10-23.13(b)(2), (3), and (5). See sample policy 5:90, *Abused and Neglected Child Reporting*, and sample administrative procedure 5:90-AP1, *Coordination with Children's Advocacy Center*, for more information on Children's Advocacy Centers.

[11] Required by 105 ILCS 5/26A-35, added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. See sample policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, and sample administrative procedure 7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.

[12] This policy text is based on recommendations of the second ESS Task Force. See pp. 13-14 of the June 2024 ESS Task Force final report, at: www.isbe.net/Documents_ESSTaskForce/Final-Report-ESS-Report-June-2024.pdf.

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Students

Suicide and Depression Awareness and Prevention [1]

Youth suicide impacts the safety of the school environment. It also affects the school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important Board goals.

Suicide and Depression Awareness and Prevention Program

The Superintendent or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program (Program) that advances the Board's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of *Ann Marie's Law* listed below; each listed requirement, 1-6, corresponds with the list of required policy components in the School Code Section 5/2-3.166(c)(2)-(7). The Program shall include:

1. Protocols for administering youth suicide awareness and prevention education to students and staff. [2]
    a. For students, implementation will incorporate Board policy 6:60, C*urriculum Content*, which implements ~~105 ILCS 5/2-3.139 and~~ 105 ILCS 5/27-215 ~~7~~(requiring education for students on mental health and illness~~to develop a sound mind and a healthy body~~).
    b. For staff, implementation will incorporate Board policy 5:100, *Staff Development Program*, and teacher's institutes under 105 ILCS 5/3-14.8 (requiring coverage of the warning signs of suicidal behavior).
2. Procedures for methods of suicide prevention with the goal of early identification and referral of students possibly at risk of suicide.[3] Implementation will incorporate:

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[1] A suicide awareness and prevention policy is required by 105 ILCS 5/2-3.166(c). The first sentence of this policy is required by 105 ILCS 5/2-3.166(c)(1).

This policy contains an item on which collective bargaining may be required. See 105 ILCS 5/10-22.24b. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

[2] Required by 105 ILCS 5/2-3.166(c)(2). While this law is titled Youth Suicide Awareness and Prevention, it requires the policy to include protocols for administering youth suicide awareness and prevention education to *staff* and students.

For student protocols, see ~~105 ILCS 5/2-3.139 and~~ 105 ILCS 5/27-215~~7~~, added by P.A. 104-391.

For staff protocols, see 105 ILCS 5/3-14.8, which requires the regional superintendents to cover the warning signs of suicidal behavior in teacher's institutes. In suburban Cook County, an Intermediate Service Center will perform the responsibilities that are performed in other locations by the regional superintendent.

[3] Required by 105 ILCS 5/2-3.166(c)(3). This policy adds *with the goal of* and *possibly* to modify the statute's use of "at risk of suicide." *With the goal of* acknowledges that identifying every student at risk of suicide is impossible. *Possibly* is added to inform the public that these identifications are not definitive. School staff members are not licensed medical professionals who are fully trained to make definitive determinations about whether a student is at risk of suicide, and parents/guardians should not take any referral under this requirement as such.

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a. The training required by 105 ILCS 5/10-22.39 for all District staff who work with students to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide; and
b. Ill. State Board of Education (ISBE)-recommended guidelines and educational materials for staff training and professional development, along with ISBE-recommended resources for students containing age-appropriate educational materials on youth suicide and awareness, if available pursuant to *Ann Marie's Law* on ISBE's website.

3. Methods of intervention, including procedures that address an emotional or mental health safety plan for use during the school day and at school-sponsored events for a student identified as being at increased risk of suicide including those students who: (A) suffer from a mental health disorder; (B) suffer from a substance abuse disorder; (C) engage in self-harm or have previously attempted suicide; (D) reside in an out-of-home placement; (E) are experiencing homelessness; (F) are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); (G) are bereaved by suicide; or (H) have a medical condition or certain types of disabilities. Implementation will incorporate paragraph number 2, above, along with Board policies: [4]
   a. 6:65, *Student Social and Emotional Development*, implementing the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b) (requiring student social and emotional development in the District's educational program);
   b. 6:120, *Education of Children with Disabilities*, implementing special education requirements for the District;
   c. 6:140, *Education of Homeless Children*, implementing provision of District services to students who are homeless;
   d. 6:270, *Guidance and Counseling Program*, implementing guidance and counseling program(s) for students, and 105 ILCS 5/10-22.24a and 22.24b, which allow a qualified guidance specialist or any licensed staff member to provide school counseling services;

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~~Through 6-30-24,~~ 105 ILCS 5/10-22.39 requires licensed school personnel and administrators who work with students in kindergarten through grade 12 to be trained to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques. 105 ILCS 5/10-22.39(b-20), added by P.A. 103-542~~, eff. 1-1-24 and operative 7-1-24~~, requires teachers, administrators, and school support personnel who work with pupils be trained on identifying warning signs of mental illness, trauma, and suicidal behavior in youth. Such training must include, but is not limited to, appropriate intervention and referral techniques, including resources and guidelines as outlined in 105 ILCS 5/3.166. 105 ILCS 5/10-22.39, amended by P.A. 103-542~~, eff. 1-1-24 and operative 7-1-24~~, uses the phrase *teachers, administrators, and school support personnel*, but for brevity this material uses the phrase *all District staff*.

While very little guidance is available for students in grades 6 and below, *Ann Marie's Law* directs the Ill. State Board of Education (ISBE) to compile, develop and post these items on its website. Districts may use the Ill. Mental Health training program, established under the Ill. Mental Health First Aid Training Act, to provide the training for this in-service requirement.

Ann Marie's Law requires ISBE to develop and recommend materials. See the discussion in f/n 7, below, on ISBE-recommended materials.

See f/n 1 in sample policy 4:170, *Safety*, for information on the U.S. School Safety Clearinghouse website at: www.schoolsafety.gov.

See sample policy 5:100, *Staff Development Program*, for further discussion of these training requirements.

[4] Required by 105 ILCS 5/2-3.166(c)(4)~~, amended by P.A. 102-267~~. For further discussion of 105 ILCS 5/10-22.24b, see f/n 2 in sample policy 6:270, *Guidance and Counseling Program*. This policy adds "for use during the school day and at school-sponsored events" to inform the public about the limitations concerning what schools can realistically provide students and their parent(s)/guardian(s). See the discussion in f/n 3, above, regarding the addition of the word *possibly*.

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e. 7:10, *Equal Educational Opportunities*, and its implementing administrative procedure and exhibit, implementing supports for equal educational opportunities for students who are LGBTQ;
f. 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, implementing State law requirements related to students who are in foster care;
g. 7:250, *Student Support Services*, implementing the Children's Mental Health Act, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and
h. State and/or federal resources that address emotional or mental health safety plans for students who are possibly at an increased risk for suicide, if available on the ISBE's website pursuant to *Ann Marie's Law*.

4. Methods of responding to a student or staff suicide or suicide attempt. Implementation of this requirement shall incorporate building-level Student Support Committee(s) established through Board policy 7:250, *Student Support Services*. [5]
5. Reporting procedures. Implementation of this requirement shall incorporate Board policy 6:270, *Guidance and Counseling Program*, and Board policy 7:250, *Student Support Services*, in addition to other State and/or federal resources that address reporting procedures. [6]
6. A process to incorporate ISBE-recommended resources[7] on youth suicide awareness and prevention programs, including current contact information for such programs in the District's Suicide and Depression Awareness and Prevention Program. [8]

Illinois Suicide Prevention Strategic Planning Committee

The Superintendent or designee shall attempt to develop a relationship between the District and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency. The purpose of the relationship is to discuss how to incorporate the goals and objectives of the Illinois Suicide Prevention Strategic Plan into the District's Suicide Prevention and Depression Awareness Program. [9]

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[5] Required by 105 ILCS 5/2-3.166(c)(5). See sample administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs* for information about building-level Student Support Committees. When sharing information from therapists and counselors, these committees are required to follow the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Children's Mental Health Act, 405 ILCS 49/~~, amended by P.A. 102-899~~.

[6] Required by 105 ILCS 5/2-3.166(c)(6).

[7] 105 ILCS 5/2-3.166(b)(2), directs ISBE to "compile, develop, and post on its publicly accessible Internet website both of the following, which may include materials already publicly available: (A) [r]ecommended guidelines and educational materials for training and professional development, and (B) [r]ecommended resources and age-appropriate educational materials on youth suicide awareness and prevention."

ISBE has created the *Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators*, *Counselors*, *Teachers*, *and Staff*, at: www.isbe.net/Documents/Suicide-Prevention-Procedures.pdf, as well as listing other resources at: www.isbe.net/Pages/Suicide-Prevention.aspx.

[8] Required by 105 ILCS 5/2-3.166(c)(7).

[9] Optional. The *Illinois Suicide Prevention Strategic Plan* may be found at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/publications/illinoisstrategicplan2020reduced.pdf. Its goals and objectives reflect the input of public and private organizations and stakeholders that are concerned with mental health. It is designed to reduce suicide through a positive public health approach. See also the Suicide Prevention Resource Center page at https://sprc.org/ for more information.

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Monitoring [10]

The Board will review and update this policy pursuant to *Ann Marie's Law* and Board policy 2:240, *Board Policy Development*.

Information to Staff, Parents/Guardians, and Students

The Superintendent shall inform each school district employee about this policy and ensure its posting on the District's website.[11] The Superintendent or designee shall provide a copy of this policy to the parent or legal guardian of each student enrolled in the District.[12] Student and staff identification (ID) cards, the District's website, and student handbooks and planners will contain the support information as required by State law. [13]

Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Student Confidential Reporting Act, 5 ILCS 860/, Children's Mental Health Act, 405 ILCS 49/, Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

The District, Board, and its staff are protected from liability by the Local Governmental and Governmental Employees Tort Immunity Act. Services provided pursuant to this policy: (1) do not replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in suicide prevention, assessments and counseling services, (2) are strictly limited to the available resources within the District, (3) do not extend beyond the school day

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[10] Required by 105 ILCS 5/2-3.166(d).

[11] Id. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Consult the board attorney about whether a signature is required to prove compliance with the law's specific requirement that *each school district employee* and *each student enrolled in the district* are informed of and/or provided a copy of the policy.

[12] Id. Consult the board attorney about placing the policy in the student handbook instead of and/or in addition to providing a hard copy to each student's parent/guardian. Members of the Ill. Principals Assoc. (IPA) may subscribe to the IPA's Model Student Handbook Service, which are aligned with IASB's policy services. For more information, see: https://ilprincipals.org/msh/.

[13] ~~105 ILCS 5/10-20.76, added by P.A. 102-134 and renumbered by P.A. 102-813 (district-issued ID cards for students, and information on districts' websites);~~ 105 ILCS 5/10-20.81, ~~added by P.A. 102-416, renumbered by P.A. 102-813, and~~ amended by P.A. 103-143 (districts must insert contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and the Safe2Help Illinois helpline on student identification (ID) cards for students in grades 6-12, and contact information must identify each helpline that may be contacted through text messaging; the same must be included in student handbooks and planners (if a student planner is custom printed by a district or its schools for distribution to students in any of grades 6 through 12) and P.A. 104-264 (districts must insert the same contact information required for student ID cards on employee ID cards for employees serving any of grades 6 through 12). See f/n 1 in sample administrative procedure 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*, for further information regarding Safe2Help Illinois.

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and/or school-sponsored events, and (4) cannot guarantee or ensure the safety of a student or the student body. [14]

LEGAL REF.: 42 U.S.C. § 12101 et seq., Individuals with Disabilities Education Act.
105 ILCS 5/2-3.166, ~~105 ILCS 5/2-3.139,~~ 5/3-14.8~~, 5/10-20.76~~, 5/10-20.81, 5/10-22.24a, 5/10-22.24b, 5/10-22.39, 5/14-1.01 et seq., 5/14-7.02, ~~and~~ 5/14-7.02b, and 5/27-215~~7~~.
5 ILCS 860/, Student Confidential Reporting Act.
405 ILCS 49/, Children's Mental Health Act.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.
745 ILCS 10/, Local Governmental and Governmental Tort Immunity Act.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:120 (Education of Children with Disabilities), 6:270 (Guidance and Counseling Program), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

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[14] **Consult the board attorney for guidance concerning liability in this area.** Except for cases of willful and wanton conduct, the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/, likely protects districts from liability for failure to properly identify and/or respond to a student's mental health issue that results in suicide. See 745 ILCS 10/3-108 and Grant v. Bd. of Trustees of Valley View Sch. Dist. No. 365-U, 286 Ill.App.3d. 642 (3rd Dist. 1997). However, attorneys have concerns that failing to inform parents/guardians that services required under *Ann Marie's Law* are limited may open districts to potential litigation if services provided under the policy fail or are deemed inadequate. Every situation is fact specific and the issues require careful evaluation. A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its board attorney, to minimize liability, such as adding limiting phrases (see discussions in f/ns 3 & 4) and ensuring other policies are followed. Ultimately, the best way to minimize liability is to be sure that the district's insurance policies cover the training and other requirements under *Ann Marie's Law*.

In addition to the Tort Immunity Act, school officials and districts may also be entitled to qualified immunity in civil rights lawsuits that seek to hold them liable for a suicide. See Sanford v. Stiles, 456 F.3d 298 (3d Cir. 2006); Martin v. Shawano-Gresham Sch. Dist., 295 F.3d 701 (7th Cir. 2002); Armijo v. Wagon Mount Pub. Schs, 159 F.3d 1253 (10th Cir. 1998). Yet, recent trends in student-on-student harassment cases are emerging where parents whose children die of suicide allege that a school's failure to properly identify or respond to the child's mental health issues was a contributing cause for the suicide.

In these cases, the parents ask courts to apply Davis v. Monroe Cnty. Bd. of Educ., 526 U.S. 629 (1999), to *Section 504* cases. Under the *Davis standard*, parents must prove that: (1) their child was an individual with a disability; (2) their child was harassed based upon his or her disability; (3) the harassment was sufficiently severe or pervasive that it altered the condition of the child's education and created an abusive educational environment; (4) the school district knew about the harassment; and (5) the school district was deliberately indifferent to the harassment.

While not precedential in Illinois, several cases illustrate the uncertainty of a school district's liability in the emerging area of suicide prevention liability and/or failure to properly respond to a student's mental health issues and may indicate a trend toward courts allowing juries to determine a district's liability: Armijo (denying summary judgment to two individual defendant district employees based on a state-created danger theory and as to all defendant employees based on a special relationship theory); Estate of Barnwell ex rel. Barnwell v. Watson, 44 F.Supp.3d 859 (E.D. Ark. 2014) (allowing plaintiff parents to move forward in litigation alleging that school district's *Section 504* failures contributed to their son's suicide, but summary judgment in favor of school district eventually granted); and Walsh v. Tehachapi Unified Sch. Dist., 997 F.Supp.2d 1071 (E.D. Ca. 2014) (denying summary judgment because the school district's conduct may have been the proximate cause of the student suffering an uncontrollable impulse to commit suicide). But see Estate of Lance v. Lewisville Indep. Sch. Dist., 743 F.3d 982 (5th Cir. 2014) (finding in favor of the school district because the claimed special relationship theory and state-created danger theories were not actionable).

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Students

Restrictions on Publications; Elementary Schools [1]

[*For elementary or unit districts only*]

School-Sponsored Publications and Websites

School-sponsored publications, productions, and websites are part of the curriculum and are not a public forum for general student use.[2] School authorities may edit or delete material that is inconsistent with the District's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

Non-School Sponsored Publications Accessed or Distributed On-Campus [3]

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, (2) audio-visual material on any medium including electromagnetic media (e.g., images, digital files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, digital files, etc.) or online (e.g., any website, social networking site, database for

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[1] State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. It applies only to elementary or unit districts (both elementary and high school students). Unit districts should adopt this policy and policy 7:315, *Restrictions on Publications; High Schools*. The Speech Rights of Student Journalists Act, 105 ILCS 80/5, applies to high school and unit districts.

[2] School authorities may reasonably regulate student expression in school-sponsored publications for education-related reasons. Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988). This policy allows such control by clearly stating that school-sponsored publications are not a "public forum" open for general student use but are, instead, part of the curriculum.

A school board that does not retain control of student publications can anticipate at least two problems: (1) how to keep content consistent with the district's mission, and (2) how to ensure that the Constitutional rights of third parties are not violated by student journalists. Concerning the second problem, a third party may seek to hold the district responsible for the student journalists' acts. See Yeo v. Town of Lexington, 131 F.3d 241 (1st Cir. 1997), *cert. denied* (1998).

[3] Non-school sponsored publications, like underground newspapers, cannot be subject to the same degree of regulation by school authorities as school-sponsored publications. Absent a showing of material and substantial interference with the requirements of good discipline, students retain their First Amendment free speech rights. The federal circuits disagree on whether school authorities may require prior approval before a student is allowed to distribute non-school-sponsored publications. The Seventh Circuit, which covers Illinois, refused to approve prior approval regulations. Fujishima v. Bd. of Ed., 460 F.2d 1355 (7th Cir. 1972), but see Baughman v. Freienmuth, 478 F.2d 1345 (4th Cir. 1973). Non-school sponsored web sites should be regulated in the same manner as non-school sponsored publications.

A school policy prohibiting junior high students from distributing written material at school that is prepared by non-students was upheld in Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

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information retrieval, etc.), or (3) information or material on electronic devices (e.g., text or voice messages delivered by cell phones, tablets, and other hand-held devices). [4]

Creating, distributing, and/or accessing non-school sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by the District.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities; [5]
2. Violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright; [6]
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by Board policy 7:190, *Student Behavior*, and/or Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; [7] or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students. [8]

Accessing or distributing on-campus includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be disciplined for:

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[4] The definition of publication is optional and may be amended. This sample definition uses broad and generally understood terms to keep the policy current with rapid technology changes.

[5] For example, a school district may discipline a student for writing an underground newspaper, and distributing it at school, that contained an article on how to hack into the school's computer. School authorities could reasonably believe the article would be disruptive. Boucher v. Sch. Bd. of the Sch. Dist. of Greenfield, 134 F.3d 821 (7th Cir. 1998).

[6] School officials may not regulate student speech based upon their fear or apprehension of disturbance. Many decisions address the tension between students' right to free speech and restrictions of it on campus. See, for example:

Brandt v. Bd. of Educ. of City of Chicago, 480 F.3d 460 (7th Cir. 2007), *cert. denied* (2007) (school did not violate students' First Amendment rights when it disciplined students for wearing T-shirts with a "talentless infantile drawing" that school officials reasonably found to undermine the educational atmosphere).

Nuxoll v. Indian Prairie Sch. Dist. #204, 523 F.3d 668 (7th Cir. 2008) (holding that the student was likely to succeed on merits of his claim that the school would violate his speech rights by preventing him from wearing T-shirt with slogan "Be Happy, Not Gay"). But see L.M. v. Town of Middleborough, Mass., 103 F.4th 854 (1st Cir. 2024)(holding a school could prohibit a student from wearing a shirt that read "There Are Only Two Genders" because the message directly attacked the personal characteristics of transgender and nonconforming students, which could cause lower grades and increased absences).

J.C. v. Beverly Hills Unified Sch. Dist., 711 F.Supp.2d 1094 (C.D.Cal. 2010) (discussed the "rights of others to be secure and let alone" argument from Tinker, but found that the school district violated a student's First Amendment rights for disciplining her when she posted a video clip on a website).

B.H. v. Easton Area Sch. Dist., 725 F.3d 293 (3rd Cir. 2013), *cert. denied* (2014) (school violated students' free speech rights by banning the wearing of cancer awareness bracelets containing the caption *I ♥boobies*).

[7] Morse v. Frederick, 551 U.S. 393 (2007).

[8] Optional. The rationale for this section is that prior to high school, students have not developed sufficient experience and education in critical review of external resource materials. Accordingly, in order to accomplish the district's educational mission, yet allow students the opportunity to communicate with their fellow students, widespread student distribution of written material in elementary and middle school may be limited to material primarily prepared by the students themselves. Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3rd 1295 (7th Cir. 1993); Leal v. Everett Public Schs., 88 F.Supp.3d 1220 (W.D.Wa. 2015).

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(1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school. [9]

Non-School Sponsored Publications Accessed or Distributed Off-Campus [10]

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

Bullying and Cyberbullying [11]

The Superintendent or designee shall treat behavior that is bullying and/or cyberbullying according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

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

[9] See f/n 5, above.

[10] Optional. School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus expression is much more limited than expression on school grounds. Many decisions address the tension between public schools' authority to discipline students for off-campus speech and students' right to free speech. However, school officials may generally: (1) remove a student from extracurricular activities for failure to follow an extracurricular conduct code (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, as provided in this policy (see also sample policy 7:190, *Student Behavior*). For example, see:

> Mahanoy Area School Dist. v. B.L., 594 U.S. 180 (2021), (a school could not suspend a student from the cheerleading team for vulgar posts that she made on a social media platform where there was no evidence of substantial disruption of a school activity; schools also have more limited authority to punish students for vulgar, off-campus speech, unless there are circumstances involving severe bullying or harassment, threats aimed at teachers or other students, failure to follow rules concerning lessons, writing of papers, use of computers, participation in other online school activities, or breaches of school security devices including school computers).
>
> J.S. v. Blue Mountain Sch. Dist., 650 F.3d 915 (3rd Cir. 2011), combined with Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3d Cir. 2011), *cert. denied* (2012) (schools may not punish students for their off-campus indecent and offensive parodies of their principals, absent a showing that the parodies caused, or could cause, substantial disruption in the schools).
>
> Kowalski v. Berkeley Cnty. Sch., 652 F.3d 565 (4th Cir. 2011), *cert. denied* (2012) (upheld a student's suspension for off-campus posts to a social network site that defamed a classmate because it was foreseeable that the expression would reach the school and the student's conduct involved substantial disruption and interference with the work and discipline of the school).

The statutory definition of *bullying* includes *cyberbullying* (105 ILCS 5/22-1107~~-23.7~~, amended by P.A. 104-338, eff. 7-1-26, and renumbered by P.A. 104-391); these terms are defined in sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

Consult the board attorney for guidance concerning off-campus speech. Every situation is fact-specific and the issues require careful evaluation.

[11] 105 ILCS 5/22~~7~~-1102~~3.7~~, amended by P.A. 104-338, eff. 7-1-26, and renumbered by P.A. 104-391.

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LEGAL REF.: 105 ILCS 5/22-1107 23.7.
Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988).
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:315 (Restrictions on Publications; High Schools), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities)

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Students

Restrictions on Publications; High Schools [1]

[*For high school or unit districts only*]

Definitions [2]

Libel means the willful or negligent publication of provably false and unprivileged statements of fact that do demonstrable harm to a living person's reputation.

Obscene means lewd; impure; indecent; calculated to shock the moral sense of humans by a disregard of chastity or modesty. Objectionable or offensive to accepted standards of decency.

School official means a Building Principal or designee.

School-sponsored media means any material that is prepared, substantially written, published, or broadcast by a student journalist, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. It does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

Slander means the speaking of false statements of fact that seriously harm a living person's reputation.

Student journalist means a public high school student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.

Student media adviser[3] means an individual employed, appointed, or designated by the District to supervise or provide instruction relating to school-sponsored media.

School-Sponsored Media

School-sponsored publications, productions, and websites are governed by the Speech Rights of Student Journalists Act and School Board policies, and student journalists are responsible for determining the news, opinion, feature, and advertising content of those publications, productions, and websites. [4]

Student journalists must: [5]

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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. This policy concerns an area in which the law is unsettled.

[2] Speech Rights of Student Journalists Act (SRSJA), 105 ILCS 80/5. See also *Black's Law Dictionary*, 11th ed. 2019.

[3] Id. uses *adviser*, not advisor. Adviser is used throughout this policy for consistency with the statute.

[4] Id. With some exceptions, the Act effectively restricts school authorities' power to reasonably regulate student expression in high school-sponsored publications for education-related reasons under Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988). See the last sentence in f/n 6, below.

[5] Consult the board attorney about text that balances the student journalists' rights to have control of their media publications with the board's interests in (a) ensuring differing opinions are published, (b) the SRSJA, and (c) providing student journalists opportunities to apply the Illinois media literacy curriculum mandates.

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1. Make decisions based upon news value and guided by the Code of Ethics provided by the Society of Professional Journalists, National Scholastic Press Association, Journalism Education Association, or other relevant group;
2. Produce media based upon professional standards of accuracy, objectivity, and fairness;
3. Review material to improve sentence structure, grammar, spelling, and punctuation;
4. Check and verify all facts and verify the accuracy of all quotations;
5. In the use of personal opinions, editorial statements, and/or letters to the editor, provide opportunity and space for the expression of differing opinions within the same media to align with the District's media literacy curriculum ~~mandate in 105 ILCS 5/27-20.08~~; and
6. Include an author's name with any personal opinions and editorial statements, if appropriate.

Student journalists may not create, produce, or distribute school-sponsored media that: [6]

1. Is libelous, slanderous, or obscene;
2. Constitutes an unwarranted invasion of privacy;
3. Violates federal or State law, including the Constitutional rights of third parties;[7] or
4. Incites students to: [8]

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Number 5 in the list is intended to align with the *media literacy* curriculum mandate for students in grades 9 through 12 and is listed at 105 ILCS 5/27-415, renumbered by P.A. 104-391 and scheduled for repeal on 7-1-27,~~20.08~~ and sample policy 6:60, *Curriculum Content*. Beginning with the 2027-2028 school year, media literacy instruction is combined with instruction on Internet safety under 105 ILCS 5/27-405(c), added by P.A. 104-391. *Media literacy* means the ability to access, analyze, evaluate, create, and communicate using a variety of objective forms, including, but not limited to, print, visual, audio, interactive, and digital texts. Id. Media literacy instruction must include a component on social responsibility and civics that includes "[s]uggesting a plan of action in the class, school, or community to engage others in a respectful, thoughtful, and inclusive dialogue over a specific issue using facts and reason." Providing opportunity and space for expression of differing opinions in media aligns with and promotes this inclusive dialog.

For boards that provide student journalists more flexibility, make the following three edits: (1) replace "must" with: "shall strive to," (2) amend number 5 to read: "In the use of personal opinions, editorial statements, and/or letters to the editor, determine the need to provide opportunity and space for the expression of differing opinions within the same media to align with the District's media literacy curriculum ~~mandate in~~ in 105 ILCS 5/27-20.08", and (3) delete number 6.

[6] 105 ILCS 80/15. A school board may retain control of material in student publications that falls within the listed exceptions. Consult the board attorney about how much control of high school student publications school officials may retain in the context of the Speech Rights of Student Journalists Act.

[7] 105 ILCS 80/15.

Delete "~~, including Constitutional rights of third parties~~" if the board wants only the word-for-word statutory language in its policy. Because the Constitutional rights of third parties are common controversies within the context of student-sponsored publications, the purpose of this additional text is to underscore that Constitutional rights of third parties are included under the exception of State and federal law.

While 105 ILCS 80/20 limits liability of school districts for a student journalist's expression, except in cases of willful or wanton misconduct, some attorneys believe it may still be possible that a third party may seek to hold the district responsible for the student journalists' acts. See Yeo v. Town of Lexington, 131 F.3d 241 (1st Cir. 1997), *cert. denied* (1998).

[8] 105 ILCS 80/15 broadly allows school boards to limit speech that would incite violation of any policy. This policy language follows the statute. Policies most often needing assessment are those that involve a district's educational mission and philosophy and social appropriateness language for student body's age(s)/maturity. School officials must be careful to understand that that law is written that student journalists using media to *incite* other students to act a certain way is the exception. Additional text may be added to (1) underscore that 105 ILCS 80/15 does not authorize or protect expression that *incites* students to violate board policies, and (2) reminds students and the community that school officials have many legal obligations to implement and enforce specific board policies and ensure school environments are safe and conducive to learning.

While 105 ILCS 80/20 limits liability of school districts for a student journalist's expression, except in cases of willful or wanton misconduct, discuss with the board attorney how to balance the rights of student journalists under this law and the other policy implementation duties that face school officials with board policies and laws.

For boards that want to provide additional text to the word-for-word statutory language in their policies, add to item 4.b:

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a. Commit an unlawful act;
b. Violate any of the District's policies; or
c. Materially and substantially disrupt the orderly operation of the school.

The District will not engage in prior restraint of material prepared by student journalists for school-sponsored media, unless the material fits into one of the four prohibited categories listed above, in which case the Superintendent or designee and/or student media adviser may review, edit, and delete such media material before publication or distribution of the media. [9]

No expression made by students in the exercise of freedom of speech or freedom of the press under this policy shall be deemed to be an expression of the District or an expression of Board policy. [10]

Non-School Sponsored Publications Accessed or Distributed On Campus [11]

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, (2) audio-visual material on any medium including electromagnetic media (e.g., images, digital files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, digital files, etc.) or online (e.g., any website, social networking site, database for information retrieval, etc.), or (3) information or material on electronic devices (e.g., text or voice messages delivered by cell phones, tablets, and other hand-held devices). [12]

Creating, distributing, and/or accessing non-school sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by the District.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities; [13]

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, including but not limited to (1) its educational mission in Board policies 1:30, *School District Philosophy* and 6:10, *Educational Philosophy and Objectives*, and (2) speech that is socially inappropriate or inappropriate due to the maturity of the students pursuant to Board policies 6:65, *Student Social and Emotional Development* and 7:180 *Prevention of and Response to Bullying, Intimidation, and Harassment*.

[9] 105 ILCS 80/10 requires school officials to show justification without undue delay before limiting student expression. For boards that want the student media advisor to provide student journalists with written justification prior to limiting materials, insert the following sentence to end the paragraph:

In such cases, the student media adviser will promptly provide the student journalist with a written justification prior to limiting the material.

[10] 105 ILCS 80/20.

[11] Non-school sponsored publications, like underground newspapers, cannot be subject to the same degree of regulation by school authorities as school-sponsored publications. Absent a showing of material and substantial interference with the requirements of good discipline, students retain their First Amendment free speech rights. The federal circuits disagree on whether school authorities may require prior approval before a student is allowed to distribute non-school-sponsored publications. The Seventh Circuit, which covers Illinois, refused to approve prior approval regulations. Fujishima v. Bd. of Ed., 460 F.2d 1355 (7th Cir. 1972), but see Baughman v. Freienmuth, 478 F.2d 1345 (4th Cir. 1973). Non-school sponsored web-sites should be regulated in the same manner as non-school sponsored publications.

A school policy prohibiting junior high students from distributing written material at school that is prepared by non-students was upheld in Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

[12] The definition of *publication* is optional and may be amended. This sample definition uses broad and generally understood terms to keep the policy current with rapid technology changes.

[13] For example, a school district may discipline a student for writing an underground newspaper, and distributing it at school, that contained an article on how to hack into the school's computer. School authorities could reasonably believe the article would be disruptive. Boucher v. Sch. Bd. of the Sch. Dist. of Greenfield, 134 F.3d 821 (7th Cir. 1998).

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2. Violates the rights of others, including but not limited to material that is libelous, slanderous or obscene, invades the privacy of others, or infringes on a copyright; [14]
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by Board policy 7:190, *Student Behavior*, and/or Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; [15]
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. However, material from outside sources or the citation to such sources may be allowed, as long as the material to be distributed or accessed is primarily prepared by students; [16] or
6. Encourages or incites students to violate any Board policies.

Accessing or distributing *on-campus* includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school. [17]

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[14] School officials may not regulate student speech based upon their fear or apprehension of disturbance. Many decisions address the tension between students' right to free speech and restrictions of it on campus. See, for example:

Brandt v. Bd. of Educ. of City of Chicago, 480 F.3d 460 (7th Cir. 2007), *cert. denied* (2007) (school did not violate students' First Amendment rights when it disciplined students for wearing T-shirts with a "talentless infantile drawing" that school officials reasonably found to undermine the educational atmosphere).

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B.H. v. Easton Area Sch. Dist., 725 F.3d 293 (3rd Cir 2013), *cert. denied* (2014) (school violated students' free speech rights by banning the wearing of cancer awareness bracelets containing the caption *I ♥boobies*).

[15] Morse v. Frederick, 551 U.S. 393 (2007).

[16] Optional. The rationale for this section is that prior to high school, students have not developed sufficient experience and education in critical review of external resource materials. Accordingly, in order to accomplish the district's educational mission, yet allow students the opportunity to communicate with their fellow students, widespread student distribution of written material in elementary and middle school may be limited to material primarily prepared by the students themselves. Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3rd 1295 (7th Cir. 1993); Leal v. Everett Pub. Schs., 88 F.Supp.3d 1220 (W.D.Wa. 2015).

[17] See f/n 13, above.

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Non-School Sponsored Publications Accessed or Distributed Off-Campus [18]

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

Bullying and Cyberbullying [19]

The Superintendent or designee shall treat behavior that is *bullying* and/or *cyberbullying* according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

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[18] Optional. School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus expression is much more limited than expression on school grounds. Many decisions address the tension between public schools' authority to discipline students for off-campus speech and students' right to free speech. 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, as provided in this policy (see also sample policy 7:190, *Student Behavior*). For example, see:

Mahanoy Area School Dist. v. B.L., 594 U.S. 180 (2021) (a school could not suspend a student from the cheerleading team for vulgar posts that she made on a social media platform where there was no evidence of substantial disruption of a school activity; schools have more limited authority to punish students for vulgar, off-campus speech, unless there are circumstances involving severe bullying or harassment, threats aimed at teachers or other students, failure to follow rules concerning lessons, writing of papers, use of computers, participation in other online school activities, or breaches of school security devices including school computers).

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Kowalski v. Berkeley Cnty. Sch., 652 F.3d 565 (4th Cir. 2011), *cert. denied* (2012) (upheld a student's suspension for off-campus posts to a social network site that defamed a classmate because it was foreseeable that the expression would reach the school and the student's conduct involved substantial disruption and interference with the work and discipline of the school).

The statutory definition of *bullying* includes *cyberbullying* (105 ILCS 5/22-1107~~-23.7~~, renumbered by P.A. 104-391); these terms are defined in sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

Consult the board attorney for guidance concerning off-campus speech. Every situation is fact specific, and the issues require careful evaluation.

[19] 105 ILCS 5/22-1107~~-23.7~~, amended by P.A. 104-338, eff. 7-1-26 and renumbered by P.A. 104-391.

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LEGAL REF.: 105 ILCS 5/22-110 ~~5/27-20.08 and 5/27-23.7~~, 5/27-405, and 5/27-415 (scheduled for repeal on 7-1-27).
105 ILCS 80/, Speech Rights of Student Journalists Act.
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988).
Morse v. Frederick, 551 U.S. 393 (2007).
Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

CROSS REF.: 1:30 (School District Philosophy), 6:10 (Educational Philosophy and Objectives), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities)

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Students

Student Records [1]

School student records are confidential. Information from them shall not be released other than as provided by law.[2] A school student record is any writing or other recorded information concerning a

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[1] State law requires school boards to adopt a policy and procedures implementing the Illinois School Student Records Act (ISSRA) and specifying the content of school student records. 23 Ill.Admin.Code §§375.100 and 226.740. Both State and federal law address school student records. See the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g) implemented by federal rules at 34 C.F.R. Part 99) and ISSRA (105 ILCS 10/, amended by P.A.s 102-466, a/k/a *Ensuring Success in School (ESS) Law,* ~~eff. 7-1-25~~and 104-356, eff. 7-1-26, implemented by ISBE rules at 23 Ill.Admin.Code Part 375).

In addition, the U.S. Dept. of Education's (DOE) *Protecting Student Privacy* webpage, a service of the Privacy Technical Assistance Center (PTAC) and the Student Privacy Policy Office, is a *one-stop* resource for education stakeholders to learn about student privacy and confidentiality, including data privacy and security practices related to student-level longitudinal data systems, at: www.studentprivacy.ed.gov/. PTAC published a guide for school officials titled *Protecting Student Privacy While Using Online Educational Services: Requirements and Best Practices* (2014), at:

www.studentprivacy.ed.gov/resources/protecting-student-privacy-while-using-online-educational-services-requirements-and-best.

The DOE also issued a summary of resources on FERPA and virtual learning (2020) at: www.studentprivacy.ed.gov/resources/ferpa-and-virtual-learning. **Boards that wish to enter into cloud computing and other operator contracts must comply with the Student Online Personal Protection Act (SOPPA), 105 ILCS 85/, and should contact the board attorney for implementation guidance.** See also f/n 2, item #7, below.

Confusion persists regarding the interplay between the FERPA and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191). The Privacy Rule implementing HIPAA, issued by the U.S. Dept. of Health and Human Services (HHS), addresses the disclosure of individuals' health information by *covered entities*. 45 C.F.R. Parts 160 and 164, Subparts A and E. Generally speaking, a school district becomes a *covered entity*, and must comply with applicable sections in the Privacy Rule, if it provides health care and transmits health information in electronic form in connection with transactions. However, *educational records* as defined by FERPA are excluded from HIPAA's definition of *protected health information.* 45 C.F.R. §160.103. In most cases this exception relieves school districts of complying with burdensome privacy notices and authorization forms. In December 2019, HHS and DOE issued an update to its *Joint Guidance on the Application of FERPA and HIPAA to Student Health* Records, at:

www.studentprivacy.ed.gov/resources/joint-guidance-application-ferpa-and-hipaa-student-health-records.

The board attorney should be consulted on all HIPAA-related questions.

[2] A plethora of statutory and decisional law protects student records. Aside from the laws identified in f/n 1, other laws protecting student records include:

1. Schools may not provide a student's *personal information* to a business organization or financial institution that issues credit or debit cards. 105 ILCS 5/10-20.38.
2. Schools may not sell personal information concerning a child under the age of 16, with a few exceptions, unless a parent has consented. Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/.
3. The release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, is governed by the Mental Health and Developmental Disabilities Confidentiality Act. 740 ILCS 110/.
4. Schools must keep a sex offender registration form received from law enforcement separately from school student records maintained on behalf of the juvenile sex offender. 730 ILCS 152/121.
5. Divorced or separated parents/guardians with and without *parental responsibility* (formerly custody) are both permitted to inspect and copy the student's school student records. The Ill. Marriage and Dissolution of Marriage Act (IMDMA), 750 ILCS 5/602.11.
6. Schools may not provide a parent/guardian access to his or her child's school records if the parent is prohibited by an order of protection from inspecting or obtaining such records pursuant to the Domestic Violence Act of 1986 or the Code of Criminal Procedure of 1963. Id.

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student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below: [3]

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement professionals~~officers~~ working in the school. [4]
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses[5]) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement professionals~~officials~~, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 18 years who has been arrested or taken into custody. [6]

State and federal law grants students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, certain rights, including the right to

Commented [MM1]: Note to subscribers: This term is revised in #2 and #3 to match the text of ISSRA.

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7. SOPPA (105 ILCS 85/) addresses a school district's obligations related to *covered information* of students and contracts with educational technology *operators*. In some instances, covered information as defined under SOPPA may also qualify as education records under FERPA and school student records under ISSRA. See sample policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, and sample administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*, for a description of SOPPA obligations.
8. School employees or agents may not disclose information concerning a student's status and related experiences as a parent, expectant parent, or victim of domestic or sexual violence, or a student's status as a named perpetrator of domestic or sexual violence except under certain circumstances and only upon prior notice to, and discussion with, the student. 105 ILCS 5/26A-30, added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. See sample policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, and the **Confidentiality** subhead of sample administrative procedure 7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.

Note: Nos. 5 and 6 above may conflict with FERPA in that they restrict a parent/guardian's right to access his or her child's school records more than is expressly permitted by FERPA. 20 U.S.C. §1232g(a)(1)(A), (B); 34 C.F.R. §99.10(a). **Consult the board attorney for guidance.**

Allowing students to grade each other's papers does not violate FERPA; such student work is not a *school record* until it is recorded by the teacher. Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002). School student records are *per se* prohibited from disclosure; a district is under no obligation to redact them. Chicago Tribune Co. v. Chicago Bd. of Educ., 332 Ill.App.3d 60 (1st Dist. 2002).

[3] 20 U.S.C. §1232g(a)(4); 34 C.F.R. §99.3; 105 ILCS 10/2(d); 705 ILCS 405/1-7 and 5-905; 23 Ill.Admin.Code §375.10. Rather than listing the exceptions in the policy, a school board may choose to end the sentence after the proviso "except as provided in State or federal law."

[4] For a helpful resource, see f/n 1 in sample policy 7:150, *Agency and* ~~*Police Interviews*~~ *Law Enforcement Requests*.

[5] For an explanation, see footnotes in sample policy 7:220, *Bus Conduct*.

[6] Many lawyers believe that once these records are received by a school, they are protected as *education records* under FERPA. Consult the board attorney for advice.

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inspect, copy[7], and/or challenge school student records.[8] The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child.[9] The District may release directory information as permitted by law, but a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child.[10] The District

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[7] 105 ILCS 10/5(a). ISSRA does not give DCFS representatives the right to challenge student records. 105 ILCS 10/7. For more information about DCFS liaison qualifications and duties, see sample policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, at f/n 16.

105 ILCS 10/5(c) requires that a parent's or student's request to inspect and copy records be granted no later than 10 business days (previously 15 school days) after the date of receipt of such a request by the official records custodian.

105 ILCS 10/5(c-5) outlines how a school district may extend the 10-business day timeline for response by not more than five business days from the original due date if one or more of these six reasons applies:

1. The requested records are stored in whole or in part at other locations than the office having charge of the requested records;
2. The request required the collection of a substantial number of specified records;
3. The request is couched in categorical terms and requires an extensive search for the records responsive to it;
4. The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
5. The request for records cannot be complied with by the school district within the time limits prescribed by subsection (c) without unduly burdening or interfering with the operations of the school district; or
6. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or school district among two or more components of a public body or school district having a substantial interest in the determination or in the subject matter of the request.

The person making the request and the school district may also agree in writing to extend the timeline for compliance for a period to be determined by the parties. Id.

[8] 23 Ill.Admin.Code §375.10 provides that districts may, through board policy, allow scores received on college entrance examinations to be included on a student's academic transcript if that inclusion is requested in writing by a student, parent or person who enrolled the student. If the board of a unit or high school district wants to allow this, insert:

A student or the student's parent/guardian may request, in writing, that scores received on college entrance examinations be included on the student's academic transcript.

Note: Though 23 Ill.Admin.Code §375.10 uses the phrase "student, parent or person who enrolled the student," student records rights under ISSRA and FERPA attach to *eligible students* and their parents/guardians, not to "a person who enrolled the student" (though that person is typically a parent or guardian).

If a board allows for the inclusion of college entrance examination scores on academic transcripts, amend the district's notification to parents/guardians and students of their school student records rights with the process for requesting the inclusion. 23 Ill.Admin.Code §375.30(d)(5). See sample exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*, for an example.

[9] 23 Ill.Admin.Code §226.740(a).

[10] This sentence is required if the board allows schools to release student directory information. 20 U.S.C. §1232g; 23 Ill.Admin.Code §375.80; 34 C.F.R. §99.37. There is at least one instance in Illinois in which parents were upset that their school district released students' names and addresses pursuant to a Freedom of Information Act (FOIA) request. FOIA contains an exemption for home addresses. Many lawyers, however, say that a district must release student information pursuant to a FOIA request when each of the following has occurred: the FOIA request seeks information that is included in the district's definition of student directory information, the district notified parents that it releases directory information, and the parents did not opt out of allowing directory information to be released concerning their child. An opinion from the Ill. Public Access Counselor supports that a district may not rely on the FOIA exemption for home addresses. PAO 12-3.

This sample policy does not identify the components of *directory information*, leaving that task to implementing material. Boards may want to discuss this quagmire with the superintendent knowing that there are good reasons to release directory information, e.g., to allow the district to publish information about specific students, and good reasons to not release directory information, e.g., to avoid releasing names and addresses pursuant to a FOIA request.

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will comply with State or federal law with regard to release of a student's school records, including, where applicable, without notice to, or the consent of, the student's parent/guardian or eligible student.[11] Upon request, the District discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law. [12]

The Superintendent shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records. [13]

Student Biometric Information Collection [14]

The Superintendent or designee may recommend a student biometric information collection system solely for the purposes of identification and fraud prevention.[15] Such recommendation shall be consistent with budget requirements and in compliance with State law. Biometric information means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

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23 Ill.Admin.Code §375.80(a)(1) no longer includes *gender* as information which may be designated as directory information. This is consistent with attorneys' views that Illinois' past practice of including *gender* within directory information may have violated FERPA. FERPA regulations provide that directory information "means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed" and it "includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational agency or institution attended." 34 C.F.R. §99.3. Though FERPA regulations do not explicitly preclude the designation of *gender* as directory information, DOE guidance has consistently advised schools not to disclose a student's sex as directory information because it would be considered harmful or an invasion of privacy. See *Letter to Institutions of Postsecondary Education*, DOE Family Policy Compliance Office (September 2009). Consult the board attorney about the practical implementation of this issue. Some attorneys, for example, believe photos of the "Girls Volleyball Team" may contradict DOE guidance.

See sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*, at f/n 6, for a discussion about 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26, which prohibits districts from designating place of birth as *directory information*.

[11] 20 U.S.C. §1232g(j), as added by Sec. 507 of the U.S.A. Patriot Act of 2001.

[12] 34 C.F.R. §99.31; 105 ILCS 10/6, amended by P.A. 104-356, eff. 7-1-26.

[13] Each school must have an *official records custodian.* 105 ILCS 10/4(a). Districts must notify students and parents/guardians of their rights concerning school student records. 105 ILCS 10/3; 105 ILCS 10/4; 23 Ill.Admin.Code §375.30; 34 C.F.R. §99.7. Comprehensive faculty and student handbooks can provide required notices, along with other important information, to recipients. Handbooks can be developed by the building principal, but should be reviewed and approved by the superintendent and board. See sample exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*, and sample administrative procedure 7:340-AP1, *School Student Records*.

[14] This program is optional; however, districts either wishing to implement such a program or districts that have already engaged in the collection of student biometric information must have a policy consistent with the requirements of 105 ILCS 5/10-20.40. This section restates the School Code's requirements for a student biometric information policy.

[15] For districts already collecting biometric information, the following is an alternative:

The Superintendent or designee shall maintain a biometric screening program that is consistent with budget requirements and in compliance with State law.

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Before collecting student biometric information, the District shall obtain written permission from the person having legal custody/parental responsibility[16] or the student (if over the age of 18).[17] Upon a student's 18th birthday, the District shall obtain written permission from the student to collect student biometric information.[18] Failure to provide written consent to collect biometric information shall not be the basis for refusal of any services otherwise available to a student.

All collected biometric information shall be stored and transmitted in a manner that protects it from disclosure. Sale, lease, or other disclosure of biometric information to another person or entity is strictly prohibited. [19]

The District will discontinue use of a student's biometric information and destroy all collected biometric information within 30 days after: (1) the student graduates or withdraws from the School District, or (2) the District receives a written request to discontinue use of biometric information from the person having legal custody/parental responsibility of the student or the student (if over the age of 18).[20] Requests to discontinue using a student's biometric information shall be forwarded to the Superintendent or designee.

The Superintendent or designee shall develop procedures to implement this policy consistent with State and federal law. [21]

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[16] Several statutes define legal custody and when a court may grant it; the term requires statutory construction/interpretation and school boards should discuss this issue with their attorney prior to adopting a policy on collection of student biometric information.

105 ILCS 5/10-20.40(b)(1) states the definition of legal custody is the same as the definition of legal custody for purposes of residency, payment of tuition, hearings, and criminal penalties at 105 ILCS 5/10-20.12b(2)(i)-(v).

The IMDMA, 750 ILCS 5/, changed the terms *custody* and *visitation* to *parental responsibility* and *parenting time*, respectively. It also requires a *parenting plan* that allocates: (1) significant decision-making responsibilities; and (2) each parent's right to access his or her child's school records. The IMDMA does not amend ISSRA or the School Code.

[17] Based upon 105 ILCS 5/10-20.40, written permission is not required annually; it is valid until a request for discontinuation of the use of biometric information is received or until the student reaches the age of 18. See sample exhibit 7:340-AP1, E5, *Biometric Information Collection Authorization*.

[18] Districts must reissue exhibit 7:340-AP1, E5, *Biometric Information Collection Authorization* to students turning 18 years of age during the school year. This is because all rights and privileges accorded to a parent under ISSRA become exclusively those of the student upon his or her 18th birthday, graduation from secondary school, marriage, or entry into military service, whichever comes first. 105 ILCS 10/2(g).

[19] State law contains two exceptions: (1) the individual who has legal custody/parental responsibility of the student or the student (if over the age of 18) consents to the disclosure; and (2) the disclosure is required by court order. 105 ILCS 5/10-20.40(b)(5).

[20] 105 ILCS 5/10-20.40(d). No notification to or approval from the district's local records commission, pursuant to the Local Records Act, is required to destroy student biometric information. See f/n 16 for a discussion about the terms *custody* and *parental responsibility*.

[21] Whether the student biometric information is an education record under FERPA or falls under an exception to an education record under FERPA is an issue about which school boards should consult their board attorney. Protected Health Information under the DHS's interpretations of HIPAA excludes education records covered by FERPA, and thus HIPAA requirements are not expected to be triggered by districts collecting student biometric information. However, before implementing policies and procedures to collect student biometric information, a board should discuss these issues with the board attorney.

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LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
50 ILCS 205/7, Local Records Act.
105 ILCS 5/10-20.12b, 5/10-20.40, 5/14-1.01 et seq., and 5/26A-30.
105 ILCS 10/, Ill. School Student Records Act.
105 ILCS 85/, Student Online Personal Protection Act.
325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.
750 ILCS 5/602.11, Ill. Marriage and Dissolution of Marriage Act.
23 Ill.Admin.Code Parts 226 and 375.
Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).
Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

ADMIN. PROC.: 7:15-E (Notification to Parents of Family Privacy Rights), 7:255-AP1 (Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence), 7:340-AP1 (School Student Records), 7:340-AP1, E1 (Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records), 7:340-AP1, E3 (Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information), 7:340-AP1, E4 (Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information, 7:340-AP1, E5 (Biometric Information Collection Authorization), 7:340-AP2 (Storage and Destruction of School Student Records), 7:340-AP2, E1 (Letter Containing Schedule for Destruction of School Student Records)

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Community Relations

Visitors to and Conduct on School Property [1]

The following definitions apply to this policy:

School property - District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. [2]

Visitor - Any person other than an enrolled student or District employee.

All visitors to school property are required to report to the Building Principal's office and receive permission to remain on school property. All visitors must sign a visitors' log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge.[3] On those occasions when large groups of parents/guardians, friends, and/or community members are invited onto school property or when community members are attending Board meetings, visitors are not required to sign in but must follow school officials' instructions. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution. [4]

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the

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[1] State or federal law controls this policy's content. Boards may make and enforce reasonable rules of conduct and sportsmanship for school events and deny future admission to school events to violators for up to one year provided a notice and hearing are given. 105 ILCS 5/24-24. See f/n 20 below.

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

[2] School-sponsored or school-sanctioned events or activities aligns with the text of 105 ILCS 5/22-110, renumbered by P.A. 104-391~~7-23.7(a)~~.

[3] This sentence and the one preceding it should be customized to reflect local practices for visitors.

[4] This paragraph is up to the local board's discretion. Many public school buildings were built before school security was the concern it is now. A first step in creating a secure environment is to manage access to school buildings. Along with limiting the entrances that may be used, school officials should post signs with instructions for visitors and a warning to trespassers. Signs may be as simple as "Visitors Must Report to Office" and "No Trespassing – Violators will be Prosecuted." Applicable criminal trespass laws include: 720 ILCS 5/21-1 (criminal damage to property); 5/21-1.2 (institutional vandalism); 5/21-3 (criminal trespass to real property); 5/21-5 (criminal trespass to State supported land); 5/21-5.5 (criminal trespass to a safe school zone); 5/21-9 (criminal trespass to a place of public amusement); 5/21-11 (distributing or delivering written or printed solicitation on school property). This sample policy identifies board members as visitors.

The following optional provisions must be modified according to local conditions:

Option 1: The Superintendent or designee may post certain school facilities for the community's use on non-school days when they are not being used for school purposes.

Option 2: The Superintendent or designee shall manage a program to allow community use of the following facilities on non-school days, during the daylight, provided they are not being used for school purposes: tennis courts, playground, and track.

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appropriate building. Access shall be facilitated according to guidelines from the Superintendent or designee. [5]

The School District expects mutual respect, civility, and orderly conduct among all people on school property or at a school event. No person on school property or at a school event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, Board member, sports official or coach, or any other person. [6]
2. Behave in an unsportsmanlike manner, or use vulgar or obscene language.
3. Unless specifically permitted by State law, possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device. [7]
4. Damage or threaten to damage another's property. [8]
5. Damage or deface school property. [9]
6. Violate any Illinois law,[10] or town or county ordinance.
7. Smoke or otherwise use tobacco products. [11]

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[5] 105 ILCS 5/14-8.02(g-5). See sample administrative procedure 6:120-AP2, *Access to Classrooms and Personnel*, and sample exhibit 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.

[6] See e.g., 720 ILCS 5/12-2 (aggravated assault); 5/12-2(b)(9) (aggravated assault against a sports official or coach); 5/12-3.05(c) (aggravated battery on public property); 5/12-3.05(d)(3) (aggravated battery against a school employee); 5/12-9 (threats to public officials); 5/24-1.2 (discharge of a firearm).

[7] With one exception, a license to carry a firearm does not permit an individual to carry a concealed firearm on or into any building, real property, and/or parking area under the control of an elementary or secondary school, or any bus paid for in whole or part with public funds. 430 ILCS 66/65(a). The following optional provision adds that exception, which is a restatement of 430 ILCS 66/65(b), to the text in number 3:

> An individual licensed to carry a concealed firearm under the Illinois Firearm Concealed Carry Act is permitted to: (a) carry a concealed firearm within a vehicle into a parking area controlled by a school or the District and may store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area, and/or (b) carry a concealed firearm in the immediate area surrounding his or her vehicle in a parking area controlled by a school or the District for the limited purpose of storing or retrieving a firearm within the vehicle's trunk.

Other relevant weapons laws include 705 ILCS 405/5-407 (juvenile in possession of a firearm), 720 ILCS 5/24-9 (firearms; child protection); 720 ILCS 5/24-1(c) (unlawful use of weapons in schools); 720 ILCS 5/24-1.2, 5/24-3 (unlawful delivery or sale of a firearm near school); 705 ILCS 405/5-130, 405/5-805 (minor 15 years or older who commits aggravated battery with a firearm at school is tried as an adult).

720 ILCS 5/24-1(c)(3) states an exception to the criminal offense of unlawful possession of weapons where law enforcement officers or security officers of a school or students are "carrying or possessing firearms for use in training courses, parades, hunting, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded enclosed in a suitable case, box, or transportation package." Consult the board attorney about the presence of firearms on school property for use by school sports teams, such as trap and skeet teams.

[8] See e.g., 720 ILCS 5/2-19.5 (definition of school), 5/16-1 (theft), 5/18-1 (robbery; aggravated robbery), 5/19-1 (burglary), and 21-1 (criminal damage to property).

[9] See e.g., 720 ILCS 5/21-1.01 (criminal damage to government supported property), 21-1.2 (institutional vandalism), and 21-1.3 (criminal defacement of property).

[10] See e.g., 720 ILCS 5/11-9.3 (presence within school zone by child sex offenders prohibited), 5/11-14 (prostitution), and 5/11-18, amended by P.A. 103-1071, eff. 7-1-25 (patronizing a person engaged in the sex trade); 720 ILCS 5/21-11 (soliciting students to commit illegal acts).

[11] Required by 105 ILCS 5/10-20.5b and 410 ILCS 82/1 et seq. Federal law prohibits smoking inside schools (20 U.S.C. §7973); districts failing to comply with the federal no-smoking ban risk a civil penalty of up to $1000 per violation per day.

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8. Distribute, consume, use, possess, or be impaired by or under the influence of an alcoholic beverage, cannabis, other lawful product, or illegal drug. [12]
9. Be present when the person's alcoholic beverage, cannabis, other lawful product, or illegal drug consumption is detectible, regardless of when and/or where the use occurred. [13]
10. Use or possess medical cannabis, unless he or she has complied with policy 7:270, *Administering Medicines to Students*, implementing *Ashley's Law*. [14]
11. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner). [15]
12. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board.
13. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive. [16]
14. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding. [17]
15. Violate other District policies or regulations, or a directive from an authorized security officer or District employee.
16. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a School function.

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[12] See 720 ILCS 570/407 (delivery of controlled substance on or within 1000 feet of a school) and 410 ILCS 705/ (Cannabis Regulation and Tax Act). See also the discussion in f/ns 5 and 6 of sample policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*; this statement must be consistent with employee working conditions and employee conduct standards (see sample administrative procedure 5:120-AP2, *Employee Conduct Standards*).

[13] Each board and superintendent may want to engage in a conversation regarding how the district might partner with local law enforcement to enforce this policy and the penalties available under the Cannabis Regulation and Tax Act, e.g., posting signs barring community members from bringing in weapons, alcohol, cannabis, tobacco, etc. Signage reminding visitors of the policy may make it easier for staff and/or local law enforcement to enforce.

[14] Managing cannabis on district property and the school setting presents many unsettled and complex legal issues. To legally use medical cannabis in Illinois, an individual must first become a *registered qualifying patient*. The use of cannabis by a *registered qualifying patient* is permitted only in accordance with the Compassionate Use of Medical Cannabis Program Act (Medical Cannabis Program Act (MCPA)). 410 ILCS 130/. There are many situations in which no one, even a *registered qualifying patient*, may possess or use cannabis, including (a) in a school bus, (b) on the grounds of any preschool or primary or secondary school, or (c) in close physical proximity to anyone under the age of 18 years of age. 410 ILCS 130/30(a)(2), (3), and (4). However, *Ashley's Law*, 105 ILCS 5/22-33(b) and (g), allows parents/guardians and other *designated caregivers* to administer medical cannabis infused products to students who are *registered qualifying patients* at school or on the school bus, and requires school boards to adopt a policy to implement the law unless the district would lose federal funding. See sample policy 7:270, *Administering Medicines to Students* and its f/n 22.

Remember that *Ashley's Law* requires the designated caregiver to remove the product from the school premises or the school bus after administering it to the student, so as a result, sample policy 7:270, *Administering Medicines to Students*, requires immediate removal of medical cannabis infused products after administering them to the student (see f/n 27 of that policy for further discussions).

[15] See e.g., 720 ILCS 5/21.2-1 et seq. (interference with a public institution of education).

[16] See e.g., 625 ILCS 5/11-605 (special speed limit zones). 625 ILCS 5/12-610.1(e) prohibits wireless telephone use while operating a motor vehicle on a roadway in a school speed zone except for emergency purposes. 625 ILCS 5/12-803(f), added by P.A. 103-404, prohibits motor vehicle drivers from making contact with any portion of a stopped school bus or making contact with a school child within 30 feet of the school bus.

[17] The pivotal question in a negligence case is whether the defendant acted reasonably. A ban on rollerblading demonstrates that the district took reasonable steps to reduce the risk of injury.

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Convicted Child Sex Offender [18]

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender is:

1. A parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. Has permission to be present from the Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee who is a licensed~~certified~~ employee, shall supervise a child sex offender whenever the offender is in a child's vicinity.

Exclusive Bargaining Representative Agent [19]

Upon notifying the Building Principal's office, authorized agents of an exclusive bargaining representative will be provided reasonable access to employees in the bargaining unit they represent in accordance with State law. Such access shall be conducted in a manner that will not impede the normal operations of the District.

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[18] 720 ILCS 5/11-9.3(a). The definition of *child sex offender* is found at 720 ILCS 11-9.3(d), amended by P.A.s 103-1071 and 104-245, ~~eff. 7-1-25~~. The statute assigns the child sex offender the "duty to remain under the direct supervision of a school official." In order to ensure this happens and to protect students, the sample policy requires the superintendent, or designee who is a certified employee, to supervise a child sex offender whenever the offender is in a child's vicinity. See also the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75 - 154/105); sample policy 4:170, *Safety*; and sample administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*.

[19] 105 ILCS 5/24-25; 115 ILCS 5/3(c). If a provision contained in a collective bargaining agreement addresses this issue, it will supersede this policy for those covered employees. In such cases, the board policy should be amended to state, "Please refer to the applicable collective bargaining agreement." For employees whose collective bargaining agreement does not address this subject, the policy should reflect the board's current practice. Consult the board attorney about this subhead. It is an item on which collective bargaining may be required. Any policy that impacts wages, hours, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Amend the language to reflect what is recommended by the board attorney.

The School Code permits bargaining representatives to meet with employees during *duty-free time* upon notice to the school office. The Ill. Educational Labor Relations Act expanded the rights of access by bargaining representatives to also include meeting with employees during the employee work day if the meeting: (1) is to investigate and discuss grievances and workplace-related complaints (no time limit is specified) or (2) is with a newly hired employee within the first two weeks of employment (or on a later date if mutually agreed upon by the employee and bargaining representative) for one hour or less. In those circumstances, the district may not dock employee pay or charge leave time. 115 ILCS 5/3(c). However, the access must be *reasonable* and "shall at all times be conducted in a manner so as not to impede normal operations." Id. Consult the board attorney for guidance regarding specific requests and whether, if granted, they would impede normal operations, e.g., requests for access to staff while they are performing instructional or supervisory duties. Determining whether normal operations are impeded will likely depend upon the position and duties of the employee in the district.

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Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act.[20] The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from or denied admission to school property in accordance with State law.[21] The person also may be subject to being denied admission to school athletic or extracurricular events for up to one calendar year in accordance with the procedures below. [22]

Procedures to Deny Future Admission to Athletic or Extracurricular School Events

Before any person may be denied admission to athletic or extracurricular school events, the person has a right to a hearing before the Board. The Superintendent may refuse the person admission pending such hearing. The Superintendent or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least ten days before the Board hearing date. The hearing notice must contain: [23]

1. The date, time, and place of the Board hearing;
2. A description of the prohibited conduct;
3. The proposed time period that admission to school events will be denied; and

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[20] 105 ILCS 5/24-25. Refusal to provide such information is a Class A misdemeanor.

[21] 105 ILCS 5/10-20.5 (rules), 5/10-22.10 (control and supervision of school houses and school grounds); 720 ILCS 5/21-3 (criminal trespass to real property), 5/21-5 (criminal trespass to State supported land), 5/21-5.5 (criminal trespass to a safe school zone). See f/n 3, above.

[22] See Nuding v. Cerro Gordo Comm. Unit Sch. Dist., 313 Ill. App.3d 344 (4th Dist. 2000) (board was authorized to ban parent from attending all school events and extracurricular activities by 105 ILCS 5/24-24 and to enforce conduct rules at its meetings by 105 ILCS 5/10-20.5; the ban was based on the parent's exposing a toy gun and a pocketknife at a board meeting); Jordan ex rel. Edwards v. O'Fallon Tp. High Sch. Dist., 302 Ill.App.3d 1070 (5th Dist. 1999) (105 ILCS 5/24-24 did not give a high school athlete the right, under the due process clause, to a notice and hearing before he could be suspended from participating in interscholastic athletics; the statute expands the schools' authority to ban people from attending school events for breaching conduct and sportsmanship code).

[23] 105 ILCS 5/24-24. If a violator is a student, the hearing should be held in a closed meeting. 5 ILCS 120/2(c)(9). Otherwise, a hearing regarding denial of admission to *school events or property* pursuant to 105 ILCS 5/24-24, may take place in an open meeting or in a closed meeting so long as the board prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4.5), added by P.A. 103-311. Note: while 5 ILCS 120/2(c)(4.5), added by P.A. 103-311, refers to *school events or property*, 105 ILCS 5/24-24, only authorizes boards to deny admission to athletic and extracurricular *events*. The term *events* is arguably broader than *property* as school events may take place offsite; consult the board attorney for guidance.

Some boards prefer an open meeting hearing to make it publicly known what alleged conduct could result in someone being denied admission to athletic or extracurricular events, while others prefer a closed meeting hearing so as not to provide a public platform to someone alleged to have engaged in prohibited conduct. Consult the board attorney to determine the best approach for the district and to ensure alignment with local practices and conditions.

This text aligns with 105 ILCS 5/24-24, and only requires a hearing for denying admission to *school events*. The court in Nuding (see f/n 20, above) did not specifically answer whether a board meeting qualified as a *school event* under 105 ILCS 5/24-24, but it upheld the board's right to enforce conduct rules at its meetings under 105 ILCS 5/10-20.5.

Consult the board attorney if the district would like to deny an individual admission to board meetings. This issue involves a balancing of a board's interest in the orderly transaction of its public business and the efficiency of its meetings against an individual's: (a) statutory rights to attend meetings and/or comment to and ask questions of the board (105 ILCS 5/10-16 and 5 ILCS 120/2.06(g)), and (b) constitutional freedoms and rights of speech, the press, assembly, and to petition the government (U.S. Constitution, First Amendment and Ill. Constitution, Art. I, §§ 1, 2, 4, and 5).

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4. Instructions on how to waive a hearing. [24]

LEGAL REF.: 20 U.S.C. §7971 et seq., Pro-Children Act of 2001.
Nuding v. Cerro Gordo Community Unit School Dist., 313 Ill. App.3d 344 (4th Dist. 2000).
105 ILCS 5/10-20.5, 10-20.5b, 5/10-22.10, 5/22-33, 5/22-110, and 5/24-25~~, and 5/27-23.7(a)~~.
115 ILCS 5/3(c), Ill. Educational Labor Relations Act.
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 705/, Cannabis Tax and Regulation Act.
430 ILCS 66/, Firearm Concealed Carry Act.
720 ILCS 5/11-9.3, 5/21-1, 5/21-1.2, 5/21-3, 5/21-5, 5/21-5.5, 5/21-9, and 5/21-11.

CROSS REF.: 2:200 (Types of School Board Meetings), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Behavior), 7:270 (Administering Medicines to Students), 8:20 (Community Use of School Facilities)

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[24] The hearing requirement is for the violator's benefit and, consequently, the violator should be able to waive it.

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Community Relations

Relations with Other Organizations and Agencies

The District shall cooperate with other organizations and agencies, including but not limited to:

- County Health Department
- Law enforcement agencies [1]
- Fire authorities
- Planning authorities
- Zoning authorities [2]
- Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense [3]
- Other school districts

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and ~~Police Interviews~~Law Enforcement Requests)

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[1] A number of sample materials address interactions between schools and law enforcement. See e.g., sample policies 4:170, *Safety* and 7:150, *Agency and Law Enforcement Requests;* sample administrative procedures 4:170-AP1, *Comprehensive Safety and Security Plan* and 7:190-AP3, *Guidelines for Reciprocal Reporting of Offenses Committed by Students;* and sample exhibits 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security* and 7:190-E3, *Memorandum of Understanding*.

[2] 105 ILCS 5/10-22.13a, and Gruba v. Cmty. High Sch. Dist. 155, 40 N.E.3d 1 (Ill. 2015) (holding school districts are subject to, and school boards must comply with, local government zoning and storm water restrictions, i.e., a city's zoning powers). See also 55 ILCS 5/5-12021; 60 ILCS 1/110-70; and 65 ILCS 5/11-13-27 (outlining specific zoning provisions related to public schools, including requirements for counties, townships, and municipalities to refrain from regulating educational activities and make reasonable efforts to streamline zoning application and review process for public school districts, along with reducing fees and costs).

[3] 105 ILCS 5/10-22.35.

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School Board

Administrative Procedure - Superintendent Committees

The Superintendent or designee creates Superintendent or administrative committees as deemed necessary, makes all appointments, and directs all activities. A Superintendent or administrative committee reports directly to the Superintendent or designated administrator who directs its activities. The Superintendent or designee should consult the Board Attorney (a) concerning whether any of these committees must comply with the Open Meetings Act (OMA), and/or (b) to receive guidance for ensuring that the meetings either comply with OMA requirements or do not trigger OMA.[1] Unless otherwise indicated, the listed Superintendent or administrative committees are optional.

Communicable and Chronic Infectious Disease Program Task Force

This task force assists in the development and review of a chronic and infectious disease program consistent with the District's policies and State and federal laws and regulations, and reports directly to the Superintendent or designee. Appointments are made to the task force only if the Superintendent or designee determines that its input is desirable. See Board policies 5:40, *Communicable and Chronic Infectious Disease* (addressing personnel); and 7:280, *Communicable and Chronic Infectious Disease* (addressing students).

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

Communicable and Chronic Infectious Disease Review Team

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

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

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[1] Superintendent and administrative committees are generally not governed by the Open Meetings Act (OMA), but the operation and function of specific committees may make the Act applicable. For example, any committee, whether superintendent or board, having as members at least a majority of the quorum (three out of seven) of the board, will be subject to OMA. 5 ILCS 120/1.02. For a five-member board, OMA is applicable when a quorum of board members (three out of five) sit on a committee. Id. Other factors that determine whether a committee is governed by OMA include "who appoints the members of the entity, the formality of their appointment, and whether they are paid for their tenure; the entity's assigned duties, including duties reflected in the entity's by-laws or authorizing statute; whether its role is solely advisory or whether it also has a deliberative or investigative function; whether the entity is subject to government control or otherwise accountable to any public body; whether the group has a budget; its place within the larger organization or institution of which it is a part; and the impact of decisions or recommendations that the group makes." Univ. Prof'ls v. Stukel, 344 Ill.App.3d 856, 865 (1st Dist. 2003).

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Team members may include the District's medical advisor, a school nurse, the Building Principal, and the Superintendent or designee. [2]

The review team is guided by the Board's policies, Ill. Dept. of Public Health (IDPH) rules and regulations, and all other applicable State and federal laws. It reports directly to the Superintendent or designee. See also Board policies 5:40, *Communicable and Chronic Infectious Disease*; and 7:280, *Communicable and Chronic Infectious Disease*. The review team consults the employee's or the student's personal physician and local health department officials before making any recommendations.

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

Anaphylaxis Prevention, Response, and Management Committee

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

Committee members may include District-level administrators, Building Principals, the District Safety Coordinator (see administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, **Part C, District Safety Coordinator and Safety Team; Responsibilities**), District 504 Coordinator (see exhibit 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*), staff members, parents/guardians, community members, and students.

Employee Substance Abuse Prevention Committee

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

1. Cooperates with community and State agencies on substance abuse programs.
2. Gathers information about substance abuse and suggests methods to disseminate it to employees.
3. Develops a support network that encourages employees to self-refer for treatment and suggests procedures for early identification and treatment.
4. Recommends procedures that would protect the privacy of employees while taking into consideration any directives from the Board to the Superintendent regarding the District's obligation to provide a safe environment and to ensure high-quality performance, which may include but not be limited to:
    a. Securing training for designated district employees to educate them to identify symptoms of being impaired by or under the influence of substances prohibited by policy. For guidance about what impaired by or under the influence of means, see:
        i. Footnote numbers five and six in Board policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*;

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[2] The team members listed align with prior joint guidance of the Ill. State Board of Education (ISBE) and the Ill. Dept. of Public Health. See https://wordpress.uchospitals.edu/infectionprevention/files/2011/05/IDPH-Chronic-ID-in-schoolchildren.pdf.

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ii. 625 ILCS 5/11-501.2 and 5/11-501.9, (chemical and other tests, validity, etc., a/k/a *field sobriety tests*);
iii. 410 ILCS 705/10-50(d) ("An employer may consider an employee to be impaired or under the influence of cannabis if the employer has a *good faith belief* that an employee manifests specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others.") (**Note:** Consult the Board Attorney about identifying cannabis use); and
iv. Professional development opportunities in the area, e.g., local law enforcement agencies may be a place to begin.

b. Implementing a reasonable suspicion and/or drug testing[3] program(s) to enhance the District's ability to identify and discipline employees suspected of being impaired by and/or under the influence of prohibited substances. **Note:** Consult the Board Attorney before implementing any drug-testing program(s) or disciplining employees based upon the results of these programs. Drug testing will likely assist the District with the challenges of identifying cannabis-related issues, but the science behind impairment identification and behavioral testing for cannabis impairment is new and emerging.
c. Addressing expectations for employees in positions of leadership who are perpetually on call[4] due to the nature of their positions and responsibilities.
d. Holding licensed educators to a higher standard than non-licensed employees due to their professional code of conduct expectations.
e. Holding employees working directly with students to a higher standard than employees not working directly with students.
f. Recommends a method to explicitly inform employees of the consequences of violating the District's policy.
g. Recommends best practices for discipline of employees who are suspected of violating or are violating the District's policy. [5]

Committee members may include the Superintendent or designee, the District's medical advisor/medical review officer, and employee representatives from both professional and educational

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[3] The best practice for ensuring the strongest defense when disciplining an employee for undertaking tasks while being impaired by and/or under the influence of prohibited substances is a confirmed, positive drug test used in combination with reasonable suspicion of impairment. Drug testing may be cost prohibitive and disruptive for school districts while also presenting several other legal considerations, including possible collective bargaining implications upon request by the employee representative. For example, while the Americans with Disabilities Act allows the results of such tests to be used as the basis for disciplinary action (42 U.S.C. §12114; 29 C.F.R. §1630.16(c)), drug tests may still violate other laws, e.g., Title VI and the Rehabilitation Act (42 U.S.C. §2000e et seq.; and 29 U.S.C. §701 et seq.). Identifying and disciplining employees for cannabis use on a drug test alone may present a unique set of challenges because cannabis can remain in a person's system for weeks.

[4] See f/n 3 of sample policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*.

[5] Consult the board attorney regarding any disciplinary action explored for employees based solely on a positive cannabis test result. Employee discipline is an item on which collective bargaining may be required.

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support personnel. The committee is guided by Board policies, administrative procedures, and relevant State and federal statutes. See Board policies 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest;* and administrative procedure 5:120-AP2, *Employee Conduct Standards*.

Pandemic Planning Team

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

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

Sex Equity Committee

This committee supports the District's efforts to eliminate sexual harassment by advising the Superintendent or designee on prevention, intervention, and education. Committee members may include community representatives, District administrators, teachers, and students. See 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*; and 7:185, *Teen Dating Violence Prohibited*.

School Violence Prevention Team

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

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

All Building Principals or their designees must serve on this team.[6] Other team members may include the District Safety Coordinator (see administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, **Part C, District Safety Coordinator and Safety Team; Responsibilities**), law enforcement representatives, the Board Attorney, District psychologist(s), mental health workers and/or social service agencies, faith leaders, community members, and students. The team reports directly to the Superintendent or designee.

Transitional Bilingual Education (TBE) Programs Parent Advisory Committee [7]

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

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[6] Including building principals on this team aligns with sample administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program*, which provides that "Building Principals are mandatory for successful implementation" of a Targeted School Violence Prevention Plan.

[7] 105 ILCS 5/14C-10.

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

All Building Principals or their designees serve on this team.[8] Other committee members must include parents/guardians of students enrolled in the District's TBE program(s), transitional bilingual education teachers, counselors, and representatives from community groups. A majority of the committee members (or if the District has multiple committees, each committee) must be parents/guardians of students enrolled in the District's TBE program(s). [9]

This committee must elect officers, establish internal rules, guidelines, and procedures.[10] It reports directly to the Superintendent or designee.

Title I Parent Advisory Committee

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

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

Committee members include parents/guardians and family members of Title I children.[11] It reports directly to the Superintendent or designee.

PERA (Performance Educational Reform Act) Joint Committee and the RIF (Reduction in Force) Joint Committee [12]

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

1. **PERA joint committee**. ~~This mandatory committee develops a plan for incorporating data and indicators of student growth into the evaluation plan.~~ The joint committee is "composed of equal representation selected by the district and its teachers, or where applicable, the exclusive bargaining representative of its teachers." 105 ILCS 5/24A-4(b-5), added by P.A. 104-20. This committee may, but is not required to, incorporate data and indicators on student growth as a

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[8] Optional. If building principals do not serve on this committee and the district deletes this sentence, amend the next sentence's introductory words as follows: "~~Other c~~Committee members must include …".

[9] 105 ILCS 5/14C-10.

[10] Id.

[11] Inclusion of parents/guardians and family members of Title I children on this committee aligns with 20 U.S.C. §6318(a)(2)(A), which requires a district to involve them in the joint development of a district's plan to help low-achieving children meet challenging achievement and academic standards, and in the development of comprehensive and targeted support and improvement plans.

[12] These committees are not subject to OMA. 105 ILCS 5/24A-4(b) and 105 ILCS 5/24-12(c).

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factor in rating teaching performance in the teacher evaluation plan. Id. ~~If, within 180 calendar days of the committee's first meeting, the committee does not reach an agreement on the plan, the District must implement ISBE's model evaluation plan with respect to the use of data and indicators on student growth.~~ The amendment of an evaluation plan continues to be a mandatory subject of bargaining. This committee also agrees to the panel of qualified evaluators that reviews appeals of unsatisfactory performance ratings and determines the criteria for successful appeals.[13] 105 ILCS 5/24A-5.5. This committee must also: (a) establish a teacher evaluation plan that ensures that each tenured teacher whose performance is rated as either excellent or proficient is evaluated at least once in the course of the three school years after receipt of the rating, and (b) implement an informal teacher observation plan established by ISBE rule and by agreement of this committee to ensure that each tenured teacher in this category is ~~at least~~ informally observed at least once in the course of the two school years after receipt of the excellent or proficient rating. 105 ILCS 5/24A-5.

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

Concussion Oversight Team [14]

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

Wellness Committee [15]

The Wellness Committee includes at least one representative from each of the following groups: parents, students, representatives of the school food authority, teachers of physical education, school

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[13] The PERA joint committee does not determine what rating will be issued to replace an unsatisfactory rating in the event of a successful appeal; that issue must be collectively bargained. 105 ILCS 5/24A-5.5.

[14] 105 ILCS 5/22-80(d).

[15] Establishing a wellness committee is optional; if established, it should be listed here, or delete it if the board has not directed the superintendent to convene a wellness committee in policy 6:50, *School Wellness*. See f/n 27 in sample policy 6:50, *School Wellness*. The preamble to 7 C.F.R. §210.31(d)(1) suggests one method to comply with the rules is by: "identifying individuals" to serve on a "local school wellness policy committee." However, the final text of 7 C.F.R. §210.31(d)(1) does not specifically require districts to establish a local school wellness policy committee – only that they "permit [groups listed in the procedure above] to participate … ." .

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DRAFT

health professionals, a member of the Board,[16] school administrators,[17] and members of the community. Individuals of this committee will participate in the development, implementation, periodic reviews, and updates of Board policy 6:50, *School Wellness*. 7 C.F.R. §210.31(d)(1).

Children's Advocacy Center Communication Committee [18]

This committee supports the implementation of the Alleged Incidents of Sexual Abuse; Investigations subhead of Board policy 5:90, *Abused and Neglected Child Reporting*. It includes the District Nondiscrimination Coordinator, District Safety Coordinator, and at least one representative from each of the following groups: District-level administrators, Building Principals, school personnel, and employees from the accredited Children's Advocacy Center (CAC) that serves the District. The CAC Communication Committee reports directly to the Superintendent or designee. See Board policy 5:90, *Abused and Neglected Child Reporting*, and administrative procedure 5:90-AP1, *Coordination with Children's Advocacy Center*.

Educational Technology Committee [19]

This committee supports the following functions:

1. Implementation of Board policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*. Committee members may include the Head of Information Technology, District-level administrators, Building Principals, and teachers. See administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*.
2. The District's submission of an annual report to ISBE regarding educational technology capacities and policies. [20]
3. Developing, monitoring, and updating the District's Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines for the use of AI. [21]

DRAFT

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[16] See f/n 1 above. As much of the work of developing a plan to involve local stakeholders is administrative/staff work rather than governance work, the best practice is to have a wellness committee be an administrative committee, but consult the board attorney for guidance about the application of OMA when three or more board members serve on this committee.

[17] If a board wants to comply with the U.S. Dept. of Agriculture's encouragement to include Supplemental Nutrition Assistance Program Education (SNAP-ED) coordinators or educators in the group to provide input about the wellness policy, insert: "Supplemental Nutrition Assistance Program Education (SNAP-ED) coordinators, educators," immediately before: ", and members of the community."

[18] Establishing a Children's Advocacy Center (CAC) communication committee is optional and only applies to school districts within a county served by an accredited CAC. See f/n 13 in sample policy 5:90, *Abused and Neglected Child Reporting*, and sample administrative procedure 5:90-AP1, *Coordination with Children's Advocacy Center*.

[19] Establishing an Educational Technology Committee is optional. The Student Online Personal Protection Act (SOPPA), 105 ILCS 85/, centralizes decision making about what K-12 online sites, services, and applications will be used in schools by requiring boards to adopt a policy for designating which district employees are authorized to enter into agreements with *operators* who collect personally identifiable information about students. See sample policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, and sample administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*.

[20] 105 ILCS 5/10-20.74. The sample policies that apply to this submission include, but are not limited to: 4:10, *Fiscal and Business Management*; 5:125, *Personal Technology and Social Media; Usage and Conduct*; 6:220, *Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct*; 6:230, *Library Media Program;* 6:235, *Access to Electronic Networks*; and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*.

[21] See sample administrative procedure 6:235-AP3, *Development of an Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines*. Delete Item #3 if a board has not adopted the optional **Use of Artificial Intelligence (AI)-Enabled Tools** subhead in policy 6:235, *Access to Electronic Networks*.

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Remote Learning Committee [22]

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

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

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

Time Out and Physical Restraint Oversight Team [23]

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

1. The District's plan, including school-specific considerations,[24] for reducing and eventually eliminating the use of isolated time out, time out, and physical restraint in accordance with the goals and benchmarks established by ISBE;[25] and
2. Procedures to implement the plan and make the plan available for review by parents/guardians.

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

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[22] Establishing this committee is optional. 105 ILCS 5/10-30, requires "the district to adopt a remote and blended remote learning day plan approved by the district superintendent" when certain emergency conditions exist that are related to the management of a public health emergency under the Ill. Emergency Management Act. See f/n 1 in sample administrative procedure 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)*. A committee can assist the superintendent to ensure all the statutory requirements for implementing, monitoring, and amending the plan are met.

[23] 105 ILCS 5/2-3.130(e) requires boards to create a Time Out and Physical Restraint Oversight Team. As this is administrative/staff work rather than governance work, the best practice is to have the team be an administrative committee but consult the board attorney for guidance.

[24] An *entity-specific plan* (district-specific plan) is required by 105 ILCS 5/2-3.130(e), amended by P.A. 103-175; however, final ISBE rules at 23 Ill.Admin.Code §1.285(k)(1)(B) go beyond the authority of the statute and require a *school district plan* that includes *school-specific recommendations*.

A plan is required unless a district can show that it: (1) has not used physical restraint, time out, and isolated time out (RTO) within the previous three years, (2) has adopted a policy prohibiting the use of RTO, and (3) enforces the policy. 105 ILCS 5/2-3.130(f); 23 Ill.Admin.Code §1.285(k)(1)(B). Consult the board attorney to determine if a team is required for a district; a team may still be required by law even if no plan is required.

The plan must include, but is not limited to, specific actions being taken by the school to: (1) reduce and eventually eliminate relying on RTO for behavioral interventions and develop noncoercive environments, (2) develop individualized student plans (separate from a student's individualized education program or 504 plan) that aim to prevent the use of RTO, (3) ensure that appropriate school personnel are fully informed of the student's history, including any history of physical or sexual abuse, and other relevant medical and mental health information, except that any disclosure of student information must be consistent with laws and rules governing student confidentiality and privacy rights, and (4) support a vision for cultural change that reinforces using the following in lieu of RTO: positive behavioral interventions and supports, effective ways to de-escalate situations, crisis intervention techniques, and debriefing meetings to reassess what occurred and why. 105 ILCS 5/2-3.130(e)(1)-(4).

[25] ISBE's initial goal is for a 25% reduction in the use of RTO over a 12-month period for students experiencing five-plus instances in a 30-day period. ISBE intends to periodically revise this goal in order to systemically reduce and eventually eliminate the use of RTO. See www.isbe.net/Pages/restraint-time-out.aspx for further information, including ISBE's *RTO Reduction Plan Directions and Checklist,* and *Reduction Plan Submittal Template*.

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School Board

Administrative Procedure – Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin

The District responds to all reports of alleged discrimination and harassment based on an individual's race, color, or national origin in violation of federal law, State law, and/or Board policy. Use this procedure and 2:260-AP1, *Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform Grievance Procedure, and Allegations of Misconduct*, to implement the District's response to reports of discrimination and harassment based on a student's, employee's, or community member's race, color, or national origin, as well as any related complaints of retaliation.

Training

Actor	Action
Superintendent or Designee	Ensures all District employees receive training 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. Uses the model training program developed by the Ill. Dept. of Human Rights (IDHR), available at: https://dhr.illinois.gov/training/racism-free-schools, or another training program that includes, at a minimum, the following (775 ILCS 5/5A-103(b), added by P.A. 103-472~~, eff. 8-1-24~~): 1. A primary focus on prevention of discrimination and harassment based on race, color, and national origin and retaliation; 2. An explanation of discrimination and harassment based on race, color, and national origin and an explanation of retaliation; 3. Examples of conduct that constitute discrimination and harassment based on race, color, and national origin and retaliation; 4. An explanation, with examples, of how patterns of conduct can, taken together over time, rise to the level of bullying, harassment, or discrimination; 5. An explanation of the difference between discrimination based on disparate treatment and discrimination based on disparate impact; 6. A summary of other classes that are protected from harassment and discrimination, and a statement that training intended to improve recognition of discrimination based on race, color, and national origin does not diminish protections under the law for other protected classes; 7. An explanation of the difference between harassment as defined under the Ill. Human Rights Act (IHRA) and bullying; 8. A summary of relevant federal and State statutory protections and remedies available to victims concerning discrimination and harassment based on race, color, and national origin, and retaliation, including, but not limited to, a summary of the IHRA's protections from discrimination, harassment and retaliation in the following

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Actor	Action
	contexts: (a) students toward other students; (b) teachers and other school employees toward students; (c) students toward teachers and other school employees; and (d) teachers and other school employees toward other teachers and other school employees. 9. Directions on how to contact the IDHR if a school fails to take corrective action to stop the harassment or discrimination; 10. A summary of responsibilities of schools in the prevention, investigation, and corrective measures of discrimination, harassment, and retaliation, including, but not limited to, explanation of responsibilities in the contexts listed in item #8, above; and 11. An explanation of the liability for discrimination, harassment, and retaliation under the IHRA. Directs all employees to submit documentation that they completed the training to their Building Principal or other designated administrator. Provides documentation of training compliance at the District to the Regional Office of Education upon request.
All District employees	Participate in training 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. Submit documentation verifying training compliance in accordance with instructions provided by the Superintendent or designee.

Reporting

Actor	Action
All District employees	Upon receiving a report of an allegation of discrimination or harassment based on race, color, or national origin, or any other conduct prohibited by Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*: 1. If applicable, immediately reports 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 forwards the report of the allegation of discrimination or harassment to the District's Nondiscrimination Coordinator or a Complaint Manager.

Investigation

Actor	Action
Nondiscrimination Coordinator or Complaint Manager	Follows the internal complaint process in policy 2:260, *Uniform Grievance Procedure*, and the guidelines in 2:260-AP1, *Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform*

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	Grievance Procedure, and Allegations of Misconduct. In addition, does the following: In the case of an anonymous report, investigates the allegation(s); however, in no case can an anonymous report be the sole basis of disciplinary action against a student or employee. 105 ILCS 5/22-95(c)(3) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. Assigns the Building Principal to investigate allegations of student misconduct, in accordance with this procedure. Permits any person who reports or is the victim of an incident of alleged discrimination, harassment, or retaliation to be accompanied by a support individual[1] of the person's choice when making a report. 105 ILCS 5/22-95(c)(2) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. If a support individual is accompanying a complainant, reminds the support individual that he or she: 1. May be present for emotional support of the complainant, but may not respond on the complainant's behalf, act as the complainant's advocate, or otherwise disrupt the interview. 2. Must abide by school rules for visitors, including Board policy 8:30, *Visitors to and Conduct on School Property*. 105 ILCS 5/22-95(c)(2) ~~(citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. 3. Is expected to maintain confidentiality. Informs the complainant that he/she is protected from retaliation and will not suffer adverse consequences as a result of the complaint or investigation. Explains the protection from retaliation does not mean the complainant is exempt from adverse consequences for conduct not related to the investigation. 105 ILCS 5/22-95(c)(6) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. When appropriate, offers the complainant the option to resolve allegations directly with the offender, but does not require or unduly influence the complainant to accept this option. 105 ILCS 5/22-95(c)(5) ~~(final citation pending)~~, added by P.A. 103-472~~, eff. 8-1-24~~. Based on the findings of the investigation, makes recommendations to the Superintendent regarding remedial interventions and/or disciplinary action. For employees, examples of possible remedial interventions include additional training and restorative justice practices. For students, examples of possible remedial interventions include behavior intervention supports, schedule alterations, assigned seating arrangements, and restorative justice practices.

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[1] The term *support individual* is not defined, but the law does not specifically grant the complainant the right to have an attorney present. Contact the board attorney if the complainant indicates he or she plans to bring an attorney to an investigatory interview.

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ADMIN PROC.: 2:260-AP1 (Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform Grievance Procedure, and Allegations of Misconduct)

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IASB POLICY REFERENCE MANUAL
TABLE OF CONTENTS
SECTION 4 - OPERATIONAL SERVICES

Fiscal and Business

4:10 Fiscal and Business Management

4:15 Identity Protection

4:15-AP1 Administrative Procedure — Protecting the Privacy of Social Security Numbers

4:15-AP2 Administrative Procedure — Treatment of Personally Identifiable Information Under Grant Awards

4:15-E1 Exhibit — Letter to Employees Regarding Protecting the Privacy of Social Security Numbers

4:15-E2 Exhibit — Statement of Purpose for Collecting Social Security Numbers

4:15-E3 Exhibit — Statement for Employee Manual or District Website Describing the District's Purpose for Collecting Social Security Numbers

4:20 Fund Balances

4:30 Revenue and Investments

4:40 Incurring Debt

4:40-AP Administrative Procedure — Preparing and Updating Disclosures

4:45 Insufficient Fund Checks and Debt Recovery

4:45-AP1 Administrative Procedure — Insufficient Fund Checks

4:45-AP2 Administrative Procedure — Local Debt Recovery Program Implementation Procedures

4:45-E1 Exhibit — Cover Page Documenting the Process to Seek Offset from the Illinois Office of the Comptroller (IOC)

4:45-E2 Exhibit — Notice of Claim and Intent to Seek Debt Recovery; Challenge; and Response to Challenge

4:50 Payment Procedures

4:50-E Exhibit — School District Payment Order

4:55 Use of Credit and Procurement Cards

DRAFT

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4:55-AP Administrative Procedure — Controls for the Use of District Credit and Procurement Cards

4:55-E Exhibit — Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards

4:60 Purchases and Contracts

4:60-AP1 Administrative Procedure — Purchases

4:60-AP2 Administrative Procedure — Third Party Non-Instructional Contracts

4:60-AP2, E Exhibit — Checklist for Third Party Non-Instructional Emergency Contracts

4:60-AP3 Administrative Procedure — Criminal History Records Check of Contractor Employees

4:60-AP4 Administrative Procedure — Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees

4:60-AP5 Administrative Procedure — Federal and State Award Procurement Procedures

4:60-AP5, E Exhibit — Internal Procedures for Procruement Transactions

4:60-E Exhibit — Notice to Contractors

4:70 Resource Conservation

4:70-AP Administrative Procedure — Resource Conservation

4:80 Accounting and Audits

4:80-AP1 Administrative Procedure — Checklist for Internal Controls

4:80-AP2 Administrative Procedure — Fraud, Waste, and Abuse Awareness Program

4:80-AP3 Adminstrative Procedure — Inventory Management for Federal and State Awards

4:90 Student Activity and Fiduciary Funds

4:100 Insurance Management

Operations

4:110 Transportation

4:110-AP1 Administrative Procedure — School Bus Post-Accident Checklist

DRAFT

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4:110-AP2 Administrative Procedure — Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments

4:110-AP3 Administrative Procedure — School Bus Safety Rules

4:110-E Exhibit — Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses

4:120 Food Services

4:120-AP Administrative Procedure — Food Services; Competitive Foods; Exemptions

4:130 Free and Reduced-Price Food Services

4:130-E Exhibit — Free and Reduced-Price Food Services; Meal Charge Notifications

4:140 Waiver of Student Fees

4:140-AP Administrative Procedure — Fines, Fees, and Charges - Waiver of Student Fees

4:140-E1 Exhibit — Application for Fee Waiver

4:140-E2 Exhibit — Application for Fee Waiver Based on Federal Free Meals Program

4:140-E3 Exhibit — Response to Application for Fee Waiver, Appeal, and Response to Appeal

4:140-E4 Exhibit — Resolution to Increase Driver Education Fees

4:150 Facility Management and Building Programs

4:160 Environmental Quality of Buildings and Grounds

4:160-AP Administrative Procedure — Environmental Quality of Buildings and Grounds

4:165 Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors

Safety and Security

4:170 Safety

4:170-AP1 Administrative Procedure — Comprehensive Safety and Security Plan

4:170-AP1, E1 Exhibit — Accident or Injury Form

4:170-AP1, E2 Exhibit — Memo to Staff Members Regarding Contacts by Media About a Crisis

DRAFT

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4:170-AP2 Administrative Procedure — Routine Communications Concerning Safety and Security

4:170-AP2, E1 Exhibit — Letter to Parents/Guardians Regarding Student Safety

4:170-AP2, E2 Exhibit — Letter to Parents/Guardians Regarding the Dangers of Underage Drinking

4:170-AP2, E3 Exhibit — Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers

4:170-AP2, E4 Exhibit — Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting

4:170-AP2, E5 Exhibit — Notice to Parents/Guardians of Lockdown Drill; Opt-out

4:170-AP2, E6 Exhibit — Letter to Parents/Guardians About Safe Firearm Storage

4:170-AP3 OPEN

4:170-AP4 Administrative Procedure — National Terrorism Advisory System

4:170-AP5 Administrative Procedure — Unsafe School Choice Option

4:170-AP6 Administrative Procedure — Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED

4:170-AP6, E1 Exhibit — School Staff AED Notification Letter

4:170-AP6, E2 Exhibit — Notification to Staff and Parents/Guardians of CPR and AED Video

4:170-AP7 OPEN

4:170-AP7, E1 OPEN

4:170-AP7, E2 OPEN

4:170-AP7, E3 OPEN

4:170-AP8 Administrative Procedure — Movable Soccer Goal Safety

4:175 Convicted Child Sex Offender; Screening; Notifications

4:175-AP1 Administrative Procedure — Criminal Offender Notification Laws; Screening

4:175-AP1, E1 Exhibit — Informing Parents/Guardians About Offender Community Notification Laws

DRAFT

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4:180 Pandemic Preparedness; Management; and Recovery

4:180-AP1 Administrative Procedure — School Action Steps for Pandemic Influenza or Other Virus/Disease

4:180-AP2 Administrative Procedure — Pandemic Influenza Surveillance and Reporting

4:190 Targeted School Violence Prevention Program

4:190-AP1 Administrative Procedure — Targeted School Violence Prevention Program

4:190-AP1, E1 Exhibit — Targeted School Violence Prevention Program Resources

4:190-AP2 Administrative Procedure — Threat Assessment Team (TAT)

4:190-AP2, E1 Exhibit — Principles of Threat Assessment

4:190-AP2, E2 Exhibit — Threat Assessment Documentation

4:190-AP2, E3 Exhibit — Threat Assessment Key Areas and Questions; Examples

4:190-AP2, E4 Exhibit — Responding to Types of Threats

4:190-AP2, E5 Exhibit — Threat Assessment Case Management Strategies

4:190-AP2, E6 Exhibit — Targeted School Violence Prevention and Threat Assessment Education

DRAFT

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Operational Services

Administrative Procedure - Third Party Non-Instructional Contracts

When completed, this procedure documents that the ~~requirements~~ conditions required by~~in~~ 105 ILCS 5/10-22.34c, amended by P.A. 104-393, eff. 7-1-26, have been fulfilled, thereby allowing the ~~School~~ Board to approve a contract for third party non-instructional services currently performed by any employee or bargaining unit member (such as, but not limited to, custodial services, student transportation, and school meal services). However, these conditions are not mandatory for the Board to enter into a contract, of no longer than three months in duration, with a third party for non-instructional services currently performed by an employee or bargaining unit member for the purpose of augmenting the current workforce in an emergency situation that threatens the safety or health of the District's students or staff, provided that the Board meets all ~~of its obligations under the Ill. Educational Labor Relations Act~~requirements under 105 ILCS 5/10-22.34c(b), amended by P.A. 104-393, eff. 7-1-26. For emergency contracts with third parties for non-instructional services, use administrative procedure 4:60-AP2, E, *Checklist for Third Party Non-Instructional Emergency Contracts*.

Name of proposed contractor: _____

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

_____

_____

Effective date of proposed contract: _____

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

☐ Any lay-off resulting from entering into the contract for third party non-instructional services will comply with the applicable collective bargaining agreement and/or Board policy 5:290, *Employment Terminations and Suspensions*.

☐ The proposed contract will not be entered into or become effective during the term of an applicable collective bargaining agreement covering any employees who perform the non-instructional services.

☐ The proposed contract will take effect upon or after the expiration of an existing collective bargaining agreement.

☐ The proposed contractor has submitted a bid that includes the following:

A. Evidence of liability insurance in scope and amount equivalent to the liability insurance provided by the Board pursuant to 105 ILCS 5/10-22.3;

B. A benefits package for the third party's employees who will perform the non-instructional services comparable to the benefits package provided to District employees who perform those services;

C. A list of the number of employees who will provide the non-instructional services, the job classifications of those employees, and the wages the proposed contractor will pay those employees;

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D. A minimum three-year cost projection, using generally accepted accounting principles, and which the proposed contractor is prohibited from increasing if the bid is accepted by the Board, for each and every expenditure category and account for performing the non-instructional services;

E. Composite information about the criminal and disciplinary records, including alcohol or other substance abuse, Ill. Dept. of Children and Family Services complaints and investigations, traffic violations, and license revocations or any other licensure problems, of any employees who may perform the non-instructional services, provided that the individual names and other identifying information of employees need not be provided with the submission of the bid, but must be made available upon request of the Board; and

F. An affidavit, notarized by the president or chief executive officer of the proposed contractor, that each of its employees has completed a criminal background check as required by 105 ILCS 5/10-21.9 within three months prior to submission of the bid, provided that the results of such background checks need not be provided with the submission of the bid, but must be made available upon request of the Board.

☐ The following is attached or otherwise available: a cost comparison, using generally accepted accounting principles, of each and every expenditure category and account that the District projects it would incur over the term of the contract if it continued to perform the non-instructional services using its own employees with each and every expenditure category and account that is projected the proposed contractor would incur if it performed the non-instructional services.

☐ The Board reviewed and considered all bids by third parties to perform the non-instructional services in open session of a regularly scheduled Board meeting, unless the exclusive bargaining representative of the employees who perform the non-instructional services, if any such exclusive bargaining representative exists, agreed in writing that such review and consideration could take place in open session at a specially scheduled Board meeting.

Date of Board meeting:_____

☐ Each of the following occurred:

1. A minimum of one public hearing, conducted by the Board prior to a regularly scheduled Board meeting, to discuss the proposed contract was held before the Board entered such contract.

   Date of hearing:_____

2. The Board provided notice to the public of the date, time, and location of the first public hearing on or before the initial date that bids to provide the non-instructional services are solicited or a minimum of 30 days prior to entering into such a contract, whichever provides a greater period of notice.

   Date and manner of notice (attach copy):_____

☐ The proposed contract contains provisions requiring the proposed contractor to offer available employee positions pursuant to the contract to qualified School District employees whose employment is terminated because of the contract.

☐ The proposed contract contains provisions requiring the proposed contractor to comply with a policy of nondiscrimination and equal employment opportunity for all persons and to take affirmative steps to provide equal opportunity for all persons.

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Operational Services

Exhibit - Checklist for Third Party Non-Instructional Emergency Contracts

Use this procedure to document that the requirements of 105 ILCS 5/10-22.34c(b), amended by P.A. 104-393, eff. 7-1-26, have been fulfilled, allowing the Board to approve an emergency contract for third party non-instructional services currently performed by any employee or bargaining unit member for the purpose of augmenting the current workforce in an emergency situation. **Consult with the Board Attorney before proceeding with an emergency contract.**

Name of proposed emergency contractor: _____

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

_____

_____

Effective date of proposed emergency contract:_____

☐ There is an *emergency situation*, meaning a sudden and unforeseen event or change in circumstances that would result in a near-term interruption of non-instructional services that calls for immediate action. Explain and attach any supporting documentation:_____

_____

_____

☐ The emergency threatens the safety or health of the District's students or staff. Explain and attach any supporting documentation:_____

_____

_____

☐ The proposed emergency contract is limited to three months' duration.

☐ The Board has met its obligations under the Illinois Educational Labor Relations Act (consult the Board Attorney).

The vacant positions used for augmenting the current workforce will be posted on:

☐ The District's website, in a manner that is easily accessible to the affected bargaining unit and the general public (attach copy once posted).

☐ All other platforms on which the District advertises its vacancies (e.g., online job portal, databases, social media sites) (attach copies once posted).

☐ The vacancy postings will remain active for the entirety of the emergency contract and any renewed emergency contract until it expires. Dates postings were maintained, once posted:

_____

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If the Board, for any reason, seeks to renew or enter into a new emergency contract (of any type) to augment the workforce for the same group of employees **two** times following the initial emergency contract, **one** of the following has occurred:[1]

☐ The Board conducted a minimum of one public hearing, prior to a regularly scheduled Board meeting, to discuss the proposed emergency contract before the Board renewed or entered such contract.

Date of hearing:_____

The Board provided notice to the public of the date, time, and location of the first public hearing on or before the initial date that bids to provide the non-instructional services are solicited or a minimum of 30 days prior to entering into such a contract, whichever provides a greater period of notice.

Date and manner of notice (attach copies):_____

OR

☐ The Board obtained mutual agreement with the affected bargaining unit, codified in a memorandum of understanding (MOU) that includes the development of a recruitment and retention plan. **Note:** The mutual agreement may not be used by the affected bargaining unit as a means to compel the Board to reopen the existing collective bargaining agreement. The recruitment and retention plan may also consider a timeline for the use of the third party, the rational for the use of the third party, a clear job description, a targeted advertising plan, comparable pay and benefits, and additional incentives (attach copy of MOU).

If the Board, for any reason, seeks to renew or enter into a new emergency contract (of any type) to augment the workforce for the same group of employees **three** times following the initial emergency contract: [2]

☐ The Board obtained mutual agreement with the affected bargaining unit, codified in a memorandum of understanding (MOU) that includes the development of a recruitment and retention plan. (attach copy of MOU).

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[1] The law does not specify that contract renewals or new contracts entered into after the initial emergency contract must be consecutive for these additional conditions to apply for the same emergency situation. Consult the board attorney for guidance on this issue.

[2] See f/n 1, above.

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Operational Services

Administrative Procedure - Resource Conservation [1]

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.

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[1] With the exception of activities listed under the **Solid Waste Reduction** subhead, these procedures restate State law. 105 ILCS 5/10-20.19c, amended by P.A. 104-391.

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

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

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

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

Solid Waste Reduction [2]

The Superintendent will appoint a team of interested individuals representing various District departments to:

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

The footnotes should be removed before the material is used.

[2] This section contains several of the many ways a district may comply with 105 ILCS 5/10-20.19c. State law requires the periodic review of procedures to reduce solid waste. The activities #1-6 listed in the last paragraph are ~~only ideas~~provided as examples and should be customized.

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

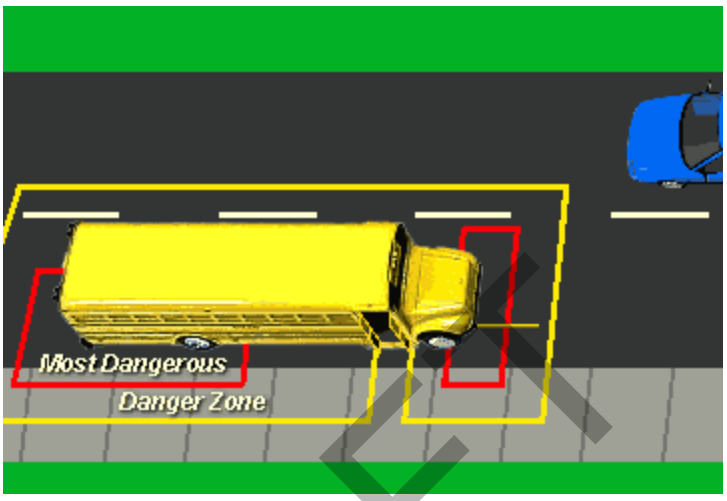
LEGAL REF.: 105 ILCS 5/10-20.19c.

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Operational Services

Administrative Procedure - School Bus Safety Rules [1]



The Building Principal shall distribute the following rules to all students. Those students not qualifying for school bus transportation to and from school should receive a copy because they may from time-to-time be transported to school activities by school bus.

1. Be aware of moving traffic and pay attention to your surroundings.
2. Dress properly for the weather. Make sure all drawstrings, ties, straps, etc. on all clothing, backpacks and other items, are shortened or removed to lessen the likelihood of them getting caught in bus doors, railings or aisles.
3. Arrive on time at the bus stop, and stay away from the street while waiting for the bus.
4. Stay away from the bus until it stops completely and the driver signals you to board. Enter in single file without pushing. Always use the handrail.
5. Take a seat right away and remain seated facing forward. Keep your hands, arms, and head inside the bus.
6. Talk quietly on the bus. No shouting or creating loud noises that may distract the driver. Tablets, computers, smart phones, smart watches, and other electronic devices must be silenced on the bus unless a student uses headphones.
7. Help keep the bus neat and clean. Keep belongings out of the aisle and away from emergency exits. Eating and drinking are not allowed on the bus.
8. Always listen to the driver's instructions. Be courteous to the driver and other students. Sit with your hands to yourself and avoid making noises that would distract the driver or bother other passengers.

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[1] 105 ILCS 5/10-20.14, amended by P.A. 103-896, requires each district's parent-teacher advisory committee, in cooperation with school bus personnel, to establish and maintain bus safety rules. The parent-teacher advisory committee's guidelines should be appropriate to the district, e.g., they should include instructions on seat belt use when buses are so equipped. However, instructions on seat belt use are not required by law. See 625 ILCS 5/12-826(b), added by P.A. 104-75.

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9. Wait until the bus pulls to a complete stop before standing up. Use the handrail when exiting the bus.
10. Stay out of the danger zone next to the bus where the driver may have difficulty seeing you. Take at least five giant steps (10 feet) away from the bus and out of the danger zone, until you can see the driver and the driver sees you. Never crawl under a bus.
11. If you must cross the street after you get off the bus, wait for the driver's signal and then cross in front of the bus. Cross the street only after checking both ways for traffic, even after the driver's signal.
12. Never run back to the bus, even if you dropped or forgot something.

Additional resources follow:

National Highway Traffic Safety Administration – **School Bus Safety**
https://one.nhtsa.gov/people/injury/buses/getting_to_school/schoolbus2.html

U.S. Department of Transportation – **School Bus Safety**

~~**Campaign Material**~~ www.trafficsafetymarketing.gov/get-materials/school-bus-safety~~/evergreen-campaign-material~~

National Safety Council – **Tips for a Safe Ride**

www.nsc.org/home-safety/tools-resources/seasonal-safety/back-to-school/bus

Ill. State Police – **School Bus Safety**

https://isp.illinois.gov/StaticFiles/docs/TrafficResources/5-542.pdf

Ill. State Board of Education – **School Bus Safety What Parents Should Know**

www.isbe.net/Documents/bus_safety_parents.pdf

Ill. State Board of Education – **Instructions To School Bus Riders**

www.isbe.net/Documents/bus_ride_instruct.pdf

Ill. State Board of Education – **School Bus Safety Guidance**

www.isbe.net/Documents/Bus-Safety-Guidance-June-2025.pdf

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Operational Services

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

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

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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, 102-805, and~~ 103-154 and 104-391. See f/n 7 in sample policy 4:140, *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*."

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

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[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.

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	Ensures that the person who decides the appeal is not the person who initially denied the waiver or a subordinate of this person. 23 Ill.Admin.Code §1.245(c)(3)(B). Responds in writing to parents/guardians' appeal within 30 calendar days of receipt of the appeal. 23 Ill.Admin.Code §1.245(c)(3)(B). Ensures that no discrimination, ~~or~~ punishment, or penalty of any kind, including the lowering of grades, exclusion from any curricular or extracurricular program~~classes~~, or withholding of student records, grades, transcripts, or diplomas, is exercised against a student whose parent(s)/guardian(s) are unable to ~~purchase required textbooks or instructional materials or to~~ pay any required fees ~~and~~or fines for the loss of school property. 105 ILCS 5/10-20.13(d), added by P.A. 104-391 ~~28-19.2(a), amended by P.A. 102-805~~; 23 Ill.Admin.Code §1.245(g). [3]

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[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.

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Operational Services

Administrative Procedure - Comprehensive Safety and Security Plan [1]

Contents:

A. Safety- and Security-Related Administrative Procedures and Forms
B. Definitions
C. District Safety Coordinator and Safety Team; Responsibilities
D. Safety Team Meetings
E. Annual Safety Review
F. School Safety Drill Plan
G. School Emergency Operations and Crisis Response Plan (SEOCRP)
H. Material to be Included in Each SEOCRP
I. Managing Communications During and About an Emergency or Crisis
J. Required Notices
K. Resources
Attachment A – School Emergency Operations and Crisis Response Plan Format
Attachment B – Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program

A. Safety and Security Related Administrative Procedures and Forms

Administrative material on school safety and security may be implemented under this plan, including, without limitation, any in the following list.

4:60-AP3	*Criminal History Records Check of Contractor Employees*
4:110-AP1	*School Bus Post-Accident Checklist*
4:110-AP3	*School Bus Safety Rules*
4:110-E	*Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses*
4:160-AP	*Environmental Quality of Buildings and Grounds*
4:170-AP1, E1	*Accident or Injury Form*
4:170-AP1, E2	*Memo to Staff Members Regarding Contacts by Media About a Crisis*
4:170-AP2	*Routine Communications Concerning Safety and Security*
4:170-AP2, E1	*Letter to Parents/Guardians Regarding Student Safety*
4:170-AP2, E2	*Letter to Parents/Guardians Regarding the Dangers of Underage*

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[1] This procedure follows the recommendations in the *Guide for Developing High-Quality School Emergency Operations Plans*, produced by a collaboration of federal agencies in 2013, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they are *required~~need~~* to do, not ~~*what*~~ *how* to do it. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

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	Drinking
4:170-AP2, E3	*Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers*
4:170-AP2, E4	*Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting*
4:170-AP2, E5	*Notice to Parents/Guardians of Lockdown Drill; Opt-out*
4:170-AP4	*National Terrorism Advisory System*
4:170-AP5	*Unsafe School Choice Option*
4:170-AP6	*Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*
4:170-AP6, E1	*School Staff AED Notification Letter*
4:170-AP6, E2	*Notification to Staff and Parents/Guardians of CPR and AED Video*
4:170-AP8	*Movable Soccer Goal Safety*
4:175-AP1	*Criminal Offender Notification Laws; Screening*
4:175-AP1, E1	*Informing Parents/Guardians About Offender Community Notification Laws*
4:180-AP1	*School Action Steps for Pandemic Influenza or Other Virus/Disease*
4:180-AP2	*Pandemic Influenza Surveillance and Reporting*
4:190	*Targeted School Violence Prevention Program*
4:190-AP1	*Targeted School Violence Prevention Program*
4:190-AP1, E1	*Targeted School Violence Prevention Program Resources*
4:190-AP2	*Threat Assessment Team (TAT)*
4:190-AP2, E1	*Principles of Threat Assessment*
4:190-AP2, E2	*Threat Assessment Documentation*
4:190-AP2, E3	*Threat Assessment Key Areas and Questions; Examples*
4:190-AP2, E4	*Responding to Types of Threats*
4:190-AP2, E5	*Threat Assessment Case Management Strategies*
4:190-AP2, E6	*Targeted School Violence Prevention and Threat Assessment Education*
6:235-E4	*Keeping Yourself and Your Kids Safe On Social Networks*
6:235-E5	*Children's Online Privacy Protection Act*
7:140-AP	*Use of Metal Detectors and Searches for Student Safety*
7:140-E	*Letter to Parents/Guardians Regarding the Right to Privacy in the*

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	School Setting Act
7:150-AP	*Agency and Law Enforcement Requests~~Police Interviews~~*
7:150-AP, E	*Managing Agency and Law Enforcement Requests*
7:280-AP	*Managing Students with Communicable or Infectious Diseases*
7:290-AP	*Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*

B. Definitions

SEOCRP is a School Emergency Operations and Crisis Response Plan[2] (formerly *Emergency Operations Plan*). Each school or facility has an SEOCRP.

First responders are local law enforcement, fire department officials, emergency medical services personnel, and any other entity in the community that provides emergency assistance.

Incident means any event or occurrence that threatens the safety and security of individuals on school property or at school events.

District Safety Coordinator is the individual who manages the District's safety and security efforts.

Safety Team is the Superintendent's administrative committee that is responsible for its respective SEOCRP. Each school or facility has a Safety Team.

SRO means school resource officer, defined as a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency. [3]

C. District Safety Coordinator and Safety Team; Responsibilities

The Superintendent appoints an administrator to be the **District Safety Coordinator** to manage the District's safety and security efforts and serve as the District's spokesperson during a crisis or emergency.

The Superintendent appoints members of a **Safety Team** for each school or facility, with input from the District Safety Coordinator and each school's Building Principal. The Building Principal and SRO, if any, shall be members of the Safety Team.

The District Safety Coordinator and each school's Safety Team are responsible for developing, implementing, and maintaining a **SEOCRP** with the following objectives as explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013),* at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

- **Prevention**, meaning the capabilities needed to avoid, deter, or stop an incident. Prevention requires the use of: (a) research-based principles of safety and security, (b) an ongoing analysis of data (e.g., incident and inspection reports, complaints, suggestions), and (c) an ongoing program for identifying and evaluating unreasonable risks.
- **Protection,** meaning the capabilities needed to secure schools against violence and manmade or natural disasters. Protection focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.

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[2] The term *emergency operations and crisis response plan* is used because federal agencies refer to school *emergency operations plans*, and the School Safety Drill Act (105 ILCS 128/) refers to *emergency and crisis response plans*.

[3] 105 ILCS 5/10-20.68, amended by P.A. 104-430.

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- **Mitigation,** meaning the capabilities needed to reduce the likelihood or impact of an incident or emergency. Mitigation requires, among other things, high-quality training, and instruction programs to execute and improve the SEOCRP.
- **Response**, meaning the capabilities needed to stabilize an incident, save lives, establish a safe and secure environment, and facilitate the transition to recovery. Effective response requires, among other things, a clear, rapid, factual, and coordinated system of internal and external communication.
- **Recovery,** meaning the capabilities needed to restore the learning environment.

D. Safety Team Meetings

The District Safety Coordinator chairs the Safety Team meetings. The meetings are held as determined by the District Safety Coordinator. **At least once annually, the Safety Team shall request the participation of first responders and the Board Attorney in a meeting to review and provide input.** The following matters are suggested agenda items:

- Review the agenda and determine who will take meeting notes.
- Review the notes from the previous meeting.
- Discuss the status of previously submitted recommendations.
- Receive, review, and discuss individual and Safety Team committee reports and recommendations concerning one or more items below.
    1. Safety and security data from incidents, investigations, audits, etc.
    2. Recommendations received from stakeholders and first responders
    3. Emerging issues
    4. Status of the SEOCRP
    5. Status of the safety and security communication system
    6. Status of training programs
    7. Status of programs to build awareness of, and support for, the SEOCRP (contests, posters, drives, etc.)
- Clarify information and recommendations for a report to the Superintendent.
- Confirm the Safety Team meeting schedule and review upcoming meeting dates.

E. Annual Safety Review

The District Safety Coordinator facilitates the annual safety review meeting conducted by the School Board or its designee, as required by 105 ILCS 128/25, amended by P.A.s ~~102-395 and~~ 103-608 and 104-344, eff. 1-1-26, ~~eff. 1-1-25,~~ and 128/30. During the annual safety review, the law requires the School Board or its designee to "review each school building's emergency and crisis response plans, protocols, and procedures, including procedures regarding the school ~~D~~district's threat assessment team, the school district's hazardous substance release procedures, procedures regarding the school ~~D~~district's cardiac emergency response plan, the efficacy and effects of law enforcement drills, and each building's compliance with the school safety drill programs." If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The District Safety Coordinator assists the Board or its designee to comply with annual review requirements, including without limitation, the completion of a report certifying that the review took place. See the Ill. State Board of Education (ISBE) website for an annual review checklist and report at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. The Open Meetings Act (OMA) allows the Board to enter

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closed session to discuss security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8). Consult the Board Attorney for assistance with this OMA exception.

F. School Safety Drill Plan

The School Safety Drill Act (105 ILCS 128/, amended by P.A.s ~~102-395, 102-791,~~ 103-104, 103-197, ~~and~~ 103-780, 104-198, eff. 1-1-26, and 104-344, eff. 1-1-26) and any implementing State administrative rules shall supersede this procedure in the event of a conflict.

The Building Principal shall keep the Superintendent or designee informed of when drills are scheduled and/or accomplished. ISBE's fillable *School Drill Documentation* form for documenting the completion of minimum drill requirements may be used (see www.isbe.net/Documents/91-02_school_drill_documentation.pdf).

Each academic year, each school building that houses students must conduct a minimum of:

1. **Three school evacuation drills.** These drills prepare students and personnel for situations that occur when conditions outside of a school building are safer than inside a school building. Evacuation may be necessary depending on the circumstances. They may include a fire, suspicious item or person, or incident involving a hazardous material, including but not limited to a chemical, incendiary, explosive, and bomb threat.

   One of the three school evacuation drills requires the participation of the appropriate local fire department, unless waived as provided below. A date is selected according to the following timeline:

   - No later than **September 1** of each year, the local fire department or fire district must contact the Building Principal in order to make arrangements.
   - No later than **September 14** of each year, the Building Principal or designee and the local fire department or fire district may agree to waive the provisions concerning participation by the local fire department in a school evacuation drill.
   - No later than **September 15** of each year, each Building Principal or designee must contact the responding local fire official and propose to the local fire official four dates within the month of October, during at least two different weeks of October, on which to hold the drill. The fire official may choose any of the four available dates, and if he or she does so, the drill occurs on that date.
   - Alternatively, the Building Principal or designee and the local fire official may, by mutual agreement, set any other date for the drill, including a date outside of the month of October.
   - If the fire official does not select one of the four offered dates in October or set another date by mutual agreement, the school does not need to include the local fire service in one of its mandatory school evacuation drills.

   After a drill in which the local fire service participated, the Building Principal should request certification from the local fire service that the school evacuation drill was conducted. Additional school evacuation drills for fire incidents may involve the participation of the appropriate local fire department. In addition, schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation, suspicious items or bomb threats.
2. **One school bus evacuation drill.** This drill prepares students and school personnel for situations that occur when conditions outside of the bus are safer than inside the bus.

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Evacuation may be necessary, depending on the circumstances, in the event of a fire, suspicious items, and incidents involving hazardous materials. Schools may conduct additional bus evacuation drills.

In addition, instruction on safe bus riding practices should be provided for all students. See administrative procedure 4:110-AP3, *School Bus Safety Rules*.

3. **One severe weather and shelter-in-place drill.** This drill prepares students for situations involving severe weather emergencies or the release of external gas or chemicals. Severe weather and shelter-in-place drills must address and prepare students and school personnel for possible tornado incidents. Other drills shall be based on the needs and environment of particular communities, including severe weather (such as tornadoes, wind shears, lightning, and earthquakes), incidents involving hazardous materials, and incidents involving weapons of mass destruction.

4. **One law enforcement lockdown drill.**[4] This drill addresses a school shooting incident and evaluates the preparedness of school personnel and students for situations calling for the involvement of law enforcement when there is an active threat or an active shooter within a school building. A law enforcement lockdown drill must occur no later than 90 days after the first day of each school year. This drill must be conducted: (a) according to the District's emergency operations and crisis response plan(s), (b) on days and times when students are normally present in the school building, and (c) with the participation of all school personnel and students present at school at the time of the drill, except for those exempted at the discretion of administrators or school support personnel. The appropriate local law enforcement agency must observe administration of the drill.

   Schools must notify parents/guardians in advance of any lockdown drill that involves student participation, and must allow parents/guardians to exempt their child from participating for any reason. The District may, at its discretion, exempt a student from participating in a lockdown drill. 105 ILCS 128/20(c)(4)~~, added by P.A. 102-395~~. When deciding whether to exempt a student, the District must include the student's individualized education program team or 504 plan team, if any, in the decision. 105 ILCS 128/20(c)(4), amended by P.A. 103-197. For students who do not participate in the lockdown drill, districts must provide alternative safety education and instruction related to an active threat or active shooter event. For students who do participate in the lockdown drill, districts must allow them to ask questions related to it. See exhibit 4:170-AP2, E5, *Notice to Parent/Guardian of Lockdown Drill; Opt-out*. In addition, a law enforcement lockdown drill must meet each of the following criteria:

   - During each calendar year, the appropriate local law enforcement agency contacts the Building Principal to request participation in the law enforcement lockdown drill. The Building Principal and the local law enforcement agency shall set, by mutual agreement, a date for the drill.
   - The lockdown drill involves the onsite participation of the local law enforcement agency, provided that an agreeable date can be reached between the Building Principal and the local law enforcement agency. If the parties cannot reach an

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[4] 105 ILCS 128/20(c)~~, amended by P.A. 102-395~~. While 105 ILCS 128/20(c) uses both *lockdown drill* and *walk-through lockdown drill*, the terms are synonymous. For brevity, this material uses the term *lockdown drill*.

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agreeable date, the school shall hold the drill without participation from the local law enforcement agency.

- After a drill in which local law enforcement participated, the Building Principal should request a certification from local law enforcement that the law enforcement lockdown drill was conducted. The local law enforcement agency shall also notify the school of any deficiencies noted during the drill.
- The lockdown drill cannot include any simulations that mimic an actual school shooting incident or active shooter event. Law enforcement may only run an active shooter simulation, including simulated gun fire drills, on school days when students are not present.
- All lockdown drills must be announced in advance to all school personnel and students prior to the commencement of the drill.
- Lockdown drill content must be age and developmentally appropriate, and must include trauma-informed approaches to address the concerns and well-being of school personnel.
- Lockdown drills must include and involve school personnel, including school-based mental health professionals.

The District Safety Coordinator, in cooperation with the Building Principal, shall encourage local law enforcement agencies to establish a school walk-through program. This program encourages local law enforcement officials to walk through school properties during their patrols with the goal of increasing security (school districts are encouraged, but not mandated, to do this by House Resolution 153 (98th General Assembly, 2013)).

The District must provide all substitute personnel with (1) training on school evacuation drills and law enforcement lockdown drills, and (2) support that includes, at a minimum, the information packet given to employees with District-approved materials outlining evacuation and lockdown procedures. 105 ILCS 128/22, added by P.A. 104-198, eff. 1-1-26. When available, training shall be provided in person. Id.

G. School Emergency Operations and Crisis Response Plan (SEOCRP)

Each Safety Team shall develop, implement, and maintain a SEOCRP using the process below, as explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013),* at: www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

1. Develop a schedule and invite the participation of first responders.
2. Identify threats and hazards, assess risks, and prioritize threats and hazards.
3. Determine goals and objectives.
4. Develop, review, evaluate, and maintain the SEOCRP.
5. Share the SEOCRP with stakeholders and train them. This includes, without limitation, having the SEOCRP accessible in a digital format.

Each SEOCRP shall include a plan for local law enforcement to rapidly enter a school building in an emergency. 105 ILCS 128/55, added by P.A. 103-194 and renumbered by P.A. 103-605.

Each SEOCRP shall be in the format suggested by and explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013)*, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. See also *The Role of Districts in Developing High-Quality School Emergency*

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Operations Plans: A Companion to the School Guide (2019), at: https://rems.ed.gov/docs/District_Guide_508C.pdf; and the **Attachment** to this procedure.

H. Material to be Included in Each SEOCRP

Each school Safety Team annually gathers and/or renews the following material for inclusion in the SEOCRP:

1. District-level Targeted School Violence Prevention Plan. See Board policy 4:190, *Targeted School Violence Prevention Program*, and administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program*.
2. Building-level Threat Assessment Team procedures. See administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*.
3. Building evacuation protocol. The Building Principal or designee shall: (a) keep a comprehensive evacuation map - describing main and alternate routes - in the main office, (b) post signs containing main and alternate evacuation routes for each occupied area in a conspicuous place, preferably near the exit, (c) prepare evacuation plans for outdoor areas (playgrounds and stadiums), ~~and~~ (d) keep all staff informed of the evacuation plans, including substitute personnel by providing them the information packet that full-time staff receive, and (e) prominently display maps indicating all school exits in every classroom (105 ILCS 128/22, added by P.A. 104-198, eff. 1-1-26).
4. Documents concerning safety drills. The Building Principal shall schedule, execute, and document safety drills as per the School Safety Drill Act (105 ILCS 128/, amended by P.A.s ~~102-395, 102-791,~~ 103-104, 103-197, ~~and~~ 103-780, 104-198, eff. 1-1-26, and 104-344, eff. 1-1-26) and this procedure.
5. Maps and layouts, including: (a) campus map, (b) building floor plan, (c) location of first aid kits, automated external defibrillators (AEDs), fire extinguishers, and any trauma kits (105 ILCS 5/10-20.85, added by P.A. 103-128), and (d) map or plan describing the areas to be used in the event of an emergency or crisis for triage, emergency helicopter landing, media center, non-victim students, and parents/guardians. The Safety Team or Principal shall annually give a copy of these to first responders.
6. A protocol to secure a list of people present in the building at any time.
7. Tornado response plan, including a map showing tornado wall locations ~~(105 ILCS 128/25)~~.
8. Carbon monoxide alarm or detector activation plans, protocols, and procedures (105 ILCS 5/10-20.57 and 430 ILCS 135/).
9. The safety equipment's maintenance schedule and the person(s) responsible.
10. An emergency early dismissal protocol.
11. A plan for inviting warnings or tips, e.g., a hotline or website for individuals to make anonymous tips.
12. A protocol for student supervision in the event of an emergency or crisis.
13. A safety patrol plan (105 ILCS 5/10-22.28).
14. Bicycle use rules.

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15. Roadway and parking rules.

16. Emergency procedures to be followed in cases of injury to or sudden illness of students and/or staff at school and school events (23 Ill.Admin.Code §1.530(c)).

17. A cardiac emergency response plan in accordance with guidelines set forth by the American Heart Association or other nationally recognized, evidence-based standard that addresses the appropriate response to incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency (105 ILCS 128/60, added by P.A. 103-608 and amended by P.A. 104-391~~, eff. 1-1-25~~). The plan must include:

    a. Procedures to follow during a cardiac emergency;

    b. A list of every AED that is present and clearly marked or easily accessible at school athletic venues and events and at school, and the maintenance schedule for the AEDs; and

    c. The provision of information on hands-only cardiopulmonary resuscitation and use of AEDs to teachers, administrators, coaches, assistant coaches, and other school staff as identified by administrators, in accordance with 105 ILCS 5/22-115~~110/3~~. Id.

    See the American Heart Association's cardiac emergency response plan template and implementation materials, at www.heart.org/CERP.

18. A plan for giving students instructions on safe school bus riding practices, including the operation and use of emergency doors and windows (as a means of escape), seat belts, and fire extinguisher (105 ILCS 128/20(b)). The District's parent-teacher advisory committee, in cooperation with school bus personnel, establishes and maintains bus safety rules (105 ILCS 5/10-20.14). See administrative procedure 4:110-AP3, *School Bus Safety Rules*.

19. Safety and security related administrative material. See section A, above.

20. The location of any door security locking means and the use of the locking and unlocking means from within and outside the room(s) (105 ILCS 5/10-20.72~~, renumbered by P.A. 102-558~~).

~~20.~~21. By July 1, 2027, procedures for each school to address the release or explosion of hazardous substances. Procedures shall be based on guidance developed by the Ill. Emergency Management Agency and Office of Homeland Security in consultation with ISBE. 105 ILCS 128/65, added by P.A. 104-344, eff. 1-1-26.

~~21.~~22. Other documents identified by the Safety Team.

I. Managing Communications During and About an Emergency or Crisis

The District Safety Coordinator, with assistance from the Safety Team, is responsible for compiling information and preparing communications concerning an emergency or crisis. The District Safety Coordinator serves as the spokesperson during a crisis or emergency. All District communications should come from this source to ensure accuracy, creditability, and compliance with laws granting confidentiality to student records.

The spokesperson shall follow best practices for spokespersons during an emergency or crisis and receive training on public relations. The Board Attorney serves as a resource to the spokesperson. The objective is:

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- To provide the maximum amount of verified information to staff members, students' family members, and the media as quickly as possible,
- While simultaneously respecting student privacy and complying with laws granting confidentiality to student records (Ill. School Student Records Act, 105 ILCS 10/; Family Educational Rights and Privacy Act, 20 U.S.C. §1232g). See administrative procedure 7:340-AP1, *School Student Records*.

All staff members are requested to refrain from spreading information about an emergency or crisis unless the information is from the District Safety Coordinator. All inquiries should be directed to the spokesperson.

Everyone in the school community can positively affect an emergency or crisis situation by:

1. Avoiding speculation as to the cause.
2. Avoiding allocation of blame.
3. Helping school and law enforcement officials gather the facts.
4. Sticking to the facts during discussions.
5. Deferring all media requests to the spokesperson.
6. Comforting and supporting each other.

J. Required Notices

A school staff member shall immediately notify the Building Principal when he or she:

1. Observes any person in possession of a firearm on ~~or around~~ school grounds, becomes aware of any person in possession of a firearm on school grounds, or becomes aware of any threat of gun violence on school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision. 105 ILCS 5/10-27.1A(a), amended by P.A. 104-174.
2. Observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident. 105 ILCS 5/10-27.1B.
3. Observes a battery committed against any staff member or is subject to a battery. 105 ILCS 5/10-21.7, ~~amended by P.A. 102-894~~.

Upon receiving a report of No. 1, above, the Building Principal or designee shall immediately notify local law enforcement. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174, 5/10-27.1B, and 5/10-21.7. If the report of No. 1, above, pertains to a threat of firearm violence made by a student, the Building Principal or designee must attempt to notify the student's parent/guardian **as soon as possible** and must further attempt to contact the parent/guardian to ensure that the student does not have access to a firearm. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174.

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In addition, upon receiving a report on any of the above Nos. 1-3, the Building Principal or designee must notify the Superintendent or designee and any involved student's parent/guardian.[5] See the **Required Notices** subhead of Board policy 7:190, *Student Behavior*, and exhibit 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*.

Upon receiving a report of any of the above Nos. 1-3, the Superintendent or designee shall immediately notify local law enforcement. 105 ILCS 5/10-27.1A(c), amended by P.A.s 103-34, 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); and 105 ILCS 5/10-21.7. The Superintendent or designee will also report these incidents to ISBE through its web-based School Incident Reporting System (SIRS) as they occur during the year but no later than July 31 for the preceding school year. Id.[6] SIRS is available at www.isbe.net/Pages/School-Incident-Reporting-System.aspx or by going to ISBE's home page and accessing the District's Web Application Security (IWAS) account. Reporting on SIRS does not satisfy the requirement to report incidents to local law enforcement authorities.

K. Resources

Guide for Developing High-Quality School Emergency Operations Plans: At a Glance
www.rems.ed.gov/K12GuideForDevelHQSchool.aspx

Guide for Developing High-Quality School Emergency Operations Plans
www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf

The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide https://rems.ed.gov/docs/District_Guide_508C.pdf

Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center Tool Box www.rems.ed.gov/toolbox.aspx

ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Training Institute www.alicetraining.com

ISBE/OSFM All Hazard Preparedness Guide for Illinois Schools www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx

Illinois Emergency Management Agency (IEMA)
https://iemaohs.illinois.gov/~~www2.illinois.gov/ready/Pages/default.aspx~~

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[5] The building principal must notify the student's parent/guardian ~~only~~ when the alleged offense is firearm possession by a student or a threat of firearm violence by a student. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174. The **Required Notices** subhead of sample policy 7:190, *Student Behavior*, and section **J. Required Notices** of this sample administrative procedure expand this notification duty to include drug-related incidents and battery of a staff member. See f/n 5~~6~~ in sample policy 7:190, *Student Behavior* and f/n 1, above. If your board has not expanded this notification duty in policy 7:190, *Student Behavior*, amend the second sentence as follows:

> In addition, upon receiving a report on any of the above Nos. 1-3, the Building Principal or designee must notify the Superintendent or designee and, if a student is reportedly in possession of a firearm, also any involved student's parent/guardian.

[6] 105 ILCS 5/10-27.1 requires reporting through SIRS no later than August 1, while 105 ILCS 5/10-27.1A and 5/10-27.1B both require reporting through SIRS no later than July 31. 105 ILCS 5/10-27.1; 105 ILCS 5/10-27.1A and 5/10-27.1B, both amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling). Since reporting no later than July 31 meets all three reporting requirements, this sample administrative procedure states that all reporting will occur no later than July 31.

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Illinois School and Campus Safety Resource Center http://ilschoolsafety.org/

Schools/Campus – Resources, including School Safety Information Sharing https://ready.illinois.gov/plan/schools.html

Safe2Help Illinois, designed to offer students a safe, confidential way in which to share information that might help prevent suicides, bullying, school violence, or other threats to school safety, www.safe2helpil.com/

Illinois Terrorism Task Force (ITTF) https://ready.illinois.gov/hazards/terrorism.html

National Association of School Psychologists (NASP) - Recommendations for Comprehensive School Safety and Crisis Policies www.nasponline.org/resources-and-publications/resources-and-podcasts/school-safety-and-crisis

U.S. Secret Service (USSS) National Threat Assessment Center (NTAC) www.secretservice.gov/protection/ntac

Improving School Safety Through Bystander Reporting: A Toolkit for Strengthening K-12 Reporting Programs, developed by the USSS NTAC and the Cybersecurity and Infrastructure Security Agency (CISA) www.secretservice.gov/sites/default/files/reports/2023-05/cisa-usss-k-12-bystander-reporting-toolkit-508_final_0.pdf

Bomb Threat Response Planning Tool, developed by the U.S. Dept. of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives and the U.S. Dept. of Education's Office of Safe and Drug Free Schools www.ojp.gov/ncjrs/virtual-library/abstracts/bomb-threat-response-interactive-planning-tool-schools-cd-rom

School Crisis Guide - Help and Healing in a Time of Crisis, published by NEA Health Information Network www.nea.org/resource-library/neas-school-crisis-guide

The NASSP Principal Recovery Network Guide to Recovery, developed by the National Association of Secondary School Principals www.nassp.org/wp-content/uploads/2022/08/PRN-Guide-FINAL.pdf

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Attachment A

School Emergency Operations and Crisis Response Plan Format

Basic Plan

1. Introductory Material
1.1 Promulgation Document and Signatures
1.2 Approval and Implementation
1.3 Record of Changes
1.4 Record of Distribution
1.5 Table of Contents
2. Purpose, Scope, Situation Overview, and Assumptions
2.1 Purpose
2.2 Scope
2.3 Situation Overview
2.4 Planning Assumptions
3. Concept of Operations
4. Organization and Assignment of Responsibilities
5. Direction, Control, and Coordination
6. Information Collection, Analysis, and Dissemination
7. Training and Exercises
8. Administration, Finance, and Logistics
9. Plan Development and Maintenance
10. Authorities and References

Functional Annexes

Note: This is not a complete list, but it is recommended that all SEOCRPs include at least the following functional annexes:

1. Communications
2. Evacuation
3. Shelter-in-Place
4. Lockdown
5. Accounting for All Persons
6. Reunification
7. Continuity of Operations (COOP)
8. Security
9. Recovery
10. Health and Medical

Threat- or Hazard-Specific Annexes

Note: This is not a complete list. Each school's annexes will vary based on its hazard analysis.

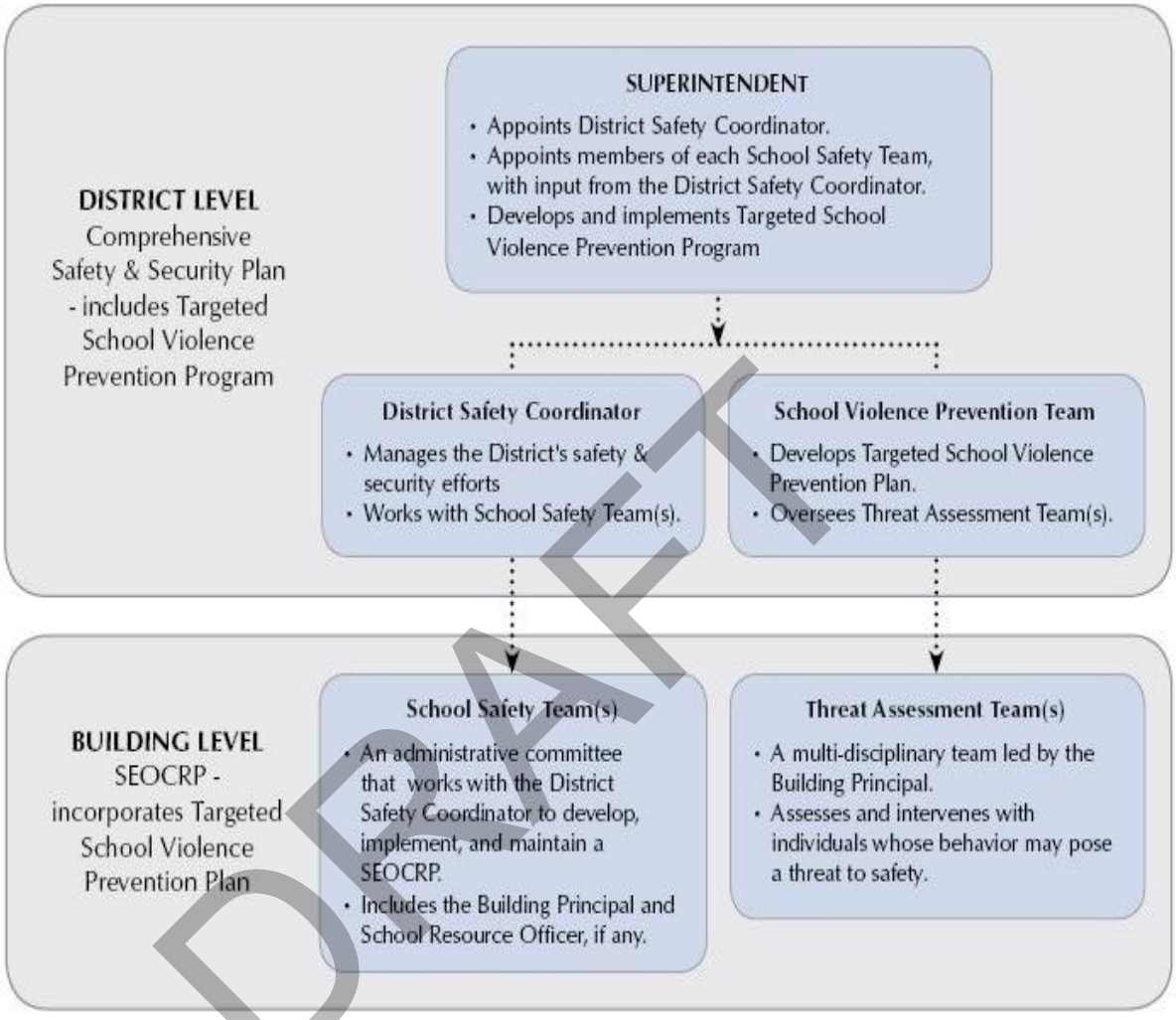
1. Hurricane or Severe Storm
2. Earthquake
3. Tornado
4. Hazardous Materials Incident
5. Mass Casualty Incident
6. Active Shooter
7. Pandemic or Disease Outbreak

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Attachment B

Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program



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Operational Services

Exhibit - Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers

On District or School letterhead

Date

Re: Disruptive Social Media Apps; Dangers

Dear ~~Parents/Guardians~~Families:

Staying on top of social medial trends is important for families~~parents/guardians~~. The District wants you to know that the following social media apps have the potential to disrupt the school environment by becoming a platform for bullying, unlawful behaviors, and other dangers:

- *Anonymous hyperlocal* social media apps, e.g., *YikYak*~~,~~ and *Jodel*~~, and *Gas*~~, present safety and security concerns for our students. Anonymous hyperlocal apps use GPS on cell phones to target groups in specific areas and allow people to interact anonymously.
- *Temporary* social media apps, e.g., ~~*ask.fm*,~~ *Snapchat,* ~~and *Whisper*~~ often present a false belief of anonymity. Temporary apps allow people to send messages and images that self-destruct after a set window of time.
- Certain *gaming* apps, e.g., *Roblox* and *Fortnite*, may present safety risks for our students. Gaming apps can present opportunities for hackers to launch phishing attacks and spread malware, and in-app chats may allow players to chat with friends and strangers.

Children need to understand that their online choices are important. Content never truly goes away and no one online is anonymous. Law enforcement agencies have the ability to pinpoint users and content creators, and they do investigate crimes involving the Internet and social media app usage.

The District encourages you to review the resources below and talk with your children. Let's partner together to help children understand how their digital footprints affect their and others' futures. As you discuss this topic with your child, please remind your child how to report his or her concerns:

1. Tell your child to take a screen shot (if possible) or video (when screenshot not possible) of the content and show you or another trusted adult. Always encourage open conversations about what is happening online. When age-appropriate, discuss that possession and forwarding of sexted images violates federal and State child pornography and sexual abuse material laws.
2. Use the reporting mechanisms within the social media apps.
3. When a situation begins to disrupt your child's education, report it to your child's school.

Resources about Social Media Apps and Protecting Your Child Online

www.commonsensemedia.org, discusses apps, movies, and more. Type in the app you want to learn more about, and this website will summarize it for you.

www.consumer.ftc.gov/topics/protecting-kids-online, contains resources for adults seeking to help children make safe and responsible online choices.

Sincerely,

Building Principal

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Operational Services

Administrative Procedure - Criminal Offender Notification Laws; Screening

Laws Protecting Students on School Grounds

The following list describes laws and resources protecting students on school grounds from individuals convicted of serious crimes:

1. A child sex offender is prohibited from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present unless specifically permitted by statute. 720 ILCS 5/11-9.3(a), (b). See Board policies 4:175, *Convicted Child Sex Offender; Screening; Notifications*; and 8:30, *Visitors to and Conduct on School Property*.
2. Law enforcement must notify schools of offenders who reside or are employed in the county. See: (a) Sex Offender Community Notification Law, 730 ILCS 152/, and (b) Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-154/105. These laws are hereafter referred to as "offender notification laws." See also Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.
   The School Code (105 ILCS 5/10-21.9, 5/21B-5 and 5/21B-80) lists criminal offenses that disqualify an individual from District employment if the individual was convicted. 105 ILCS 5/10-21.9 requires any person hired by the District to submit to a fingerprint-based criminal history records check through the Ill. State Police (ISP) for an individual's *Criminal History Records Information* (CHRI), and the Federal Bureau of Investigation (FBI) national crime information databases. The law also requires a school district to initially check[1] the Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and the Statewide Murderer and Violent Offender Against Youth Registry, https://isp.illinois.gov/MVOAY/Disclaimer, for each applicant being considered for hire and, if hired, repeatedly checked at least once every five years that an individual remains employed by the District. Obtaining the results of the fingerprint-based criminal history records check and review of the database registries is a *complete criminal history records check* as required by the School Code. See Board policy 5:30, *Hiring Process and Criteria*; administrative procedure 5:30-AP2, *Investigations*; and Ill. State Board of Education (ISBE) non-regulatory guidance, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf.
3. The National Sex Offender Public Website, www.nsopw.gov/; however, if performing a check here note that the same information will likely appear in the information furnished by the FBI.
4. The provisions in the School Code described above also apply to employees of persons or firms holding contracts with a school district who have direct, daily contact with students. 105 ILCS 5/10-21.9(f). See administrative procedures 4:60-AP3, *Criminal History Records Check of Contractor Employees*; and 5:30-AP2, *Investigations*.
5. Being charged with attempting to commit, conspiring to commit, soliciting, or committing any offense listed in 105 ILCS 5/21B-80(b-5) results in the automatic suspension of the individual's

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[1] 105 ILCS 5/10-21.9(a-5) and (a-6). **Note:** the statute uses the term *applicant* even though a person who "remains employed by the school district" is commonly referred to as an employee.

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license or denial of the individual's license application until the individual's criminal charges are adjudicated through a court of competent jurisdiction. If the individual is acquitted, his or her license or application shall be immediately reinstated. [2]

6. Conviction of an offense listed in 105 ILCS 5/21B-80(c) results in the automatic suspension of the individual's license or denial of the individual's license application, whichever is applicable. When the conviction becomes final, the license will be revoked. Conviction of an offense listed in 105 ILCS 5/21B-80(b), results in the automatic suspension of the individual's license or denial of the individual's license application, whichever is applicable, until seven (7) years following the end of the sentence for the criminal offense. [3]
7. The offender notification laws require law enforcement to ascertain whether a juvenile sex offender or violent offender against youth is enrolled in a school and, if so, to provide a copy of the registration form to the Building Principal and any school counselor designated by him or her. This registration form must be kept separately from any and all school records maintained on behalf of the juvenile sex offender. 730 ILCS 152/121(b). See Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.
8. When a criminal sexual offense is committed, or alleged to have been committed, by a District employee or contractor, law enforcement shall immediately transmit a copy of the criminal history record information relating to the investigation of the offense/alleged offense to the Superintendent. This transmission occurs either (725 ILCS 191/15):
   a. Upon the Superintendent's request[4] to a law enforcement agency; or
   b. If the law enforcement agency knows the offender/alleged offender is employed by the District (either as an employee or contractor), automatically.

   The copy of the CHRI that is provided must exclude the identity of the adult victim, and if the Superintendent is otherwise aware of the adult victim, he or she must keep that person's identity confidential.

Receipt of Information from and Collaboration with Law Enforcement [5]

Offender Notification Laws: The Superintendent and Building Principal(s) shall notify the local law enforcement official, including the relevant lawyers in the county State's Attorney's Office and/or county sheriff, that he or she is the District's official contact person for purposes of the offender notification laws.[6] The Superintendent and/or Building Principal may at any time request information from law enforcement officials regarding sex offenders or violent offenders against youth.

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[2] 105 ILCS 5/21B-80(b-5).

[3] 105 ILCS 21B-80(b), (c); 105 ILCS 5/21B-15(a).

[4] The law is silent as to how a superintendent can make this request. Contacting the county State's Attorney's Office(s) and/or local law enforcement agencies that the district has established relationships with through a reciprocal reporting agreement are the suggested request methods. See sample administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students*. The law also does not address to whom criminal history records information may be transmitted if the superintendent is the offender/alleged offender. **Contact the board attorney for further guidance**.

[5] The law is silent with regard to what, if anything, districts do with the information (except for records provided to a school district by a state's attorney's office under the Juvenile Court Act at 705 ILCS 405/5-901(8)). It does, however, provide that "any person who provides or fails to provide information relevant to the procedures set forth in this [Sex Offender Community Notification] Law shall not be liable in any civil or criminal action." 730 ILCS 152/130.

[6] Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person and the superintendent may wish to have a contact person from each building.

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The Superintendent will provide Building Principals and other supervisors with a copy of all lists received from law enforcement officials containing the names and addresses of sex offenders and violent offenders against youth.

The Building Principal or designee shall provide the lists to staff members in his or her building on a need-to-know basis, but in any event:

- A teacher will be told if one of his or her students, or a student's parent/guardian, is on a list.
- The school counselor, nurse, social worker, or other school service personnel will be told if a student or the parent/guardian of a student for whom he or she provides services is on a list.

No person receiving a list shall provide it to any other person, except as provided in these procedures, State law,[7] or as authorized by the Superintendent. Requests for information should be referred to the local law enforcement officials or State Police.

Licensed Teacher Felony Conviction Notification Laws: On behalf of the Board, the Superintendent, or if the licensed teacher is the Superintendent, the Board President, shall notify the State Superintendent of Education promptly and in writing of the name of a licensed teacher who was convicted of a felony, along with the conviction and the name and location of the court where the conviction occurred. [8]

On behalf of the Board, the Superintendent, or if the teacher is the Superintendent, the Board President, shall notify the Teachers' Retirement System (TRS) of the State of Ill. Board of Trustees promptly and in writing when the District learns that a teacher as defined in the Ill. Pension Code was convicted of a felony, along with the name and location of the court where the conviction occurred, and the case number assigned by that court to the conviction. [9]

Juvenile Delinquency Adjudication Notifications: The Superintendent or designee shall contact the Juvenile Division(s) of the county State's Attorney Office(s) having jurisdiction over the District's school(s) to discuss how the State's Attorney(s) shall inform the Superintendent or designee of any students adjudicated as delinquent minors for offenses that would be felonies and/or certain weapons offenses under the Criminal Code of 2012. 705 ILCS 405/5-901(8). The Superintendent and/or designee(s) shall ensure the dissemination of such information is limited to the Building Principal and any school counselor designated by the Building Principal. Id.

Informing Staff Members and Parents/Guardians About the Law [10]

Building Principals or their designees shall inform parents/guardians about the availability of information concerning sex offenders during school registration and, if feasible, during parent-teacher conferences. Information should be distributed about the Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and the Statewide Murderer and Violent Offender Against Youth Registry, https://isp.illinois.gov/MVOAY/Disclaimer. Information may also be included in the

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[7] The list of child sex offenders may be a *public record* subject to disclosure under the Ill. Freedom of Information Act (FOIA). 5 ILCS 140/. Consult the board attorney when a FOIA request is made.

[8] 105 ILCS 5/21B-85(a).

[9] Id. at 5/21B-85(b).

[10] State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. 730 ILCS 152/120(g). While State law allows the notification to be made during registration or parent-teacher conferences, the sample procedure makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

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Student Handbook. See the Sex Offender Community Notification Law, 730 ILCS 152/, and exhibit 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws*.

Requests for additional information shall be referred to local law enforcement officials.

Screening Individuals Who Are Likely to Have Contact with Students at School or School Events [11]

The law is silent with regard to *screening* volunteers and individuals in the proximity of a school. *Screening* is not the same as the School Code's requirement to perform a *fingerprint-based criminal history records check* through (a) the ISP for an individual's CHRI, and (b) the FBI's national crime information databases. 105 ILCS 5/10-21.9.

Screening involves checking an individual's name and address against the: (1) Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and (2) the Statewide Murderer and Violent Offender Against Youth Registry maintained by the ISP, https://isp.illinois.gov/MVOAY/Disclaimer. 105 ILCS 5/10-21.9(a-5), (a-6).

There are five categories listed below of individuals with the potential to have contact with students at school or at school events.

1. For employees and student teachers, the Superintendent or Building Principal(s) perform the following tasks:
   a. Complete the required forms to request the *fingerprint-based criminal history records check*; see administrative procedure 5:30-AP2, *Investigations*. 105 ILCS 5/10-21.9(a).
   b. Screen the individual's name and address against the: (1) Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, and (2) the Statewide Murderer and Violent Offender Against Youth Registry maintained by the State Police, https://isp.illinois.gov/MVOAY/Disclaimer. 105 ILCS 5/10-21.9(a-5), (a-6). This screening must be done for applicants being considered for hire and, if hired, repeatedly at least once every five years that an individual remains employed by the District. [12]
   c. Review the lists of sex offenders and violent offenders against youth as the lists are received from law enforcement. If a match is found, the Superintendent immediately contacts the local police officials to confirm or disprove the match. The Superintendent immediately notifies the Board if a match is confirmed. The Board President will contact the Board Attorney and the Board will take the appropriate action to comply with State law that may include terminating the individual's employment.
   d. May request the individual to authorize a clearance of his or her name through the Ill. Dept. of Children and Family Services (DCFS) Child Abuse and Neglect Tracking System, a/k/a CANTS. This check documents that the person does not have an indicated report or record on DCFS' registry of child abuse and/or neglect. 325 ILCS 5/11.1(a)(11) and (c). Clearances must be requested using the DCFS Background Check Portal at https://dcfs.illinois.gov/for-providers/background-checks-for-licensed-and-unlicensed-providers/background-check-portal-for-licensed-providers.html.

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[11] The law is silent with regard to screening volunteers and individuals in the proximity of a school. *Screening* is not the same as the School Code's requirement to perform a *fingerprint-based criminal history records check* through (a) the ISP for an individual's *Criminal History Records Information* (CHRI), and (b) the FBI's national crime information databases. 105 ILCS 5/10-21.9.

[12] See f/n 1.

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If an indicated report by DCFS or by a child welfare agency of another jurisdiction is found, the Board must consider the individual's status as a condition of employment.[13] Contact the Board Attorney for guidance.

e. Notify the State Superintendent of Education in writing[14] within ten business[15] days when a fingerprint-based criminal history records check returns a *pending* criminal charge against a license holder for an offense set forth in 105 ILCS 5/21B-80.

f. Notify the State Superintendent of Education in writing within 15 business days when a fingerprint-based criminal history records check returns a *conviction* of a crime set forth in 105 ILCS 5/21B-80 or when publicly available Illinois offender databases checks find a registration. [16]

2. For students doing field or clinical experience other than student teaching, the Superintendent or Building Principal(s):
   a. May require the same fingerprint-based criminal history records check required of student teachers.[17] The cost of this check will be reimbursed by the student seeking the experience.[18]
   b. Performs the responsibilities listed in 1. b. & c., above.
3. For volunteers, see administrative procedure 6:250-AP, *Resource Persons and/or School Volunteers; Screening*. The Superintendent or Building Principal(s):
   a. May require the same fingerprint-based criminal history records check required of student teachers. [19]
   b. Performs the responsibilities listed in 1. b. & c., above.
4. For contractors' employees, see administrative procedures 4:60-AP3, C*riminal History Records Check of Contractor Employees*; and 5:30-AP2, *Investigations*.
5. For individuals in the proximity of a school or bus stop, the Building Principal(s) review(s) the lists of sex offenders and violent offenders against youth as they are received from law enforcement. The Building Principal or designee shall: (a) notify staff members according to the section of this procedure on **Receipt of the Information from Law Enforcement**, and (b) attempt to alter school bus stops and the route students travel to and from school in order to avoid contact with an individual on such a list.

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[13] 105 ILCS 5/10-21.9(c) and (g).

[14] 105 ILCS 5/10-21.9(e) requires written notice for *convictions*. While notice for *pending* criminal charges is not required to be "in writing," for ease of use, consistency in administration, alignment with the requirement to provide written notice for *convictions*, and best practices this sample text states the State Superintendent will also be notified of *pending* criminal charges in writing. Consult the board attorney for further guidance.

[15] 105 ILCS 5/10-21.9(e). The statute does not state whether the notice requirement is *calendar* days or *business* days. Support for it being *business* days is found later in 105 ILCS 5/10-21.9(e), which requires that notice for *convictions* be provided within 15 business days.

[16] Id.

[17] For districts with boards that require students participating in any field or clinical experience to undergo the same fingerprint-based criminal history records check required of student teachers in 105 ILCS 5/10-21.9(g), delete "~~May require~~" and replace with "Performs". See f/n 3 in sample policy 5:260, *Student Teachers*.

[18] Optional. Delete if your district pays for the fingerprint-based criminal history records check for student teachers.

[19] For districts with boards that require volunteers to undergo the same fingerprint-based criminal history records check required of student teachers in 105 ILCS 5/10-21.9(g), delete "May require" and replace with "Performs".

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CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property)

ADMIN. PROC.: 4:60-AP3 (Criminal History Records Check of Contractor Employees), 4:175-AP1, E1 (Informing Parents/Guardians About Offender Community Notification Laws), 5:30-AP2 (Investigations), 6:250-AP (Resource Persons and/or School Volunteers; Screening), 6:250-E (Resource Person and Volunteer Information Form and Waiver of Liability), 8:30-AP (Definition of Child Sex Offender), 8:30-E1 (Letter to Parent Regarding Visits to School by Child Sex Offenders), 8:30-E2 (Child Sex Offender's Request for Permission to Visit School Property)

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Operational Services

Administrative Procedure - Targeted School Violence Prevention Program

Use this procedure to establish a Targeted School Violence Prevention Program (Program). It defines terms important to the Program, outlines actions for specific staff members to execute, and is adapted from the premier best practice model as of this publication: *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Fifth Edition (July 2023), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: ~~www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg_mpd.pdf~~www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg-dec2022_mpd.pdf.

This administrative procedure contains three sections as follows:

1. Glossary of Terms
2. Establishment and Function of Targeted School Violence Prevention Plan
3. Preparedness for a Targeted School Violence Crisis, Response, and Recovery

Glossary of Terms

Aberrant Behavior – Behavior that is atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior involves actions, statements, communications, or responses that are unusual for the person or situation; actions that could lead to violence toward self or others; or actions that are reasonably perceived as threatening or causing concern for the well-being of the person. These can include (but are not limited to):

- Unusual withdrawal or isolation of subjects from peers and family members;
- Sullen or depressed behavior from an otherwise friendly and positive person;
- Atypical or out-of-context outbursts of verbal or physical aggression;
- Increased levels of agitation, frustration, or anger;
- Confrontational, accusatory, or blaming behavior;
- An atypical interest in or fascination with weapons or acts of violence; and/or
- Fixation on violence as a means of addressing a grievance.

District Environment – Broadly characterized as the District's learning and working environment; it includes the physical environment of school buildings and grounds, all services and programs provided by the District, and the overall school climate.

Pose a Threat – To pose a threat means an individual has, or is in the process of obtaining, the intent and capability to cause harm to self or others through planning and preparation.

Protective Factors – Characteristics or resources that make it less likely that an individual will engage in violence.

Risk Factors – Characteristics that make it more likely that an individual may engage in violence. Risk factors are usually stable over time.

School Climate – A part of the District environment, school climate is the quality and character of school life. School climate is based on patterns of students', parents'/guardians', and school personnel's

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experience of school life; it also reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures. [1]

Targeted School Violence – Includes school shootings and other school-based attacks where a school or a member of the school community was deliberately selected as the target of the attack and was not simply a random target of opportunity.

Targeted School Violence Prevention Plan (TSVP Plan) – For purposes of policy 4:190, *Targeted School Violence Prevention Program*, and this procedure, a District-wide plan that is incorporated into each School Emergency Operations and Crisis Response Plan (SEOCRP) in 4:170-AP1, *Comprehensive Safety and Security Plan*. A TSVP Plan is collectively implemented by local school officials, District staff, students, families, and the community with the goal of preventing and identifying threats and targeted school violence. Under a properly implemented TSVP Plan, schools can respond to individuals/situations that raise safety concerns.

Threat – A concerning communication or behavior that indicates that an individual may pose a danger to the safety of school staff or students through acts of violence or other behavior that could cause harm to self or others. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; it is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat. For more information on types of threats, see the subheads **Glossary of Terms** and **Assessing and Classifying Threats** in 4:190-AP2, *Threat Assessment Team (TAT)*.

Threat Assessment – A systematic, fact-based process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially disruptive, dangerous, or violent situations, to assess them, and to manage/address them.

Threat Assessment Team (TAT) – A multidisciplinary Building-level team lead by the Building Principal to perform specific threat assessments. For information about TAT members, the function of TATs, and their procedures, see 4:190-AP2, *Threat Assessment Team (TAT)*.

Warning Signs – Characteristics or behaviors that are associated with a current or escalating risk of violence. These tend to be dynamic, acute, and often associated with new stresses, events, losses, or failures.

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Establishment and Function of Targeted School Violence Prevention Plan

Following are the strategic procedures to integrate a TSVP Plan into the District's existing policies and procedures.

Actor	Action
Superintendent	Selects School Violence Prevention Team (SVP Team) members from throughout the community to include: Building Principals (Building Principals are mandatory for successful implementation of a TSVP Plan).

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[1] Definition adapted from the National School Climate Center. See www.schoolclimate.org/about/our-approach/what-is-school-climate.

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Actor	Action
	District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*) Teachers Law enforcement representatives Board Attorney [2] District psychologist(s), social worker(s), and/or counselor(s) Other mental health workers and/or social service agencies Faith leaders Community members Students Chairs and convenes SVP Team meetings for the purpose of developing a TSVP Plan. Determines whether to recommend that the Board assess the District's conditions for development and learning (see 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*, for resources and more discussion). Informs the Board of the SVP Team's progress, needs, and recommendations by adding information items to the Board's agendas as needed. [3] Prior to the start of each school year, files 4:190-AP2, *Threat Assessment Team (TAT)*, and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center, as applicable. 105 ILCS 128/45(b), amended by P.A.~~s 102-791 and~~ 103-175. Informs the Board that this filing was completed.
SVP Team	Meets when called by the Superintendent for the purpose of: (1) developing a TSVP Plan, and (2) creating, implementing, and monitoring TATs.

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[2] Consult the board attorney about creating methods for exchanging information in a manner that complies with applicable State and federal laws. See f/n 4 below.

[3] See sample policy 2:240, *Board Policy Development*. Resources may include providing resources to and access for staff to professional development opportunities. These opportunities should train staff to properly respond to students who provide them with information about a threat or school safety concern. See *Prior Knowledge of Potential School-Based Violence: Information students learn may prevent a targeted attack*, U.S. Secret Service and U.S. Dept. of Education, p. 10, at: https://rems.ed.gov/docs/ED_BystanderStudy.pdf.

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Actor	Action
SVP Team, cont'd	For more information about the function of TATs, see 4:190-AP2, *Threat Assessment Team (TAT)*. See Recommendation #1 from the *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, encouraging districts to establish TATs, at: www.iasb.com/IASB/media/School-Safety/ITTFSchoolSafetyRecommendations.pdf. Ensures that the District's TSVP Plan complies with applicable civil rights statutes and other State and federal laws. Ensures that all District staff are annually trained[4] and understand the TSVP Plan, the role of the SVP Team, and the role a TAT. Ensures that procedures are maintained for effective information sharing between the District and local law enforcement agencies and community services agencies, including defining the threshold for law enforcement intervention. Regularly assesses the effectiveness of the TSVP Plan throughout the District, including the establishment of resources for central reporting mechanisms at the District-wide and school-building level. Identifies Board policies and procedures or equivalent topics that possibly affect a TSVP Plan, including but not limited to: 1:20, *District Organization, Operations, and Cooperative Agreements* 2:150, *Committees* 2:240, *Board Policy Development* 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited* 3:40, *Superintendent* 3:60, *Administrative Responsibility of the Building Principal* 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors* 4:170, *Safety* 4:190, *Targeted School Violence Prevention Program*

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[4] Annual training is not required. Amend the training requirement to reflect local conditions and/or the law at the time of implementation.

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Actor	Action
SVP Team, cont'd	5:90, *Abused and Neglected Child Reporting* 5:100, *Staff Development Program* 5:130, *Responsibilities Concerning Internal Information* 5:230, *Maintaining Student Discipline* 6:65, *Student Social and Emotional Development* 6:120, *Education of Children with Disabilities* 6:235, *Access to Electronic Networks* 7:20, *Harassment of Students Prohibited* 7:130, *Student Rights and Responsibilities* 7:140, *Search and Seizure* 7:150, *Agency and Law Enforcement Requests~~Police Interviews~~* 7:170, *Vandalism* 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:185, *Teen Dating Violence Prohibited* 7:190, *Student Behavior* 7:200, *Suspension Procedures* 7:210, *Expulsion Procedures* 7:230, *Misconduct by Students with Disabilities* 7:250, *Student Support Services*
SVP Team, cont'd	7:340, *Student Records* [5]

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[5] Consult the board attorney for guidance about the application of State (Ill. School Student Records Act, 105 ILCS 10/) and federal (Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g) student privacy laws, a crucial element of implementing a successful TSVP Plan, which relies upon school officials sharing confidential information. **Note:** information kept by law enforcement professionals working in a school is not considered a *school student record*. 105 ILCS 10/2. School officials may also need guidance about the release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, but note that those issues are governed by the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

The following resource from the State of Ill. Campus Security Task Force Report to the Governor, Appendix C, Part II, pp. 227-23~~23~~ (2008), at: ~~www2.illinois.gov/ready/sitecollectiondocuments/cstf_report_partii.pdf~~https://ready.illinois.gov/content/dam/soi/en/web/ready/sitecollectiondocuments/cstf-report-partii.pdf, may be helpful. A multidisciplinary task force comprised of Illinois' top leaders in education, mental health, public safety, and law enforcement created the report in response to the shooting at Northern Ill. University on 2-14-08. While the document addresses many issues pertaining to higher education campus security, it contains helpful information for school officials regarding student privacy and other prevention of targeted school violence management issues.

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Actor	Action
	8:10, *Connection with the Community* 8:95, *Parental Involvement* 8:100, *Relations with Other Organizations and Agencies* Recommends, through the Superintendent, proposed policy changes to the Board for consideration. See Board policy 2:240, *Board Policy Development*. Recommends and procures resources for stakeholder training.
Building Principal	Ensures 4:170-AP1, *Comprehensive Safety and Security Plan, Part G, School Emergency Operations and Crisis Response Plan (SEOCRP)*, is: Available throughout schools (do **not** limit to office); Distributed to and discussed with local law enforcement; and Regularly reviewed with building staff. Notifies and educates all staff, volunteers, and contractors of their duty to immediately report to the Building Principal or designee any expression of intent to harm another person, concerning communication, or concerning behavior that suggests an individual may intend to commit an act of violence. Notifies and educates staff, parents/guardians, students, and community members: (1) to report individuals and situations of concern to any school administrators or other authorities, i.e., local law enforcement, or the Safe2Help Illinois helpline (www.safe2helpil.com/)[6], and (2) how school officials will address these concerns. Distributes Board policy 4:190, *Targeted School Violence Prevention Program*; 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*; and 7:180-AP1, E2, *Be a Hero by Reporting Bullying*; and discusses what TATs

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An additional resource that may be helpful is *School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA)*, from the Privacy Technical Assistance Center of the U.S. Department of Education (2019), at: https://studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcement-units-and-ferpa. Disclosure of confidential student records to threat assessment team members is addressed on p. 12-14.

[6] Research published by the American Academy of Pediatrics finds that firearm anonymous reporting systems in schools save lives. See French et al., *Firearm-Related Tips in a Statewide School Anonymous Reporting System*, Pediatrics, Volume 153, Issue 2 (published February 2024). Safe2Help Illinois is a confidential tipline that encourages, but does not require, reporters to provide their name and contact information. See www.safe2helpil.com/about-us/school-faq/.

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Actor	Action
	are and what they do when they learn of threats and/or school violence. [7] Assesses the feasibility of forming a local anonymous tip line and organizing its management. Any locally operated school violence helpline must work in conjunction with Safe2Help Illinois as needed. 5 ILCS 860/10(d)~~, added by P.A. 102-752~~. When a tip or concern is raised, ensures TATs are trained to engage in their work. See 4:190-AP2, *Threat Assessment Team (TAT)*.
All District staff, volunteers, and contractors	Read 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*. Immediately report to the Building Principal or designee any expression of intent to harm another person, concerning communication, or concerning behavior that suggests an individual may intend to commit an act of targeted violence. Upon belief that an individual/situation poses a clear and immediate threat of serious violence that requires containment, notify school security and/or law enforcement in accordance with the SEOCRP. See 4:170-AP1, *Comprehensive Safety and Security Plan*.
School Board	Monitors 4:190, *Targeted School Violence Prevention Program*, and considers adopting changes recommended by the SVP Team. See Board policy 2:240, *Board Policy Development*. Ensures that prior to the start of each school year, the Superintendent files 4:190-AP2, *Threat Assessment Team (TAT)*, and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center. 105 ILCS 128/45(b), amended by P.A.~~s 102-791 and~~ 103-175.

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[7] Creating a school climate in which students believe the school staff wants to hear from them about threats is critical to ensuring that students come forward. Encourage students to come forward regardless of the amount of information they have, and convey to students that their reports are taken seriously. Also communicate to students that their reports may stay anonymous. If students do not feel that they will be treated with respect and listened to in a non-judgmental manner, or that the information will not be protected, they will not come forward and the school will lose an opportunity to intervene in a possible attack, as well as to assist a troubled student. See *Prior Knowledge of Potential School-Based Violence: Information students learn may prevent a targeted attack*, U.S. Secret Service and U.S. Dept. of Education (May 2008), at: ~~rems.ed.gov/docs/DOE_BystanderStudy.pdf~~https://rems.ed.gov/docs/ED_BystanderStudy.pdf.

For more school climate discussions, see *Guide for Developing High-Quality School Emergency Operations Plans*, U.S. Depts. of Education, Health and Human Services, Homeland Security, Justice, Federal Bureau of Investigation, and Federal Emergency Management Agency (June 2013): ~~rems.ed.gov/docs/REMS_K-12_Guide_508.pdf~~https://rems.ed.gov/docs/REMS_K-12_Guide_508.pdf; and sample administrative procedures and related exhibits 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*, 7:180-AP1, E1, *Resource Guide for Bullying Prevention*, 7:180-AP1, E3, *Memo to Staff Regarding Bullying*, and 7:180-AP1, E5, *Report Form for Bullying*.

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Actor	Action
	Provides both the SVP Team and TATs with appropriate resources, which may include providing resources and access for staff professional development opportunities. These opportunities should train staff to properly respond to individuals who provide them with information about a threat or school safety concern. [8]
Superintendent/Building Principal	Ensures the student behavior policies referred to in student handbooks notify students that threatening behavior could subject a student to disciplinary consequences. See Board policies 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, 7:20, *Harassment of Students Prohibited*, 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, and 7:190, *Student Behavior*. Ensures that staff responds to students who provide them with information about a threatening or concerning individual/situation.

Preparedness for a Targeted School Violence Crisis, Response, and Recovery

Following is an extension of 4:170-AP1, *Comprehensive Safety and Security Plan*. It outlines additional tasks for the Superintendent, District Safety Coordinator, and Building Principal(s) preparing for a targeted school violence crisis that school officials can incorporate into training related to each existing SEOCRP.

Actor	Action
Superintendent, Building Principal, and SVP Team	Examine 4:170-AP1, *Comprehensive Safety and Security Plan*, and recommend any changes to existing procedures to the Superintendent or District Safety Coordinator.
District Safety Coordinator	Meets with SVP Team to foster an understanding of what additional items each 4:170-AP1 Safety Team (see 4:170-AP1, *Comprehensive Safety and Security Plan,* **Part C, District Safety Coordinator and Safety Team; Responsibilities**) might add to its procedures to accomplish a response and recovery. Adds an agenda item to the 4:170-AP1 Safety Team meetings specific to Targeted School Violence; considers inviting the Board Attorney and local law enforcement and emergency responders to this meeting. **Note:** During a crisis, legal counsel will be a crucial part of crisis response and management (but not necessarily public relations and communication) because school officials must make split-second decisions, often with legal consequences to the District. Local law

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[8] See *Prior Knowledge of Potential School-Based Violence: Information students learn may prevent a targeted attack*, p. 10, at: ~~rems.ed.gov/docs/DOE_BystanderStudy.pdf~~https://rems.ed.gov/docs/ED_BystanderStudy.pdf.

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Actor	Action
	enforcement's familiarity with the identity of the District's legal counsel *before* a crisis occurs will assist with a faster connection between legal counsel and the school officials involved in the early stages of a Targeted School Violence Crisis and the immediate response to it. Considers designating a trained public relations and communication manager to inform parents/guardians and the community during a crisis and to keep pace with social media information.
Superintendent and Building Principal(s)	For crisis preparedness and response, ensure that: 4:170-AP1, *Comprehensive Safety and Security Plan,* **Part G, School Emergency Operations and Crisis Response Plan (SEOCRP)**, reflects each individual building's needs. 4:170-AP1, *Comprehensive Safety and Security Plan,* **Part F, School Safety Drill Plan**, supports a TSVP Plan. 4:170-AP1, *Comprehensive Safety and Security Plan,* **Parts G and H**, reflects each building's needs. Also ensure that multiple copies of these plans exist, and direct that appropriate persons have access to the plans, e.g., local law enforcement authorities, etc. One copy in the Building Principal's office is insufficient. For crisis recovery, ensure that 4:170-AP1*, Comprehensive Safety and Security Plan,* **Parts I, J, and K**, reflects District needs and that the Board Attorney is aware of the plans. Recommend to the District Safety Coordinator any other additional crisis recovery items that the 4:170-AP1 Safety Team deems necessary.

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Operational Services

Administrative Procedure - Threat Assessment Team (TAT) [1]

This procedure implements Threat Assessment Teams (TATs). TAT members are professional educators, mental health professionals, law enforcement professionals, and professionals from other disciplines as necessary who are trained in behavioral threat assessment. 105 ILCS 128/45(a).

TATs function at the Building level, taking direction from the District-level School Violence Prevention Team. They identify, inquire, assess, and manage a range of threats that may be posed to the school community. Threats may be posed from a broad range of individuals affecting the District environment, including: [2]

- Students: current and former (and potentially prospective)
- Employees: current and former (and potentially prospective)
- Parents/guardians or other family members of students
- Persons who are (or have been) in relationships with staff or students
- Contractors, vendors, or other visitors
- Persons unaffiliated with the District

Customize this procedure to each TAT's building-specific needs, and use it in conjunction with administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program*, and exhibits 4:190-AP2, E1, *Principles of Threat Assessment*; 4:190-AP2, E2, *Threat Assessment Documentation*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*. This procedure contains five sections as follows:

1. Glossary of Terms
2. TAT Formation, Development, and Responsibilities
3. Assessing and Classifying Threats
4. Responding to and Managing Threats
5. Reporting Threats to Outside Agencies

Glossary of Terms

Pose a Threat – To pose a threat means an individual has, or is in the process of obtaining, the intent and capability to cause harm to self or others through planning and preparation.

Protective Factors – Characteristics or resources that make it less likely that an individual will engage in violence.

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[1] Required by 105 ILCS 128/45, amended by P.A.s ~~102-791,~~ 103-175, ~~and~~ 103-780, and 104-407. School districts had to implement a threat assessment procedure by 12-21-19 and establish a threat assessment team by 2-19-20. Id.

Adapted from *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Fifth Edition (July 2023), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg_mpd.pdf.

[2] See *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, p. 2.

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Risk Factors – Characteristics that make it more likely that an individual may engage in violence. Risk factors are usually stable over time.

Subject of Concern (Subject) – An individual who has been identified to pose a threat of violence or serious harm to self/others.

Target – An individual who is the intended target of the threat posed by the subject of concern.

Threat – A concerning communication or behavior that indicates that an individual may pose a danger to the safety of school staff or students through acts of violence or other behavior that could cause harm to self or others. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; it is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat.

Threat Assessment – A systemic, fact-based process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially disruptive, dangerous, or violent situations, to assess them, and to manage/address them.

Threat Assessment Team (TAT) – A multidisciplinary Building-level team led by the Building Principal to perform specific threat assessments that must include at least one law enforcement official as well as cross-disciplinary representatives of the District who are most directly familiar with the mental and behavioral health needs of students and staff. Such cross-disciplinary representatives may include the following individuals employed by the District or a special education cooperative that serves the District and who are available to serve: an administrator, a teacher, a school counselor, a school psychologist, and a school social worker. [3]

TAT Triage Team – Consists of at least two members of the TAT designated by the Building Principal to triage reported cases of concerning, aberrant, or threatening behavior and/or communication. Considers the nature and level of concern of cases to determine if existing resources and mechanisms are sufficient to address concerns, or whether the full TAT should further assess and manage the situation, and initiates any crisis responses as appropriate.

Types of Threats –

Routine/No Known Concern: Subject/situation does not indicate a threat of violence or harm to self or others, or need for assistance or intervention. No impact on others, environmental factors, or precipitants that need TAT intervention. Close the case.

Low Level: Subject/situation does not indicate a threat of violence or harm to self or others; would or may benefit from intervention or assistance with concerns. Target, environmental/systemic, or precipitating events may be present at low levels. May involve some ongoing assessment management with passive monitoring and/or periodic active monitoring, and referrals as appropriate. Close the case if no team interventions or monitoring are indicated.

Moderate Level: Subject/situation does not pose a threat of serious violence or harm though risk cannot be ruled-out. Subject may be developing the capability for harm and is engaging in aberrant or concerning behaviors that indicate a need for assistance/intervention. Targets/others are likely

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[3] 105 ILCS 128/45(a), amended by P.A. 103-780. Districts that are unable to establish a threat assessment team with school district staff and resources may use a regional behavioral threat assessment and intervention team that includes mental health professionals, a representative from the Ill. Law Enforcement Alarm System, a safety education officer from the Ill. State Police, and local law enforcement representatives. Id.

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concerned and impacted. Environmental/systemic or precipitating factors may be present. Consider law enforcement/security notification as appropriate. Requires ongoing assessment and management plan, active monitoring, and referrals as appropriate.

High Level: Subject/situation poses, or is rapidly developing the capability for, a threat of serious violence or harm to self or others; or is in urgent need of hospitalization or treatment. Targets/others are impacted. Typically involves environmental/systemic factors and consideration for precipitating events. Requires immediate notification of school administration and law enforcement, subject containment, target protection and safety plan, activation of crisis response protocols as appropriate, ongoing assessment and management plan, active monitoring, and referrals as appropriate.

Imminent: Subject/situation poses an imminent threat of serious violence or harm to self/others and has or may reasonably have significant impact on others. Requires immediate law enforcement and school administration notification, subject containment, target protection and safety planning, implementation of crisis response and notification protocols, ongoing assessment and management plan, and active monitoring.

Warning Signs – Characteristics or behaviors that are associated with a current or escalating risk of violence. These tend to be dynamic, acute, and often associated with new stresses, events, losses, or failures.

TAT Formation, Development, and Responsibilities

Following are tasks to integrate TATs into the District's Targeted School Violence Prevention Plan.

Actor	Action
Superintendent or designee	Ensures TATs are trained in threat assessment by a threat assessment expert.[4] Free statewide training is available through the Ill. School and Campus Safety Program, at: https://ready.illinois.gov/plan/schools.html. Prior to the start of each school year, files this procedure and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center, as applicable. 105 ILCS 128/45(b), amended by P.A. ~~s 102-791 and~~ 103-175. Informs the Board that this filing was completed.

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[4] Many threat assessment publications outline that the best practice is for the entire TAT, as a team, to attend in-person threat assessment training by a threat assessment expert.

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Building Principal	Leads TAT. Selects TAT members, including at least one law enforcement official as well as cross-disciplinary representatives of the District who are most directly familiar with the mental and behavioral health needs of students and staff. Such cross-disciplinary representatives may include the following individuals employed by the District or a special education cooperative that serves the District and who are available to serve: An administrator; A teacher; A school counselor; A school psychologist; A school social worker; and Other District employees and/or community resource persons (as members or consultants as determined by the TAT). When resources allow, selects designated back-up for each core TAT member, from the same or similar areas of expertise, to fulfill their duties in the event of their absence or inability. Designates a TAT Triage Team. Ensures that any reporting mechanisms used by the school community are kept up to date, work consistently, and are checked on a regular and timely basis. Establishes an intake and triage process for reports regarding concerning, aberrant, or threatening behavior and/or communication. When a report is received, activates the TAT and uses this administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*.
TAT	Receives education and seeks training resources, including but not limited to exhibits 4:190-AP2, E1, *Principles of Threat Assessment;* 4:190-AP2, E2, *Threat Assessment Documentation*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*. Receives initial and periodic refresher threat assessment training by a threat assessment expert. Commits to work collaboratively with each other, with other school staff, and (as appropriate) with community resources to support the purposes of the TAT and the safety of the school, its students, and its staff. Actively, lawfully, and ethically communicates with each other, District administrators, and other school staff who have a need to know

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	particular information to support the safety of the school, its students, and its staff. Trains staff, students, parents/guardians, and other members of the school community to recognize and report possible threats by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from the TAT. Identifies and trains members of the school community who can take reports of possible threats. Effectively implements Board policy 4:190, *Targeted School Violence Prevention Program*.

Assessing and Classifying Threats

When a threat is reported, the Building Principal and TAT assess and classify the threat using the criteria and process outlined below.

Actor	Action
Building Principal and/or TAT Triage Team	When a potential threat report is received, initiates the following intake and triage process. Intake Obtains basic information about the potential threat, including but not limited to: Initial Report of Concern: Date/time reported, date/time reviewed, person receiving report. Reporting Party: Name, affiliation, contact information, relationship to subject of concern. Incident/Nature of Concern: Date/time occurred, location, nature of threat/concern, weapons involved/threatened, details about concerns, and any relevant background information. Subject of Concern: Name, affiliation, contact information, relationship to reporting party or target(s). Identified/Identifiable Target(s): Name, affiliation, contact information, relationship to report party or subject. Determines if an imminent threat exists. An imminent threat is indicated by such factors as: 1. Subject intends imminent and/or serious harm to self/others; or 2. Subject lacks inhibitions for using violence. If an imminent threat exists, initiates School Emergency Operations and Crisis Response Plan (SEOCRP) and notifies law enforcement in accordance with administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan, Part G, School Emergency Operations and Crisis Response Plan (SEOCRP)*.

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Actor	Action
Building Principal and/or TAT Triage Team	If no imminent threat exists, or once an imminent threat is contained, proceeds to triage. <u>Triage</u> Triages threat to determine if the full TAT must be involved. Triage may include, as necessary and appropriate: Reviewing the reported concerning, aberrant, or threatening behavior and/or communication. Reviewing school and other records for any prior history or interventions with the individual(s) involved. Conducting timely and thorough interviews of the person(s) who reported the threat, the recipient(s) or target(s) of the threat, other witnesses who have knowledge of the threat, and where reasonable, the individual(s) who allegedly engaged in the threatening behavior or communication. The purpose of the interviews is to gain a holistic understanding of the situation, determine the nature and level of the concerns, identify areas where more information may be needed, and inform appropriate strategies or interventions to address any concerns identified. Determines if the full TAT must be involved. To determine that the full TAT does not need to be involved, all TAT Triage Team members must concur that there is no identifiable threat/concern, or that there is a low level of concern regarding issues that are being adequately addressed. If the full TAT must be involved, convenes it as soon as possible. Documents intake and triage using exhibit 4:190-AP2, E2, *Threat Assessment Documentation*.

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Actor	Action
TAT	Conducts a comprehensive and holistic assessment of the threat using the STEP framework set forth in exhibit 4:190-AP2, E1, *Principles of Threat Assessment*. See exhibit 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*, for key questions to ask the person(s) who reported the threat, the threat recipient(s)/target(s), other witnesses, and the subject to assess the threat. Once the assessment is complete, classifies the threat as one of the following: Routine/No Known Concern, Low Level, Moderate Level, High Level, or Imminent. Documents the threat assessment and classification using exhibit 4:190-AP2, E2, *Threat Assessment Documentation*, and ensures that TAT documentation follows the acronym FORT: [5] **F** **Fair** – sought to understand situations and give individuals an opportunity to be heard and understood; **O** **Objective** – sought information based on facts and observations of the case and not speculation or bias; **R** **Reasonable** – engaged in responses that were effective and proportionate to the situation; and **T** **Timely** – quickly and responsively addressed reports of threatening behavior.
Building Principal	Where the TAT classifies the threat as a Moderate, High, or Imminent level of concern and the threat requires further intervention to prevent violence or serious harm, notifies: 1. The parent(s)/guardian(s) of any student who is the target/recipient of a threat; and 2. The parent(s)/guardian(s) of any student who engaged in threatening behaviors.

Responding to and Managing Threats

Actor	Action
TAT	Identifies appropriate responses to the threat based upon its level. See exhibit 4:190-AP2, E4, *Responding to Types of Threats*, for examples of responses to each threat level. Develops, implements, and monitors an individualized, fact-based case management plan to intervene with, address, and reduce the threat by:

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[5] *Source: © G. Deisinger (1996).*

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Actor	Action
	Designating a TAT member as case manager to monitor the status of the subject and to notify the TAT of any change in status, response to interventions/referrals, or additional information that would be cause for reassessment and/or changes in interventions strategies; Assisting the subject, and any impacted staff or students, in accessing appropriate school and community-based resources for support and/or further intervention; Appointing one or more TAT members to engage directly with the subject to prevent the subject from becoming isolated; and Using the least intrusive interventions and strategies that are sufficient, fair, and reasonable to address the concerns identified. See exhibit 4:190-AP2, E5, *Threat Assessment Case Management Strategies*, for interventions and strategies, including those that are subject-based, target-based, and environmental/systems-based. Documents this process and any case updates using exhibit 4:190-AP2, E2, *Threat Assessment Documentation*. Submits updates to the Building Principal regularly, e.g., at least every 30 days, until the case is resolved and the subject no longer poses a threat to the school, its students, or its staff. Maintains documentation in accordance with Board policy, State records laws, and administrative procedures.

Reporting Threats to Outside Agencies

The following is the process to notify the Local Law Enforcement Agency (LLEA) and/or the Ill. State Police (ISP) about certain types of threats. See also administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan, Part J, Required Notices*.

Actor	Action
Superintendent or designee	Immediately notifies the LLEA upon receiving a report from any school personnel regarding a verified incident involving: Batteries committed against teachers, teacher personnel, administrative personnel, or educational support personnel. 105 ILCS 5/10-21.7~~, amended by P.A. 102-894~~. A firearm in a school or on school-owned or leased property. 105 ILCS 5/10-27.1A(c), amended by P.A.s 103-34, 103-609, and 103-780. Drugs in a school or on school-owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel. 105 ILCS 5/10-27.1B(b), amended by P.A.s 103-609 and 103-780; 105 ILCS 127/).

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Actor	Action
	Reports all of the above incidents to ISBE through its web-based School Incident Reporting System (SIRS) as they occur during the year but no later than July 31 for the preceding school year.[6] 105 ILCS 5/10-27.1A, amended by P.A.s 103-34, 103-609 (first to pass both houses), and 103-780 (second to pass both houses and controlling); 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); and 105 ILCS 5/10-21.7.
Building Principal	Reports to the LLEA threats to the safety and welfare of students and teachers by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity. 105 ILCS 5/10-21.4a. Reports other threats to the LLEA as necessary and appropriate. **Immediately** notifies the LLEA upon receiving a report of a threat of gun violence on school grounds or of a~~that any~~ person ~~has been observed in possession of a firearm~~ on school grounds possessi~~on~~ng a firearm (other than a law enforcement official engaged in the conduct of his or her official duties). 105 ILCS 5/10-27.1A, amended by P.A. 104-174. If the report pertains to a threat of firearm violence made by a student, the Building Principal or designee must attempt to notify the student's parent/guardian **as soon as possible** and must further attempt to contact the parent/guardian to ensure that the student does not have access to a firearm. If the person found to be in possession of a firearm on school grounds is a student, the Building Principal or designee shall also immediately notify the student's parent/guardian. 105 ILCS 5/10-2~~1~~7.~~7~~1A(b). Reports directly to ~~the~~ ISP within 24 hours of a determination that a student or other person poses a clear and present danger to himself, herself, or others. 430 ILCS 66/105 and 405 ILCS 5/6-103.3, amended by P.A. 104-270; 20 Ill.Admin.Code §1230.120(b). The Building Principal must also notify the Superintendent or designee whenever he or she makes a clear and present danger report to ISP.[7] See exhibit 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*, for further information.

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[6] See f/n 6 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*.

[7] Optional and suggested here as a best practice. This aligns with sample exhibit 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*.

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General Personnel

Administrative Procedure - Workplace Accommodations for Nursing Mothers [1]

The School District accommodates mothers who choose to continue breastfeeding after returning to work. An employee who is a nursing mother may take reasonable breaks to express breast milk or breastfeed her infant. The employee's supervisor shall help the employee arrange a break schedule accommodating the nursing mother while minimizing disruption. The break time may run concurrently with any break time already provided to the employee. The District shall compensate the employee during the break time at the employee's regular rate of pay. The employee is not required to use paid leave during the break time, and the District will not reduce the employee's pay for the break time.

Each Building Principal or chief administrator in another District building shall identify a private room or space where, if a request is made, an employee may express milk or breastfeed her infant. The private space must: (1) be in close proximity to the work area and be other than a bathroom, and (2) be free from intrusion from coworkers and the public, and (3) include an electrical outlet for the use of an electric breast pump.

Supervisors should consider ways to accommodate an employee's needs with minimal disruption of the school environment. If possible, supervisors will ensure that employees are aware of these workplace accommodations prior to maternity leave.

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[1] This procedure contains language appropriate for a personnel handbook. Its content is controlled by the laws described below; they must be read together so that the greatest protections of each are granted to the employee. Each accommodation listed in this procedure is required except for the provision regarding an electrical outlet.

The Right to Breastfeed Act (740 ILCS 137/) provides that a "mother may breastfeed her baby in any location, public or private, where the mother is otherwise authorized to be, irrespective of whether the nipple of the mother's breast is uncovered during or incidental to the breastfeeding." Id. at 137/10. The Act allows a woman who was denied the right to breastfeed in a public or private location, other than a private residence or place of worship, to bring an action to enjoin future denials and, if she prevails, is awarded reasonable attorney's fees and litigation expenses. Id. at 137/15.

The Nursing Mothers in the Workplace Act (820 ILCS 260/) requires employers to make reasonable efforts to provide a location, in close proximity to the work area, other than a toilet stall, where an employee can express her milk in privacy. Id. at 260/15. An employer must compensate an employee during the break time at the employee's regular rate of pay and may not reduce an employee's compensation for time used for the purpose of expressing milk or nursing a baby. Id. at 260/10, amended by P.A. 104-76, eff. 1-1-26. The break time may run concurrently with any break time already provided to the employee. Id. Consult the board attorney to ensure the district is properly accommodating and compensating nursing mothers.

The Fair Labor Standards Act, 29 U.S.C. §218d, requires employers to provide a reasonable unpaid break time "for an employee to express breast milk for such employee's nursing child for 1 year after the child's birth each time such employee has need to express the milk." It also requires an employer to provide "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk." Id. at §218d(a). The federal law and State law, as described above, covers all employees. For more information on the federal law requirements, see the U.S. Dept. of Labor's factsheet, *FLSA Protections for Employes to Pump Breast Milk at Work*, www.dol.gov/agencies/whd/fact-sheets/73-flsa-break-time-nursing-mothers.

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General Personnel

Administrative Procedure - Employee Conduct Standards [1]

Professional and appropriate conduct is expected of all District employees. The standards listed below serve as a notice of expected conduct. The standards are intended to protect the health, safety, and general welfare of students and employees, ensure the community a degree of accountability within the School District, and define misconduct justifying disciplinary action, up to and including dismissal. The listed standards are not a complete list of expectations, and depending on the factual context, an employee may be disciplined for conduct that is not specifically listed. The conduct standards apply to all District employees to the extent they do not conflict with an applicable collective bargaining agreement; in the event of a conflict, the provision is severable and the applicable bargaining agreement will control. In addition, all employees who are governed by the *Code of Ethics for Illinois Educators* must comply with 5:120-E, *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE) (23 Ill.Admin.Code Part 22).

All school employees shall:

1. Exhibit positive examples of preparedness, punctuality, attendance, self-control, language, and appearance.
2. Exemplify honesty and integrity. Violations of this standard include, but are not limited to, falsifying, misrepresenting, omitting, or erroneously reporting the professional qualifications of oneself or another individual or information submitted in connection with job duties or during the course of an official inquiry/investigation.
3. Maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries, both in and outside the school. Attend all in-service trainings on educator ethics and responding to child sexual abuse and grooming behavior including, but not limited to, teacher-student conduct, school employee-

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[1] This procedure's list of conduct standards is more comprehensive than the list in sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest.* This procedure and its exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*, are tools to prompt local conversations related to employee conduct standards, including the prevention of sexual misconduct and grooming. **Do not automatically add them to the district's procedure or personnel manual.** Many districts already have collective bargaining agreements and/or personnel manuals addressing conduct and misconduct. These items are subjects of mandatory collective bargaining. Moreover, an employee conduct code is most effective when it reflects local conversations related to expectations around employee-student boundaries and other professional ethics conditions and circumstances. As employee conduct rules are frequently litigated, consulting the board attorney is a necessary part of their development.

The introductory paragraph recognizes that an applicable collective bargaining agreement will supersede a conflicting provision of the procedure. It also provides coverage for those employees who are not included in a bargaining unit. **This language, however, does not relieve a district from its collective bargaining mandate because the district would still be adopting conduct rules without bargaining.** Use the following alternative when the district intends to use the conduct rules for only those employees who are not represented by an exclusive bargaining agent:

> The employee conduct standards apply to only those District employees who are not represented by an exclusive bargaining representative.

Our sample policies contain many personnel conduct rules. The following sample policies authorize the superintendent or designee to develop and implement procedures, e.g., conduct standards: 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:120, *Employee Ethics; Code of Professional Conduct*; *and Conflict of Interest;* and 3:40, *Superintendent*.

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student conduct, and 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*) for all personnel (105 ILCS 5/10-22.39(b-35), added by P.A. 103-542~~, eff. 1-1-23 and operative 7-1-24~~), as well as all required trainings on child abuse, grooming behaviors, and employee-student boundary violations (325 ILCS 5/4(j) and 5/10-23.13 (*Erin's Law*)). Violations of this standard include, but are not limited to: (a) committing any act of child abuse or cruelty to children; (b) willfully or negligently failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/); (c) engaging in harassing behavior, including but not limited to sexually harassing a student (775 ILCS 5/5A-102, amended by P.A. 103-472~~, eff. 8-1-24~~); (d) willfully or negligently failing to report an instance of suspected sexual harassment as required by Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), (e) providing a recommendation of employment for an employee, contractor, or agent that the employee knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law, as prohibited by the Elementary and Secondary Education Act (20 U.S.C. § 7926), (f) engaging in *grooming* as defined in 720 ILCS 5/11-25, amended by P.A. 104-245, eff. 1-1-26; (g) engaging in prohibited grooming behaviors, including *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c) (*Faith's Law*) and Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; (h) furnishing tobacco, alcohol, cannabis, or any other illegal/unauthorized substance, including e-cigarettes, to any student or allowing a student under his or her supervision to use tobacco, alcohol, cannabis (including medical cannabis unless the student is authorized to be administered a medical cannabis infused product by the school employee pursuant to *Ashley's Law*[2]); and (i) violating expectations and guidelines for employee-student boundaries set forth in 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

4. Maintain a safe and healthy environment, free from being impaired by and/or under the influence of prohibited substances to ensure high quality performance for the District and its students. The use of illegal drugs and/or abuse and misuse of alcohol, drugs, and other lawful products[3] while on District premises or while performing work for the District diminishes the District's credibility and ability to educate students[4] about drug and substance abuse prevention pursuant to Board policy 6:60, *Curriculum Content*. Violations of this standard include, but are not limited to, engaging in any of the prohibited activities listed in the District's drug- and alcohol-free workplace policy.[5] Examples include using or being impaired by or under the influence of illegal drugs; abusing, misusing, and/or being impaired by or under the influence of alcohol, drugs, and/or other lawful products[6] when performing work for the District when impairment is detectable regardless of when and/or where the use occurred; and/or using or

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[2] See f/n 11 in sample policy 7:190, *Student Behavior*, for a discussion of medical cannabis and *Ashley's Law*.

[3] The Right to Privacy in the Workplace Act (RPWA) prohibits discrimination based on use of lawful products off premises during non-working and non on-call hours, e.g., alcohol, tobacco, and cannabis. 820 ILCS 55/5. But see f/n 7, below.

[4] ~~105 ILCS 5/27-13.2, amended by P.A.s 102-195 and 103-365~~105 ILCS 5/27-255, added by P.A. 104-245~~, eff. 1-1-24, and 5/27-23.4 (provided education of students about drug and substance abuse can be funded by private grants or the federal government)~~.

[5] See sample policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*.

[6] 820 ILCS 55/5(b) allows employers to regulate employees' use of lawful products which impair an employee's ability to perform assigned duties.

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being impaired or under the influence of or possessing medical cannabis[7] in a school bus or on school grounds.

5. Maintain a safe and healthy environment, free from harassment, intimidation, bullying, hazing, and violence, and free from bias and discrimination. Violations of this standard include, but are not limited to: (a) unless specifically permitted by the Firearm Concealed Carry Act, carrying a firearm on or into any District controlled building, real property, or parking area, or any transportation vehicle paid for in whole or in part with public funds;[8] (b) willfully or negligently failing to immediately report suspected cases of child abuse or neglect or of gender harassment;[9] (c) knowingly failing to report hazing to supervising educational authorities or, in the event of death or great bodily harm, to law enforcement;[10] and (d) failing to appropriately respond to a witnessed or reported incident of student-on-student bullying, harassment, hazing, or teen dating violence.
6. Comply with the Code of Ethics For Test Administration, prepared and published by ISBE for educators who administer any standardized test (at www.isbe.net/Documents/AssessmentCodeofEthics-2021-22.pdf), and with any assessment-specific administration guidance (see www.isbe.net/Pages/Assessment.aspx).
7. Honor the public trust when entrusted with public funds and property by acting with a high level of honesty, accuracy, and responsibility. Violations of this standard include, but are not limited to: (a) misusing public or school-related funds; (b) failing to account for funds collected from students or parents/guardians; (c) submitting fraudulent requests for reimbursement of expenses or for pay; (d) co-mingling District or school funds with personal funds or checking accounts; and (e) using school property without the approval of the supervising school official.
8. Maintain integrity with students, colleagues, parents/guardians, community members, and businesses concerning business dealings and when accepting gifts and favors. Violations of this standard include, but are not limited to, soliciting students or parents/guardians to purchase supplies or services from the employee or to participate in activities that financially benefit the employee without fully disclosing the interest.
9. Respect the confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements. Violations of this standard include, but are not limited to: (a) disclosing confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results, unless disclosure is required or permitted by law; and (b) disclosing confidential information restricted by State or federal law.
10. Demonstrate conduct that follows generally recognized professional standards and attend all in-service trainings on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel (105 ILCS 5/10-22.39, amended by P.A. 103-542~~, eff. 1-1-24 and operative 7-1-24~~). Unethical conduct is any conduct that impairs the employee's ability to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

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[7] An employer may discipline any employee, including one who is a *registered qualifying patient*, for violating a drug-free workplace policy. 410 ILCS 130/50 and 705/10-35(a)(1).

[8] Firearm Concealed Carry Act, 430 ILCS 66/65(a)(1), (2), and (8).

[9] 325 ILCS 5/4(a)(4); 105 ILCS 5/10-23.12(c) (all district employees); 105 ILCS 5/21B-75(b) (teachers)~~, amended by P.A.s 102-552 and 102-702~~.

[10] 720 ILCS 5/12C-50.1.

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11. Comply with all State and federal laws and rules regulating public schools and Board policies, including but not limited to: 2:105 (*Ethics and Gift Ban*), 4:165 (*Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*), 5:10 (*Equal Employment Opportunity and Minority Recruitment*), 5:20 (*Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria*), 5:50 (*Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*), 5:60 (*Expenses*), 5:90 (*Abused and Neglected Child Reporting*), 5:100 (*Staff Development Program*), 5:120 (*Employee Ethics; Code of Professional Conduct; and Conflict of Interest*), 5:130 (*Responsibilities Concerning Internal Information*), 5:140 (*Solicitations By or From Staff*), 5:170 (*Copyright*), 5:180 (*Temporary Illness or Temporary Incapacity*), 5:200 (*Terms and Conditions of Employment and Dismissal*), 5:230 (*Maintaining Student Discipline*), 5:280 (*Duties and Qualifications*), 5:290 (*Employment Termination and Suspensions*), 6:235 (*Access to Electronic Networks*), 7:20 (*Harassment of Students Prohibited*), 7:180 (*Prevention of and Response to Bullying, Intimidation, and Harassment*), 7:190 (*Student Behavior*), 7:340 (*Student Records*), and 8:30 (*Visitors to and Conduct on School Property*).

Conviction of any employment disqualifying criminal offense listed in 105 ILCS 5/10-21.9 or 5/21B-80 will result in dismissal. [11]

Before disciplinary action is taken, the supervisor will conduct a fair and objective investigation to determine whether the employee violated a standard or other work rule and the extent that any violation impacts educational or operational activities, effectiveness, or efficiency. Discipline must be appropriate and reasonably related to the seriousness of the misconduct and the employee's record. Any applicable provision in a contract, bargaining agreement, or State law will control the disciplinary process.

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[11] See also sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 19, for requirements of the Ill. Human Rights Act related to adverse employment actions based on conviction records. 775 ILCS 5/2-103.1.

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Professional Personnel

Administrative Procedure - Substitute Teachers [1]

Minimum Qualifications of the Substitute Teacher

Substitute teachers are generally required to have one of the following that is valid in Illinois:

1. Professional educator license or professional educator license with stipulations that required a bachelor's degree for issuance
2. Substitute teaching license

Exceptions in 105 ILCS 5/21B-20(2)(E) and (F) allow individuals who do not hold a bachelor's degree to substitute teach in career and technical education classrooms if they hold an educator license with stipulations and such license holds: a career and technical educator endorsement or a provisional career and technical educator endorsement.

Additionally, any individual who serves as a substitute teacher for driver's education must be endorsed for driver's education pursuant to 23 Ill.Admin.Code §25.100(h).

Minimum Qualifications of the Short-Term Substitute Teacher [2]

Short-term substitute teachers must:

1. Hold a valid Short-Term Substitute Teaching License; and
2. Have completed the District's short-term substitute teacher training program.

The District's short-term substitute teacher training program provides short-term substitutes with information on curriculum, classroom management techniques, school safety, and District and building operations. This training program is also available to individuals who hold a Substitute Teaching License and/or substitute teachers holding a Professional Educator License. [3]

Personnel File Requirements

All substitute teachers shall have each of the following documents on file with the District Administrative Office.

1. Completed application for employment and transcript of college credits
2. Evidence of license registration

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[1] These sample procedures must be amended to reflect actual practice. It should be clear who has responsibility for maintaining the substitute list, contacting them, recording work days, and evaluating them. A superintendent may also refer to a Substitute Handbook, if one exists, as well as additional pay provisions.

[2] 105 ILCS 5/21B-20(4), amended by P.A.~~s 102-712 and~~ 103-111, governs Short-Term Substitute Teaching Licenses, which may be issued from 7-1-18 until 6-30-28.

[3] 105 ILCS 5/10-20.67, amended by P.A. 103-111, requires boards to conduct this training. For further discussion see f/n 10 in sample policy 5:220, *Substitute Teachers*.

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3. Evidence of physical fitness to perform assigned duties and freedom from communicable disease [4]
4. State and federal tax forms
5. If applicable, Immigration and Naturalization Service, Form I-9
6. Signed *Acknowledgement of Mandated Reporter Status* form provided by DCFS and, if applicable, evidence that the individual completed mandated reporter training within three months of initial employment and at least every three years after that date (required by the Abused and Neglected Child Reporting Act, 325 ILCS 5/4)

Contact ISBE, the ROE, or Intermediate Service Center with questions. More information is on the ISBE website, *Substitute Teacher License* at: www.isbe.net/Pages/Educator-Licensure-Requirements.aspx.

District Responsibilities

1. The Superintendent or designee maintains a list of all substitute teachers in the District Administrative Office.
2. The Superintendent or designee verifies:
   a. Criminal background check results
   b. Appropriate license and registration
   c. References and employment verification
3. The Superintendent or designee provides all substitute personnel with training on school evacuation drills and law enforcement lockdown drills. [5]

Additional Requirements and Procedures

1. Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*
2. Administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*
3. Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*
4. Board policy 5:30, *Hiring Process and Criteria*
5. Administrative procedure 5:30-AP2, *Investigations*
6. Board policy 5:150, *Personnel Records*

Standard Duties of All Substitute Teachers

1. Keep and leave a status report of lesson plans completed and leave a report of the group's accomplishments.
2. Manage all recording of assignments and grading during the time worked as outlined in the applicable collective bargaining agreement or duties for substitute teachers.
3. Prepare plans for the following day's work.
4. Follow the regular teacher's lesson plans.
5. Leave the classroom and its equipment in order.
6. Leave a note reporting any unusual experience with a student during the day.
7. Hold as confidential any information concerning staff, parents, or students.
8. Be consistent in dealing with others; emphasize the positive, yet be firm and sympathetic.

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[4] 105 ILCS 5/24-5(b-5) states "A new or existing substitute teacher employee may be subject to additional health examinations, including screening for tuberculosis, as required by rules adopted by the Department of Public Health or by order of a local public health official." The Ill. Dept. of Public Health does not require school employees to be screened for tuberculosis other than workers in child day care and preschool settings. 77 Ill.Admin.Code §696.140(a)(3).

[5] Required by 105 ILCS 128/22, added by P.A. 104-198, eff. 1-1-26. See also section **F. School Safety Drill Plan** of sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*.

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9. When notified in time, arrive at least 20 minutes before the school period starts, and remain on duty at least 20 minutes after dismissal time.
10. Check with the office when reporting for substitute duty, and check with the office before leaving to see if you will be needed the next day.
11. If temporarily or permanently withdrawing from substitute work, so inform the District office.
12. Report any issues you encounter to the Building Principal.

Compensation

1. The rate of pay for substitute teachers is established from time-to-time by the School Board.
2. Substitute teachers are employed and paid for only days actually worked. Substitutes are not paid for holidays, vacation days, or days of illness.

Assignment Procedures

Substitute teachers will be called as needed from the office of the Building Principal. Only individuals who are on the substitute teacher list, as compiled by the Superintendent or designee, may be called for substitute work. Substitute teachers are given as much notice as possible; however, they may be called the morning they are needed.

Building-Level Responsibilities

The person arranging for a substitute teacher's service shall provide each substitute with the information relevant to the service, for example:

1. District map with locations of District schools indicated
2. District and school building emergency procedures, location of emergency equipment, etc.
3. School directory
4. School calendar and handbook
5. District student behavior policy and procedures
6. Support that includes, at a minimum, the information packet given to employees with District-approved materials outlining evacuation and lockdown procedures.
7. Maps identifying all school exits, which must be prominently displayed in every classroom.

LEGAL REF.: 105 ILCS 5/10-20.67, 5/21B-20(2), 5/21B-20(3), 5/21B-20(4), and 5/24-5(b-5).
105 ILCS 128/22, School Safety Drill Act.
23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teacher License).

DRAFT

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IASB POLICY REFERENCE MANUAL
TABLE OF CONTENTS
SECTION 6 - INSTRUCTION

Philosophy and Goals

6:10 Educational Philosophy and Objectives

6:15 School Accountability

Educational Calendar and Organization

6:20 School Year Calendar and Day

6:20-AP Administrative Procedure – Remote and/or Blended Remote Learning Day Plan(s)

6:30 Organization of Instruction

Curriculum

6:40 Curriculum Development

6:40-AP Administrative Procedure - Curriculum Development

6:50 School Wellness

6:60 Curriculum Content

6:60-AP1 Administrative Procedure - Comprehensive Health Education Program

6:60-AP1, E1 Exhibit - ~~Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;~~ Requests to Examine Materials~~; Written Objection(s)~~ and~~/or~~ Statutory Opt-outs

6:60-AP1, E2 Exhibit - Resources for Biking and Walking Safety Education

6:60-AP2 Administrative Procedure - Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))

6:60-AP3 Administrative Procedure - Developmentally Appropriate Consent Education

6:65 Student Social and Emotional Development

6:70 Teaching About Religions

6:70-AP Administrative Procedure - Teaching About Religions

6:80 Teaching About Controversial Issues

DRAFT

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6:90 OPEN

6:100 Using Animals in the Educational Program

6:100-AP Administrative Procedure - Dissection of Animals

6:100-E1 Exhibit - Guidelines and Application for Using Animals in School Facilities for Educational Purposes

6:100-E2 Exhibit - Student Permission for Exposure to Animals

Special Programs

6:110 Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program

6:120 Education of Children with Disabilities

6:120-AP1 Administrative Procedure - Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities

6:120-AP1, E1 Exhibit - Notice to Parents/Guardians Regarding Section 504 Rights

6:120-AP1, E2 Exhibit - Special Education Required Notice and Consent Forms

6:120-AP2 Administrative Procedure - Access to Classrooms and Personnel

6:120-AP2, E1 Exhibit - Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes

6:120-AP3 Administrative Procedure - Service Animals

6:120-AP3, E1 Exhibit - Guidelines for Service Animals in School Facilities

6:120-AP4 Administrative Procedure - Care of Students with Diabetes

6:130 Program for the Gifted

6:135 Accelerated Placement Program

6:135-AP Administrative Procedure - Accelerated Placement Program Procedures

6:140 Education of Homeless Children

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

6:145 Migrant Students

6:150 Home and Hospital Instruction

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DRAFT

6:160 English Learners

6:170 Title I Programs

6:170-AP1 Administrative Procedure - Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs

6:170-AP1, E1 Exhibit - District-Level Parent and Family Engagement Compact

6:170-AP1, E2 Exhibit - School-Level Parent and Family Engagement Compact

6:170-AP2 Administrative Procedure - Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws

6:170-AP2, E1 Exhibit - District Annual Report Card Required by Every Student Succeeds Act (ESSA)

6:180 Extended Instructional Programs

6:185 Remote Educational Program

6:190 Extracurricular and Co-Curricular Activities

6:190-AP Administrative Procedure - Academic Eligibility for Participation in Extracurricular Activities

Instructional Resources

6:200 OPEN

6:210 Instructional Materials

6:220 Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct

6:220-E1 Exhibit - Authorization to Participate in the Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct Agreement

6:220-E2 Exhibit - Bring Your Own Technology (BYOT) Program Student Guidelines

6:230 Library Media Program

6:230-AP Administrative Procedure - Responding to Complaints About Library Media Resources

6:230-AP, E Exhibit - Library Media Resource Objection Form

6:235 Access to Electronic Networks

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6:235-AP1 Administrative Procedure - Acceptable Use of the District's Electronic Networks

6:235-AP1, E1 Exhibit - Student Authorization for Access to the District's Electronic Networks

6:235-AP1, E2 Exhibit - Staff Authorization for Access to the District's Electronic Networks

6:235-AP2 Administrative Procedure - Web Publishing Guidelines

6:235-AP3 Administrative Procedure - Development of an Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines

6:235-E3 Exhibit - Online Privacy Statement

6:235-E4 Exhibit - Keeping Yourself and Your Kids Safe On Social Networks

6:235-E5 Exhibit - Children's Online Privacy Protection Act

6:240 Field Trips

6:240-AP Administrative Procedure - Field Trip Guidelines

6:250 Community Resource Persons and Volunteers

6:250-AP Administrative Procedure – Resource Persons and/or School Volunteers; Screening

6:250-E Exhibit - Resource Person and Volunteer Information Form and Waiver of Liability

6:255 Assemblies and Ceremonies

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

6:260-AP Administrative Procedure - Responding to Complaints About Curriculum, Instructional Materials, and Programs

6:260-AP, E Exhibit - Curriculum Objection Form

Guidance and Counseling

6:270 Guidance and Counseling Program

Achievement

6:280 Grading and Promotion

6:280-AP Administrative Procedure - Evaluating and Reporting Student Achievement

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6:290 Homework

6:300 Graduation Requirements

6:300-E1 Exhibit - Application for a Diploma for a Service Member Killed in Action or for Veterans of WW II, the Korean Conflict, or the Vietnam Conflict

6:300-E2 Exhibit - State Law Graduation Requirements

6:300-E3 Exhibit - Form for Exemption from Financial Aid Application Completion

6:310 High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students

6:310-E Exhibit - Class Substitution Request

6:315 High School Credit for Students in Grade 7 or 8

6:320 High School Credit for Proficiency

6:330 Achievement and Awards

6:340 Student Testing and Assessment Program

DRAFT

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Instruction

Administrative Procedure - Comprehensive Health Education Program

105 ILCS 5/27-215, added by P.A. 104-391,~~105 ILCS 110/3~~ requires the District to implement a Comprehensive Health Education Program (CHEP). CHEP is a systematic and extensive educational program designed to provide a variety of learning experiences based upon scientific knowledge of the human organism as it functions within its environment which will favorably influence the knowledge, attitudes, values, and practices of Illinois [students]; and which will aid [students] in making wise personal decisions in matters of health. 105 ILCS 5/27-210, added by P.A. 104-391. For ease of administration, this procedure also includes health-related curriculum topics outside of CHEP that appear in other sections of the School Code.

Unless limited to specific grades, the following major educational areas are the basis for curricula in the District's CHEP in all elementary and secondary schools: [1]

1. Human ecology and health;
2. Human growth and development;
3. In all grades, age- and developmentally appropriate sexual abuse, consistent with *Erin's Law*, abuse during pregnancy, and assault awareness and prevention education.[2] ~~except no student in grades pre-K through 8 shall be required to take or participate in any instruction for~~

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[1] All topics in this list without citation are from 105 ILCS 5/27-215, added by P.A. 104-391~~110/3~~; additional citations are for other portions of the School Code that also cover each topic. To avoid redundancy, Public Acts amending this law are simply listed in the f/ns as: "Amended by P.A. …," without first listing 105 ILCS ~~110/3~~5/27-215.

[2] Four statutes address a district's responsibility to provide age-appropriate sexual abuse and assault awareness and prevention education programs:

See f/n 1 above (age- and ~~appropriate~~developmentally appropriate sexual abuse and assault awareness and prevention education in all grades); 105 ILCS-215(c), added by P.A. 104-391, addresses distribution by the Ill. State Board of Education (ISBE) and Ill. Dept. of Children and Family Services (DCFS) of information for districts to provide to their communities about this instruction;

Erin's Law, 105 ILCS 5/10-23.13, ~~amended by P.A. 102-610,~~ and see sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors* (permits boards to adopt and implement a policy addressing sexual abuse prevention education for students through grade 5 and their parents/guardians);

105 ILCS 5/27-1015(b)~~9.1a(b)~~, ~~amended by P.A. 102-522~~renumbered by P.A. 104-391, (requires comprehensive personal health and safety and comprehensive sexual health education a/k/a National Sex Education Standards (NSES) to be: (a) age- and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma informed (b) replicate evidence-based or evidence-informed programs or substantially incorporate elements of evidence-based programs or evidence-informed programs or characteristics of effective programs, (c) provide information about local resources where students can obtain additional information and confidential services related to sexual violence (includes sexual abuse), and (d) provide information about State laws related to mandated reporting of child abuse and neglect, and school policies addressing the prevention of and response to sexual violence); and

105 ILCS 5/27-13.2, repealed by P.A. 104-391, ~~(formerly addresses (a)~~required districts to give parents/guardians of students in grades K-8 prior written notice of sexual abuse prevention instruction and the opportunity to opt their children out of such instruction upon written objection~~s to sexual abuse prevention instruction and notice provisions (minimum five days) for students in grades K through 8~~. **Note:** It is IASB's understanding that this provision was repealed in error by P.A. 104-391; however, as of the publication of **PRESS** Issue 120 (Oct. 2025), it is unclear if or when this error will be remedied. Consult with the board attorney if the district wants to continue to provide notice and an opportunity for parents/guardians to opt their children out of this instruction.~~, and (b) distribution by the Ill. State Board of Education (ISBE) and Ill. Dept. of Children and Family Services (DCFS) of information for districts to provide to their communities about this instruction).~~

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~~*recognizing and avoiding* sexual abuse if the student's parent/guardian submits written objection and refusal to participate in the instruction shall not be reason for failing, suspending or expelling the student.[3]~~ Through grade 12, an age-appropriate and evidence-informed curriculum pursuant to *Erin's Law* will provide instruction pursuant to Board policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*.[4] ~~The Superintendent must ensure all parent(s)/guardian(s) of students in any of grades K through 8 receive not less than five days' written notice before commencing the instruction.[5]~~

4. In all grades, ~~a minimum of 16 hours of~~ safety education in the courses of study regularly taught with instruction about: [6]
    a. Automobile safety, including traffic regulations, highway safety, and the consequences of alcohol consumption and the operation of a motor vehicle;
    b. Safety in the home, including safe gun storage;
    c. Safety in connection with recreational activities;
    d. Safety in and around school buildings;
    e. Safety in connection with vocational work or training;
    f. For students in grades 9 through 11, CPR subject to the excusal limitations in the first aid item 26, below; and
    g. For students in grades 6 through 8, CPR and how to use an AED by watching a training video on those subjects. [7]
    h. For students enrolled in pre-K through grade 6, water safety that incorporates evidence-based water safety instructional materials and resources.

~~5. In all grades, tobacco and e-cigarettes and other vapor devices; [8]~~

~~6.~~5. In grades K through 8, education must be available to students concerning effective methods of preventing and avoiding traffic injuries related to walking and bicycling. [9]

~~7.~~6. In each year for grades K through ~~4~~8, age- and developmentally appropriate instruction, study, and discussion of effective methods for the prevention and avoidance of drugs and the dangers

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~~[3] See f/n 2, above.105 ILCS 5/27-13.2 addresses instruction and opt-out provisions. This law also requires ISBE in cooperation with DCFS to prepare and distribute information about instructional materials and programs about child sexual abuse that schools can use for their own or community programs and distribute to parents/guardians.~~

[4] Required by 105 ILCS 5/27-215(a)(4), added by P.A. 104-391,~~110/3~~ and *Erin's Law,* 105 ILCS 5/10-23.13~~, amended by P.A. 102-610~~.

~~[5] 105 ILCS 5/27-13.2 para. 3 addresses the notice provisions for recognizing and avoiding sexual abuse.~~

[6] CHEP requires safety education and 105 ILCS 5/27-815, renumbered by P.A. 104-391, ~~-24.2 (~~requires safety education for ~~elementary grades)~~grades K-8.; 105 ILCS 5/27-1020.17 ~~(safety education topics),~~ amended by P.A.~~s 102-971 and~~ 103-567 and renumbered by P.A. 104-391. Neither CHEP nor 105 ILCS 5/27-815 define safety education or explain how it differs from the optional safety education that boards can offer under 105 ILCS 5/27-1020, renumbered by P.A. 104-391, in the absence of other guidance, this procedure utilizes the topics from 105 ILCS 5/27-1020, but they can be customized based on local needs and conditions, provided they otherwise align with Illinois State Learning Standards.

For resources on water safety instruction, see https://ndpa.org/water-safety-educational-resources.

[7] Consult the board attorney about whether the requirements for students in grades 6 through 8 to watch a video pursuant to 105 ILCS 5/27-17 are subject to the parent/guardian excusal provisions of 105 ILCS 5/27-215(d), added by P.A. 104-391~~105 ILCS 110/3~~.

~~[8] Amended by P.A. 102-464. Starting in grade 5, the law expands education to alcohol and drug use and abuse along with tobacco. See number 9 of this sample administrative procedure text.~~

[9] The law is silent about how to educate students on this topic. 105 ILCS 5/27-11023.11, renumbered by P.A. 104-391. See sample exhibit 6:60-AP1, E2, *Resources for Biking and Walking Safety Education*, for additional information.

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of opioid and substance abuse ~~that are integrated into the curricula and designed to promote effective methods for the prevention and avoidance of drug and substance abuse~~. [10]

~~8.~~7. In all grades ~~K through 8, annual~~ instruction, study, and discussion of effective methods by which students may recognize ~~on~~ the danger of abduction and how to avoid it~~abduction as part of the District's regular curriculum~~. [11]

~~9.~~8. In grades 5 through 12, age- and developmentally appropriate classroom instruction on alcohol and drug use and abuse, including ~~the medical and legal ramifications of alcohol, drug, and tobacco use that integrates into existing curricula, instruction related to~~: [12]

a. The physical and legal effects and ramifications of drug and substance abuse that integrates into existing curricula ~~(including use during pregnancy)~~;

b. Information from the Ill. State Board of Education's (ISBE) *Substance Use and Prevention and Recovery Instruction Resource Guide* ~~instructional materials and guidelines developed to assist the District with incorporating this instruction topic into its curricula~~; and

c. Either as part of existing curricula during the school day or as part of an after-school program, support services and instruction for students who are or students whose parents/guardians are chemically dependent.

~~10.~~9. In grades 6-12, instruction, study, and discussion on the dangers of fentanyl, which must include the following for grades 9-12: [13]

a. Information on fentanyl itself including its variations, an explanation of the differences between synthetic and nonsynthetic opioids and illicit drugs, and the differences between the legal and illegal uses of fentanyl.

b. Side effects and risk factors of using fentanyl, along with information comparing the lethal amounts of fentanyl to other drugs. Information on risk factors may include: (1) the lethal dose of fentanyl, (2) how often fentanyl is placed in drugs without a person's knowledge, (3) an explanation of what fentanyl does to a person's body and the severity of its addictive properties, and (4) how the consumption of fentanyl can lead to hypoxia, as well as an explanation of precisely what hypoxia does to a person's body.

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10 105 ILCS 5/27-~~13.2~~255(a), ~~amended~~ added by P.A. 10~~4~~-391~~2~~-195. See also f/n 2~~1~~5 in sample policy 6:60, *Curriculum Content*. Each board determines locally the minimum amount of instruction time that qualifies as a program of instruction and satisfies this requirement. ISBE may make available instructional materials and guidelines for the development of this program of instruction. Id.

11 Required by 105 ILCS 5/27-10~~5~~13.2, added by P.A. 104-391. ~~Each board determines locally the minimum amount of instruction time that qualifies as program of instruction and satisfies this requirement.~~

12 105 ILCS 5/27-255(b), added by P.A. 104-391. Letters b. and c. are optional. Ensure the district aligns letter c. with the board's policy 6:180, *Extended Instructional Programs* (and see its f/n 11). ~~Curricula in the area of alcohol and drug use and abuse must be age- and developmentally appropriate, and it may include information from the~~ ISBE's *Substance Use Prevention and Recovery Instruction Resource Guide* is, available at: www.isbe.net/Pages/Substance-Use-Prevention-and-Recovery-Instruction-Resource-Guide.aspx. ~~Amended by P.A. 103-810.~~ See f/n 10~~3~~, below, for information regarding instruction on the dangers of fentanyl. ~~P.A. 102-464 amended grammar to separate "abuse during pregnancy" as its own subject but this procedure keeps it tied to the dangers of substance abuse during pregnancy because no course content related to *abuse during pregnancy* exists, except for perhaps teen dating violence prevention education.~~

13 105 ILCS 5/27-255(c), added by P.A. 104-391~~Amended by P.A.s 103-365 and 103-810~~. The law mandates the specific content of instruction for grades 9-12, but it does not mandate the content for grades 6-8. Instruction on the dangers of fentanyl must be age- and developmentally appropriate and may include information from the *Substance Use and Recovery Instruction Guide* (see f/n 12, above). The instructions must be delivered by a licensed educator, school nurse, school social worker, law enforcement officer, or school counselor. Id. The law also requires students in grades 9-12 to be assessed on fentanyl instruction. The assessment may include: (1) the differences between synthetic and nonsynthetic drugs; (2) hypoxia; (3) the effects of fentanyl on a person's body; (4) the lethal dose of fentanyl; and (5) how to detect and prevent overdoses. Id.

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c. Details about the process of lacing fentanyl in drugs and why drugs get laced with fentanyl.
d. Details about how to detect fentanyl in drugs and how to save someone from an overdose of fentanyl, including: (1) how to buy and use fentanyl strips, (2) how to buy and use naloxone, either through a nasal spray or an injection, and (3) how to detect if someone is overdosing on fentanyl.

~~11.~~10. In grades 6-12, parenting education that includes instruction in the following: [14]
a. Child growth and development, including prenatal development.
b. Childbirth and child care.
c. Family structure, function, and management.
d. Prenatal and postnatal care for mothers and infants.
e. Prevention of child abuse.
f. The physical, mental, emotional, social, economic, and psychological aspects of interpersonal and family relationships.
g. Parenting skill development.

~~12.~~11. Family life,[15] specifically its emotional, psychological, physiological, hygienic and social responsibilities, ~~including sexual abstinence until marriage~~ and including evidence-

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[14] Optional, but if offered by a district the course requirements are mandated by 105 ILCS 5/27-1040~~23.1~~, amended and renumbered by P.A. 104-391. Upon request, ISBE must assist each district that offers an evidence-based parenting education model to develop instructional materials, train teachers, and establish appropriate time allotments for each of the areas included in such instruction. Id. at (a). Districts may give regular school credit for satisfactory completion of these courses by the student.

School districts may offer parenting education courses during that period of the day which is not part of the regular school day, and residents of the school district may enroll in the courses. Boards may establish fees and collect such charges that are necessary for attendance at these courses in an amount not to exceed the per capita cost of the course's operation, but they may waive all or part of established fees in situations of indigence and/or that a student's educational needs require enrollment.

Last, subject to appropriations and ending after school year 25-26, ISBE was to implement and administer a seven-year pilot program supporting the health and wellness student-learning requirement with a unit of instruction on parenting education in participating school districts that maintain grades 9 through 12, to be determined by the participating school districts. Id. at (b)~~, amended by P.A. 103-8~~. The pilot was encouraged to include, but was not limited to, instruction on (i) family structure, function, and management, (ii) the prevention of child abuse, (iii) the physical, mental, emotional, social, economic, and psychological aspects of interpersonal and family relationships, and (iv) parenting education competency development that is aligned to the social and emotional learning standards of the student's grade level. Instruction for this pilot may be included with the requirements of~~:~~ ~~105 ILCS 110/3~~CHEP. ISBE was authorized to make grants to school districts that apply to participate in the pilot, and provide by administrative rule the application and criteria to be used and applied in selecting participating urban, suburban, and rural school districts. See www.isbe.net/Documents/ParentABLE-Flyer-2023.pdf.

[15] Read f/n~~s~~ 1~~3~~6 ~~and 17~~ in conjunction with this footnote.

While P.A. 102-522 repealed 105 ILCS 5/27-9.2 (family life instruction optional), CHEP still requires this family life and the prevention, transmission and spread of AIDS instruction, and these topics are subject to a parent/guardian's written objection. See sample exhibit 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;*~~ *Requests to Examine Materials*~~*; Excusals*~~ *and* Statutory *Opt-outs*. CHEP does not indicate that these topics are optional for districts. Consult the board attorney about whether these CHEP topics are optional.

In addition, the now-repealed family life instruction law required the State Superintendent of Education (State Superintendent) to: (a) prepare and make available to local school districts courses of instruction designed to satisfy family life instructional requirements; and (b) develop a procedure to evaluate and measure the effectiveness of family life instruction in each local school district that includes setting reasonable goals for reduced sexual activity, sexually transmitted diseases, and premarital pregnancy. Copies of that procedure were required to be distributed to each district.

ISBE guidance issued after P.A. 102-522 went into effect does not address how districts should proceed with family life instruction under CHEP and whether their curriculums that were combined with the now-repealed family life sex education law may continue to be used. Consult the board attorney for advice on these issues.

For districts that will offer neither family life nor NSES, consult the board attorney before deleting the family life curriculum number 12 because CHEP does not indicate that curriculum is optional.

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based and medically accurate information regarding sexual abstinence[16]; and in grades 6 through 12, instruction on the prevention, transmission, and spread of AIDS; except if a student's parent/guardian submits written objection to taking or participating in family life course or AIDS prevention instruction, and refusal to take or participate in the family life course or AIDS prevention instruction shall not be reason for suspension or expulsion of the student. See exhibit 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; *~~*Requests to Examine Materials*~~*; Written Objection(s)*~~ *and*~~/or~~ Statutory *Opt-outs*.

~~13.~~12. Comprehensive personal health and safety and comprehensive sexual health education (NSES)[17]; except no student shall be required to take or participate in any NSES class or course, and a student's parent/guardian may opt the student out of NSES by submitting the request in writing or using exhibit 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; *~~*Requests to Examine Materials*~~*- Written Objection(s)*~~ *and*~~/or~~ Statutory *Opt-outs*. Refusal to take or participate in an NSES course or program may not be a reason for disciplinary action, academic penalty, suspension, or expulsion or any other sanction of a student.[18] Active parental consent for their child to participate in NSES is not required.~~;~~[19] ~~however, because NSES mandates instruction about sexual violence (defined to include sexual abuse)[20] and instruction in recognizing and avoiding sexual abuse required by 105 ILCS 5/27-13.2 requires a minimum of five days' notice to parents/guardians of students in grades K through 8, the District will notify students in grades K through 8 using the **Notice of Sexual Abuse and Assault Awareness and Prevention**~~

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For districts that will not offer family life assuming that the National Sex Education Standards (NSES) will/would cover these topics, consult the board attorney before replacing the family life curriculum number 1~~1~~2 with: "Family life instruction is replaced by administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*."

For districts that will offer both family life and NSES, insert after the last sentence: "See also number 1~~2~~3, below, and administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*."

~~**16** Consult the board attorney about whether "evidence-based and medically accurate information regarding sexual abstinence" is included in *family life*. Abstinence is listed in two major educational areas of the CHEP. One is within family life, which is subject to a parent/guardian's written objection. See also f/n 4 in sample exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*.~~

~~Important is that "evidence-based and medically accurate information regarding sexual abstinence," is not listed with the parent/guardian's written objection suggesting a separate educational area. This procedure treats both mentions of abstinence in CHEP as family life instruction, but it may ultimately be included in the final NSES curriculum (see f/n 17, below).~~

17 Optional. See 105 ILCS 5/27-1015(i)(1)~~9.1a(i)(1)~~, renumbered by P.A. 104-391~~added by P.A. 102-522~~.

If NSES is offered by a district, 105 ILCS 5/27-10159.1~~a~~, renumbered by P.A. 104-391~~added by P.A. 102-522~~, mandates the course content and instruction. ISBE learning standards, which adopt the NSES, and other resources are available at: www.isbe.net/sexualhealth. If boards offered sex education, the law provides zero guidance related to whether boards may use the now-repealed family life and sex education curriculums in future school years. See also para. 3, f/n 1~~4~~5, above.

For districts that will not provide NSES, delete this number 1~~2~~3 and ensure the district does not implement administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

For districts that will implement NSES, ensure that the district implements administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

18 ~~105 ILCS 5/27-9.1a~~Id. at (d)~~, added by P.A. 102-522~~, renumbered by P.A. 104-391.

19 Id.

~~**20** 105 ILCS 5/27-9a~~Id. at (a) and (b)(6), (8), (9), and (12), ~~renumbered by P.A. 104-391added by P.A. 102-522.~~

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Education subhead of administrative procedure 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Statutory Opt-outs*.[21] See also administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

14.13. Course materials and instruction to advise students about the Abandoned Newborn Infant Protection Act, 325 ILCS 2/; [22]

15.14. The prevention and control of disease;

16.15. In grades 7 through 12, teen dating violence awareness; [23]

17.16. In grades 7 through 12, instruction about the prevention of abuse of anabolic steroids in science, health, drug abuse, physical education, or other appropriate courses of study. Instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students participating in these programs. [24]

18.17. In grade 9 or 10, one unit of instruction in either grade about donations and transplants of organs/tissue and blood, except if a student's parent/guardian files written objection on constitutional grounds, but refusal to take or participate in the instruction shall not be reason for suspension or expulsion of a student or result in any academic penalty. [25]

19.18. Public and environmental health;

20. Consumer health;

21.19. Safety education and disaster preparedness;

22.20. Mental health and illness[26] that evaluates the multiple dimensions of health by reviewing the relationship between physical and mental health to enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity and must include how and where to find mental health resources and specialized treatment in the State. [27]

23.21. Personal health habits;

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[21] See f/n 2, above105 ILCS 5/27-13.2.

[22] The law does not specify which grades must receive this information.

[23] See also sample policy 7:185, *Teen Dating Violence Prohibited*. A toolkit about teenage dating abuse is available online. It is titled Preventing, Assessing, and Intervening in Teenage Dating Abuse: A Training for Specialized Instructional Support Personnel. Materials include a PowerPoint and handouts. See www.safesupportivelearning.ed.gov/get-smart-get-help-get-safe-teenage-dating-abuse-training-specialized-instructional-support.

[24] Required by 105 ILCS 5/27-255, added by P.A. 104-39123.3. ISBE may assist in the development of instructional materials and teacher training in relation to steroid abuse prevention. For ease of administration, this procedure puts the duty on coaches and sponsors of interscholastic athletic programs; if the district uses individuals other than those listed insert that fact.

[25] Optional according to 105 ILCS 5/27-10423.5, renumbered by P.A. 104-391. The law requires the regional superintendent of schools (or intermediate service center executive director) to obtain and distribute information and data, including instructional materials provided at no cost by America's Blood Centers, the American Red Cross, and Gift of Hope to schools in their regions for use in developing a unit of instruction to comply with this law. It also allows each board to determine the minimum amount of instructional time that qualifies as a unit of instruction to satisfy this law.

[26] Mental health and illness instruction must evaluate the multiple dimensions of health by reviewing the relationship between physical and mental health. Amended by P.A. 102-1034.

[27] For ease of administration, this topic combines two major education topics listed in 105 ILCS 5/27-215, added by P.A. 104-391110/3.

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~~24.~~22. Nutrition;
~~25.~~23. Dental health;
~~26.~~24. Cancer, including, without limitation, types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help;
~~27.~~25. Basic first aid including, but not limited to: [28]
a. In grades 9-12, Cardiopulmonary resuscitation (CPR) and the Heimlich maneuver, including training on how to properly administer CPR in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization, except if a student's parent/guardian submits written objection, but refusal to participate in the training shall not be a reason for suspension or expulsion of the student; and
b. In ~~secondary schools~~grades 9-12, how to use an automated external defibrillator (AED) shall be included, except if a student's parent/guardian submits written objection, but refusal to participate in the training shall not be a reason for suspension or expulsion of the student.
~~28.~~26. ~~Beginning with the 2024-2025 school year, i~~In grades 9 through 12, instruction, study, and discussion on the dangers of allergies, including recognizing the signs and symptoms of an allergic reaction, the steps to take to prevent exposure to allergens, and safe emergency epinephrine administration. **29**
~~29.~~27. Heart disease; [30]
~~30.~~28. Diabetes; [31]
~~31.~~29. Stroke; [32]
~~32.~~30. The prevention of child abuse and neglect; [33]
31. Suicide prevention pursuant to Board policy 7:290, *Suicide and Depression Awareness and Prevention*; and
~~33.~~32. Consent education, which must be age- and developmentally appropriate and which shall require only instruction aligning with the definition of *consent* in 105 ILCS 5/27-215(a).
34. ~~All students shall receive age appropriate instruction on motor vehicle safety and litter control.~~[34]

Commented [DJ1]: Note to subscribers: This section was repealed, but it is required as a part of driver's education in 105 ILCS 5/27-815 (formerly 105 ILCS 5/27-24.2). Driver's education is addressed in sample policy 6:60, *Curriculum Content*.

The footnotes should be removed before the material is used.

[28] Basic first aid instruction is optional under 105 ILCS 5/27-215(b), added by P.A. 104-391, but CPR and AED training are required in high school under 105 ILCS 5/27-250, added by P.A. 104-391, subject to parent/guardian written objection.

29 105 ILCS 5/27-245, added by P.A. 104-391~~Amended by P.A. 103-212~~. Information for the instruction, study, and discussion on the dangers of allergies must be based on information provided by the Ill. Dept. of Public Health and the federal Centers for Disease Control and Prevention. For resources, see https://dph.illinois.gov/topics-services/prevention-wellness/epinephrine-autoinjector-and-anaphylaxis.html and www.cdc.gov/school-health-conditions/healthyschools/foodallergies/index.htm~~www.cdc.gov/healthyschools/foodallergies/index.htm~~.

[30] Optional. 105 ILCS 5/27-215(b), added by P.A. 104-391. But see Item #14 in the list.

[31] Optional. Id.

[32] Optional. Id.

[33] Optional. Id. But see f/n 2, above.

[34] ~~Optional. Formerly required by repealed 105 ILCS 5/27-23. Delete this sentence if the district no longer provides this education.~~

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~~Notice to~~ Parent/Guardian~~; Requirements; Written Objection(s) and/or~~ Opt-outs [35]

Refusal to take or participate in any course or program that allows parents/guardians to ~~object in writing and/or~~ opt their children out shall not be reason for disciplinary action or academic penalty to the student. The District will provide exhibit 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or*~~ *Statutory Opt-outs* to parents/guardians wishing to ~~provide written objection or~~ opt out of content in CHEP.

LEGAL REF.: 105 ILCS 5/27-205 through 5/27-230, Critical Health Problems and Comprehensive Health Education Act~~, 110/, Comprehensive Critical Health Problems and Comprehensive Health Education Act~~.

ADMIN PROC.: 6:60-AP2 (Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES)), 6:60-AP3 (Developmentally Appropriate Consent Education)

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The footnotes should be removed before the material is used.

[35] Required by 105 ILCS 5/10-23.13~~, amended by P.A. 102-610~~; 5/27-215(d), added by P.A. 104-391; 5/27-1015~~9.1a~~(d), renumbered by P.A. 104-391~~added by P.A. 102-522, 5/27-13.2, 5/27-23.5; and 110/3~~.

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Instruction

Exhibit - ~~Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;~~ Requests to Examine Materials~~; Written Objection(s)~~ and~~/or~~ ~~Statutory~~ Opt-outs [1]

Date _____

Class and Time _____

Teacher _____

~~Notice of Sexual Abuse and Assault Awareness and Prevention Education~~ [2]

~~In grades pre-kindergarten through 12, State law requires the District to provide age-appropriate sexual abuse and assault awareness and prevention education (105 ILCS 110/3), except that no student in grades K through 8 shall be required to take or participate in any instruction for recognizing and avoiding sexual abuse if the student's parent/guardian submits written objection and refusal to participate in the instruction (105 ILCS 5/27-13.2).~~

~~This is your minimum five-day notice that this instruction will begin for your child.~~ [3]

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The footnotes should be removed before the material is used.

[1] ~~Except for the last sentence in the first subhead (see f/n 2, below), **Notice of Sexual Abuse and Assault Awareness and Prevention Education**, s~~Schools are not required to notify parents/guardians of their rights as explained in this form. Modify this form to match the district's curriculum. Students may not be required to take or participate in classes or courses listed under the subhead below, ~~**Written Objection(s) and/or**~~ **Opt-outs**. For the district to maintain trust with its ~~stakeholders and connect with its~~ community, it is a best practice to keep and modify this exhibit.

105 ILCS 5/27-13.2, repealed by P.A. 104-391, formerly required districts to give parents/guardians of students in grades K-8 prior written notice of sexual abuse prevention instruction and the opportunity to opt their children out of such instruction upon written objection. **Note:** It is IASB's understanding that this provision was repealed in error by P.A. 104-391; however, as of the publication of **PRESS** Issue 120 (Oct. 2025), it is unclear if or when this error will be remedied. Consult with the board attorney if the district wants to continue to provide notice and an opportunity for parents/guardians to opt their children out of this instruction.

[2] ~~105 ILCS 5/27-215(a)(4)110/3, added by P.A. 104-391 states pre-kindergarten but the notice requirements and written objections allowance of 105 ILCS 5/27-13.2(b), repealed by P.A. 104-391, do not align, only requiring notice and written objection for grades K through 8. See more discussion on these laws in f/n 2 of 6:60-AP1, *Comprehensive Health Education Program*. Consult the board attorney about whether to include pre-kindergarten in a district's required K through 8 notices. **Note:** It is IASB's understanding that 105 ILCS 5/27-13.2 was repealed in error by P.A. 104-391 and will be restored; it is therefore retained in this sample exhibit.~~

[3] ~~Required by 105 ILCS 5/27-13.2(b), repealed by P.A. 104-391, for elementary and unit districts that educate students in grades K through 8. See f/n 2, above, regarding the repeal of 105 ILCS 5/27-13.2.~~

~~For high school districts, delete this sentence.~~

~~For unit districts, either keep the sentence (no penalty exists for providing notice to parents/guardians in grades 9 through 12) or delete it for notices to parents/guardians of students in grades 9 through 12.~~

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Request to Examine 105 ILCS 5/27-215~~110/3~~ (*Family Life ~~and/or Abstinence and Contraception~~*) and/or 105 ILCS 5/27-~~10159.1a~~ (*National Sex Ed Standards (NSES)*) Materials [4]

A sample of the District's instructional materials and course outline for family life ~~and/or abstinence and contraception~~ instructional materials are available from the classroom teacher for your inspection. If you are requesting to examine this material, please check the box below and return it to your child's classroom teacher within ~~calendar~~ five calendar days.

The scope and sequence of instructional materials for NSES is posted on the District's Internet website, along with the name and contact information, including an email address, of staff members who can respond to your inquiries.[5] You may request to see NSES instructional materials in person by checking the box below.

☐ I request to examine the instructional materials and course outline for Family Life classes.
☐ I request to examine, in person, the instructional materials to be used for NSES.

~~Written Objection(s) and/or~~ Parent/Guardian Opt-outs [6]

No student is required to take or participate in the following classes or courses, and no penalty exists for refusing to take or participate in such a course or program.

If you do not want your child to participate in these classes or courses, please complete the following request and return it to your child's classroom teacher within five school days.

I request that the District opt-out my child for ~~and/or object in writing to~~ class attendance about:

(Check the ~~main box and any or all sub-category~~ box(es) that apply to your ~~objection or~~ opt-out)

☐ ~~105 ILCS 5/27-13.2 allows me to object to my child, who is in grades K through 8, from learning age-appropriate instruction for recognizing and avoiding sexual abuse; I understand once my child enters grades 9 through 12, I may no longer object~~

☐ ~~105 ILCS 5/10-23.13, amended by P.A. 102-610 (*Erin's Law*), and see policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*~~

☐ ~~105 ILCS 5/27-9.1a(b)(6), (8), (9), and (12), added by P.A. 102-522 (NSES includes sexual abuse education under the term sexual violence)~~

☐ ~~105 ILCS 5/27-215(a)(4)110/3 (age and developmentally appropriate sexual abuse and assault awareness and prevention)~~

☐ Family life (emotional, psychological, physiological, hygienic and social responsibilities, including evidence-based and medically accurate information regarding sexual abstinence ~~until marriage~~) (105 ILCS 5/27-215(a)(2)~~110/3~~)

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[4] Schools are required to afford individuals, including parents/guardians, an opportunity to examine the instructional materials but are not required to provide a means for parents/guardians to request to examine the instructional material. This subhead may be deleted.

[5] 105 ILCS 5/27-~~10159.1a~~(e), renumbered by P.A. 104-391~~added by P.A. 102-522~~. Delete this sentence if the district does not have an Internet website. See also f/n 4 of sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

[6] Schools are not required to provide a means for parents/guardians to request excusal and opt-out; this subhead and the following check boxes may be omitted. If kept, ensure that the check boxes match the curriculums offered in the district.

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☐ ~~Evidence-based and medically accurate information regarding sexual abstinence (105 ILCS 110/3)[7]~~

☐ AIDS, including in grades 6 through 12, its prevention, transmission and spread (105 ILCS 5/27-215(a)(3) ~~110/3~~)

☐ *NSES* (See 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES)*) (105 ILCS 5/27-10159~~.1a(d), added by P.A. 102-522~~)

☐ Donations and transplants of organs/tissue and blood organ/tissue transplantation, in grades 9 and/or 10 (105 ILCS 5/27-104523~~.5~~)

☐ CPR ~~and the Heimlich maneuver~~, including training on how to properly administer CPR in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization (105 ILCS 5/27-215(d) and 5/27-250~~110/3~~)

☐ How to use an AED (105 ILCS 5/27-215(d) and 5/27-250~~110/3~~)

Student (please print)

Parent/Guardian (please print)

Parent/Guardian Signature

Date

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~~[7] Consult the board attorney whether 105 ILCS 110/3 allows a parent/guardian to provide written objection to this instruction. To alleviate confusion, this exhibit treats both mentions of abstinence as family life. For more analysis, see f/n 16 in administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.~~

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Instruction

Administrative Procedure - Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES)) [1]

*Do not implement this administrative procedure if the board does not provide this curriculum. This ~~AP~~ procedure contains only the requirements for the development of the NSES curriculum at 105 ILCS 5/27-10159~~.1a~~, ~~added by P.A. 102-522~~renumbered by P.A. 104-391. ~~While this law is effective immediately, the Ill. State Board of Education has until 8-1-22 to develop its learning standards and resources and make them available on its website. ISBE must develop its resource materials in consultation with stakeholders, and with the cooperation and input of experts who provide and entities that promote age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma-informed comprehensive personal health and safety and comprehensive sexual health education public policy. At the time of **PRESS** Issue 108's publication, no guidance existed~~ ISBE has not provided guidance about whether districts could continue to provide the now-repealed family life and sex education programs formerly in 105 ILCS 5/27-9.1 and 9.2.*

The District offers an NSES Program based upon 105 ILCS 5/27-10159~~.1a~~, renumbered by P.A. 104-391 ~~added by P.A. 102-522~~. More information about NSES is available at:

www.advocatesforyouth.org/resources/health-information/future-of-sex-education-national-sexuality-education-standards/, and www.advocatesforyouth.org/wp-content/uploads/2021/08/NSES-2020-web-updated.pdf.

> **Comprehensive personal health and safety education** means for students in grades K through 5,[2] "age and developmentally appropriate education that aligns with the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence."
>
> **Comprehensive sexual health education** means for students in grades 6 through 12,[3] "age and developmentally appropriate education that aligns with the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence."

Active parent/guardian consent for students to participate in this NSES Program is not required, but a student's parent/guardian may opt the student out of it by submitting a request in writing pursuant to 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; *~~*Requests to Examine Materials~~; Written Objection(s)~~ *and* ~~/or~~ Statutory *Opt-outs*.[4] ~~In grades~~

The footnotes should be removed before the material is used.

[1] This procedure is optional, but if offered, 105 ILCS 5/27-10159~~.1a~~, renumbered by P.A. 104-391~~added by P.A. 102-522~~, mandates the content for the NSES Program outlined in this procedure.

[2] ~~105 ILCS 5/27-9.1a~~Id. at (a) ~~and (f), added by P.A. 102-522~~.

[3] Id.

[4] See f/n~~s~~ 1 ~~and 2~~ in 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; *~~*Requests to Examine Materials~~; Written Objection(s)~~ *and* ~~/or~~ Statutory *Opt-outs*, and ensure this AP and the AP, E's alignment.

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~~K through 8, 105 ILCS 5/27-13.2 requires parental notification of sexual abuse prevention instruction and allows a parent to submit a written objection to age-appropriate instruction for recognizing and avoiding sexual abuse, which NSES requires.~~ [5]

Anyone may review the scope and sequence of instructional materials for the NSES Program classes or courses, either electronically or in person.[6] The NSES Program curriculum, and the name and contact information, including an email address, of District staff members who can respond to inquiries about the NSES Program are annually posted on the District's Internet website. [7]

This administrative procedure contains four sections as follows:

1. Glossary of Terms
2. NSES Program Curriculum
3. Ill. State Board of Education (ISBE) Resource Materials; NSES Program Learning Standards
4. Reporting NSES Program Instruction to ISBE

Glossary of Terms

The current Definitions of 105 ILCS 5/27-1015~~9.1a~~(a) are incorporated here by reference.

Adapt – To modify an evidence-based or evidence-informed NSES Program model for use with a particular demographic, ethnic, linguistic, or cultural group.

Age and developmentally appropriate – Suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Characteristics of effective NSES Programs – Includes development, content, and implementation of such NSES Programs that (i) have been shown to be effective in terms of increasing knowledge, clarifying values and attitudes, increasing skills, and impacting behavior, (ii) are widely recognized by leading medical and public health agencies to be effective in changing sexual behaviors that lead to sexually transmitted infections, including HIV, unintended pregnancy, interpersonal violence, and sexual violence among young people, and (iii) are taught by professionals who provide a safe learning space, free from shame, stigma, and ideology and are trained in trauma-informed teaching methodologies.

Complete – Information that aligns with the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence.

Comprehensive personal health and safety education – See introduction, above.

Comprehensive sexual health education – See introduction, above.

Consent – An affirmative, knowing, conscious, ongoing, and voluntary agreement to engage in interpersonal, physical, or sexual activity, which can be revoked at any point, including during the course of interpersonal, physical, or sexual activity.

The footnotes should be removed before the material is used.

Delete this sentence if the district will not notify parents in advance of their right to opt their child out of NSES (105 ILCS 5/27-1015~~9.1a~~(d), renumbered by P.A. 104-391~~added by P.A. 102-522~~).

[5] ~~105 ILCS 5/27-13.2.~~

[6] 105 ILCS 5/27-1015~~9.1a~~(e), renumbered by P.A. 104-391~~added by P.A. 102-522~~.

[7] Id. Delete this sentence if the district does not have an Internet website.

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Culturally appropriate – Affirming culturally diverse individuals, families, and communities in an inclusive, respectful, and effective manner, including materials and instruction that are inclusive of race, ethnicity, language, cultural background, immigration status, religion, disability, gender, gender identity, gender expression, sexual orientation, and sexual behavior.

Evidence-based NSES Program – A Program for which systematic, empirical research or evaluation has provided evidence of effectiveness.

Evidence-informed NSES Program – A Program that uses the best available research and practice knowledge to guide NSES Program design and implementation.

Gender stereotype – A generalized view or preconception about what attributes, characteristics, or roles are or ought to be taught, possessed by, or performed by people based on their gender identity.

Healthy relationships – Relationships between individuals that consist of mutual respect, trust, honesty, support, fairness, equity, separate identities, physical and emotional safety, and good communication.

Identity – People's understanding of how they identify their sexual orientation, gender, gender identity, or gender expression without stereotypes, shame, or stigma.

Inclusive – Inclusion of marginalized communities that include, but are not limited to, people of color, immigrants, people of diverse sexual orientations, gender identities, and gender expressions, people who are intersex, people with disabilities, people who have experienced interpersonal or sexual violence, and others.

Interpersonal violence – Violent behavior used to establish power and control over another person.

Medically accurate – Verified or supported by the weight of research conducted in compliance with accepted scientific methods and published in peer-reviewed journals, if applicable, or comprising information recognized as accurate and objective.

Pre-exposure Prophylaxis (PrEP) – Medications approved by the federal Food and Drug Administration (FDA) and recommended by the United States Public Health Service or the federal Centers for Disease Control and Prevention for HIV pre-exposure prophylaxis and related pre-exposure prophylaxis services, including, but not limited to, HIV and sexually transmitted infection screening, treatment for sexually transmitted infections, medical monitoring, laboratory services, and sexual health counseling, to reduce the likelihood of HIV infection for individuals who are not living with HIV but are vulnerable to HIV exposure.

Post-exposure Prophylaxis (PeP) – Medications that are recommended by the federal Centers for Disease Control and Prevention and other public health authorities to help prevent HIV infection after potential occupational or non-occupational HIV exposure.

Sexual violence – Discrimination, bullying, harassment, including sexual harassment, sexual abuse, sexual assault, intimate partner violence, incest, rape, and human trafficking.

Trauma informed – To address vital information about sexuality and well-being that takes into consideration how adverse life experiences may potentially influence a person's well-being and decision making.

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NSES Program Curriculum

The District may use guest lecturers or resource persons,[8] including outside consultants, community groups, or organizations,[9] to provide instruction or presentations in accordance with 105 ILCS 5/10-22.34b[10], and their materials may not conflict with the provisions of State law.[11] The District may adapt the age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma-informed curriculums to meet the specific needs of the community. All course materials and instruction for teaching the NSES Program must be: [12]

1. Age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma informed.
2. A replica of an evidence-based or evidence-informed NSES program or substantially incorporate elements of evidence-based NSES programs or evidence-informed NSES programs or characteristics of effective NSES programs.
3. Inclusive and sensitive to the needs of students based on their status as pregnant or parenting, living with STIs, including HIV, sexually active, asexual, or intersex or based on their gender, gender identity, gender expression, sexual orientation, sexual behavior, or disability.
4. Accessible to students with disabilities, which may include the use of a modified curriculum, materials, instruction in alternative formats, assistive technology, and auxiliary aids.
5. Helpful to students for developing self-advocacy skills for effective communication with parents or guardians, health and social service professionals, other trusted adults, and peers about sexual health and relationships.
6. Helpful to students by providing them with information to develop skills for developing healthy relationships and preventing and dealing with interpersonal violence and sexual violence.
7. Helpful to students by providing them with information to safely use the Internet, including social media, dating or relationship websites or applications, and texting.
8. Informative about local resources where students can obtain additional information and confidential services related to parenting, bullying, interpersonal violence, sexual violence, suicide prevention, sexual and reproductive health, mental health, substance abuse, sexual orientation, gender identity, gender expression, and other related issues.
9. Informative about State laws related to minor confidentiality and minor consent, including exceptions, consent education, mandated reporting of child abuse and neglect, the safe relinquishment of a newborn child, minors' access to confidential health care and related services, school policies addressing the prevention of and response to interpersonal and sexual

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[8] 105 ILCS 5/27-1015~~9.1a~~(c), renumbered by P.A. 104-391~~added by P.A. 102-522~~.

[9] Id. at (h)~~, added by P.A. 102-522~~.

[10] 105 ILCS 5/10-22.34b, 5/27-1015~~9.1a~~(c), renumbered by P.A. 104-391~~added by P.A. 102-522~~, and 23 Ill.Admin.Code §1.630(c)(3)(C) contain the requirements for districts that utilize unlicensed persons to provide specialized instruction not otherwise readily available in the immediate school environment in the fields for which they are particularly qualified by reason of specialized knowledge or skill. The school board must secure the prior written approval of the regional superintendent of schools or appropriate intermediate service center before utilizing the individual.

[11] ~~Id.~~105 ILCS 5/27-1015~~.~~ at (b) and (c), renumbered by P.A. 104-391~~added by P.A. 102-522~~. It is not clear whether NSES must include State requirements at 105 ILCS 5/27-215(a)(2)~~110/3~~ (~~sexual abstinence until marriage and~~ evidence-based and medically accurate information regarding sexual abstinence required) but a reading of 105 ILCS 5/27-1015~~Id.~~ at (b)(1), (2), (10), (14), and (15), renumbered by P.A. 104-391~~added by P.A. 102-522~~, may align with the 105 ILCS 5/27-215(a)(2)~~110/3~~ sexual abstinence education requirements. Consult the board attorney for assistance.

[12] Required by 105 ILCS 5/27-1015~~9.1a~~(b)(1)-(15), renumbered by P.A. 104-391~~added by P.A. 102-522~~.

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violence, school breastfeeding accommodations, and school policies addressing the prevention of and response to sexual harassment.

10. Neutral and not reflect or promote bias against any person on the basis of the person's race, ethnicity, language, cultural background, citizenship, religion, HIV status, family structure, disability, gender, gender identity, gender expression, sexual orientation, or sexual behavior.
11. Prohibitive of employing gender stereotypes.
12. Inclusive of and may not be insensitive or unresponsive to the needs of survivors of interpersonal violence and sexual violence.
13. Neutral and not proselytize any religious doctrine.
14. Informative and not deliberately withhold health-promoting or life-saving information about culturally appropriate health care and services, including reproductive health services, hormone therapy, and FDA-approved treatments and options, including, but not limited to, Pre-exposure Prophylaxis (PrEP) and Post-exposure Prophylaxis (PeP).
15. Consistent with the ethical imperatives of medicine and public health.

Ill. State Board of Education (ISBE) Resource Materials; NSES Program Learning Standards [13]

Rigorous learning standards for (a) comprehensive personal health and safety education for students in grades kindergarten through 5, and (b) comprehensive sexual health education for students in grades 6 through 12, including, but not limited to, all of the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence, as authored by the Future of Sex Education Initiative. As the National Sex Education Standards are updated, ISBE shall update these learning standards. ISBE, in consultation with youth, parents, sexual health and violence prevention experts, health care providers, advocates, and education practitioners, including, but not limited to, administrators, regional superintendents of schools, teachers, and school support personnel, shall develop and adopt rigorous learning standards in the area of comprehensive personal health and safety education for students grades K through 5 and comprehensive sexual health education for pupils in grades 6 through 12, including, but not limited to, all of the NSES, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence, as authored by the Future of Sex Education Initiative. As the NSES are updated, ISBE must update its learning standards.

Reporting NSES Program Instruction to ISBE [14]

When reporting mechanisms exist, the District will report to ISBE:

1. Whether the District provides this NSES Program;
2. Who provided the instruction: a teacher in the school(s), a consultant, or a community group or organization, along with the name of the outside consultant, community group, or organization;
3. The number of students receiving instruction;
4. The number of students excused from instruction; and
5. The duration of instruction.

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[13] Id. at (f), ~~added by P.A. 102-522~~, renumbered by P.A. 104-391.

[14] Id. at (i), ~~added by P.A. 102-522~~, renumbered by P.A. 104-391.

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ISBE reports the results of this inquiry to the General Assembly annually, for a period of five years beginning on 8-20-22.

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Instruction

Administrative Procedure – Developmentally Appropriate Consent Education [1]

The District offers age- and developmentally appropriate consent education in grades K through 12 pursuant to 105 ILCS 5/27-1010, amended and renumbered by P.A. 104-391~~9.1b, added by P.A. 102-522~~. This administrative procedure contains two sections as follows:

1. Glossary of Terms
2. Age- and Developmentally Appropriate Consent Education Curriculum

Glossary of Terms [2]

The current Definitions of 105 ILCS 5/27-1015~~9.1a~~(a) are incorporated here by reference.

Age- and developmentally appropriate - Suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Consent - An affirmative, knowing, conscious, ongoing, and voluntary agreement to engage in interpersonal, physical, or sexual activity, which can be revoked at any point, including during the course of interpersonal, physical, or sexual activity.

Age- and Developmentally Appropriate Consent Education Curriculum

In grades K through 5, instruction and materials shall include age- and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following: [3]

1. Setting appropriate physical boundaries with others.
2. Respecting the physical boundaries of others.
3. The right to refuse to engage in behaviors or activities that are uncomfortable or unsafe.
4. Dealing with unwanted physical contact.
5. Helping a peer deal with unwanted physical contact.

In grades 6 through 12, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following: [4]

1. That consent is a freely given agreement to sexual activity.
2. That consent to one particular sexual activity does not constitute consent to other types of sexual activities.

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[1] This procedure is optional, but if offered, 105 ILCS 5/27-1010~~9.1b~~, amended and renumbered by P.A. 104-391, ~~added by P.A. 102-522~~ mandates the content for the curriculum outlined in this procedure. For districts that will not provide this program, delete this procedure. Id. at (b), renumbered by P.A. 104-391, ~~added by P.A. 102-522,~~ states grades K through 12, meaning a district cannot choose to offer consent education to only grades 6 through 12 or only grades K through 5.

[2] ~~105 ILCS 5/27-9.1b~~Id. at (a), amended and renumbered by P.A. 104-391, ~~added by P.A. 102-522~~.

[3] ~~105 ILCS 5/27-9.1b~~Id. at (b)(1)(A)-(E), ~~added by P.A. 102-522~~renumbered by P.A. 104-391.

[4] ~~105 ILCS 5/27-9.1b~~Id. at. (b)(2)(A)-(I), renumbered by P.A. 104-391~~added by P.A. 102-522~~.

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3. That a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
4. That a person's manner of dress does not constitute consent.
5. That a person's consent to past sexual activity does not constitute consent to future sexual activity.
6. That a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.
7. That a person can withdraw consent at any time.
8. That a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to certain circumstances that include, but are not limited to when the person is:
    a. Incapacitated due to the use or influence of alcohol or drugs;
    b. Asleep or unconscious;
    c. A minor; or
    d. Incapacitated due to a mental disability.
9. The legal age of consent in this State.

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Instruction

Administrative Procedure - Accelerated Placement Program Procedures [1]

The District's Accelerated Placement Program (APP) places qualified students in an educational setting that includes curriculum usually reserved for students who are older or in higher grades than the student, and is implemented by the Superintendent or designee. 105 ILCS 5/14A.

This administrative procedure contains seven sections as follows:

1. Definitions
2. Annual Notification
3. Referral Process
4. Evaluation Process
5. Eligibility Determination
6. Automatic Enrollment in Advanced High School Coursework
7. Program Reporting, Review, and Expanded Access Plan

Definitions [2]

Accelerated placement is the placement of a student in an educational setting with curriculum that is usually reserved for students who are older or in higher grades than the student.[3] Accelerated placement includes, but may not be limited to: early entrance to kindergarten or first grade, accelerating a student in a single subject, and grade acceleration. [4]

Advanced academic program is a course of study, including but not limited to, accelerated placement, Advanced Placement coursework, International Baccalaureate coursework, dual credit, or any course

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[1] Customize this procedure to meet the district's needs. It is written in general terms with regard to 105 ILCS 5/14A, the Accelerated Placement Act (APA). Districts may wish to utilize different procedures for different types of accelerated placement. For example, many districts that permit early entrance to kindergarten or first grade require that early entrance requests be submitted by a certain calendar date, often months in advance of the start of a school term, to allow sufficient time for evaluation and the determination of incoming class sizes and staffing needs. The law is silent regarding whether these deadlines may be waived or adjusted for students who move into the district after the deadline; consult the board attorney for further guidance. Districts should also consider implementing specific and objective criteria for early entrance and address such issues as who pays the costs for assessments, etc.

To provide school administrators and personnel with a familiar procedural framework, the **Referral Process**, **Evaluation Process**, and **Eligibility Determination** sections of this sample administrative procedure are loosely modeled on the Ill. Council of School Attorneys' *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*. See www.iasb.com/law/icsaspeced.cfm.

[2] 105 ILCS 5/14A-17, amended by P.A. 103-263, requires districts to have an accelerated placement program that includes, but need not be limited to, the following types of acceleration: early entrance to kindergarten or first grade, accelerating a child in a single subject, and grade acceleration. The APA does not define these types of acceleration however, they are defined in Ill. State Board of Education (ISBE) regulations at 23 Ill.Admin.Code §227.5.

For high school districts, delete the definitions of *early entrance to kindergarten* and *early entrance to first grade*. If the district offers additional types of acceleration, such as curriculum compacting or telescoping curriculum, then the definitions of such additional types should be added to this section.

[3] 105 ILCS 5/14A-17, amended by P.A. 103-263; 23 Ill.Admin.Code §227.5.

[4] Id. For high school districts, delete "early entrance to kindergarten or first grade." For districts that offer additional types of acceleration, amend this sentence to include those types in the list of accelerated placement offerings.

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designated as enriched or honors, that a student is enrolled in based on the student's advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace. [5]

Early entrance to kindergarten is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age on or before September 1 of that school term. [6]

Early entrance to first grade is the admission to first grade of a student who is assessed for and meets the District's readiness standards to attend school. A student may, but is not required to, have attended a non-public preschool and continued his or her education at that school through kindergarten and been taught in kindergarten by an appropriately certified teacher. A student who is younger than six upon starting first grade but who was admitted early to kindergarten does not need to be reevaluated prior to admission to first grade. [7]

Individual subject acceleration is the practice of assigning a student to a specific content area at a higher instructional level than is typical given the student's grade for the purpose of providing access to appropriately challenging learning opportunities in one or more subject areas.[8] It may be accomplished by either: (a) physically moving the student to a higher level class for instruction; or (b) using higher level curricular or study materials in the student's current classroom.

Whole grade acceleration is the practice of assigning a student to a higher grade level than is typical, given the student's age, on a full-time basis for the purpose of providing access to appropriately challenging learning opportunities.[9] Commonly referred to as skipping a grade, grade acceleration may be done at the beginning of or during the school term.

Annual Notification [10]

Actor	Action
Superintendent or designee	Annually notifies the community, including community-based organizations, providers of out-of-school programs, parent(s)/guardian(s), students, and school personnel, about the: 1. APP 2. Process for referring a student for possible evaluation for accelerated placement, including:

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[5] 105 ILCS 5/14A-17, amended by P.A. 103-263.

[6] 23 Ill.Admin.Code §227.5. Use the following alternative in a district operating on a year-round basis:

> *Early entrance to kindergarten* is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age within 30 days after the commencement of that school term.

[7] 23 Ill.Admin.Code §227.5.

[8] Id.

[9] Id.

[10] Optional. 105 ILCS 5/14A-32(b)(1) permits, but does not require "procedures for annually informing the community at-large, including parents or guardians, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework[.]" Delete if the board has not included annual notification language in its adopted Board policy 6:135, *Accelerated Placement Program*.

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Actor	Action
	a. Steps to be taken to make a referral; b. Individual(s) to whom a referral may be submitted; c. Deadlines by which a referral must be made; and d. Information that must be provided in the referral. 3. Methods used to determine whether a student is eligible for accelerated placement. 4. Strategies used to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework. Provides such notification: 1. By varied communication methods, such as student handbooks and District/school websites; and 2. In multiple languages.

Referral Process

Actor	Action
Parent(s)/Guardian(s), Licensed Educational Professionals, Student (with written consent of a parent/guardian), or Peer (through a licensed educational professional who has knowledge of the student's abilities). In addition to the above-noted individuals, referrals for possible early entrance to kindergarten or first grade may also come from: Preschool Educator, Non-public Kindergarten Teacher, Pediatrician, or Psychologist who knows the child. [11]	Refers a student for possible evaluation for accelerated placement using the process set forth in this procedure.

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[11] 105 ILCS 5/14A-32(b)(2) recommends that the referral process allow for multiple referrers, and specifically notes that referrers for possible early entrance may include "a preschool educator, pediatrician, or psychologist who knows the child." High school districts should delete the list of additional referrers for possible early entrance. ISBE regulations define *multiple referrers* as including, but not being limited to, "the student's parents or guardian, current teachers, district gifted coordinator or gifted education specialist, guidance [school] counselor, principal, and school psychologist." 23 Ill.Admin.Code §227.5.

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Actor	Action
Student Services Director, Building Principal, or designee	Within [*insert number*] school days after receiving a referral, determines whether an evaluation for accelerated placement is warranted. To determine whether an evaluation is warranted, may review existing data about the student, utilize screening data, and conduct preliminary procedures such as observation of the student, consultation with the teacher or other individual making the request, and a conference with the student. Provides the student's parent(s)/guardian(s) with written notice of the referral determination. For cases not warranting an evaluation, the process ends here. For cases warranting an evaluation, proceed to Evaluation Process, below.

Evaluation Process

Actor	Action
Student Services Director, Building Principal, or designee	Convenes an Evaluation Team (consisting of District teacher(s) and school support personnel, as appropriate) having the knowledge and skills necessary to: 1. Identify multiple valid, reliable indicators[12] to use during the evaluation; 2. Identify appropriate assessment instruments; 3. Administer said assessments; and 4. Interpret evaluation results. The composition of the team may vary depending upon the type of acceleration requested and other relevant factors.
Evaluation Team	Identifies multiple valid, reliable indicators and any assessment instruments appropriate to use during the evaluation. Prepares a written document identifying the evaluation components. This may occur without a meeting.
Student Services Director, Building Principal, or designee	Provides parent(s)/guardian(s) with written notification of the Evaluation Team's conclusions regarding the evaluation components and requests parent(s)'/guardian(s)' written consent to conduct the evaluation.
Parent/Guardian	Provides written consent to conduct the evaluation.
Evaluation Team	Completes the evaluation within [*insert number*] school days following the date of receipt of parent(s)'/guardian(s)' written consent to conduct the evaluation.

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[12] Required by 105 ILCS 5/14A-32(a)(4). *Multiple valid, reliable indicators* are not defined in the APA or ISBE regulations; some attorneys prefer using "standardized and norm-referenced indicators" instead.

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Actor	Action
	Ensures the evaluation is nondiscriminatory and follows Board policy 7:10, *Equal Educational Opportunities*.

Eligibility Determination

Actor	Action
Evaluation Team	Convenes a meeting[13] with parent(s)/guardian(s) to review evaluation results and determine eligibility for the APP. Provides parent(s)/guardian(s) with written notice of eligibility determination. If the student is found eligible for the APP, prepares and provides parent(s)/guardian(s) with a written plan detailing the type of acceleration the student will receive and strategies to support the student. [14] If the student is not found eligible for the APP, provides parent(s)/guardian(s) with written notice of their right to appeal the eligibility determination, within five calendar days after receiving the determination, by submitting a written request to the Superintendent. [15]
Parent/Guardian	If desired, within [*insert number*] calendar days after receiving written notice that student is not eligible for the APP, submits written appeal to the Superintendent.
Superintendent	Within [*insert number*] calendar days after receiving the written appeal request, reviews the case, and provides parent(s)/guardian(s) with written notice of his/her decision. The Superintendent's decision is final.

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[13] Convening a meeting with parents/guardians is not required, however, 105 ILCS 5/14A-32(a)(2) requires "a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians." A meeting logically allows the Evaluation Team to explain evaluation results, parent(s)/guardian(s) to ask questions and be heard, and all stakeholders to be involved in the eligibility determination. Delete this sentence if the district will not offer a meeting.

ISBE regulations define *multiple persons* as including, but not being limited to, "the student's parent or guardian, current teachers, district gifted coordinator or gifted education specialist, guidance [school] counselor, principal, and school psychologist. 23 Ill.Admin.Code §227.60.

[14] Optional. The APA permits but does not require this written plan. 105 ILCS 5/14A-32(b)(3).

[15] Optional.

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Automatic Enrollment in Advanced High School Coursework [16]

Actor	Action
Student Services Director, Building Principal, or designee	Identifies students who qualify for automatic enrollment in the "next most rigorous level of advanced coursework" (NMR) offered by the District, for the following school term, by reviewing State assessment results in English language arts, mathematics, and science. For English language arts, the NMR includes courses in English, social studies, humanities, or related subjects. [17] For a student entering grade 12, the NMR in English language arts or mathematics must be a dual credit course (as defined in the Dual Credit Quality Act, 110 ILCS 27/5), an Advanced Placement course (as defined in the College and Career Success for All Students Act, 105 ILCS 302/10), or an International Baccalaureate course. The same is true for all other subjects, except that the NMR may also include an honors class, an enrichment opportunity, a gifted program, or another program offered by the District. [18] Provides written notice to parent(s)/guardian(s) of a qualified student of the student's eligibility for automatic enrollment in the NMR level of advanced coursework offered by the high school that: 1. Identifies the course(s) the student is eligible for, including the location and schedule, if known, of the course(s); 2. Informs the parent(s)/guardian(s) of the option to instead enroll the student in alternative coursework that better aligns with the student's postsecondary education or career goals; [19] 3. Identifies the alternative coursework the student is eligible for, including the location and schedule, if known, of the alternative coursework; and 4. Requests that the parent(s)/guardian(s) notify the District within [*insert number*] calendar days of their course enrollment decision.

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[16] Required only for districts with grades 9-12. 105 ILCS 5/14A-32(a-5), ~~(a-10),~~ amended by P.A.~~s 102-209 and~~ 103-743 and (a-10), added by P.A. 103-743 and amended by P.A. 104-261, eff. 1-1-26. Delete for elementary school districts. See f/ns 10 and 11 in sample policy 6:135, *Accelerated Placement Program*, for further discussion of this requirement. Written notice to parents/guardians is not required but is a best practice to memorialize that automatic enrollment into the next level of advanced coursework and the option of alternative coursework were offered to qualified students.

[17] Id. at (a-5)(1), amended by P.A.s 103-743 and 104-261, eff. 1-1-26.

[18] 105 ILCS 5/14A-32(a-5), amended by P.A.s ~~102-209 and~~ 103-743 and 104-261, eff. 1-1-26.

[19] 105 ILCS 5/14A-32(a-5), amended by P.A.s ~~102-209 and~~ 103-743 and 104-261, eff. 1-1-26.

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Actor	Action
Parent/Guardian	Provides the District with written notice of their course enrollment decision within [*insert number*] calendar days after receiving the written notice.

Program Reporting, Review, and Expanded Access Plan

Actor	Action
Superintendent, Student Services Director, or designee	Submits by July 31 each year to the Ill. State Board of Education (ISBE) through the Student Information System (SIS): [20] 1. Demographic information for each student participating in the APP; 2. Student participation in the APP; and 3. Type of APP placement. Develops procedures to provide support and promote success for students who are newly enrolled in the APP. [21] Develops procedures to promote equity, which may incorporate one or more of the following evidence-based practices: [22] 1. The use of multiple tools to assess exceptional potential and provide several pathways into advanced academic programs when assessing student need for advanced academic or accelerated programming; 2. Providing enrichment opportunities starting in the early grades to address achievement gaps that occur at school entry and provide students with opportunities to demonstrate their advanced potential; 3. The use of universal screening combined with local school-based norms for placement in accelerated and advanced learning programs; 4. Developing a continuum of services to identify and develop talent in all learners ranging from enriched learning experiences, such as problem-based learning, performance tasks, critical thinking, and career exploration, to accelerated placement and advanced academic programming; and 5. Providing professional learning in gifted education for teachers and other appropriate school personnel to

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[20] 23 Ill. Admin.Code §227.60(b).

[21] Optional. 105 ILCS 5/14A-32(b)(4).

[22] Optional. 105 ILCS 5/14A-32(b)(6), added by P.A. 103-263. For districts that prefer to not use the terms *gifted* or *gifted education*, consider replacing No. 5 with the following:

> Providing professional learning in instructional practices, including identifying and challenging students from diverse cultures and backgrounds, to support all students' successful participation in accelerated placement or advanced academic programming.

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Actor	Action
	appropriately identify and challenge students from diverse cultures and backgrounds who may benefit from accelerated placement or advanced academic programming. Reviews disaggregated data on APP participation and successful completion rates to address gaps among demographic groups in accelerated placement opportunities. [23] Develops and, as necessary, updates a plan to expand access to the APP and to ensure the teaching capacity necessary to meet any increased demand. [24]

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[23] Optional. 105 ILCS 5/14A-32(b)(5).

[24] 105 ILCS 5/14A-32(d).

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Students

Administrative Procedure – Responding to Complaints About Curriculum, Instructional Materials, and Programs

Actor	Action
Parents/Guardians, Employees, and/or Community Members	Submits any feedback or complaints about the District's curriculum, instructional materials, or programs to the Building Principal, using 6:260-AP, E, *Curriculum Objection Form*.
Building Principal	Directs any parent/guardian, employee, or community member wishing to submit formal feedback or a complaint regarding curriculum, instructional materials, or programs to complete 6:260-AP, E, *Curriculum Objection Form*. If the complaint alleges a violation of law or board policy, refers the complaint to the District Complaint Manager for processing under policy 2:260, *Uniform Grievance Procedure*, and refers the Complaint Manager to the review criteria in this procedure, to the extent they may be relevant to resolution of the complaint. Transmits the *Curriculum Objection Form* to the Superintendent or designee for further action.
Superintendent or designee (such as the Assistant Superintendent of Curriculum and Instruction)	Informs the Board Attorney of the objection and discusses options for response to the complaint. Contacts the complainant as needed to clarify the nature or scope of the objection and/or the accommodation being requested. Except for complaints involving a parent's religious objection (see below), dDetermines on a case-by-case basis what action, if any, will be taken in response to a complaint about curriculum, considering ~~whether~~the following criteria, as applicable: 1. The curriculum, instructional material, or program is aligned with the criteria set forth in Board policy 6:40, *Curriculum Development*, specifically, regarding: a. The district's educational philosophy and goals; b. Student needs as identified by research, demographics, and student achievement and other data; c. The knowledge, skills, and abilities required for students to become life-long learners; d. Minimum requirements of State and federal law and regulations for curriculum and graduation requirements; e. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available;

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Actor	Action
	f. Illinois State Learning Standards and any District learning standards; and g. Any required State or federal student testing. 2. The law and/or the District already provides a means for parents/guardians to opt their child out; 3. The curriculum, instructional material, or program is optional or supplemental in nature; 4. Reasonable and appropriate alternatives exist; and 5. Individual circumstances that support a need for an accommodation exist. If the complaint is based on a parent's religious objection, determines on a case-by-case basis what action, if any, will be taken in response to the complaint, considering the following factors: [1] 1. The religious beliefs and/or practices identified by the parent and if they are sincerely held. **Note:** Religious beliefs/practices are generally presumed to be sincere, but if the District has objective reasons to question the religious nature or sincerity of the religious belief/practice, a limited inquiry into this issue may be appropriate. 2. The nature of the material at issue, e.g., is it communicating a normative message that is hostile to a religious viewpoint and designed to pressure students to conform to that viewpoint? 3. The age of the students, e.g., elementary students may be more impressionable and likely to accept moral messages conveyed by instruction without question compared to high school students. 4. The specific context in which the materials is being presented, e.g., is it being presented in a neutral manner or in a manner that is hostile to a religious viewpoint? If factors #1-4 above, considered together, pose a real threat of undermining the religious beliefs and practices that the parent wishes to instill in their child, determine if the District has a compelling interest that would justify the burden on the parent's free exercise right to direct the religious upbringing of their child. **Note:** In Mahmoud v. Taylor, 145 S.Ct. 2332 (2025), the administrative burden that resulted from permitting opt-outs from instruction was not a compelling interest. It is unsettled whether State law curriculum mandates, graduation requirements, or instruction otherwise required by State learning standards may establish a sufficient compelling interest. **Consult the Board Attorney for guidance**. ~~Consults with the Board Attorney as needed regarding responses to curriculum-related complaints.~~

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

[1] These factors are based on the U.S. Supreme Court case Mahmoud v. Taylor, 145 S.Ct. 2332 (2025). See sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs*, at f/n 3, for further discussion.

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Actor	Action
	In consultation with the Board Attorney, p~~P~~repares and sends a written response to the person who submitted the *Curriculum Objection Form*, informing the person of the District's decision. Notes on the *Curriculum Objection Form* the date on which the response was provided and attaches the response to the form.

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IASB POLICY REFERENCE MANUAL
TABLE OF CONTENTS
SECTION 7 - STUDENTS

Equity

7:10 Equal Educational Opportunities

7:10-AP1 Administrative Procedure - Accommodating Transgender, Nonbinary, or Gender Nonconforming Students

7:10-AP2 Administrative Procedure – Accommodating Breastfeeding Students

7:10-E Exhibit - Equal Educational Opportunities Within the School Community

7:15 Student and Family Privacy Rights

7:15-E Exhibit - Notification to Parents of Family Privacy Rights

7:20 Harassment of Students Prohibited

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

Assignment and Admission

7:30 Student Assignment and Intra-District Transfer

7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students

7:40-AP Administrative Procedure - Placement of Nonpublic School Students Transferring Into the District

7:50 School Admissions and Student Transfers To and From Non-District Schools

7:50-AP Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools

7:60 Residence

7:60-AP1 Administrative Procedure - Challenging a Student's Residence Status

7:60-AP2 Administrative Procedure - Establishing Student Residency

7:60-AP2, E1 Exhibit - Letter of Residence from Landlord in Lieu of Lease

7:60-AP2, E2 Exhibit - Letter of Residence to be Used When the Person Seeking to Enroll a Student Is Living with a District Resident

7:60-AP2, E3 Exhibit - Evidence of Non-Parent's Custody, Control, and Responsibility of a Student

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Attendance

7:70 Attendance and Truancy

7:80 Release Time for Religious Instruction/Observance

7:90 Release During School Hours

7:100 Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students

7:110 **OPEN**

7:120 **OPEN**

Rights and Responsibilities

7:130 Student Rights and Responsibilities

7:140 Search and Seizure

7:140-AP Administrative Procedure - Use of Metal Detectors and Searches for Student Safety

7:140-E Exhibit - Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act

7:150 Agency and ~~Police~~ Law Enforcement ~~Interviews~~Requests

7:150-AP Administrative Procedure - Managing Agency and ~~Police~~ Law Enforcement ~~Interviews~~Requests

7:150-AP, E Exhibit - Record of Agency and Law Enforcement Requests

7:160 Student Appearance

7:165 School Uniforms

7:170 Vandalism

7:180 Prevention of and Response to Bullying, Intimidation, and Harassment

7:180-AP1 Administrative Procedure - Prevention, Identification, Investigation, and Response to Bullying

7:180-AP1, E1 Exhibit - Resource Guide for Bullying Prevention

7:180-AP1, E2 Exhibit - Be a Hero by Reporting Bullying

7:180-AP1, E3 Exhibit - Memo to Staff Regarding Bullying

7:180-AP1, E4 Exhibit - Memo to Parents/Guardians Regarding Bullying

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7:180-AP1, E5 Exhibit - Report Form for Bullying

7:180-AP1, E6 Exhibit - Interview Form for Bullying Investigation

7:180-AP1, E7 Exhibit - Response to Bullying

7:185 Teen Dating Violence Prohibited

7:185-E Exhibit - Memo to Parents/Guardians Regarding Teen Dating Violence

7:190 Student Behavior

7:190-AP1 Student Handbook - Hazing Prohibited

7:190-AP2 Student Handbook - Gang Activity Prohibited

7:190-AP3 Administrative Procedure - Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students

7:190-AP4 Administrative Procedure - Use of Isolated Time Out, Time Out, and Physical Restraint

7:190-AP5 Student Handbook - Electronic Devices

7:190-AP6 Administrative Procedure - Guidelines for Investigating Sexting Allegations

7:190-AP7 Administrative Procedure - Student Discipline Guidelines

7:190-AP8 Administrative Procedure - Student Re-Engagement Guidelines

7:190-AP9 Administrative Procedure - Administrative Transfer to Regional Safe School Program

7:190-E1 Exhibit - Aggressive Behavior Reporting Letter and Form

7:190-E2 Exhibit - Student Handbook Checklist

7:190-E3 Exhibit - Memorandum of Understanding

7:190-E4 Exhibit - Acknowledgement of Receiving Student Behavior Policy and Student Conduct Code

7:200 Suspension Procedures

7:200-E1 Exhibit - Short Term Out-of-School Suspension (1-3 Days) Reporting Form

7:200-E2 Exhibit - Long Term Out-of-School Suspension (4-10 Days) Reporting Form

7:210 Expulsion Procedures

7:210-E1 Exhibit - Notice of Expulsion Hearing

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DRAFT

7:220 Bus Conduct

7:220-AP Administrative Procedure - Electronic Recordings on School Buses

7:230 Misconduct by Students with Disabilities

7:240 Conduct Code for Participants in Extracurricular Activities

7:240-AP1 Administrative Procedure - Code of Conduct for Extracurricular Activities

7:240-AP2 Administrative Procedure - Extracurricular Drug and Alcohol Testing Program

7:240-AP2, E1 Exhibit - Consent to Participate in Extracurricular Drug and Alcohol Testing Program

Welfare Services

7:250 Student Support Services

7:250-AP1 Administrative Procedure - Measures to Control the Spread of Head Lice at School

7:250-AP2 Administrative Procedure - Protocol for Responding to Students with Social, Emotional, or Mental Health Needs

7:255 Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

7:255-AP1 Administrative Procedure - Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

7:255-AP2 Administrative Procedure - Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

7:260 Exemption from Physical Education

7:270 Administering Medicines to Students

7:270-AP1 Administrative Procedure - Dispensing Medication

7:270-AP2 Administrative Procedure - Checklist for District Supply of Undesignated Medication(s)

7:270-E1 Exhibit - School Medication Authorization Form

7:270-E2 Exhibit - School Medication Authorization Form - Medical Cannabis

7:275 Orders to Forgo Life-Sustaining Treatment

7:280 Communicable and Chronic Infectious Disease

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7:280-AP Administrative Procedure - Managing Students with Communicable or Infectious Diseases

7:280-E1 **OPEN**

7:280-E2 Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases

7:280-E3 Exhibit - Preventing Staphylococcal Infections for Schools

7:285 Anaphylaxis Prevention, Response, and Management Program

7:285-AP Administrative Procedure - Anaphylaxis Prevention, Response, and Management Program

7:285-AP, E Administrative Procedure - Allergy and Anaphylaxis Emergency Plan

7:290 Suicide and Depression Awareness and Prevention

7:290-AP Administrative Procedure - Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program

Activities

7:300 Extracurricular Athletics

7:300-E1 Exhibit - Agreement to Participate

7:300-E2 Exhibit - Certificate of Physical Fitness for Participation in Athletics

7:300-E3 Exhibit - Authorization for Medical Treatment

7:305 Student Athlete Concussions and Head Injuries

7:305-AP Administrative Procedure - Program for Managing Student Athlete Concussions and Head Injuries

7:310 Restrictions on Publications; Elementary Schools

7:310-AP Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools

7:315 Restrictions on Publications; High Schools

7:315-AP Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications; High Schools

7:320 **OPEN**

7:325 Student Fundraising Activities

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7:325-E Exhibit - Application and Procedures to Involve Students in Fundraising Activities

7:330 Student Use of Buildings - Equal Access

7:330-E Exhibit - Application for Student Groups that Are Not School Sponsored to Request Free Use of School Premises for Meetings

Records

7:340 Student Records

7:340-AP1 Administrative Procedure - School Student Records

7:340-AP1, E1 Exhibit - Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records

7:340-AP1, E2 Exhibit - Using a Photograph or Video Recording of a Student

7:340-AP1, E3 Exhibit - Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

7:340-AP1, E4 Exhibit - Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information

7:340-AP1, E5 Exhibit - Biometric Information Collection Authorization

7:340-AP2 Administrative Procedure - Storage and Destruction of School Student Records

7:340-AP2, E1 Exhibit - Letter Containing Schedule for Destruction of School Student Records

7:345 Use of Educational Technologies; Student Data Privacy and Security

7:345-AP Administrative Procedure - Use of Educational Technologies; Student Data Privacy and Security

7:345-AP, E1 Exhibit - Student Covered Information Reporting Form

7:345-AP, E2 Exhibit - Student Data Privacy; Notice to Parents About Educational Technology Vendors

7:345-AP, E3 Exhibit - Parent Notification Letter for Student Data Breach

7:345-AP, E4 Exhibit - Notice of Parent Rights Regarding Student Covered Information

7:345-AP, E5 Exhibit - Parent Request Form for Student Covered Information

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7:345-AP, E6 Exhibit - Parent Request Form for Correction of Student Covered Information

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Students

Administrative Procedure - Managing Agency and Law Enforcement Requests [1]

The District responds to all requests from various government agencies and law enforcement authorities regarding access to school property, records, students, and staff. The Board Attorney should be consulted, as needed, regarding the legal requirements presented by this administrative procedure.

The Ill. Council of School Attorneys, with participation from the DuPage County State's Attorney's Office and Regional Superintendent of Schools, developed *Guidelines for Interviews of Students at School by Law Enforcement Authorities (ICSA Guidelines)* to assist law enforcement authorities and school officials in determining when it is appropriate for law enforcement authorities or the Ill. Dept. of Children and Family Services to interview students at school or while participating in school-related activities. The document is available at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/guidelines-for-interviews-of-students/.

Use this procedure to implement 105 ILCS 5/22-105(c)(4), added by P.A. 104-288, eff. 1-1-26, for reviewing and authorizing requests from government agencies and/or law enforcement authorities attempting to enter a school or school facility, in particular requests relating to citizenship or immigration status. Use the *ICSA Guidelines* and this procedure in consultation with the Board Attorney to customize the District's response to any agency or law enforcement requests.

The topics outlined in this procedure include: Glossary of Terms; Procedures, Roles, and Responsibilities; and Training.

Glossary of Terms [2]

Citizenship or immigration status – means all matters regarding citizenship of the United States or any other country or the authority or lack thereof to reside in or otherwise to be present in the United States, including an individual's nationality and country of citizenship.

Law enforcement agent – means an agent of federal, State, or local law enforcement authorized with the power to arrest or detain individuals or manage the custody of detained individuals for a law enforcement purpose, including civil immigration enforcement. Law enforcement agent does not include a school resource officer as defined in 105 ILCS 5/10-20.68.

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[1] 105 ILCS 5/22-105(c)(4), added by P.A. 104-288, eff. 1-1-26, requires implementation of procedures by 7-1-26. This area of law is complex, unsettled, and involves the interaction of federal and State laws. For example, 8 U.S.C. §1373 and §1644 present disclosure requirements for the district to follow. **Consult the board attorney as soon as possible regarding any requests by law enforcement agents for access to individuals within a school or school facility**. See the discussion in sample board policy 7:150, *Agency and Law Enforcement Requests*, at f/n 8. See also discussion of cooperation vs. non-cooperation with law enforcement authorities, specifically regarding immigration enforcement in the *ICSA Guidelines for Interviews of Students at School by Law Enforcement Authorities (ICSA Guidelines)*, available at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/guidelines-for-interviews-of-students/ .

[2] Unless otherwise noted, all defined terms are based on definitions in 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26.

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Nonjudicial warrant – means a warrant issued by a federal, State, or local agency authorized with the power to arrest or detain individuals or manage the custody of detained individuals for any law enforcement purpose, including civil immigration enforcement. *Nonjudicial warrant* includes an immigration detainer or civil immigration warrant as defined in the Illinois TRUST Act. *Nonjudicial warrant* does not include a criminal warrant issued upon a judicial determination of probable cause, in compliance with the requirements of the Fourth Amendment to the U.S. Constitution and Section 6 of Article I of the Ill. Constitution.

School – means every public school, school district, and governing body, including a special charter district or charter school, organized under the School Code, and its agents, including a contracted party.

Procedures, Roles, and Responsibilities [3]

Actor	Action
Superintendent	Ensures the District does not use procedures or engage in practices that, due to the actual or perceived citizenship or immigration of a student or a student's parent/guardian, have the effect of: 1. Excluding a student from participation in, or denying the benefits of, any District program or activity; or 2. Excluding participation of the student's parent/guardian from parental engagement activities or programs. Examples of prohibited practices include, but are not limited to: requesting or collecting information or documentation from a student or the student's parent/guardian about citizenship or immigration status unless required by State or federal law; and designating immigration status, citizenship, place of birth, nationality, or national origin as directory information. Ensures the District does not: 1. Threaten to disclose anything related to the actual or perceived citizenship or immigration status of a student or a person associated with the student to any other person or entity or an immigration or law enforcement agency; 2. Disclose anything related to the actual or perceived citizenship or immigration status of a student or a person associated with the student to any other person or entity or an immigration or law enforcement agency if the school does not have direct knowledge of the student's or associated person's actual citizenship or immigration status, subject to applicable State and federal requirements governing the disclosure of such records or information; 3. Disclose anything related to the actual citizenship or immigration status of a student or a person associated with the student to any other person or nongovernmental entity if the

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[3] Unless otherwise noted, all procedures are required in order to comply with the requirements of 105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26.

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Actor	Action
	District has direct knowledge of the student's or associated person's actual citizenship or immigration status, subject to applicable State and federal requirements governing the disclosure of such records or information. Develops a documentation[4] process for all law enforcement authority interactions, with designated staff monitoring or accompanying the agent during the process. Reviews current Board policies and administrative procedures to ensure that no discriminatory practices are in place regarding citizenship or immigration status. Ensures that no questions related to citizenship or immigration status are asked during enrollment,[5] unless explicitly required by federal or State law. Prohibits requesting or collecting information or documentation from a student or the student's parent/guardian about citizenship or immigration status, unless required by State or federal law. Determines changes as needed to the District's designation of *directory information* to prevent collection of information relating to immigration status, citizenship, place of birth, nationality, or national origin. [6] Develops a list to be posted in every school or administrative office identifying designated personnel who are authorized to consult the Board Attorney to review requests from agencies and/or law enforcement authorities to enter a school or school grounds. Develops a list to be posted in every school or administrative office identifying administrators designated as authorized to review and approve requests from government agencies and/or law enforcement authorities attempting to enter a school or school grounds. Authorized personnel may include the Superintendent, other District administrators, and Building Principals. The list should: 1. Prioritize each type of request;

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[4] Required by 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26. See sample board exhibit 7:150-AP, E, *Record of Agency and Law Enforcement Requests*, for a sample form to support compliance with this documentation requirement.

[5] See sample policy 7:150, *Agency and Law Enforcement Requests*, f/n 1 and the Ill. State Board of Education (ISBE)'s *Non-Regulatory Guidance on Registration: Residency & Enrollment, Immigrant Pupils, Homeless Pupils and School Fees & Waivers* (September 2025) available at: www.isbe.net/Documents/guidance_reg.pdf.

[6] Place of birth is excluded from *directory information* in sample administrative procedure 7:340-AP1, *School Student Records* and sample exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records* due to 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26, which prohibits districts from designating place of birth as directory information. The Family Educational Rights and Privacy Act, 20 U.S.C. 1232g(a)(5)(A), its regulations at 34 CFR § 99.3, and 23 Ill.Admin. Code §375.80 continue to permit districts to designate place of birth as directory information. Differences in federal and State laws and regulations may present conflicts when law enforcement agents request student records information. Consult the board attorney for guidance regarding this issue and any such requests.

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Actor	Action
	2. Provide an alternative designee if the first authorized administrator is not available; and 3. Be kept in the front office of each District building in case there is a substitute front office staff member. Develops a standardized form for documenting law enforcement requests for access to students, school grounds, or records. See sample exhibit 7:150-AP, E, *Record of Agency and Law Enforcement Requests*. Ensures all such documentation is reviewed by the Board Attorney or designated personnel and appropriately maintained.
Superintendent, Building Principal or designee	Initial Request from a Law Enforcement Agent Arrives quickly and responds courteously in assisting the law enforcement agent. Assesses the situation by verifying the law enforcement agent's purpose and authority to visit the school. Checks the documentation obtained by the front office staff and verifies the information directly with the law enforcement agent. See sample exhibit 7:150-AP, E, *Record of Agency and Law Enforcement Requests*. Monitors/accompanies the law enforcement agent while on District premises and documents the interaction, including details on the nature and purpose of the request. Calls the Board Attorney for guidance throughout the process. Communicates to the law enforcement agent that the District is consulting with the Board Attorney and will respond as soon as possible or with an estimated amount of time if available. Consults the Board Attorney if a warrant is presented. The Board Attorney will determine whether the warrant is a judicial warrant, an Immigration and Customs Enforcement (ICE) administrative warrant, or another administrative agency warrant. Consults the Board Attorney if a subpoena is presented. If the subpoena seeks student records, the Board Attorney may direct, depending on the circumstances, that the student's parent/guardian be informed immediately. Consults the Board Attorney regarding contacting the parent/guardian of a minor student if a minor student is involved with the law enforcement action. Notifies and seeks consent from a student's parent/guardian, or from the student if the student is 18 years old or older or emancipated, if a law enforcement agent requests access to a student for immigration enforcement purposes, unless such access is in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the student's parent/guardian.

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	Requests for the District to Comply under Exigent Circumstances If the law enforcement agent claims exigent circumstances: 1. Explains to the law enforcement agent the District's need to take caution and contact the Board Attorney as well as to notify the student's parent/guardian. If the agent insists on exigent circumstances, then complies with the agent's request while providing an escort to monitor and accompany the agent. 2. Consults the Board Attorney immediately. 3. Immediately contacts the student's parent/guardian. 4. Documents the agent's claim of exigent circumstances. See sample exhibit 7:150-AP, E, *Record of Agency and Law Enforcement Requests*. Requests to Take a Student into Custody **Consults the Board Attorney immediately.** **Note:** A judicial warrant authorizes the agent to enter the school and go directly to the person who is the subject of the warrant. To minimize disruption, consider offering to have the individual student or employee escorted to the office by a staff member instead. If the law enforcement agent claims exigent circumstances, follow exigent circumstances process, above. Requests to Question a Student **Consults the Board Attorney immediately if a warrant, court order, or subpoena is presented.** Absent exigent circumstances being claimed by the agent, school personnel should not consent to questioning or searches on a minor's behalf. If questioning is going to take place during school hours, arranges to make a private office location available. Alternatively, asks the agent to wait and arranges a meeting time after school or away from school. Consults with the student's parent/guardian. The response to the request for questioning the student will depend on parent/guardian permission being granted. Documents all permissions granted. Requests for Student Records Informs the law enforcement agent that the school does not collect immigration documentation. Explains to the law enforcement agent that most student records are confidential under federal and State student records laws and cannot be immediately released. **Note:** Parents/guardians have the right to be informed of all directory information and to opt out of directory information

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Actor	Action
	even if the records sought by the law enforcement agent appear to be directory information. Informs the law enforcement agent that the District requires time to cross-check the agent's request with the list of students for whom directory information is not available due to opt out by the student's parent/guardian. Explains to the law enforcement agent that the Board Attorney is reviewing the matter so that the District may respond in compliance with law. <u>Requests to take an Employee into Custody</u> Follows the same procedures as for a student, above. <u>Requests to Question an Employee</u> Follows the same procedures as for a student, above. <u>Requests for Employment Records</u> Consults with the Board Attorney.
Building Principal	If acting in response to an agency or law enforcement request, follows the procedures in the row above. Otherwise, provides assistance to the designated administrator as needed. Immediately notifies the Superintendent or designee of any interaction with law enforcement.
Classroom Teachers	If in a position of responding to a law enforcement agent, e.g., while in the front office, at a door as a door monitor, while acting as a crossing guard, or anywhere on school grounds, follows the procedures for All School Personnel, below.
All School Personnel	Refrain from disclosing or threatening to disclose anything related to the actual or perceived citizenship or immigration status of a student or a person associated with the student to any person, entity, or immigration or law enforcement agency, unless directed by the Superintendent, Building Principal, or designee. Respond promptly and courteously to assist the law enforcement agent by informing the agent that only an authorized administrator may provide responses to law enforcement requests regarding students, employees, or records. **Note:** Public facing staff should not speculate or try to answer any of the officer's questions. Inform the agent that the Superintendent, Building Principal, or designee (as applicable) will be notified.[7]

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[7] See *ICSA Guidelines* at f/n 37 for discussion of federal agent authority within the 100-mile border zone.

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Actor	Action
	Call the Superintendent, Building Principal, or designee (as applicable) using any method available, e.g., telephone, walkie talkie, public announcement system, to request to meet the law enforcement agent in a designated location (front office) and escort the agent to that location, if necessary. If designated by the Superintendent or Building Principal: 1. Document the law enforcement agent's visit by recording in writing the date, time, officer's name, reason for coming to the building, and badge information. See sample exhibit 7:150-AP, E, *Record of Agency and Law Enforcement Requests*. **Note**: Federal law prohibits photocopying or scanning of a federal employee's badge, identification card, or insignia, but notes should be made of the showing of the badge, or giving of a business card, and of any information on the badge without making a scan or copy. 2. After reviewing and recording the information regarding the agent's credentials, scan or copy any additional authorization presented like a subpoena or warrant. 3. Ask the law enforcement agent to please wait in a designated space. **Note:** This is a complicated determination that may be made by the Superintendent, Building Principal or designee. A federal law enforcement agent must have certain authorization to enter an area of a school building that is not open to the public, specifically: A judicial warrant issued by a federal judge or magistrate. Only the Superintendent, Building Principal or designee, in consultation with the Board Attorney, should verify that such a warrant is presented. Consent from the Superintendent, Building Principal or designee. The Superintendent, Building Principal or designee can grant consent to access the building but is not required to grant consent. Even if consent is granted, the law enforcement agent should be escorted by the Superintendent, Building Principal or designee at all times. Exigent circumstances, such as risk to public safety or destruction of evidence. If a law enforcement agent states that exigent circumstances exist, document that the officer relied on this standard and allow the agent to proceed with an escort. Call the Superintendent, Building Principal or designee based on the priority list until the Superintendent, Building Principal or designee is found and confirms ability to promptly respond in person to the office in need or to communicate with the agent over the phone.

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Actor	Action
	Contact the school resource officer, if any, to facilitate communication between the law enforcement agent and the Superintendent, Building Principal or designee.

Training [8]

Actor	Action
Superintendent	Reviews and approves training for all school personnel based on this procedure. Provides training for all District administrative office personnel on implementation of this procedure.
Building Principal	Provides training for all school personnel on implementation of this procedure. Provides resources and guidance for school personnel in responding appropriately to agency and law enforcement requests, including scenarios.

LEGAL REF.: U.S. Constitution, Amend. IV.
8 U.S.C. §§1373 and 1644.
Plyler v. Doe, 457 U.S. 202 (1982).
Ill. Constitution, Art. I, §6.
105 ILCS 5/10-20.64, 5/10-20.68, 5/22-88, 5/22-105, and 5/24-24.
55 ILCS 80/, Children's Advocacy Center Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/31-1 et seq., Interference with Public Officers Act.
725 ILCS 120/, Rights of Crime Victims and Witnesses Act.

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[8] Optional. This section on training is not legally required, however, as a best practice districts may consider implementing regular training on this procedure for identified staff to address overall awareness of requirements and/or to provide scenario-based guidance.

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Students

Exhibit - Record of Agency and Law Enforcement Requests

105 ILCS 5/22-105, added by P.A. 104-288, eff. 1-1-26, places restrictions on government agency and law enforcement authority access to district property, in particular for requests related to citizenship or immigration status. Use this form to document all interactions with law enforcement agents while they are on the District's premises, as required by 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26. An authorized administrator or the board attorney must review law enforcement requests to enter a school or school facility, including judicial warrants, nonjudicial warrants, and subpoenas. 105 ILCS 5/22-105(c)(4)(A), added by P.A. 104-288, eff. 1-1-26. This form also documents that review. Consult the board attorney regarding the use and maintenance of this form and marking of any attorney-client privileged information.

To be completed by District staff member:

Name of District Staff (*Please print*)	Title of District Staff Member
Name of District or School Building	
Name of Law Enforcement Agent(s) (*Please print*)	Name of Agency or Law Enforcement Unit
Contact Name	Contact Number
Badge Number or Identification Number (*Handwritten only, no photocopies)*	Title of Law Enforcement Agent
School Visit Location	Date and Time of Visit

Authorization Presented by the Law Enforcement Agent (*Make photocopies and attach to form*):

☐ Warrant

☐ Subpoena

☐ Exigent Circumstances (*Please be specific*):

_____

_____

_____

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☐ Other (*Please be specific*): _____

_____

_____

_____

Describe the Request from the Law Enforcement Agent to access the above-listed school or District office:

Request to access the school or District office for the following reason(s):

☐ To obtain student or employment records.
☐ To question a student or employee.
☐ To take a student or employee into custody.
☐ Other (*Please be specific*):_____

_____

The following is to be completed by the District Superintendent, Building Principal or designee only:

_____

Name of Superintendent, Building Principal or designee (*Please print*)

_____

Name of District Office or School Building

_____

Name of Board Attorney Contacted, if any (*Please print*)

☐ **Permission Granted** ☐ **Permission Denied**

_____ _____

Date Signature (*Superintendent, Building Principal, or designee*)

Access Granted to the following (*Please be specific*)**:**

_____

_____

_____

_____

_____

_____

_____

Visit Supervision *(To be completed by the staff member monitoring or accompanying the law enforcement agent)*

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Supervisor's Name (*Please print*) _____

Visitor Time In _____ Visitor Time Out _____

_____ _____

Date Supervisor's Signature

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Students

Administrative Procedure - Guidelines for Reciprocal Reporting of Offenses Committed by Students [1]

State law requires a reciprocal reporting system between the School District and local law enforcement agencies regarding criminal and civil offenses committed by students. 105 ILCS 5/10-20.14(b), amended by P.A. 104-430. The Juvenile Court Act of 1987 (705 ILCS 405/1-1 et seq.), School Code (105 ILCS 5/1-1 et seq.), and various other laws set requirements for the management and sharing of law enforcement records and other information about students if they have contact with local law enforcement. Local implementation of reciprocal reporting procedures may be modified based upon the District's and local law enforcement's specific implementation needs.

Development and implementation of reciprocal reporting procedures relies heavily on the District's parent-teacher advisory committee and Building Principals, in cooperation with local law enforcement agencies. 105 ILCS 5/10-20.14. The parent-teacher advisory committee is a School Board committee and, thus, is subject to the Open Meetings Act. 5 ILCS 120/1.02. See Board policy 2:150, *Committees*.

Guidelines for Reporting and Records Disclosure from the District to Local Law Enforcement

Incidents reported from the District to local law enforcement agencies are managed under the School Code (105 ILCS 5/1-1 et seq.), 105 ILCS 127/2, and 720 ILCS 5/12C-50.1.

When sharing information, school officials should be aware of State and federal laws regarding *school student records*. Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/; 23 Ill.Admin.Code Part 375. Information kept by law enforcement professionals working in a school is not considered a *school student record*. 105 ILCS 10/2. Also, law enforcement records maintained by law enforcement agencies are not considered a *school student record*. 105 ILCS 5/22-20. For more detailed information about *school student records* and its definition, see 7:340-AP1, *School Student Records*.

1. The Building Principal and/or the Police Department School Liaison Officer (Liaison Officer) will arrange meetings as needed between school officials and individuals representing law enforcement to share information. While not required by State law, meetings may enhance a cooperative relationship between the school and local law enforcement agencies. The following

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[1] State or federal law requires this subject matter be covered by procedure. State or federal law controls this procedure's content. This procedure concerns an area in which the law is unsettled in that a school's ability to share student records is restricted by State and federal law. In addition, circumstances that allow law enforcement's ability to share its records of contacts with students enrolled in their local school districts are governed by State law.

105 ILCS 5/10-20.14(b), as amended by P.A. 103-896, required the Ill. State Board of Education (ISBE), in consultation with stakeholders, to draft and publish *Development of Reciprocal Reporting Systems Guidance*, available at: www.isbe.net/Documents/Reciprocal-Reporting-June-2025.pdf. In the *Guidance*, ISBE recommends that "districts publish a copy of their reciprocal reporting agreements on their websites and make them available upon request to ensure public accessibility and parent/guardian awareness." Id. If the district does this, it should list their reciprocal reporting agreements in exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

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people should be invited to these meetings: dean, building principal, school counselor, State's Attorney, juvenile probation officer, and police department school liaison officer. [2]

2. The Superintendent, Building Principal, and/or their designee(s) will immediately notify local law enforcement upon receiving a report of a student:
    a. Committing a battery against school personnel. 105 ILCS 5/10-21.7.
    b. In possession of a firearm on school grounds. 105 ILCS 5/10-27.1A.
    c. Being involved in a drug-related incident on school property, including any conveyance used to transport students, or on any public way within 1000 feet of the school. 105 ILCS 5/10-27.1B; 105 ILCS 127/2.
    d. Engaging in hazing resulting in death or great bodily harm. 720 ILCS 5/12C-50.1. [3]

Guidelines for Reporting and Records Disclosure from Local Law Enforcement to the District

The information shared from local law enforcement agencies to the District and the confidentiality of shared juvenile law enforcement records are managed under the Juvenile Court Act of 1987 (705 ILCS 405/1-1 et seq.) and the School Code (105 ILCS 5/1-1 et seq.). These laws require the Building Principal to maintain all information and records that the District receives from local law enforcement separate from a student's official *school student record*. Unless otherwise indicated, the information received from local law enforcement may only be used by school staff having a legitimate educational or safety interest in the information to support (1) the proper rehabilitation of the student, and/or (2) the protection and safety of students and employees in the school.

1. The State's Attorney shall provide the Building Principal a copy of any delinquency dispositional order concerning any student regardless of age where the crime would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012 (deadly weapon offenses). Access to this information is limited to only the Building Principal, the Superintendent, and any school counselor designated by either administrator. 705 ILCS 405/1-8(F).
2. Local law enforcement may disclose the identity of a victim of aggravated battery, battery, attempted first degree murder, or another non-sexual violent offense to appropriate school officials if the presiding judge of the juvenile court approves the disclosure to prevent foreseeable violence. 705 ILCS 405/5-905(2.5).
3. Local law enforcement may disclose juvenile law enforcement records relating to a minor who is investigated, arrested, or taken into custody before his or her 18th birthday only if law enforcement believes that there is imminent threat of physical harm to students, school personnel, or others. 705 ILCS 405/1-7(A)(8) and 405/5-905(1)(h). For an example of relevancy and implementation of this type of law enforcement information in a school building, see Board policy 4:190, *Targeted School Violence Prevention Program*.
    a. Local law enforcement may allow the Building Principal or appropriate school official(s) to *inspect and copy* juvenile law enforcement records concerning a minor enrolled in the school who has been arrested or taken into custody for violating any of the following Ill. laws: Article 24 of the Criminal Code of 1961 or the Criminal Code

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[2] These meetings are optional.

[3] ISBE's *Development of Reciprocal Reporting Systems Guidance*, available at: www.isbe.net/Documents/Reciprocal-Reporting-June-2025.pdf, states that "while certain offenses must be reported to law enforcement, ISBE takes the position that student misconduct that is neither criminal in nature; nor threatening to life, health, or safety; nor required to be reported by state or federal law should not be referred to law enforcement and instead should be handled directly by the school in accordance with the student code of conduct or related internal code." Id. at p.2.

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of 2012 (deadly weapons); Ill. Controlled Substances Act; Cannabis Control Act; forcible felonies defined at Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012; Methamphetamine Control and Community Protection Act; Section 1-2 of the Harassing and Obscene Communications Act; Hazing Act; Section 12 of the Criminal Code of 1961 or the Criminal Code of 2012 (bodily harm); or Article 25 of the Criminal Code of 1961 or the Criminal Code of 2012 (mob action and related offenses). 705 ILCS 405/1-7(A)(8)(A) and 405/5-905(1)(h)(A).

b. Local law enforcement may disclose only *oral information* about a minor who is the subject of a current police investigation that is directly related to school safety. 705 ILCS 405/1-7(A)(8)(B) and 405/5-905(1)(h).

4. Local law enforcement agencies and all courts must report to the Building Principal the fact that a student enrolled in the building has been detained for proceedings under the Juvenile Court Act of 1987 or for any criminal offense, including illegal gang activity, or any violation of a municipal or county ordinance. The report must include the basis for detaining the child, circumstances surrounding the events which led to the child's detention, and status of proceedings. The report must be updated as appropriate to notify the Building Principal of developments and the disposition of the matter. 105 ILCS 5/22-20.
5. Local law enforcement must notify the Building Principal when an agency investigation of an alleged incident of sexual abuse is complete or has been suspended, including information on the outcome of the investigation. 105 ILCS 5/22-85(k).
6. Local law enforcement shall provide a copy of all arrest records, and the State's Attorney shall provide a copy of all conviction records, to the Building Principal if the record involves a student who is arrested or taken into custody *after* his or her 18th birthday. [4]
7. Local law enforcement and the State's Attorney may share or disclose information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders. 705 ILCS 405/1-8(G).

LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
105 ILCS 5/10-20.14, 5/22-20, and 5/22-85.
5 ILCS 120/1.02, Open Meetings Act.
105 ILCS 10/, 10/2, 10/6(6.5), Ill. School Student Records Act.
705 ILCS 405/1-7, 1-8(F), 1-8(G), and 5-905, Juvenile Court Act of 1987.
23 Ill. Admin. Code Part 375, Student Records.

CROSS REF.: 2:150 (Committees), 4:190 (Targeted School Violence Prevention Program), 7:150 (Agency and Law Enforcement Requests), 7:340 (Student Records)

ADMIN PROC.: 7:150-AP (Managing Agency and Law Enforcement Requests), 7:340-AP1 (School Student Records)

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[4] This duty is not imposed by State law, but it may be part of the reciprocal reporting guidelines.

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Students

Administrative Procedure - Guidelines for Investigating Sexting Allegations

Establishing procedures with local law enforcement agencies and State's attorneys to investigate allegations of sexting protects the District, its staff and its students from the broad legal implications that sexting allegations present. This administrative procedure contains three sections:

1. Glossary of Terms
2. Preparation of Guidelines for Investigating Sexting Allegations
3. Investigation and Management of Sexting Allegations

Glossary of Terms

Electronic device: any type of electronic communication device, defined in the Juvenile Court Act of 1987 at 705 ILCS 405/3-40(a). It includes, but is not limited to, a wireless telephone, personal digital assistant, or a portable or mobile computer, that is capable of transmitting images or pictures. This includes cellular telephones (see www.thesaurus.com/, listing cellular and wireless telephones as synonyms). For more discussion, see f/n 3 in sample administrative procedure 7:190-AP5, *Student Handbook - Electronic Devices*.

Sexting:[1] the act of creating, sending, sharing, viewing, receiving, or possessing sexually explicit messages, images, or videos electronically, regardless of whether they are authentic or computer-generated, through the use of a computer, electronic communication device, or cellular phone. It also includes:

1. Creating, sending, sharing, viewing, receiving, or possessing an *indecent visual depiction*, which under the Juvenile Court Act of 1987 means a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female,[2] a fully or partially developed breast of the person (705 ILCS 405/3-40(a) (enacted to provide law enforcement officials an alternative to bringing child sexual abuse material~~pornography~~ charges against minors in possession of indecent visual depictions through placing them under the supervision of juvenile courts)), or
2. *Non-consensual dissemination of private sexual images*, which under the Criminal Code of 2012 (720 ILCS 5/11-23.5, amended by P.A. 103-825), is a crime that is committed when a person:
    a. intentionally disseminates an image of another person:
        i. who is identifiable from the image itself or personal identifying information[3] displayed or disseminated in connection with the image, or the identity is known to the person who disseminated the image; and

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[1] Ensure the definition of *sexting* in this administrative procedure aligns with the definition that appears in policy 7:190, *Student Behavior*.

[2] 705 ILCS 405/3-40(a) assumes sex is binary and does not address transgender females or individuals who identify as nonbinary. Consult the board attorney about this definition if an involved student is transgender or nonbinary.

[3] *Personal identifying information* is defined in 720 ILCS 5/16-0.1 and includes a person's name, address, date of birth, telephone number, among other items. See 720 ILCS 5/11-23.5, amended by P.A. 103-825, for definitions of other terms in this provision, including *image*, *sexual act*, and *intimate parts*.

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ii. who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; and

b. obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and

c. knows or should have known that the person in the image has not consented to the dissemination.

3. *Non-consensual dissemination of sexually explicit digitized depictions*,[4] which under the Criminal Code of 2012 (720 ILCS 5/11-23.7, added by P.A. 103-825), is a crime that is committed when a person:

a. intentionally disseminates a sexually explicit digitized depiction of another person who is identifiable from the image itself or personal identifying information displayed or disseminated in connection with the image, or the identity is known to the person who disseminated the image; and

b. knows or should have known the person in the image has not consented to the dissemination.

Preparation of Guidelines for Investigating Sexting Allegations

This section identifies best practices to create guidelines for investigating sexting allegations at the District-wide level. The Superintendent should discuss this procedure with local law enforcement agencies and State's attorneys to minimize the potential legal implications for students and administrators that managing sexting in school presents. Customize the procedure to each District's specific needs.

Actor	Action
Superintendent or designee	Convene a meeting with the Board Attorney, local law enforcement agencies, and State's attorney to determine best practices and procedures for investigating sexting in the District. Use the **Investigation and Management of Sexting Allegations** section (see below) as a template for discussion at the meeting and customize it to meet local considerations as necessary. Ask the Board Attorney to provide direction about searching student-owned electronic devices in Step 2: Isolate Evidence / Confiscate Device in the **Investigation and Management of Sexting Allegations** section (see below). Searching electronic devices involves Fourth Amendment to the U.S. Constitution search and seizure issues. The federal Stored Communication Act (SCA) (18 U.S.C. §2701) can also be implicated if the District wants to access information stored on a personal cellular phone from a third-party provider. Generally asking for permission, calling the parents to come and look through the phone,

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[4] *Sexually explicit digitized depiction* means any image, photograph, film, video, digital recording, or other depiction or portrayal that has been created, altered, or otherwise modified to realistically depict either: (1) the intimate parts of another human being as the intimate parts of the depicted individual or computer-generated intimate parts of the depicted individual, or (2) the depicted individual engaging in sexual activity in which the depicted individual did not engage. 720 ILCS 5/11-23.7(a), added by P.A. 103-825. See Id. for definitions of other terms in this provision, including *intimate parts* and *sexual activity*. For *personal identifying information*, see f/n 3, above.

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Actor	Action
	or getting a warrant solves these issues. **Note**: See *Searching and Seizing Computers and Obtaining Electronic Evidence Manual* (Sept. 2009), Chapter 3, The Stored Communication Act, at: www.justice.gov/d9/criminal-ccips/legacy/2015/01/14/ssmanual2009_002.pdf Identify and list all State's attorneys and local law enforcement agencies with jurisdiction over the District's boundaries. Provide this list to all Building Principals in the District. Provide the local State's attorney offices and law enforcement agencies with an annual list of school buildings and the names of each building's administrators that are located within their jurisdictions. Invite local State's attorney offices and law enforcement agencies to meet with District school officials to provide input on how the District should manage sexting. Add an agenda item about sexting to a Parent Teacher Advisory Committee meeting (see Board policy 2:150, *Committees*). Include information from discussions with State's attorneys and local law enforcement about the issue. Discuss local considerations for: 1. Disciplinary actions and consequences in response to sexting; and 2. Sexting education and prevention efforts. Consider adding information about the negative consequences of sexting to the District's sex education curriculum. See, U.S. Dept. of Justice (DOJ) Guide titled *Citizen's Guide to United States Federal Child Exploitation and Obscenity Laws*, at: www.justice.gov/criminal-ceos/citizens-guide-us-federal-child-exploitation-and-obscenity-laws. Consider adding the above resources to exhibit 4:170-AP2, E4, *Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting*. Convene a meeting with Building Principals to inform them of the District's Investigation and Management of Sexting Allegations procedures (see below). Raise awareness of and increase educational opportunities about sexting as necessary. Follow the Parent Teacher Advisory Committee's recommendations for providing sexting education and prevention efforts.[5] Invite the local State's attorney and local law enforcement to participate in the District's education and prevention efforts.
Building Principals	Educate building staff members about the procedures for **Investigation and Management of Sexting Allegations** (see below).

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[5] If a district offers the National Sex Education Standards (NSES), any recommendations should align with NSES. See sample policy 6:60, *Curriculum Content*, and its f/n 3~~5~~, and sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

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Actor	Action
	Follow the Investigation and Management of Sexting Allegations.

Investigation and Management of Sexting Allegations

This section relies upon the Building Principal or designee to manage several practical and legal implications when conducting sexting allegation investigations.

Actor	Action
Building Principal or designee	**Step 1: If the alleged conduct is governed by Board policy 2:265, *Title IX Grievance Procedure* (Notification and Information subhead):** Skip Step 2 and consult with the Title IX Coordinator regarding Steps 3, 5, and 6. Continue to follow Step 4. **Note:** The District may not issue discipline for alleged conduct covered by Title IX unless there is a determination at the conclusion of the Title IX Grievance Process that the Respondent engaged in discrimination prohibited by Title IX. **Step 2: If the alleged conduct is not governed by Board policy 2:265, *Title IX Grievance Procedure*, then investigate.** Determine where actions took place. Contact parents/guardians of all students involved. Contact the Superintendent and request permission to contact the Board Attorney. **Step 3: Isolate Evidence / Confiscate Device** NEVER transfer or store depictions on personal or school electronic devices to minimize accusations of possession of child sexual abuse material~~pornography~~. (See 720 ILCS 5/11-20.1 et seq., amended by P.A. 104-245, eff. 1-1-26, 720 ILCS 5/11-23.5(c) (provides an exception on transfer of an image for a lawful purpose), and 18 U.S.C. §§2251, 2252, and 2252A). Also see the DOJ's Child Exploitation and Obscenity Section discussing child pornography issues, available at: www.justice.gov/criminal-ceos. Contact the Board Attorney for guidance to determine whether to involve local law enforcement or manage the situation within the District's disciplinary policy. See Joshua D. Herman, *Criminal Law. Sexting: It's No Joke, It's a Crime*. Illinois Bar Journal, Volume 98, No. 4, P. 192 at f/n 42 (published April 2010), at: www.isba.org/ibj/2010/04/criminallaw, (quoting an attorney in the Ill. Attorney General's High Tech Crimes Bureau who advises school administrators to immediately confiscate devices with such material on them and report the incident to law enforcement immediately, stating that possession of a sext message that is child pornography is no different than possessing a "kilo of cocaine.")

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Actor	Action
	Follow Board policy 7:140, *Search and Seizure*, and administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests~~Police Interviews~~*. Follow the Board Attorney's direction regarding searches of student owned technological devices. See Preparation of Guidelines for Investigating Sexting Allegations (above). **Step 4: Follow the reporting requirements of Board policy 5:90, *Abused and Neglected Child Reporting*, when applicable** A *sexted* image may constitute child abuse depending upon the visual depiction or image, the ages of the individuals involved, and other circumstances. See 325 ILCS 5/3 and 705 ILCS 405/2-3(2) which includes sex offenses defined at 720 ILCS 5/1-1 et seq. School personnel are granted broad immunities against civil and criminal claims for filing reports in good faith, even if the report is unfounded. In contrast, school personnel who willfully fail to report may be guilty of a Class A misdemeanor (325 ILCS 5/4(m)) and face suspension or revocation of their licenses, endorsements, or approvals (105 ILCS 5/21B-75). **Step 5: Determine appropriate disciplinary actions for all students involved in the incident** Evaluate disciplinary options. Remember that a student who forwards sexts of himself or herself likely expected the depiction to remain private. As a result, consider the social stigma, bullying, harassment, and severe embarrassment issues involved in the issue. Provide equivalent discipline to all students involved in the creation, dissemination, and storage of the sexted image, whenever possible. For situations that may require unequal punishment, contact the Superintendent so that he or she may consult the Board Attorney. **Step 6: Prepare a plan to prevent harassment and bullying of involved students** Remind the students and their parents/guardians of the Board policies 2:265, *Title IX Grievance Procedure*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*. Instruct involved students not to harass anyone involved in the sexting incident and keep the issues confidential. Consider involving the social worker or school counselor, if available, in the process to assist students. Follow Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, for students who violate the policy.

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Students

Administrative Procedure - Student Discipline Guidelines [1]

The intent of these guidelines is to enhance school climate, improve school discipline practices, and ensure that students are disciplined without discrimination on the basis of race, color, national origin, gender, disability, or other protected status. Data collected from Ill. school districts on student discipline is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

Recordkeeping

1. Develop and implement a District-wide uniform discipline referral form that documents each of the following:
   a. Student name
   b. Identity of staff member making referral
   c. Date and time of incident
   d. Location of incident
   e. Description of incident
   f. Description of interventions attempted prior to incident
   g. Description of the incident's effect on other students and/or the learning environment
   h. Parent/guardian contact made (when, how, and by whom)
2. Maintain each of the following data related to student discipline referrals:
   a. Race of the student referred for discipline
   b. Gender of the student referred for discipline
   c. Disability status of the student referred for discipline
   d. Basis for the referral
   e. Identity of the staff member making referral
   f. Race of the staff member making referral
   g. Gender of the staff member making referral
   h. Basis for imposing or not imposing discipline
   i. Description of discipline imposed, if any, and the rationale for its selection
   j. Whether the referral was made to the school resource officer[2] (SRO) or law enforcement
   k. Basis for making the referral to the SRO or law enforcement (if applicable)
   l. Whether there were any criminal charges filed as a result of the student's misconduct

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The footnotes should be retained.

[1] This guidance aligns with the 1-8-14 *Dear Colleague Letter* issued jointly by the U.S. Dept. of Education (DOE) and U.S. Dept. of Justice (DOJ), and their comprehensive School Climate and School Discipline Guidance Package (a weblink is provided in the Resources section of this procedure). **Note:** These guidance documents were rescinded by a joint DOE and DOJ *Dear Colleague* letter dated 12-21-18, at: www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-201812.pdf. Since July 30, 2021, the letter and rescinding of the letter have been under review by the DOE and DOJ. See also:

Christian County Public Schools, Case No. 03-11-5002 (decision letter issued 2-28-14).
Christina School District, Case No. 03-10-5001 (decision letter issued 12-14-13).
Oakland Unified School District, Case No. 09-12-5001 (decision letter issued 9-27-12).
Independent School District #761, Case No. 05-10-1148 (decision letter issued 5-4-11).

[2] *School resource officer* means a law enforcement officer who has been primarily assigned to a school or school district under ~~an agreement with~~a memorandum of understanding between a local law enforcement agency and a school district. 105 ILCS 5/10-20.68(a), amended by P.A. 104-430.

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m. If the student received an exclusionary consequence (out-of-school suspension or expulsion) for his/her misconduct, whether the student was offered any academic or behavior support services and, if so, which support services

Periodic Review and Self-Monitoring

Review the following on a periodic basis and at least annually:

1. Discipline-related District policies and procedures
   a. Such policies may include:
      7:20, *Harassment of Students Prohibited*
      7:70, *Attendance and Truancy*
      7:130, *Student Rights and Responsibilities*
      7:140, *Search and Seizure*
      7:150, *Agency and Law Enforcement Requests~~Police Interviews~~*
      7:160, *Student Appearance*
      7:165, *School Uniforms*
      7:170, *Vandalism*
      7:180, *Prevention and Response to Bullying, Intimidation, and Harassment*
      7:185, *Teen Dating Violence Prohibited*
      7:190, *Student Behavior*
      7:200, *Suspension Procedures*
      7:210, *Expulsion Procedures*
      7:220, *Bus Conduct*
      7:230, *Misconduct by Students With Disabilities*
      7:240, *Conduct Code For Participants in Extracurricular Activities*
      7:250, *Student Support Services*
      7:310, *Restrictions on Publications; Elementary Schools*
      7:315, *Restrictions on Publications; High Schools*
   b. This review should:
      i. Include input from all members of the school community (administrators, staff, students, parents/guardians, volunteers and community members). Such input may be obtained through school climate surveys, school forums, and the District's parent-teacher advisory committee (established per 105 ILCS 5/10-20.14, amended by P.A.s 103-896 and 104-430) and the behavior interventions committee for students with disabilities (established per 105 ILCS 5/14-8.05).
      ii. Ensure policies and procedures (e.g., an individual school's conduct code) have clear definitions of prohibited student conduct, especially those entailing the subjective exercise of discretion.
      iii. Attempt to incorporate alternative disciplinary measures into Board policies and procedures.
      iv. Implement a system of Positive Behavioral Interventions and Support (PBIS) or, if PBIS has been implemented, analyze and monitor its effectiveness and ways to improve it.
2. Discipline data
   a. Data review should analyze each of the following:
      i. Number of referrals by teacher/staff member.
      ii. Race/gender/disability status of referred students by teacher/staff member.
      iii. Overall percentage of student disciplinary referrals by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

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iv. Overall percentage of student disciplinary referrals for a specific offense (i.e., tardy, dress code violation) by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

v. Overall percentage of student disciplinary referrals resulting in an exclusionary consequence by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

vi. Overall percentage of student disciplinary referrals resulting in a referral to law enforcement by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

vii. Comparison of discipline imposed for the same or similar offense for students of different races, gender, and disability statuses.

b. Compare the District's student discipline data with the data from other school districts.

i. As required by 105 ILCS 5/2-3.162, by Oct. 31 annually, ISBE prepares a report on student discipline from data collected from all Ill. school districts. The report includes data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action, disaggregated by race and ethnicity, gender, age, grade level, whether a student is an English learner, incident type, and discipline duration. It is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

~~viii.~~ As required by 105 ILCS 5/2-3.206, added by P.A. 104-430, on or before Jan. 31, 2029 and annually thereafter, ISBE prepares a report on law enforcement referral data collected from all Ill. school districts. The report includes data on student referrals to law enforcement, disaggregated by race and ethnicity, sex, grade level, whether a student is an English learner, and disability.

~~ix. According to 105 ILCS 5/2-3.162:~~

~~x. School districts that are identified in the top 20% of any of the metrics for three consecutive years must submit a plan identifying its strategies to reduce the use of exclusionary disciplinary practices or racial disproportionality or both, if applicable.~~

~~xi.~~ ii. ~~The plan must be approved by the school board and posted on the district's website. Within one year after being identified, the school district must submit to ISBE and post on the district's website a progress report describing the plan's implementation and the results achieved.~~

~~b.~~ c. If there are any red flags resulting from the data analysis, the discipline committee should meet to determine if there are comparably effective alternative practices or policies that would meet the school's stated educational goal with less of a burden or adverse impact on the disproportionately affected group.

Training

1. Annually train all District staff and school-based law enforcement on each of the following:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct defined therein so that there is consistency in application.
   b. How to apply school discipline policies, procedures, and practices in a fair and equitable manner so as not to disproportionately impact students of color, students of a particular gender, students with disabilities, or at-risk students.
   c. Effective classroom management strategies, recognizing that the removal of students from the classroom is to be used as a last resort.
   d. How to engage students and support positive behavior, including through any PBIS program implemented in the District.
   e. Classroom management techniques and resources available to staff who are having difficulty with classroom management.

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f. The role that school-based law enforcement is expected to play in the discipline process, including when it is or is not appropriate to refer a student to school-based law enforcement.

2. Make reasonable efforts to provide ongoing professional development to all District staff, school board members, and SROs on the requirements of 105 ILCS 5/10-22.6 and 105 ILCS 5/10-20.14, adverse consequences of exclusion and justice system involvement, effective classroom management strategies, culturally responsive discipline, trauma responsive learning environments, 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. [3]

Notice

Annually notify students and parents/guardians of the District's discipline-related policies and procedures.

1. Use varied communication methods, such as student handbooks, District or school websites, posters, classroom instruction, assemblies, etc.
2. Ensure such notice is provided in an age-appropriate, easily understood manner.
3. Ensure such notice is provided in multiple languages.
4. Explain to students:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct.
   b. Their particular school's discipline-related procedures and conduct codes, including which behaviors fall into categories of misconduct.
   c. Behavior expectations.
   d. Resources and support services available to students.

Collaboration with Law Enforcement

1. Annually train SROs on the District's discipline-related policies and procedures (if applicable).
2. Review the District's reciprocal reporting agreement[4] with local law enforcement agencies to determine if revisions are necessary.

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The footnotes should be retained.

[3] 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896. See sample policy 2:120, *Board Member Development*, at f/n 9, for more information regarding 105 ILCS 5/10-22.6, 105 ILCS 5/10-20.14, and relevant sample policies to reference. See 105 ILCS 5/3-11(b), amended by P.A. 103-413, for the definition of *trauma-responsive learning environments.* The statute does not define *ongoing* or specify whether each group should receive training on all of the topics. As these are important matters, consult the board attorney for guidance.

[4] Pursuant to 105 ILCS 5/10-20.14, amended by P.A. 104-430, school districts are to establish and maintain a parent-teacher advisory committee, whose duties include developing policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal and civil offenses committed by students. ~~In consultation with stakeholders~~*Development of Reciprocal Reporting Systems Guidance*, developed by the Ill. State Board of Education (ISBE) in consultation with stakeholders, is available at: www.isbe.net/Documents/Reciprocal-Reporting-June-2025.pdf ~~must draft and publish guidance for the development of reciprocal reporting systems by 7-1-25. Id., amended by P.A. 103-896~~. See sample administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of Offenses Committed by Students*.

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3. Develop and enter into a memorandum of understanding (MOU) with local law enforcement agencies. The MOU should clearly define law enforcement's role in the District's schools. Follow an existing MOU and suggest modifications as the need arises. [5]

Resources

School Climate and Student Discipline Resources: Know the Law (multiple guidance documents), at: https://www.ed.gov/teaching-and-administration/safe-learning-environments/school-safety-and-security/school-climate-and-student-discipline/school-climate-and-student-discipline-resources-know-the-law.

Dear Colleague Letter on Nondiscriminatory Administration of School Discipline, issued by the Civil Rights Division of the U.S. Dept. of Justice and the Office for Civil Rights of the U.S. Dept. of Education on 1-8-14 (no longer available on the U.S. Dept. of Education's website).

Note: This guidance document was rescinded by a joint *Dear Colleague* letter dated 12-21-18, at: www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-201812.pdf.

Civil Rights Data Collection at: www2.ed.gov/about/offices/list/ocr/data.html?src=rt .

ISBE Data Analysis of Expulsions, Suspensions, and Truants by District at: www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx

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The footnotes should be retained.

[5] 105 ILCS 5/10-20.14(b), amended by P.A. 104-430, encourages school districts to create memoranda of understanding (MOU) with law enforcement agencies. Beginning 7-1-26, an MOU is required for any district that uses a school resource officer. 105 ILCS 5/10-20.68(a-5), added by P.A. 104-430. An MOU defines law enforcement's role in schools and describes the respective duties of a school district and local law enforcement agencies. Its purpose is to prevent confusion, decrease conflict, and promote school safety. MOUs vary by community because they are created through a collaborative process involving local school districts and local law enforcement agencies. For an example, see sample exhibit 7:190-E3, *Memorandum of Understanding*.

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Students

Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence [1]

The District provides accommodations and support services to students who are parents, expectant parents, or victims of domestic or sexual violence (Article 26A Students) to enable them to succeed in school. Use this procedure to implement the District's program for supporting Article 26A students.

The topics outlined in this procedure include: Glossary of Terms; Notification, Roles, and Responsibilities; Training; Initial Response; Article 26A Support Services; Confidentiality; Recordkeeping; and Policy and Procedure Review.

Complaints alleging violations of Article 26A are processed using administrative procedure 7:255-AP2, *Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.

Glossary of Terms [2]

Confidential – Information or facts expected and intended to be kept private or protected by an existing privilege in the Ill. Code of Civil Procedure, 735 ILCS 5/. The District may disclose confidential information if disclosure is required by State or federal law or is necessary to complete proceedings relevant to 105 ILCS 5/26A. Designation of student information as confidential applies to the District and does not limit a student's right to speak about the student's experiences.

Consent – Includes, at a minimum, a recognition that (i) consent is a freely given agreement to sexual activity, (ii) an individual's lack of verbal or physical resistance, or submission resulting from the use of threat of force does not constitute consent, (iii) an individual's manner of dress does not constitute consent, (iv) an individual's consent to past sexual activity does not constitute consent to future sexual activity, (v) an individual's consent to engage in one type of sexual activity with one person does not constitute consent to engage in any other type of sexual activity with that person or any sexual activity with another person, (vi) an individual can withdraw consent at any time, and (vii) an individual cannot consent to sexual activity if that individual is unable to understand the nature of the activity or give knowing consent due to the circumstances that include, but are not limited to, all the following:

1. The individual is incapacitated due to the use or influence of alcohol or drugs.
2. The individual is asleep or unconscious.
3. The individual is under the age of consent.
4. The individual is incapacitated due to a mental disability.

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[1] Required by 105 ILCS 5/26A-25, added by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law*, ~~eff. 7-1-25~~ and amended by P.A. 104-391. Ensure that this sample administrative procedure is aligned with the district's policies, procedures, and practices.

[2] Unless otherwise noted, all defined terms are based on definitions in 105 ILCS 5/26A-10, added by P.A. 102-466, a/k/a *ESS Law*, ~~eff. 7-1-25~~.

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Complainant[3] – A student who is a survivor of domestic or sexual violence and/or a student who is a parent or expectant parent who is alleged to be the victim of conduct that could constitute a violation of 105 ILCS 5/26A (Article 26A). To the extent that the complainant is a minor student, the student's parent/guardian may be a complainant on behalf of their child.

Domestic or Sexual Violence – Domestic violence, gender-based harassment, sexual activity without consent, sexual assault, sexual violence, or stalking. Domestic or sexual violence may occur through electronic communication. Domestic or sexual violence exists regardless of when or where the violence occurred, whether or not the violence is the subject of a criminal investigation or the perpetrator has been criminally charged or convicted of a crime, whether or not an order of protection or a no-contact order is pending before or has been issued by a court, or whether or not any domestic or sexual violence took place on school grounds, during regular school hours, or during a school-sponsored event.

Domestic or Sexual Violence Organization – A nonprofit, nongovernmental organization that provides assistance to victims of domestic or sexual violence or advocates for those victims, including an organization carrying out a domestic or sexual violence program, an organization operating a shelter or a rape crisis center or providing counseling services, an accredited Children's Advocacy Center, an organization that provides services to or advocates on behalf of children and students who are gay, lesbian, bisexual, transgender, or gender nonconforming, an organization that provides services to or advocates on behalf of children and students who are parents or expectant parents, or an organization seeking to eliminate domestic or sexual violence or to address the consequences of that violence for its victims through legislative advocacy or policy change, public education, or service collaboration.

Domestic Violence – Abuse by family or household members, as those terms are defined in the Ill. Domestic Violence Act of 1986, 750 ILCS 60/. See 750 ILCS 60/103(1) and (6).

Electronic Communication – Communications via telephone, mobile phone, computer, email, video recorder, fax machine, telex, pager, apps or applications, or any other electronic communication, or cyberstalking as defined in 720 ILCS 5/12-7.5.

Expectant Parent – A student who (i) is pregnant and (ii) has not yet received a diploma for completion of a secondary education as defined in 105 ILCS 5/22-22.

Gender-based Harassment – Any harassment or discrimination on the basis of an individual's actual or perceived sex or gender, including unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct of a sexual nature, or unwelcome conduct, including verbal, nonverbal, or physical conduct that is not sexual in nature but is related to a student's status as a parent, expectant parent, or victim of domestic or sexual violence.

Harassment – Any unwelcome conduct on the basis of a student's actual or perceived race, gender, color, religion, national origin, ancestry, sex, marital status, order of protection status, disability, sexual orientation, gender identity, pregnancy, or citizenship status that has the purpose or effect of substantially interfering with the individual's academic performance or creating an intimidating, hostile, or offensive learning environment.

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[3] The definition of *complainant* is based on a recommended definition from the second ESS Task Force. See p. 17 of the June 2024 ESS Task Force final report, at: www.isbe.net/Documents_ESSTaskForce/Final-Report-ESS-Report-June-2024.pdf.

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Perpetrator – An individual who commits or is alleged to have committed any act of domestic or sexual violence. This term must be used with caution when applied to children, particularly young children.

Poor Academic Performance – A student who has (i) scored in the 50th percentile or below on a school district-administered standardized test, (ii) received a score on a State assessment that does not meet standards in one or more of the fundamental learning areas under 105 ILCS 5/27-1, as applicable for the student's grade level, or (iii) not met grade-level expectations on a school district-designated assessment.

Representative – An adult who is authorized to act on behalf of a student during a proceeding, including an attorney, parent, or guardian.

Respondent – The District, school, or school personnel allegedly having violated 105 ILCS 5/26A.

Sexual Activity – Any knowingly touching or fondling by one person, either directly or through clothing, of the sex organs, anus, mouth, or breast of another person for the purpose of sexual gratification or arousal.

Sexual Assault/Sexual Violence – Any conduct of an adult or minor child proscribed in 720 ILCS 5/11, except for Sections 11-35, 11-40, and 11-45, including conduct committed by a perpetrator who is a stranger to the victim and/or conduct committed by a perpetrator who is known or related by blood or marriage to the victim.

Stalking – Any conduct proscribed in 720 ILCS 5/12-7.3, 5/12-7.4, or 5/12-7.5, including stalking committed by a perpetrator who is a stranger to the victim and/or stalking committed by a perpetrator who is known or related by blood or marriage to the victim.

Student – Any child who has not yet received a diploma for completion of a secondary education. A student includes, but is not limited to, an unaccompanied minor not in the physical custody of a parent or guardian.

Student at Risk of Academic Failure – A student who is at risk of failing to meet the Ill. Learning Standards or failing to graduate from elementary or high school and who demonstrates a need for educational support or social services beyond those provided by the regular school program.

Student Parent – A student who is a custodial or noncustodial parent taking an active role in the care and supervision of a child and who has not yet received a diploma for completion of a secondary education.

Support Person – Any person whom the victim has chosen to include in proceedings for emotional support or safety. A support person does not participate in proceedings but is permitted to observe and support the victim with parent/guardian approval. A support person may include, but is not limited to, an advocate, clergy, a counselor, or a parent/guardian. If a student is age 18 years or older, or emancipated, the student has the right to choose a support person without parent/guardian approval.

Survivor-centered – A systematic focus on the needs and concerns of a survivor of sexual violence, domestic violence, dating violence, or stalking that (i) ensures the compassionate and sensitive delivery of services in a nonjudgmental manner, (ii) ensures an understanding of how trauma affects survivor behavior, (iii) maintains survivor safety, privacy, and, if possible, confidentiality, and (iv) recognizes that a survivor is not responsible for the sexual violence, domestic violence, dating violence, or stalking.

Trauma-informed Response – A response involving an understanding of the complexities of sexual violence, domestic violence, dating violence, or stalking through training centered on the neurobiological impact of trauma, the influence of societal myths and stereotypes surrounding sexual

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violence, domestic violence, dating violence, or stalking, and understanding the behavior of perpetrators.

Victim – An individual who has been subjected to one or more acts of domestic or sexual violence.

Notification, Roles, and Responsibilities

Actor	Action
Superintendent or Designee	Ensures that Board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence,* and procedures for requesting supportive services or filing a complaint are (105 ILCS 5/26A-20(d), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~): 1. Posted on the District's website, if any (see exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*); 2. Distributed to each student at the beginning of each school year; and 3. Available for inspection and copying at no cost to students and parents/guardians at each school. Ensures that each Building Principal designates at least one staff member in each school building as a resource person for Article 26A Students (Article 26A Resource Person). 105 ILCS 5/26A-35(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. Identifies all individuals who will resolve complaints of Article 26A violations. 105 ILCS 5/26A-25(b), added by P.A. 102-466, a/k/a *ESS Law*, and amended by P.A. 104-391~~eff. 7-1-25~~. Such individuals will include the District's Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Manager(s).[4] See administrative procedure 7:255-AP2, *Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*. The District must have enough individuals trained to resolve complaints so that (1) a substitution can occur in the case of a conflict of interest or recusal, (2) an individual with no prior involvement in the initial determination may hear an appeal, and (3) the complaint resolution procedure proceeds in a timely manner. Id. Notifies all District employees and agents that, upon learning or suspecting that a student is a parent, expectant parent, or victim of domestic or sexual violence, they must refer the student to a designated Article 26A Resource Person. 105 ILCS 5/26A-40(e), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. Annually notifies all District personnel and students 12 years of age or older, in writing, of the availability of counseling without

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[4] Optional. Ensure the individuals identified here align with those stated in board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, and administrative procedure 7:255-AP2, *Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.

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Actor	Action
	parent/guardian consent under 405 ILCS 5/3-550. See Board policy 7:250, *Student Support Services*. Every two years, along with the Building Principal(s), building-level Student Support Committee(s), and building-level Article 26A Resource Person(s), reviews all Board policies and procedures that may act as barriers to the enrollment and re-enrollment, attendance, graduation, and success in school of any Article 26A Student and recommends any necessary updates. 105 ILCS 5/26A-20(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. See the **Policy and Procedure Review** subhead below for a suggested list. Based upon that review, recommends to the Board on any necessary updates to Board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, and any other relevant Board policies.
Building Principal(s)	Designates at least one staff member as a resource person for Article 26A Students (Article 26A Resource Person). **Note:** add lines for Resource Persons for each building, as needed. **Article 26A Resource Person** for [*insert school name*]**:** _____ Name _____ Address _____ Email _____ Telephone The Article 26A Resource Person must be employed at least part-time and be a licensed school social worker, school psychologist, school counselor, school nurse, or school administrator. 105 ILCS 5/26A-35(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. The Article 26A Resource Person may be a member of the building-level Student Support Committee as established under administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*. Ensures the building-level Student Support Committee performs the duties listed in the Student Support Committee row, below. Annually distributes the name and contact information of the building-level Article 26A Resource Person to all employees, students, and parents/guardians by including it in any building-specific website and student handbook.[5] See exhibits 2:250-E2, *Immediately Available*

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[5] These methods of distribution are optional. Ensure the methods of distribution here align with those stated in exhibits 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, and 7:190-E2, *Student Handbook Checklist*.

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Actor	Action
	District Public Records and Web-Posted Reports and Records, and 7:190-E2, *Student Handbook Checklist*. Every two years, assists the Superintendent or designee, Student Support Committee, and Article 26A Resource Person to review all Board policies and procedures that may act as barriers to the enrollment and re-enrollment, attendance, graduation, and success in school of any Article 26A Student and to recommend any necessary updates. 105 ILCS 5/26A-20(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.
Student Support Committee	Assists the building-level Article 26A Resource Person to identify in-school and non-school-based support service options for Article 26A Students. Every two years, assists the Superintendent or designee, Building Principal, and Article 26A Resource Person to review all Board policies and procedures that may act as barriers to the enrollment and re-enrollment, attendance, graduation, and success in school of any Article 26A Student and to recommend any necessary updates. Id.
Article 26A Resource Person	With the assistance of the Student Support Committee, identifies in-school and non-school-based support service options for Article 26A Students. Connects Article 26A Students to appropriate in-school services or other agencies, programs, or services as needed. 105 ILCS 5/26A-35(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. Coordinates the implementation of the District's policies, procedures, and protocols in cases involving student allegations of domestic or sexual violence. Id. Coordinates the implementation of the District's policies, procedures, and protocols concerning Article 26A Students. Id. Assists Article 26A Students in their efforts to exercise and preserve their rights as set forth in 105 ILCS 5/26A. Id. Assists in providing staff development to establish a positive and trauma-sensitive learning environment for Article 26A Students. Id. Every two years, assists the Superintendent or designee, Building Principal, and Student Support Committee to review all Board policies and procedures that may act as barriers to the enrollment and re-enrollment, attendance, graduation, and success in school of any Article 26A Student and to recommend any necessary updates. 105 ILCS 5/26A-20(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. See **Policy and Procedure Review** subhead, below.
All District employees and agents	Upon learning or suspecting that a student is a parent, expectant parent, or victim of domestic or sexual violence, refers the student to a designated Article 26A Resource Person. 105 ILCS 5/26A-40(e), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

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Training

Actor	Action
Superintendent or Designee	Ensures that (105 ILCS 5/26A-35, added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~): 1. All designated Article 26A Resource Persons are trained to understand, provide information and referrals, and address issues pertaining to students who are parents, expectant parents, or victims of domestic or sexual violence in a survivor-centered, trauma responsive, culturally responsive, confidential, and sensitive manner. Training must include: a. Theories and dynamics of domestic and sexual violence; b. The necessity for confidentiality and the law, policy, procedures, and protocols implementing confidentiality; c. Notification of the student's parent/guardian regarding the student's Article 26A status or the enforcement of the student's Article 26A rights, if notifying the student's parents/guardian may put the health or safety of the student at risk (see the **Confidentiality** subhead, below); and d. The rights of minors to consent to counseling services and psychotherapy on an outpatient basis under the Mental Health and Developmental Disabilities Code, 405 ILCS 5/3-550. [6] 2. All individuals who will be resolving complaints of violations of Article 26A must complete ~~at least eight hours of~~ initial training on issues related to domestic and sexual violence and how to conduct the District's complaint resolution procedure under administrative procedure 7:255-AP2, *Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*; and ~~at least six hours of~~ training annually thereafter. 105 ILCS 5/26A-25(b)(1), added by P.A. 102-466, a/k/a *ESS Law*, ~~eff. 7-1-25~~and amended by P.A. 104-391. Training must be conducted by individuals with expertise in domestic or sexual violence among youth and expertise in developmentally appropriate communications with K-12 students regarding topics of a sexual, violent, or sensitive nature. Id.

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[6] Including the phrase "on an outpatient basis" and the citation to 405 ILCS 5/3-550 are optional but recommended by the second ESS Task Force. See p. 26 of the June 2024 ESS Task Force final report, at: www.isbe.net/Documents_ESSTaskForce/Final-Report-ESS-Report-June-2024.pdf.

105 ILCS 5/26A-35, added by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law*~~, eff. 7-1-25~~, requires each designated Article 26A Resource Person to either (1) be trained as set forth above, or (2) have participated in an in-service training program under 105 ILCS 5/10-22.39(d) that includes training on the rights of minors to consent to counseling services and psychotherapy under the Mental Health and Developmental Disabilities Code within 12 months prior to designation. Id. However, 105 ILCS 5/10-22.39(d) was deleted by P.A. 103-542 and its training contents are in 105 ILCS 5/10-22.39(b-25).

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Actor	Action
Article 26A Resource Person	Assists the Superintendent or designee in providing staff development to establish a positive and trauma-sensitive learning environment for Article 26A Students. 105 ILCS 5/26A-35(a)(5), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. Informs all building staff that any Article 26A Student who is unable to participate in classes on a particular day or days or at a particular time of day due to circumstances related to their Article 26A status must (105 ILCS 5/26A-40(d), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~): 1. Be excused; and 2. Upon request of the Article 26A Student or his or her parent/guardian, be given a meaningful opportunity to make up any examination, study, or work requirement that the student missed.

Initial Response

Upon learning or suspecting that a student is a parent, expectant parent, or victim of domestic or sexual violence, the Article 26A Resource Person will contact the student to:

1. Connect the student with appropriate in-school services or other agencies, programs, or services, as needed. 105 ILCS 5/26A-35, added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. See the **Article 26A Support Services** subhead, below.
2. Assist the student to exercise and preserve their Article 26A rights. Id.
3. Provide the student, if 12 years of age or older, with written notice of the availability of counseling without parent/guardian consent under 405 ILCS 5/3-550. 105 ILCS 5/26A-40(h), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

If the student claims Article 26A status as a victim of domestic or sexual violence, the Article 26A Resource Person will then request verification of this status from the student or their parent/guardian as follows (105 ILCS 5/26A-45, added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~):

1. Notifies the student or parent/guardian that they must provide one of the following forms of verification of their choosing:
    a. A written statement from the student, or anyone who has knowledge of the circumstances, that supports the student's claim. This may be in the form of a complaint.
    b. A police report, governmental agency record, or court order.
    c. A statement or other documentation from a domestic or sexual violence organization or any other organization from which the student sought services or advice.
    d. Documentation from a lawyer, clergy person, medical professional, or other professional from whom the student sought services or advice related to domestic or sexual violence.
    e. Any other evidence, such as physical evidence of violence, which supports the claim.
2. Reviews verification submitted by the student or their parent/guardian to determine whether it is acceptable.
    a. If the verification provided is acceptable, informs the student that their status has been verified.
    b. If the verification provided is not acceptable, informs the student that verification is insufficient and requests additional verification in one of the forms identified above.

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c. Once the student's status has been verified, the District cannot request additional verification for a status claim involving the same perpetrator or same incident of violence. Id.

To verify domestic or sexual violence, the District **cannot** contact the person named to be the perpetrator, the perpetrator's family, or any other person named by the student or the student's parent/guardian to be unsafe to contact. The only exception is if the District determines it has an obligation to do so under State or federal law, or due to safety concerns for the school community, including the victim. In such cases, before making contact, the District must provide prior written notice to the student and their parent/guardian in a developmentally appropriate manner, and meet with the student and parent/guardian to discuss and address any safety concerns related to making such contact. Id. **Contact the board attorney for guidance in such circumstances.**

Article 26A Support Services

To facilitate the full participation of Article 26A Students, the Article 26A Resource Person must offer[7] those students in-school support services, information regarding non-school-based support services, and the ability to make up work that was missed due to circumstances related to the student's Article 26A status. 105 ILCS 5/26A-40, added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. Each of these support service areas are described in further detail below.

In addition:

1. The building-level Student Support Committee will assist the Article 26A Resource Person to identify in-school and non-school-based support service options for Article 26A Students.
2. Victims of domestic or sexual violence must have access to support services regardless of when or where the violence occurred. 105 ILCS 5/26A-40(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.
3. The Article 26A Resource Person may periodically check on Article 26A Students receiving support services to determine whether each support service continues to be necessary to maintain the student's mental and physical well-being and safety or whether termination is appropriate. Id.
4. The District will honor the decision of an Article 26A Student and/or their parent/guardian to obtain, terminate, or decline to participate in support services. 105 ILCS 5/26A-40(f), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.
5. Article 26A Students are not obligated to use offered support services and may decline or terminate support services at any time. Id.

In-School Support Services

In-school support services for Article 26A Students must include but are not limited to (105 ILCS 5/26A-40(b), added by P.A. 102-466, a/k/a ESS Law~~, eff. 7-1-25~~):

1. Enabling a student to meet with counselors or other service providers by providing the student with a private setting sufficient to ensure confidentiality and time off from class.
2. Assisting the student with a student success plan.
   a. For a student *at risk of academic failure* or who displays *poor academic performance* as defined above, this may include providing the student with or referring the student

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[7] 105 ILCS 5/26A-40, added by P.A. 102-466, a/k/a *ESS Law*, ~~eff. 7-1-25,~~ uses the term *provide* but this sample procedure uses *offer* because students are not required to accept support services.

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to education and support services designed to assist the student in meeting Ill. Learning Standards. 105 ILCS 5/26A-40(c), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

3. Transferring a victim of domestic or sexual violence or the student perpetrator to a different classroom or school, if available.
4. Changing a seating assignment.
5. Implementing safety procedures in school, on school grounds, and on school buses.
6. Honoring court orders, including orders of protection and no-contact orders, to the fullest extent possible.
7. Providing any other supports that may facilitate the student's full participation in the education program, including but not limited to those available via the following Board policies:
    a. 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*. This policy sets eligibility requirements for pregnant or parenting students to enroll in a graduation incentives program. It also provides that any Article 26A Student at risk of academic failure may request in-school support services and information about non-school-based support services designed to assist the student in meeting learning standards by using Board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.
    b. 6:120, *Education of Children with Disabilities*. This policy provides all students with disabilities a free appropriate public education in the least restrictive environment as required by the Individuals with Disabilities Education Act and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. [8]
    c. 6:150, *Home and Hospital Instruction*. This policy permits home instruction for students who are unable to attend school due to pregnancy or pregnancy-related conditions, the fulfillment of parenting obligations related to the health of the child, or health and safety concerns arising from domestic or sexual violence.
    d. 7:10, *Equal Educational Opportunities*. This policy requires equal educational opportunities for students without regard to sex, physical or mental disability, and actual or potential parental status, including pregnancy.
    e. 7:60, *Residence*. This policy states that nonresident students may attend District schools pursuant to an intergovernmental agreement, which may include an agreement for interdistrict transfer of Article 26A *S*tudents.
    f. 7:70, *Attendance and Truancy*. This policy specifies that valid cause for absence includes attendance at a verified medical or therapeutic appointment (including a victim services provider) and, for Article 26A Students, also includes the fulfillment of a parenting responsibility and addressing circumstances resulting from domestic or sexual violence.
        i. *Fulfillment of a parenting responsibility* includes, but is not limited to, arranging and providing childcare, caring for a sick child, attending prenatal or other medical appointments for the expectant student, and attending medical appointments for a child. 105 ILCS 5/26-2a, amended by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

The footnotes should be removed before the material is used.

[8] Ill. State Board of Education (ISBE) sex equity regulation 23 Ill.Admin.Code §200.50(e) states that "pregnancy shall be treated as any other temporary disability." Article 26A Students may also have concomitant (naturally accompanying) or comorbid (coexisting) social, emotional, or mental or physical health needs that make them eligible for services under various disability laws. **Consult the board attorney for guidance.**

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ii. *Circumstances resulting from domestic or sexual violence* includes, but is not limited to, experiencing domestic or sexual violence, recovering from physical or psychological injuries, seeking medical attention, seeking services from a domestic or sexual violence organization as defined in 105 ILCS 5/26A-10, seeking psychological or other counseling, participating in safety planning, temporarily or permanently relocating, seeking legal assistance or remedies, or taking any other action to increase the safety or health of the student or to protect the student from future domestic or sexual violence. Id.

g. 7:250, *Student Support Services*. This policy provides that annually, students 12 years of age and older will be notified, in writing, of the availability of counseling without parent/guardian consent under 405 ILCS 5/3-550. It also requires the designation of at least one staff member in each building as the Article 26A Resource Person and outlines their duties.

Information Regarding Non-School-Based Support Services

The Article 26A Resource Person will provide each Article 26A Student with information regarding any available non-school-based support service options. For Article 26A Students at risk of academic failure or who display *poor academic performance* as defined above, service options shall include any non-school-based organizations and agencies from which at-risk students typically receive services in the community. 105 ILCS 5/26A-40(c), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

Ability to Make Up Work

Any Article 26A Student who is unable to participate in classes on a particular day or days or at a particular time of day due to circumstances related to their Article 26A status must be excused. Upon request of the Article 26A Student or their parent/guardian, the student must be given a meaningful opportunity to make up any examination, study, or work requirement that the student missed. 105 ILCS 5/26A-40(d), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. The Article 26A Resource Person will notify all building staff members and Article 26A Students of this requirement.

Confidentiality [9]

Information concerning a student's Article 26A status and related experiences is confidential and must be retained in a confidential temporary file in accordance with 105 ILCS 10/2(f). 105 ILCS 5/26A-45(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. This includes information concerning a student who is a named perpetrator of domestic or sexual violence that is provided to or otherwise obtained by the District or its employees or agents pursuant to 105 ILCS 5/26A or otherwise, including a statement of the Article 26A Student or any other documentation, record, or corroborating evidence that the Article 26A Student has requested or obtained assistance, support, or services pursuant to 105 ILCS 5/26A. 105 ILCS 5/26A-30(a), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

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[9] Language in this subhead is partially based on recommendations of the second ESS Task Force. See p. 14 of the June 2024 ESS Task Force final report, at: www.isbe.net/Documents_ESSTaskForce/Final-Report-ESS-Report-June-2024.pdf.

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Confidential information may not be disclosed to any other individual outside of the District, including any other employee,[10] except if such disclosure is (Id.):

1. Permitted by the Ill. School Student Records Act (105 ILCS 10/), the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g), or other applicable State or federal laws; or
2. Requested or consented to, in writing, by the Article 26A Student or their parent/guardian (if it is safe to obtain written consent from the parent/guardian).

In addition:

3. Prior to disclosing information about an Article 26A Student, the Article 26A Resource Person will notify the Article 26A Student about the pending disclosure and will discuss and address any safety concerns related to the disclosure. This notice and discussion requirement applies to instances in which the Article 26A Student or the District or its employees or agents are otherwise aware that the Article 26A Student's health or safety may be at risk if their Article 26A status is disclosed to the student's parent/guardian, except as otherwise permitted by applicable law and professional ethics policies that govern school personnel. 105 ILCS 5/26A-30(b), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.
4. No Article 26A Student may be required to testify publicly concerning their Article 26A status, allegations of domestic or sexual violence, or their efforts to enforce any rights under 105 ILCS 5/26A. 105 ILCS 5/26A-30(c), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.
5. In the case of domestic or sexual violence, the District cannot contact the person named as the perpetrator, the perpetrator's family, or any other person named by the Article 26A Student or the student's parent/guardian as unsafe without providing prior written notice to the student's parent/guardian. 105 ILCS 5/26A-30(d), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. **Contact the board attorney for guidance in such circumstances.**

Nothing in this subhead prohibits the District from taking reasonable steps to protect students. If reasonable steps involve conduct that is prohibited under this subhead, the Article 26A Resource Person notify the Article 26A Student, in writing and in a developmentally appropriate communication format, of the District's intent to contact an individual named by the Article 26A Student to be unsafe. Id.

This subhead does not apply to notification of parents/guardians if the perpetrator of alleged sexual misconduct is an employee, agent, or contractor of the District who has direct contact with children or students. 105 ILCS 5/26A-30(e), added by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~.

Recordkeeping

See Board policy 7:340, *Student Records*, along with administrative procedures 7:340-AP1, *School Student Records*, and 7:340-AP2, *Storage and Destruction of School Student Records*, addressing the District's legal obligations regarding the identification, confidentiality, safeguarding, access, and disposal of school student records.

Policy and Procedure Review

Every two years, the Superintendent or designee, along with the Building Principal(s), building-level Student Support Committee(s), and building-level Article 26A Resource Person(s), must review all

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[10] The phrase "including any other employee" comes directly from 105 ILCS 5/26A-30(a) and is confusing because it is unclear whose employee is being referenced. ISSRA permits student records to be disclosed to any district employees with a "current demonstrable educational or administrative interest" in a student if disclosure is "in furtherance of such interest." 105 ILCS 10/6(a)(2). **Consult the board attorney for guidance**.

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Board policies and procedures that may act as barriers to the enrollment and re-enrollment, attendance, graduation, and success in school of any Article 26A Student and recommend any necessary updates. The review may include, but is not limited to, the following Board policies and administrative procedures:

6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*
6:120, *Education of Children with Disabilities*
6:150, *Home and Hospital Instruction*
7:10, *Equal Educational Opportunities*
7:10-AP2, *Accommodating Breastfeeding Students*
7:50, *School Admissions and Student Transfers To and From Non-District Schools*
7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*
7:60, *Residence*
7:70, *Attendance and Truancy*
7:190, *Student Behavior*
7:200, *Suspension Procedures*
7:210, *Expulsion Procedures*
7:250, *Student Support Services*
7:250-AP, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*
7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*
7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*
7:255-AP2, *Complaint Resolution Procedure for Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*
7:340, *Student Records*
7:340-AP1, *School Student Records*

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Students

Administrative Procedure - Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program

The Superintendent or designee, at the District level, and the Building Principal or designee, at the building level, are responsible for implementing the Board's goals of increasing awareness and prevention of depression and suicide in Board Policy 7:290, *Suicide and Depression Awareness and Prevention*. The Superintendent and/or Building Principal(s) may want to assign Student Support Committees as established under administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, to assist them with the implementation of these goals. Use other locally available resources, including, but not limited to those listed below to determine the best implementation methods.

Listed below are the six policy implementation components of *Ann Marie's Law*, 105 ILCS 5/2-3.166(c), in Board policy 7:290, *Suicide and Depression Awareness and Prevention*. Each component lists specific implementation steps, along with any applicable sample **PRESS** policies, administrative procedures and/or exhibits, available State and/or federal resources, and examples if available. The Ill. State Board of Education (ISBE) has created the *Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers, and Staff*, available at: www.isbe.net/Pages/Suicide-Prevention.aspx, and provides other resources at the same website to guide the District in the implementation of policy 7:290, *Suicide and Depression Awareness and Prevention*.

Confirm the resources listed in this procedure, and any information provided in the hyperlinks, with the Board Attorney before the Superintendent, Building Principal, and/or Student Support Committees apply them to a specific situation in the District.

Policy Implementation Components of *Ann Marie's Law*

1. Awareness and Prevention Education Protocols for Students and Staff (105 ILCS 5/2-3.166(c)~~I~~(2)).

    a. For students, (i) review policy 6:60, *Curriculum Content* (requiring health education for developing a sound mind and a healthy body); (ii) review policy 7:250, *Student Support Services* (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); (iii) if the District issues identification (ID) cards to its students and District staff serving grades 6-12, insert the contact information for the National Suicide Prevention Lifeline (NSPL), the Crisis Text Line (CTL), and the Safe2Help Illinois helpline[1] on the back of the~~each student~~ ID cards and identify each helpline that may be contacted through text messaging (105 ILCS 5/10-20.81, ~~added by P.A. 102-416, renumbered by P.A. 102-813, and~~ amended by P.A.s 103-143 and 104-264); and (iv) include NSPL, CTL, and Safe2Help contact information in student handbooks and student planners (if a student

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[1] Safe2Help Illinois is managed and administered by the Ill. State Police working in consultation with the Ill. Emergency Management Agency, Ill. State Board of Education, Ill. Dept. of Human Services, and Ill. Dept. of Children and Family Services. Student Confidential Reporting Act, 5 ILCS 860/10(a)~~, added by P.A. 102-752~~. Any locally operated school violence helpline must work in conjunction with Safe2Help Illinois as needed. Id. at 10(d).

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planner is custom printed by the District or its schools for distribution to students in any of grades 6 through 12) (105 ILCS 5/10-20.81, ~~added by P.A. 102-416, renumbered by P.A. 102-813, and~~ amended by P.A. 103-143)~~)~~. *Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 1: Prevention - Engaging and Educating Students*, pp. 20-21, at: www.isbe.net/Pages/Suicide-Prevention.aspx. See also Illinois' Safe2Help Illinois program at: www.safe2helpil.com/ (designed to offer students a safe, confidential way to share information that might help prevent suicides and other school safety-related information).

b. For staff, review Board policy 5:100, *Staff Development Program*, discussing in-service training and citing required teacher institute training concerning the warning signs of suicidal behavior, and assess incorporating information from the following resources:

Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 1: Prevention – Professional Learning Opportunities for Staff and Choosing a Preventative Training Program for Staff, pp. 18-19, available at: www.isbe.net/Pages/Suicide-Prevention.aspx

Preventing Suicide: A Toolkit for High Schools (SAMHSA Toolkit), Chapter 4: Staff Education and Training including Tools, pp. 111 through 123, available at: https://downloads.microscribepub.com/il/press/federal_resources/SAMHSA_SMA12-4669_20250808.pdf~~www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669~~. [2]

2. Methods of Prevention, Early Identification, and Referral (105 ILCS 5/2-3.166(c)(3)).

a. For staff, review: Board policies~~y~~ 5:100, *Staff Development Program*, discussing required behavioral training for school personnel; ~~policy~~ 6:60, *Curriculum Content* (see above for description); 7:250, *Student Support Services* (see above for description); and administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, establishing Student Support Committees to identify, prevent, and refer students with mental health challenges for services.

b. For staff, assess incorporating information from the following resources:

Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Intervention, Procedure: Students at Risk, pp. 26-27, available at: www.isbe.net/Pages/Suicide-Prevention.aspx.

3. *SAMHSA Toolkit*, available at: https://downloads.microscribepub.com/il/press/federal_resources/SAMHSA_SMA12-4669_20250808.pdf~~www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669~~.

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[2] **Note:** This resource may no longer be available on a federal government website but is being maintained at **PRESS** Online to provide consistent subscriber access.

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Chapter 1: Getting Started pp. 15-22; Tool 1.A, Suicide Prevention: Facts for Schools, p. 24; and Tools 1.D-1.H, pp. 32-51 (includes various youth suicide prevention topics).

Chapter 4: Staff Education and Training including Tools, pp. 111-123.

Chapter 7: Screening, and Resources: Staff Education and Screening including Tools, pp. 157-171.

ISBE *Suicide Prevention* at: www.isbe.net/Pages/Suicide-Prevention.aspx.

Illinois Suicide Prevention Strategic Plan, available at:

www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.

Resources for mental health support are available from The Trevor Project at: www.thetrevorproject.org/resources/article/resources-for-mental-health-support/.

Risk and Protective Factors for Suicide, available at:

www.isbe.net/Pages/Suicide-Prevention.aspx.

https://sprc.org/risk-and-protective-factors/.

a. Review and train staff on appropriate identification procedures (see example below):

Identification of the At-Risk Student

Note: A more detailed procedure may be developed with the aid of the resources in 2.b., above.

- An employee having any reason to believe a student is considering or threatening suicide is to contact the Building Principal and District social worker/counselor.
- The social worker/counselor or Building Principal will meet with the student.
- The social worker/counselor will call the student's parent(s)/guardian(s) and arrange a meeting. All calls and meetings with parent(s)/guardian(s) will be documented and a copy of the documentation sent by certified mail to the parent(s)/guardian(s).
- The social worker/counselor will suggest to the parent(s)/guardian(s) that the State or community mental health agency be contacted. This suggestion shall be a part of the documentation sent to the parent(s)/guardian(s). A student should never be left alone if an employee reasonably believes the student is at imminent risk of suicide. An employee should immediately contact the student's parent(s)/guardian(s).

1. Methods of Intervention; Emotional or Mental Health Safety Plans for At-Risk Students, including those students who suffer from a mental health disorder; suffer from a substance abuse disorder; engage in self-harm or have previously attempted suicide; reside in an out-of-home placement; are experiencing homelessness; are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); are

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bereaved by suicide; or have a medical condition or certain types of disabilities. 105 ILCS 5/2-3.166(c)(4)~~, amended by P.A. 102-267~~.

- Review policies 6:65, *Student Social and Emotional Development*, incorporating student social and emotional development into the District's educational program as required by the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b); policy 6:270, *Guidance and Counseling Program*, requiring the District to have guidance counseling available to implement the protocols directed in 7:250, *Student Support Services*; and administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, requiring protocols for responding to students with social, emotional, or mental health needs that impact learning ability as required by the Children's Mental Health Act, 405 ILCS 49/~~, amended by P.A. 102-899~~.

- Train staff pursuant to 105 ILCS 5/10-22.24b, amended by P.A. 103-780, which allows school counseling services to be used for providing educational opportunities for mental health ~~suicide~~ issues and counseling and other resources to students who are in crisis~~intervention~~.

- Assess incorporating information from the following resources:

  Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Intervention - Procedure: Responding to a Student Displaying Warning Signs or Student Suicide Attempt, pp. 27-29, and Guidelines: Modifying Intervention Protocols - Crafting a Protocol for Helping Students at Risk, pp. 30-31, available at: www.isbe.net/Pages/Suicide-Prevention.aspx.

  SAMHSA Toolkit, available at: https://downloads.microscribepub.com/il/press/federal_resources/SAMHSA_SMA12-4669_20250808.pdf~~www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669~~.

  Chapter 2: Protocols for Helping Students at Risk of Suicide, pp. 57-66 and Tools 2.A-2.B.2, pp. 68-72.

  Chapter 6: Student Programs including Tools, pp. 139-156.

  Resources: Getting Started, pp. 177-182; Staff Education and Training, pp. 186-192; and Student Education and Skill-Building, pp. 194-204.

  Illinois Suicide Prevention Strategic Plan, available at:

  www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.

  Cyberbullying Research Center website at:

  https://cyberbullying.org/.

  U.S. School Safety Clearinghouse website at:

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www.schoolsafety.gov/, discussed in f/n 1, para. 3 of policy 4:170, *Safety*.

2. Methods of Responding to a Suicide Attempt (105 ILCS 5/2-3.166(c)(5)).

   a. Review policies listed above in number 3.a.

   b. Assess incorporating information from the following resources:

   Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Guidelines: Modifying Intervention Protocols - Crafting a Protocol for Helping Students at Risk, pp. 30-31, and *Module 3: Postvention, Procedure: Responding to a Completed Student Suicide*, pp. 36-39, available at: www.isbe.net/Pages/Suicide-Prevention.aspx.

   SAMHSA Toolkit, available at: https://downloads.microscribepub.com/il/press/federal_resources/SAMHSA_SMA12-4669_20250808.pdf~~www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669~~.

   Chapter 3: After a Suicide including Tools, pp. 92-109. (some material adaptable to a suicide attempt)

   Resources: Crisis Response Postvention, pp. 182-185.

   After a Suicide: A Toolkit for Schools, available at:

   https://sprc.org/wp-content/uploads/2022/12/AfteraSuicideToolkitforSchools-3.pdf. (some material adaptable to a suicide attempt)

3. Reporting Procedures (105 ILCS 5/2-3.166(c)(6)).

   a. Review Board policies~~y~~ 6:270, *Guidance and Counseling Program*, providing a counseling program that the Superintendent may designate as responsible for development of the District's depression awareness and suicide prevention program procedures; ~~policy~~ 7:250, *Student Support Services*, identifying District support services that will be ultimately responsible for properly implementing the reporting procedures; and administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*, establishing Student Support Committees for purposes of identifying, preventing and referring for services students with mental health needs.

   b. Assess incorporating information from the following resources:

   Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff, Module 2: Guidelines: Modifying Intervention Protocols - Crafting a Procedure for Students Exhibiting Warning Signs and for a Student Suicide, pp. 31-34, available at: www.isbe.net/Pages/Suicide-Prevention.aspx.

   SAMHSA Toolkit, available at: https://downloads.microscribepub.com/il/press/federal_resources/SAMHSA_

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SMA12-4669_20250808.pdf~~www.store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669~~.

Chapter 2: Protocols for Helping Students at Risk of Suicide: Tools 2.B.3-6 (pp. 70-72), 2.C (p. 79) and 2.D (pp. 70-81).

c. Review appropriate identification procedures (see example below):

Documentation Regarding the At-Risk Student

Note: A more detailed procedure may be developed with the aid of the resources in 5.b., above.

- District employees shall take notes on any conversations that involve or relate to the at-risk student. The notes shall become a part of a written report to the Building Principal.
- Conversations that involve or relate to the at-risk student shall be confirmed in writing with the other party(s).
- The Superintendent shall receive a copy of all reports and documentation regarding the at-risk student.
- The social worker/counselor shall prepare a report of the situation for the student's records.

d. Provide training for staff regarding identification procedures that the District will implement.

4. Resources and Contact Information (105 ILCS 5/2-3.166(c)(7)).

a. Illinois suicide prevention organizations and State contacts at: www.sprc.org/states/illinois:

Suicide Prevention Coordinator
Violence and Injury Prevention Section
Office of Health Promotion

Ill. Dept. of Public Health

535 West Jefferson, 2nd Floor
Springfield, IL 62761

~~a.~~b. Illinois Suicide Prevention Alliance Board: https://dph.illinois.gov/resource-center/advisory-boards/illinois-suicide-prevention-alliance.html~~Illinois Chapter of the American Foundation for Suicide Prevention~~

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~~b.~~c. Primary implementation resources for administrative procedure 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*:

ISBE *Suicide Prevention* website, including recommended guidelines and educational materials for training and professional development and ISBE-recommended resources containing age-appropriate educational materials on youth suicide and awareness pursuant to Ann Marie's Law (105 ILCS 5/2-3.166(b)(2)(B)) and the *Illinois Youth Suicide Prevention Toolkit: A Reference for Administrators, Counselors, Teachers and Staff*, at: www.isbe.net/Pages/Suicide-Prevention.aspx.

SAMHSA Toolkit: Chapter 1: Getting Started; Tools 1.I and 1.J., pp. 52-53.

Resources: Screening Program, p. 205; and National Organization and Federal Agencies with Resource and Information on Adolescent Suicide Prevention, pp. 206-208.

Illinois Suicide Prevention Strategic Plan, available at:

www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.

~~c.~~d. Other available resources:

American Foundation for Suicide Prevention, Illinois Chapter at:

https://afsp.org/chapter/illinois.

The Ill. Dept. of Human Services (IDHS) is required by 20 ILCS 1705/76 to develop an online database of mental health resources geared toward school counselors, parents, and teachers at: www.dhs.state.il.us/page.aspx?item=29751.

DHS is also required by 20 ILCS 1705/76.2, added by P.A. 103-222~~, eff. 1-1-24~~, to partner with ISBE to provide technical assistance for the provision of mental health care during schools days with the goal of increasing the availability and accessibility of mental health resources for students.

National Suicide and Crisis Lifeline at: https://988lifeline.org/.

Sexual Orientation, Gender Identity and Youth Suicide at: www.dph.illinois.gov/topics-services/prevention-wellness/suicide-prevention.html#resources.

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Students

Administrative Procedure - School Student Records [1]

This procedure implements Board policy 7:340, *Student Records*. It contains a **Table of Contents** and lettered **Sections**.

Table of Contents

A. Legal Citations and Definitions
B. School Student Records Defined
C. Eligible Students Accorded the Rights of Parent/Guardian
D. Official Records Custodians
E. Maintenance of School Student Records
F. Retention and Destruction of School Student Records
G. Social Security Numbers
H. Access to School Student Records
I. Record of Release
J. Orders of Protection
K. Parenting Plans
L. Transmission of Records for Transfer Students
M. Directory Information
N. Student Record Challenges

Sections

A. Legal Citations and Definitions

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

Definitions are found in the Ill. School Student Records Act and the Ill. State Board of Education (ISBE) rules. 105 ILCS 10/2, amended by P.A. 104-356, eff. 7-1-26; 23 Ill.Admin.Code §375.10. For easy reference, some definitions are re-printed in this procedure.

The release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, is not included in these procedures but is governed by the Mental Health and Developmental Disabilities Confidentiality Act (MHDDCA). 740 ILCS 110/, amended by P.A. 104-263, eff. 1-1-26.

B. School Student Records Defined

School Student Record means any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. 105 ILCS 10/2(d).

The footnotes should be removed before the material is used.

[1] Modify this procedure to align it with board policy. Customize it to reflect the district's practice, particularly to specify the district's treatment of records that the law: (1) says may be kept as either permanent records or temporary records; and (2) allows to be kept as directory information.

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Special Education Records means school records that relate to identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.) and Article 14 of the School Code. These records include the report of the multidisciplinary staffing conference on which placement or nonplacement was based and all records and audio recordings in any format relating to special education placement hearings and appeals. 23 Ill.Admin.Code §375.10.

A school student record does not include any of the following:

1. Writings or other recorded information kept in a school staff member's sole possession that is destroyed not later than the student's graduation or permanent withdrawal, and is not accessible or revealed to any other person except a temporary substitute teacher. 105 ILCS 10/2(d).

2. Information maintained by law enforcement professionals working in the school. 105 ILCS 10/2(d).

3. Video or other electronic recordings created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes, provided the information was created at least in part for law enforcement or security or safety reasons or purposes. This includes, without limitation, electronic recordings made on school buses, as described in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3(m). The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials for disciplinary or special education purposes regarding a particular student. 23 Ill.Admin.Code §375.10. **Note:** For districts and schools that do not have a designated law enforcement unit, consult the Board Attorney regarding designating an employee to serve as the *law enforcement unit* in order to maintain the security camera and determine the appropriate circumstances in which the school would disclose recorded images.

4. Any information, either written or oral, received from law enforcement officials pursuant to 105 ILCS 5/22-20 concerning a student less than the age of 18 years who has been arrested or taken into custody. 23 Ill.Admin.Code §375.10. [2]

C. Eligible Students Accorded the Rights of Parent/Guardian

All rights and privileges concerning school student records that are accorded to parents/guardians become exclusively those of the student when the student reaches 18 years of age, graduates from high school, marries, or enters military service, whichever occurs first. 105 ILCS 10/2(g). Such students are called *eligible students* in this procedure.

D. Official Records Custodians

Each Building Principal is designated the Official Records Custodian for his or her respective school and has the duties, without limitation, listed below. [3]

1. Is responsible for the maintenance, care, and security of all school student records, whether or not the records are in his or her personal custody or control, and shall take all reasonable measures to protect school student records through administrative, technical, and security

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[2] Many lawyers believe that once these records are received by a school, they are protected as education records under the federal Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. §1232g). Consult the board attorney for advice.

[3] For districts that have a single District-level records custodian rather than one at each school, use the following alternative sentence: "The District's Official Records Custodian or designee(s) has the duties, without limitation, listed below."

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safeguards against risks, such as unauthorized access, release, or use. 105 ILCS 10/4(a) and (b); 23 Ill.Admin.Code §375.40(g).

2. Reviews student temporary records at least every four years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and to eliminate or correct all out-of-date, misleading, inaccurate, unnecessary, or irrelevant information. The records review is required in any given school year at the time a student first changes attendance centers within the District, but it does not need to be conducted if the student enrolls in a different attendance center later in that same school year. 23 Ill.Admin.Code §375.40(b).
3. When requested by the Ill. Dept. of Children and Family Services (DCFS) due to an indicated finding being overturned in an appeal or hearing, purges DCFS's final finding report from the student's record in accordance with the Ill. School Student Records Act (105 ILCS 10/) on the date of expungement provided by the report. 325 ILCS 5/8.6, amended by P.A. 103-624.
4. Manages requests to access school student records.
5. Transfers a certified copy of the records of students transferring to another school and retains the original records.
6. Provides all required notices to parents/guardians and students, including without limitation, each of the following:
    a. Upon initial enrollment or transfer to the school, notification of rights concerning school student records; the notification may be delivered by any means likely to reach parents, including direct mail or email, delivery by the student to the parent, or incorporation into a student handbook. 23 Ill.Admin.Code §375.30.
    b. Annual notification of information that is considered to be *directory information* and of the procedures to be used by parents/guardians to request that specific information not be released. 23 Ill.Admin.Code §375.80.
    c. Notification to secondary students and their parents/guardians that they may opt out of the disclosure of students' names, addresses, and telephone listings to military recruiters and institutions of higher learning by submitting a written request that such information not be released without the prior written consent of the parent/guardian. 20 U.S.C. §7908.
    d. Notification of their right to a hearing to challenge any entry in the school student records (except for academic grades) and Official Records Custodian's name and contact information. 23 Ill.Admin.Code §375.90.
    e. Upon a student's graduation, transfer, or permanent withdrawal, notification to the parents/guardians, and if the student is in the legal custody of DCFS, DCFS' Office of Education and Transition Services, of the destruction schedule for the student's permanent and temporary school student records and of their right to request a copy. Notice to parents/guardians or the student may be provided through: (1) the school's parent or student handbook, (2) publication in a newspaper published in the District or, if no newspaper is published in the District, in a newspaper of general circulation within the district, (3) U.S. mail delivered to the last known address of the parent/guardian or student, or (4) other

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means provided notice is confirmed to have been received, e.g., hand delivery, return receipt, or read receipt email. 105 ILCS 10/4(h); 23 Ill.Admin.Code §375.40(c). [4]

7. Takes all action necessary to ensure that school personnel are informed of the provisions of the School Student Records Act. 105 ILCS 10/3(c).

8. Performs all actions required of the District described in this procedure and the laws governing school student records.

The Building Principal may delegate any of these duties to an appropriate staff member but shall remain responsible for the duties' execution.

E. Maintenance of School Student Records 105 ILCS 10/2, amended by P.A. 104-356, eff. 7-1-26; 23 Ill.Admin.Code §375.10.

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *student permanent record* shall consist of the following:

1. Basic identifying information, including the student's name and address, birth date and place[5], gender, and the names and addresses of the student's parent(s)/guardian(s).

2. Evidence required by the Missing Children Records Act. 325 ILCS 50/5(b)(1).

3. Academic transcripts, including: grades, graduation date, and grade level achieved; as applicable, and if allowed by District policy, scores received on college entrance examinations if that inclusion is requested in writing by an eligible student or the student's parent/guardian[6]; the unique student identifier assigned and used by ISBE's Student Information System (23 Ill.Admin.Code §1.75); as applicable, designation of an Advanced Placement computer science course as a mathematics-based, quantitative course for purposes of meeting State graduation requirements set forth in 105 ILCS 5/27-605, amended and renumbered by P.A. 104-391~~22~~; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159 and 23 Ill.Admin.Code Part 680; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy, awarded in accordance with 23 Ill.Admin.Code §680.20(c); and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169, amended by P.A. 103-979, and 23 Ill.Admin.Code §1.443.

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[4] 105 ILCS 10/4(h) requires notice of destruction of student records also be given to DCFS when a student is in its legal custody; however, the law does not specify how that notice is to be delivered to DCFS. A district may wish to rely on item #4 in paragraph e of this list so it has evidence the notice was received.

[5] 105 ILCS 5/22-105(c)(4)(A) and (B), added by P.A. 104-288, eff. 1-1-26, prohibits districts from collecting information about a student's citizenship or immigration status and from designating place of birth as *directory information*. In light of these prohibitions, consult the board attorney if the district has a practice of collecting information about students' place of birth as *student permanent record* information.

[6] 23 Ill.Admin.Code §375.10 provides that districts may, through board policy, allow scores received on college entrance examinations to be included on a student's academic transcript if that inclusion is requested in writing by a student, parent or person who enrolled the student. If board policy allows for the inclusion of such scores on academic transcripts, then the district's notification to parents/guardians and students of their school student records rights must include the process for requesting the inclusion. 23 Ill.Admin.Code §375.30(d)(5).

Note: Though 23 Ill.Admin.Code §375.10 uses the phrase "student, parent or person who enrolled the student," student records rights under ISSRA and FERPA attach to eligible students and their parents/guardians, not to "a person who enrolled the student" (though that person is typically a parent or guardian).

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4. Attendance record.

5. A summary of performance for students who received special education services, unless the District has obtained the informed written consent of the student and parents or guardians to exclude it, in accordance with the requirements of 105 ILCS 10/2(e), added by P.A. 104-356, eff. 7-1-26.

~~5.~~6. Health record, defined by ISBE rule as "medical documentation necessary for enrollment and proof of having certain examinations, as may be required under Section 27-8.1 of the [School] Code."

~~6.~~7. Record of release of permanent record information that contains the information listed in Section I, **Record of Release**, below.

~~7.~~8. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5.

If not maintained in the temporary record, the *permanent record* may include:

1. Honors and awards received.
2. Information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations.

No other information shall be placed in the permanent record.

The *student temporary record* contains all information not required to be kept in the student permanent record and must include:

1. Record of release of temporary record information that contains the information listed in Section I, **Record of Release**, below.
2. Scores received on the State assessment tests administered in the elementary grade levels (kindergarten through grade 8).
3. Completed home language survey. 23 Ill.Admin.Code §228.15(d).
4. Information regarding serious disciplinary infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction.
5. Any final finding report received from DCFS provided to the school under the Abused and Neglected Child Reporting Act; no report other than what is required under Section 8.6 of that Act (325 ILCS 5/8.6) shall be placed in the student record. 23 Ill.Admin.Code §375.40(f).
6. Information concerning a student's status and related experiences as a parent, expectant parent, or victim of domestic or sexual violence, as defined in 105 ILCS 5/26A, including a statement of the student or any other documentation, record, or corroborating evidence and the fact that the student has requested or obtained assistance, support, or services related to that status. 105 ILCS 10/2(f), amended by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law*~~, eff. 7-1-25~~. See Board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, and the **Confidentiality** subhead of administrative procedure 7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.
7. Any biometric information that is collected in accordance with 105 ILCS 5/10-20.40.

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8. Health-related information, defined by ISBE rule as "current documentation of a student's health information, not otherwise governed by the MHDDCA or other privacy laws, that includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs, e.g., glucose readings, long-term medications administered during school hours, documentation regarding a student athlete's and his or her parents' acknowledgment of the District's concussion policy adopted under Section 22-80 of the [School] Code, and other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports."
9. Accident report, defined by ISBE rule as "documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or if the school nurse has referred the student for a medical evaluation, regardless of whether the parent or guardian, student (if 18 years or older), or an unaccompanied youth has followed through on that request."
10. Any documentation of a student's transfer, including records indicating the school or school district to which the student transferred. 23 Ill.Admin.Code §375.75(e).
11. Completed course substitution form for any student who, when under the age of 18, is enrolled in vocational and technical course or a registered apprenticeship program under 23 Ill.Admin.Code Part 255 as a substitute for a high school or graduation requirement. 105 ILCS 10/4; 23 Ill.Admin.Code §1.445.
12. Information contained in related service logs maintained by the District for a student with an individualized education program under 105 ILCS 5/14-8.02f(d), including for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.

The *temporary record* may also consist of:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews
5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information

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10. Special education records

11. Records associated with plans developed under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §701 et seq.)

12. Verified reports or information from non-educational persons, agencies, or organizations of clear relevance to the student's education

F. Retention and Destruction of School Student Records

The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. 105 ILCS 10/4(e). The temporary record is maintained for at least five years after the student transfers, graduates, or permanently withdraws. 105 ILCS 10/4(f). Individuals adding information to a student's temporary record must include their name, signature, and position and the date the information was added. 105 ILCS 10/4(d). Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after five years, be transferred to the parent(s)/guardian(s) or to the eligible student. Appropriate District personnel shall explain to the student and the parent/guardian the future usefulness of these records. 23 Ill.Admin.Code §375.40(d). Be sure to provide notice of destruction of school student records pursuant to 105 ILCS 10/4(h), as noted in D(6)(e), above.

G. Social Security Numbers

School officials, with limited exceptions, may not require students or their parents/guardians to provide social security numbers. 5 ILCS 179/, Identity Protection Act. The collection and retention of social security numbers shall be in accordance with Board policy 4:15, *Identity Protection*.

H. Access to School Student Records

The phrase "access to a school student record" means any release or disclosure of information from a student's school record, whether or not any record is copied. Access in all cases is limited to the designated portion of the record to which the consent or statutory authority applies.

Neither the District nor any of its employees shall release, disclose, or grant access to information found in any school student record except under the conditions set forth in the Ill. School Student Records Act. 105 ILCS 10/6, amended by P.A. 104-356, eff. 7-1-26. Absent a court order, school officials do not provide educational records to U.S. Immigration and Customs Enforcement for immigration enforcement activities.

The Building Principal shall grant access to school student records as detailed below. The Building Principal shall consult with the Superintendent and, if authorized, the Board Attorney concerning any questions.

Access to Parent/Guardian, Eligible Student, or DCFS

1. A student's parent(s)/guardian(s) or eligible student, or designee, or DCFS' Office of Education and Transition Services, when a student is in the legal custody of DCFS, are entitled to inspect and copy information in the student's school record; a student less than 18 years old may inspect or copy information in his or her permanent school record. 105 ILCS 10/5. A request to inspect or copy school student records shall be made in writing and directed to the Building Principal. Access to the records shall be granted within 10 business days after the receipt of such a request. 105 ILCS 10/5(c). The District may extend this timeline by up to five additional business days if one or more of these six reasons applies:

    a. The requested records are stored in whole or in part at other locations than the office having charge of the requested records;

    b. The request required the collection of a substantial number of specified records;

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c. The request is couched in categorical terms and requires an extensive search for the records responsive to it;

d. The requested records have not been located in the course of routine search and additional efforts are being made to locate them;

e. The request for records cannot be complied with by the school district within the time limits prescribed by subsection (c) without unduly burdening or interfering with the operations of the school district; or

f. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or school district among two or more components of a public body or school district having a substantial interest in the determination or in the subject matter of the request.

105 ILCS 10/5(c-5).

The District and the person making the request may also agree in writing to extend the timeline for response. Id. The response to an access request for a special education student's records shall include those school student records located in the special education office.

2. The parent(s)/guardian(s), DCFS, if applicable, or the District may request a qualified professional to be present to interpret the student's records. 105 ILCS 10/5(b). If the District makes the request, it is responsible for securing and bearing the cost of the professional's presence.

3. Unless the District has actual notice of a court order or a notice of a *parenting plan* under the Ill. Marriage and Dissolution of Marriage Act, indicating otherwise:

   a. Divorced or separated parents/guardians with and without *parental responsibility* (formerly custody) are both permitted to inspect and copy the student's school student records. 750 ILCS 5/602.11.

   b. The Building Principal shall send copies of the documents listed below to both divorced or separated parents/guardians, or if the student is in the legal custody of DCFS, DCFS' Office of Education and Transition Services, at theirs request. 105 ILCS 5/10-21.8.

      i. Academic progress reports or records

      ii. Emotional and physical health reports

      iii. Notices of school-initiated parent-teacher conferences

      iv. School calendar regarding the student

      v. Notices about open houses, graduations, and other major school-sponsored events including student-parent/guardian interaction

4. The school will deny access to a student's school records to a parent against whom an *order of protection* (OP) was issued if the OP prohibits the parent from inspecting or obtaining such records pursuant to the Domestic Violence Act of 1986 or the Code of Criminal Procedure of

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1963. See the Ill. Marriage and Dissolution of Marriage Act, 750 ILCS 5/602.11(a), and 750 ILCS 60/214(b)(15), and 222(f). Also see **Orders of Protection**, below. [7]

5. Parent(s)/guardian(s) or the student, or if applicable, DCFS' Office of Education and Transition Services, shall not be granted access to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award which were placed in the records prior to 1-1-75, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be granted to such letters and statements entered into the record at any time if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters and statements. 105 ILCS 10/5(e).

Access With Consent of Parent/Guardian or Eligible Student

1. Access will be granted to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student, stating to whom the records may be released, the information or record to be released, and the reason for the release. 105 ILCS 10/6(a)(8); 23 Ill.Admin.Code §375.70(e). Whenever the District requests the consent to release records, the Building Principal shall inform the parent(s)/guardian(s) or eligible student in writing of the right to inspect, copy, and challenge their contents and to limit such consent to designated portions of the records. 105 ILCS 10/6(a)(8).

2. Access to any record that is protected by the MHDDCA, specifically that of a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services to a student, will be granted according to the consent requirements contained in MHDDCA. 740 ILCS 110/4 ~~and 5~~, amended by P.A. 104-263, eff. 1-1-26, and 740 ILCS 110/5, amended by P.A. 104-270.

Access Without Notification to or Consent of Parent/Guardian or Eligible Student

1. District employees or officials of the ISBE will be granted access, without parental/guardian consent or notification, when a current, demonstrable, educational, or administrative need is shown. Access in such cases is limited to the satisfaction of that need. 105 ILCS 10/6(a)(2). Individual board members do not have a right to see student records merely by virtue of their office unless they have a current demonstrable educational or administrative interest in the student and seeing his or her record(s) would be in furtherance of the interest. 105 ILCS 10/6(a)(2).

2. Access will be granted, without parental/guardian consent or notification, to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent/guardian can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. 105 ILCS 10/6(a)(4).

3. Access will be granted, without parental/guardian consent or notification, to another school district that overlaps attendance boundaries with the District, if the District has entered into an

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[7] This may conflict with FERPA in that it restricts a parent/guardian's right to access his or her child's school records more than is expressly permitted by FERPA. 20 U.S.C. §1232g(a)(1)(A), (B); 34 C.F.R. §99.10(a). Contact the board attorney for guidance.

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intergovernmental agreement that allows for sharing of student records and information between them. 105 ILCS 10/6(a)(13). [8]

4. The District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or the consent of the student's parent(s)/guardian(s). 20 U.S.C. §1232(g)(j), as added by the Sec. 507 of the U.S.A. Patriot Act of 2001. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to an adverse party.

5. A Serious Habitual Offender Comprehensive Action Program (SHOCAP) committee member will be granted access, but only to the extent that the release, transfer, disclosure, or dissemination is consistent with the Family Educational Rights and Privacy Act (FERPA). 105 ILCS 10/6(a)(10) allows disclosure to SHOCAP committee members who are "state and local officials and authorities" as those terms are used in FERPA. This federal law does not define "state and local officials and authorities;" rather, it limits when disclosure may be made to such officials and authorities.

6. Juvenile authorities will be granted access when necessary for the discharge of their official duties upon their request before the student's adjudication, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. *Juvenile authorities* means: (a) a circuit court judge and court staff members designated by the judge; (b) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (c) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (d) any individual, public or private agency having court-ordered custody of the child; (e) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (f) any potential placement provider when such release is authorized by the court to determine the appropriateness of the potential placement; (g) law enforcement officers and prosecutors; (h) adult and juvenile prisoner review boards; (i) authorized military personnel; and (j) individuals authorized by court. 105 ILCS 10/6(a)(6.5).

7. Military recruiters and institutions of higher learning will be granted access to secondary students' names, addresses, and telephone listings, unless the student's parent/guardian submits a written request that such information not be released without the prior written consent of the parent/guardian or eligible student. Only this written consent process may be used, no other processes, such as an opt-in process, etc., may be used. Military recruiters and institutions of higher learning have access to students' names, addresses, and phone numbers even if the District does not release directory information. 20 U.S.C. §7908. For more information, see exhibits 7:340-AP1, E3, *Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information;* 7:340-AP1, E4, *Frequently Asked Questions Regarding Military Recruiters Access to Students and Student Information;* ISBE Military Recruitment Access Reminder, announced in State

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[8] For elementary or high school districts only. Intergovernmental agreements must meet the following requirements: (1) the sharing must be voluntary and at the discretion of each district; (2) the sharing of student information only applies to students that have a) been enrolled in both districts or b) would have been enrolled in both districts based on attendance boundaries, provided the parent/guardian has confirmed in writing that the student intends to enroll or has enrolled in the high school district; and (3) the sharing of student information does not exceed the scope of information that is shared among schools in a unit district. 105 ILCS 10/6(a)(13).

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Superintendent Smith's *Weekly Message*, 11-27-18, at: www.isbe.net/Documents/Military-Access-Reminder.pdf. The requirements in this paragraph apply only if the District receives funds under the Elementary and Secondary Education Act. Id.

8. DCFS' Office of Education and Transition Services will be granted access if the student is in the legal custody of DCFS. 105 ILCS 10/6(a)(12.5).

9. The Ill. Dept. of Human Services (IDHS) will be granted access for the sole purpose of assessing or evaluating the student's eligibility for Medicaid waiver benefits consistent with rules adopted by IDHS. 105 ILCS 10/6(a)(14), added by P.A. 104-356, eff. 7-1-26.

Access Without Consent of, but With Notification to, Parent/Guardian or Eligible Student

1. In accordance with the procedures described in Section L below (Transmission of Records for Transfer Students), access will be granted, without parental/guardian consent, to the official records custodian of another school within Illinois or an official with similar responsibilities of a school outside Illinois, in which the student has enrolled or intends to enroll, upon the request of such official or student. 105 ILCS 10/6(a)(3).

2. Access will be granted pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice of such order's terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents. 105 ILCS 10/6(a)(5). Parents of students who are named in a court order or parenting plan shall be deemed to have received the required written notice. The Building Principal shall respond to the order no earlier than five school days after its receipt in order to afford parents/guardians the opportunity to review, inspect, and challenge the records if the parents choose to do so. 23 Ill.Admin.Code §375.70(d).

   For the purposes of these procedures, a court order is a document signed by a judge. A subpoena signed by a court clerk, an attorney, or an administrative agency official shall not be considered a court order unless signed by a judge. 23 Ill.Admin.Code §375.40(a).

3. Information may be released without parental consent, in connection with an articulable and significant threat to the health or safety of a student or other individuals, to appropriate persons if the knowledge of the requested information is necessary to protect the health or safety of the student or other individuals. The Building Principal shall make this decision taking into consideration the seriousness of the threat to the health or safety of the student or other individuals, the need for such records to meet the emergency, whether the persons to whom such records are released are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. 105 ILCS 10/6(a)(7); 23 Ill.Admin.Code §375.60. The Building Principal shall notify the parent(s)/guardian(s) or eligible student, no later than the next school day after the date that the information is released, of the date of the release, the person, agency, or organization to whom the release was made, and the purpose of the release.

4. The District will grant access as specifically required by federal or State statute, provided the individual complies with the requirements in 23 Ill.Admin.Code §375.70(b). 105 ILCS 10/6(a)(6). Prior to granting access, the Building Principal shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action. 105 ILCS 10/6(b); 23 Ill.Admin.Code §375.70. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release relates to more than 25 students, a notice published in the newspaper is sufficient.

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The District charges $.35 per page for copying information from a student's records.[9] No parent/guardian or student shall be precluded from copying information because of financial hardship. 23 Ill.Admin.Code §375.50. **Note:** The ISBE rule allows a school to "charge the actual cost for providing a copy of school student records or any portion of such records to parents and students upon request for such copies, provided that such costs shall not exceed $.35 per page." 23 Ill.Admin.Code §375.50.

I. Record of Release

Except as provided below, a record of all releases of information from school student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. 105 ILCS 10/6(c). This record shall be maintained for the life of the school student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, Building Principal, or other authorized person. The record of release shall include each of the following:

1. The nature and substance of the information released;
2. The name and signature of the official records custodian releasing such information;
3. The name of the person requesting the information, in what capacity the request was made, and the purpose for the request;
4. The date of release; and
5. A copy of any consent to a release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order entered under 20 U.S.C. §1232g(j), *Investigation and prosecution of terrorism*. 20 U.S.C. §1232g(j)(4).

J. Orders of Protection

Upon receipt of a court OP that prohibits a Respondent's access to records, the Building Principal shall file it in the temporary record of a student who is the *protected person* under the OP. No information or records shall be released to the Respondent named in the OP. 750 ILCS 60/222(f).[10]

K. Parenting Plans

Upon receipt of a parenting plan under the Ill. Marriage and Dissolution of Marriage Act (750 ILCS 5/), the Building Principal shall file it in the temporary record of a student who is the subject of the parenting plan.

L. Transmission of Records for Transfer Students 105 ILCS 10/6(a)(3); 23 Ill.Admin.Code §§375.70 and 375.75.

The Building Principal shall:

1. Within 14 calendar days after enrolling a transfer student, request directly from the student's previous school a certified copy of the student's record. The District shall exercise due diligence in obtaining the copy of the record requested.
2. Upon the student's request or that of the official records custodian of another school in which the student has enrolled or intends to enroll, within 10 calendar days, transfer a certified copy

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[9] Districts may substitute the following alternative: "The District charges a fee for copying school student records that corresponds to the fee schedule for copies of records requested under the Freedom of Information Act."

[10] See f/n 6 above.

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of the student's record (that is, the student's permanent and temporary record) to the official records custodian of the appropriate school and retain the original records. The records transfer is subject to prior notice to the student's parent(s)/guardian(s) as described above in Section H (Access to School Student Records). See Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools.*

3. Determine if the school or special education office has any record that is protected by the MHDDCA concerning the transferring student, specifically a record or report made by a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services. If so, ask the appropriate person as identified in 740 ILCS 110/4, amended by P.A. 104-263, eff. 1-1-26, whether to send the record protected by MHDDCA to the new school and, if *yes*, obtain a written consent for disclosure as provided in 740 ILCS 110/5, amended by P.A. 104-270.

   This requirement does not apply to special education records and reports that are related to the identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities. 23 Ill.Admin.Code §375.10.

4. Provide the parent/guardian or eligible student prior written notice of the nature and substance of the information to be transferred and opportunity to inspect, copy, and challenge it. If the parent's/guardian's address is unknown, notice may be served upon the official records custodian of the requesting school for transmittal to the parent/guardian. This service is deemed conclusive, and 10 calendar days after this service, if the parents/guardians make no objection, the records may be transferred to the requesting school.

5. Destroy any biometric information collected and do not transfer it to another school district.

6. Refrain from transferring the records if a student's record has been flagged as a "missing child" as provided in Section 5 of the Missing Children Records Act and Section 5 of the Missing Children Registration Law. The District shall notify the Ill. State Police or the local law enforcement authority of the request.

7. Retain the original records in accordance with the requirements of 105 ILCS 10/4.

8. Include information about whether or not the student is *in good standing* and whether or not the student's medical records are up-to-date and complete. 105 ILCS 5/2-3.13a.

9. Maintain any documentation of the student's transfer, including records indicating the school or school district to which the student transferred, in that student's temporary record.

If the student has unpaid fines, fees, or tuition charged pursuant to 105 ILCS 5/10-20.12a and is transferring to a public school located in Illinois or any other state, the Building Principal shall, unless otherwise prohibited by State law (23 Ill.Admin.Code §375.75(i)): [11]

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[11] Optional. ~~105 ILCS 5/10-20.9a(c) and (d), inoperative "on and after three years" from 5-6-22, prohibits public high schools from withholding a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account. See sample policy 6:280, *Grading and Promotion*, at f/n 3, for a discussion about the expiration date of this law.~~ Districts are also prohibited from withholding student records, transcripts, or diplomas because the student's parents are unable to pay required *fees*. 105 ILCS 5/10-20.13(d), added by P.A. 104-391~~28-19.2~~. See sample policy 4:140, *Waiver of Student Fees*, at f/n 1, for more information about the definition of *fees*. Fees, for example, do not include library fines, which could be reflected in a student's account. 23 Ill.Admin.Code §1.245(a)(2). The~~se~~ statute~~s~~ refers generically to *transcripts*; ~~they~~ it does not distinguish between *unofficial* and *official transcripts*. Consult the board attorney for advice on a district's ability to withhold official transcripts from students under 23 Ill.Admin.Code §375.75(i).

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1. Transfer the student's *unofficial record of student grades* in lieu of the student's official transcript of scholastic records. The *unofficial record of student grades* means written information relative to the grade levels and subjects in which a student was enrolled and the record of academic grades achieved by that student prior to transfer. These records shall also include the school's name and address, the student's name, the name and title of the school official transmitting the records, and the transmittal date.
2. Within 10 calendar days after the student has paid all of his or her unpaid fines or fees and at this District's own expense, forward the student's official transcript of scholastic records to the student's new school.

The Building Principal shall include the following information with the transferred records if the student is transferring to another public school located in Illinois or any other state and at the time of the transfer is currently serving a term of suspension or expulsion for any reason: 105 ILCS 5/2-3.13a; 23 Ill.Admin.Code §375.75(j).

1. The date and duration of the period of any current suspension or expulsion; and
2. Whether the suspension or expulsion is for: (a) knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act (20 U.S.C. §7961 et seq.); (b) knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or (c) battering a school staff member.

M. Directory Information[12] 23 Ill.Admin.Code §375.80

The District may release certain directory information regarding students as permitted by law, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to: [13]

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[12] Districts are not required to identify and release directory information. **Be sure that the board policy provides for the release of directory information before including this section.** See sample policy 7:340, *Student Records*. There has been at least one instance in Illinois in which parents were upset that their school district released students' names and addresses pursuant to a Freedom of Information Act (FOIA) request. FOIA contains an exemption for home addresses. Many lawyers, however, say that a district must release student information pursuant to a FOIA request when each of the following has occurred: the FOIA request seeks information that is included in the district's definition of student directory information, the district notified parents that it releases directory information, and the parents did not opt out of allowing directory information to be released concerning their child. An opinion from the Ill. Public Access Counselor (PAC) supports that a district may not rely on the FOIA exemption for home addresses. PAO 12-3.

Delete the specific types of information that the district does not want released, such as *address*, from the list of information designated as *directory information*. Realize, however, that if the information identified as directory information is too limited, the district may be prohibited from publishing information about specific students.

[13] Place of birth is excluded from directory information in this sample procedure due to 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26, which prohibits districts from designating place of birth as *directory information*. See also sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*, at f/n 6.

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1. Student's Name
2. Student's Address
3. Student's Grade level
4. Student's Birth date ~~and place~~
5. Parent(s)/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
6. Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
7. Academic awards, degrees, and honors
8. Information in relation to school-sponsored activities, organizations, and athletics
9. Major field of study
10. Period of attendance in school

No photograph highlighting individual faces shall be used for commercial purposes, including solicitation, advertising, promotion, or fundraising, without the prior, specific, dated, and written consent of the parent or eligible student (see 765 ILCS 1075/30). 23 Ill.Admin.Code §375.80. The following shall not be designated as directory information: (a) an image on a school security video, or (b) student social security number or student identification or unique student identifier. Id.

The notification to parents/guardians and students concerning school student records will inform them of their right to opt out of the release of directory information. See exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*.

N. Student Record Challenges

Parents/guardians have the right to a hearing to challenge the accuracy, relevancy, or propriety of any entry in their student's school records, exclusive of academic grades and references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring. 105 ILCS 10/7; 23 Ill.Admin.Code §375.90. A request for a hearing should be submitted to the Superintendent and shall contain notice of the specific entry or entries to be challenged and the basis of the challenge. The following procedures apply to a challenge: Id.

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23 Ill.Admin.Code §375.80(a)(1) no longer includes *gender* as information which may be designated as directory information. This is consistent with attorneys' views that Illinois' past practice of including *gender* within directory information may have violated FERPA. FERPA regulations provide that directory information "means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed" and it "includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status, e.g., undergraduate or graduate, full-time or part-time; dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational agency or institution attended." 34 C.F.R. §99.3. Though FERPA regulations do not explicitly preclude the designation of *gender* as directory information, U.S. Dept. of Educ. (DOE) guidance has consistently advised schools not to disclose a student's sex as directory information because it would be considered harmful or an invasion of privacy. See *Letter to Institutions of Postsecondary Education*, DOE Family Policy Compliance Office (Sept. 2009). Consult the board attorney about the practical implementation of this issue. Some attorneys, for example, believe photos of the "Girls Volleyball Team" may contradict DOE guidance.

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1. The Superintendent or designee will invite the parent(s)/guardian(s) to an initial informal conference, within 15 school days of receipt of the request for a hearing.
2. If the challenge is not resolved by the informal conference, formal procedures shall be initiated. The Superintendent will appoint a hearing officer, who is not employed in the attendance center in which the student is enrolled.
3. The hearing officer will conduct a hearing within a reasonable time, but no later than 15 days after the informal conference, unless an extension of time is agreed upon by the parent(s)/guardian(s) and school officials. The hearing officer shall notify parents and school officials of the time and place of the hearing.
4. At the hearing, each party shall have the right to:
    a. Present evidence and to call witnesses;
    b. Cross-examine witnesses;
    c. Counsel;
    d. A written statement of any decision and the reasons therefore; and
    e. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.
5. A verbatim record of the hearing shall be made by a tape recorder or a court reporter. A transcript may be prepared by either party in the event of an appeal of the hearing officer's decision. However, a transcript is not required in an appeal.
6. The written decision of the hearing officer shall, no later than 10 school days after the conclusion of the hearing, be transmitted to the parent(s)/guardian(s) and the School District. It shall be based solely on the information presented at the hearing and shall be one of the following:
    a. To retain the challenged contents of the school student record;
    b. To remove the challenged contents of the school student record; or
    c. To change, clarify, or add to the challenged contents of the school student record.
7. Any party has the right to appeal the decision of the local hearing officer to the Regional Superintendent or appropriate Intermediate Service Center Executive Director, within 20 school days after the decision is transmitted to the parties. The parent(s)/guardian(s), if they appeal, shall so inform the District and within 10 school days the school shall forward a transcript of the hearing, a copy of the record entry in question, and any other pertinent materials to the Regional Superintendent or appropriate Intermediate Service Center. The District may initiate an appeal by the same procedures.
8. The final decision of the Regional Superintendent or appropriate Intermediate Service Center Executive Director may be appealed to the circuit court of the county in which the District is located.
9. The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The District will include a copy of the statement in any release of the information in dispute. 105 ILCS 10/7(d).

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LEGAL REF.: 20 U.S.C. §1232g, Family Education Rights and Privacy Act; 34 C.F.R. Part 99.
105 ILCS 10/, Illinois School Student Records Act; 23 Ill.Admin.Code Part 375.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.
750 ILCS 5/, Illinois Marriage and Dissolution of Marriage Act.

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Students

Exhibit - Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records [1]

Upon the initial enrollment or transfer of a student to the school, the school must notify the student and the student's parent(s)/guardian(s) of their rights concerning school student records. This notification may be distributed by any means likely to reach parent(s)/guardian(s).

The contact information for each School's Official Records Custodian follows:

_____

_____

_____

This notice contains a description of your and your child's rights concerning school student records.

A *school student record* is any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by a school employee, regardless of how or where the information is stored, except for certain records kept in a staff member's sole possession; records maintained by law enforcement officers working in the school; video and other electronic recordings that are created in part for law enforcement, security, or safety reasons or purposes; and electronic recordings made on school buses. The District maintains two types of school records for each student: *permanent* record and *temporary* record.

The *permanent record* includes:

1. Basic identifying information, including the student's name and address, birth date and place[2], gender, and the names and addresses of the student's parents/guardians.
2. Evidence required under the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved;[3] the unique student identifier assigned and used by the Ill. State Board of Education (ISBE) Student

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[1] This notification is based on the *Model Notification* published by the U.S. Dept. of Education. Changes were made to comply with the Ill. School Student Records Act (ISSRA, 105 ILCS 10/) and the ISBE rule mandating this notification (23 Ill.Admin.Code §375.30(d)). To obtain the legal citations for this exhibit's provisions, see sample administrative procedure 7:340-AP1, *School Student Records*, which is annotated with citations to controlling rules and statutes.

Customize this notice to reflect the district's practice, particularly to specify the district's treatment of records that the law: (1) permits to be kept as either permanent records or temporary records; and (2) allows to be kept as directory information.

[2] See sample administrative procedure 7:340-AP1, *School Student Records*, at f/n 5, for a discussion about the collection of information regarding a student's place of birth considering the requirements of 105 ILCS 5/22-105(c)(4)(A) and (B), added by P.A. 104-288, eff. 1-1-26.

[3] 23 Ill.Admin.Code §375.10 provides that districts may, through board policy, allow scores received on college entrance examinations to be included on a student's academic transcript if that inclusion is requested in writing by a student, parent or person who enrolled the student. If the board allows written requests to include college entrance examination scores on students' transcripts, insert the following phrase into #3:

> scores received on college entrance examinations if that inclusion is requested in writing by an eligible student or the student's parent/guardian;

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Information System; as applicable, designation of an Advanced Placement computer science course as a mathematics-based, quantitative course for purposes of meeting State graduation requirements set forth in 105 ILCS 5/27-6052~~2~~; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy; and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169.

4. Attendance record.
5. A summary of performance for students who received special education services, unless the District has obtained the informed written consent of the student and parents or guardians to exclude it, in accordance with the requirements of 105 ILCS 10/2(e).
~~4.~~6. Health record defined by ISBE as "medical documentation necessary for enrollment and proof of dental examinations, as may be required under Section 27-8.1 of the School Code."
~~5.~~7. Record of release of permanent record information that includes each of the following:
    a. The nature and substance of the information released;
    b. The name and signature of the official records custodian releasing such information;
    c. The name and capacity of the requesting person and the purpose for the request;
    d. The date of release; and
    e. A copy of any consent to a release.
~~6.~~8. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5.

If not maintained in the *temporary record*, the *permanent record* may include:

1. Honors and awards received.
2. Information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations.

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include:

1. Record of release of temporary record information that includes the same information as listed above for the record of release of permanent records.
2. Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8).
3. Completed home language survey.
4. Information regarding serious disciplinary infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction.
5. Any final finding report received from a Child Protective Service Unit provided to the school under the Abused and Neglected Child Reporting Act; no report other than what is required under Section 8.6 of that Act (325 ILCS 5/8.6) shall be placed in the student record.
6. Information concerning a student's status and related experiences as a parent, expectant parent, or victim of domestic or sexual violence, as defined in 105 ILCS 5/26A, including a statement of the student or any other documentation, record, or corroborating evidence and the fact that the student has requested or obtained assistance, support, or services related to that status.

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Note: Though 23 Ill.Admin.Code §375.10 uses the phrase "student, parent or person who enrolled the student," student records rights under ISSRA and the federal Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. 1232g) attach to *eligible students* and their parents/guardians, not to "a person who enrolled the student" (though that person is typically a parent or guardian).

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7. Any biometric information that is collected in accordance with 105 ILCS 5/10-20.40.
8. Health-related information, defined by the ISBE as "current documentation of a student's health information, not otherwise governed by the Mental Health and Developmental Disabilities Confidentiality Act or other privacy laws, that includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs, e.g., glucose readings, long-term medications administered during school hours, documentation regarding a student athlete and his or her parent/guardian's acknowledgment of the District's concussion policy adopted under 105 ILCS 5/22-80 and other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports."
9. Accident report, defined by the ISBE as "documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event, or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or if the school nurse has referred the student for a medical evaluation, regardless of whether the parent or guardian, student (if 18 years or older), or an unaccompanied homeless youth … has followed through on that request."
10. Any documentation of a student's transfer, including records indicating the school or school district to which the student transferred.
11. Completed course substitution form for any student who, when under the age of 18, is enrolled in vocational and technical course or a registered apprenticeship program under 23 Ill.Admin.Code Part 255 as a substitute for a high school or graduation requirement.
12. Information contained in related service logs maintained by the District for a student with an individualized education program under 105 ILCS 5/14-8.02f(d), including for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.[4]

The temporary record may include:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews
5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information
10. Special education records
11. Records associated with plans developed under section 504 of the Rehabilitation Act of 1973

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[4] 105 ILCS 10/2(f).

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12. Verified reports or information from non-educational persons, agencies, or organizations of clear relevance to the student's education

The Family Educational Rights and Privacy Act (FERPA) and the Ill. School Student Records Act (ISSRA) afford parents/guardians and students over 18 years of age (*eligible students*) certain rights with respect to the student's school records. They are:

1. **The right to inspect and copy the student's education records within 10 business days after the date the District receives a request for access.**
   The degree of access a student has to his or her records depends on the student's age. Students less than 18 years of age have the right to inspect and copy only their permanent record. Students 18 years of age or older have access and copy rights to both permanent and temporary records. Parents/guardians or students should submit to the Building Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent(s)/guardian(s) or student of the time and place where the records may be inspected. The District shall make the records available to inspect and copy within 10 business days, unless the District extends the response timeline to 15 business days in accordance with ISSRA. The District charges $.35 per page for copying but no one will be denied their right to copies of their records for inability to pay this cost.
   These rights are denied to any person against whom an order of protection has been entered concerning a student. 105 ILCS 5/10-22.3c and 10/5(a); 750 ILCS 60/214(b)(15). [5]
2. **The right to request the amendment of the student's education records that the parent(s)/ guardian(s) or eligible student believes are inaccurate, irrelevant, or improper.**
   Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, irrelevant, or improper. They should write the Building Principal or the Official Records Custodian, clearly identify the record they want changed, and specify the reason.
   If the District decides not to amend the record as requested by the parents/guardians or eligible student, the District will notify the parents/guardians or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.
3. **The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that the FERPA or ISSRA authorizes disclosure without consent.**

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[5] 23 Ill.Admin.Code §375.10 provides that districts may, through board policy, allow scores received on college entrance examinations to be included on a student's academic transcript if that inclusion is requested in writing by a student, parent or person who enrolled the student. If the board allows written requests to include college entrance examination scores on students' transcripts, insert the following as right #2:

2. **The right to have one or more scores received on college entrance examinations included on the student's academic transcript.**
   Parents/guardians or eligible students may have one or more scores on college entrance exams included on their student's academic transcript. Students often take college entrance examinations multiple times to improve their results. Test publishers provide the results from each examination taken to the student's high school. A parent/guardian or eligible student may want certain scores to be included on academic transcripts sent to postsecondary institutions to which the student applies. The District will include scores on college entrance examinations upon the written request of the parent/guardian or eligible student stating the name of each college entrance examination that is the subject of the request and the dates of the scores that are to be included.

Note: Though 23 Ill.Admin.Code §375.10 uses the phrase "student, parent or person who enrolled the student," student records rights under ISSRA and FERPA attach to *eligible students* and their parents/guardians, not to "a person who enrolled the student" (though that person is typically a parent or guardian).

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Disclosure without consent is permitted to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board. A school official may also include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records (such as an attorney, auditor, medical consultant, therapist, or educational technology vendor); or any parents/guardians or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. Individual board members do not have a right to see student records merely by virtue of their office unless they have a current demonstrable educational or administrative interest in the student and seeing his or her record(s) would be in furtherance of the interest.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility or contractual obligations with the District.

Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law. Before information is released to these individuals, the parents/guardians will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge such records.

When a challenge is made at the time the student's records are being forwarded to another school to which the student is transferring, there is no right to challenge: (1) academic grades, or (2) references to expulsions or out-of-school suspensions.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent(s)/guardian(s) can be identified; to another school district that overlaps attendance boundaries with the District, if the District has entered into an intergovernmental agreement that allows for sharing of student records and information with the other district;[6] any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; to the Ill. Department of Human Services (IDHS) for the sole purpose of assessing or evaluating the student's eligibility for Medicaid waiver benefits consistent with rules adopted by the IDHS and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

4. **The right to a copy of any school student record proposed to be destroyed or deleted.**
The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. The temporary record is maintained for at least five years after the student transfers, graduates, or permanently withdraws. Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after five years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s). Student temporary records are reviewed every four years or upon a student's change in attendance centers, whichever occurs first.

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[6] For elementary and high school districts only.

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5. **The right to prohibit the release of directory information concerning the parent's/ guardian's child.** [7]

Throughout the school year, the District may release directory information regarding its students, limited to:

Name
Address
Grade level
Birth date ~~and place~~
Parent(s)'/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
Academic awards, degrees, and honors
Information in relation to school-sponsored activities, organizations, and athletics
Major field of study
Period of attendance in school

Any parent/guardian or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Building Principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parent/guardian or eligible student is specifically informed otherwise.

No photograph highlighting individual faces is allowed for commercial purposes, including solicitation, advertising, promotion or fundraising without the prior, specific, dated and written consent of the parent or student, as applicable; and no image on a school security video recording shall be designated as directory information.

6. **The right to request that military recruiters or institutions of higher learning not be granted access to your secondary school student's name, address, and telephone numbers without your prior written consent.**

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the student's parent/guardian, or a student who is 18 years of age or older, submits a written request that the information not be released without the prior written consent of the parent/guardian or eligible student. If you wish to exercise this option, notify the Building Principal where your student is enrolled for further instructions.

7. **The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's**

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[7] Districts are not required to identify and release directory information. **Be sure that the board policy provides for the release of directory information before including this right.** See sample policy 7:340, *Student Records*.

Place of birth is excluded from directory information in this sample exhibit due to 105 ILCS 5/22-105(c)(4)(B), added by P.A. 104-288, eff. 1-1-26, which prohibits districts from designating place of birth as *directory information*. See also sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*, at f/n 6.

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temporary record which such individual may obtain through the exercise of any right secured under State law.

8. **The right to file a complaint with the U.S. Dept. of Education concerning alleged failures by the District to comply with the requirements of FERPA.**
   The name and address of the Office that administers FERPA is:
   U.S. Department of Education
   Student Privacy Policy Office
   400 Maryland Avenue, SW
   Washington DC 20202-8520

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Community Relations

Administrative Procedure - Definition of Child Sex Offender

This procedure is intended as a reference, but it may not reflect recent legislative updates. ~~Consult the Board Attorney for further guidance.~~This procedure is intended as a reference, but it may not reflect recent legislative updates. Before relying on it, check the Ill. General Assembly website, www.ilga.gov, for the current statute. ***Note:*** *there is a lag between when a bill becomes law and when the law is updated at www.ilga.gov.*

Child Sex Offender [1]

720 ILCS 5/11-9.3(d), amended by P.A. 104-245

(1) *Child sex offender* means any person who:

(i) Has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (d) or the attempt to commit an included sex offense, and

(A) Is convicted of such offense or an attempt to commit such offense; or

(B) Is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) Is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) Is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) Is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) Is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) Is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

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[1] ~~Before relying on the definitions as stated, check the Illinois General Assembly website, www.ilga.gov, for the current statute.~~

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(iii) Is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), *sex offense* means:

(i) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:

10-4 (forcible detention),

10-7 (aiding or abetting child abduction under Section 10-5(b)(10)),

10-5(b)(10) (child luring),

11-1.40 (predatory criminal sexual assault of a child),

11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult),

11-9.1 (sexual exploitation of a child),

11-9.2 (custodial sexual misconduct),

11-9.5 (sexual misconduct with a person with a disability),

11-14.3(a)(1) (promoting prostitution by advancing prostitution),

11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a person engaged in the sex trade),

11-14.3(a)(2)(c) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A) and(B) of paragraph (2) of subsection (a) of Section 11-14.3),

11-14.4 (promoting commercial sexual exploitation of a child),

11-18.1(patronizing a sexually exploited child),

11-20.1 (child sexual abuse material or child pornography),

11-20.1B (aggravated child pornography),

11-21 (harmful material),

11-25 (grooming),

11-26 (traveling to meet a minor or traveling to meet a child),

12-33 (ritualized abuse of a child),

11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park),

11-30 (public indecency) (when committed in a school, on real property comprising a school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park). An attempt to commit any of these offenses.

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(ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age:

11-1.20 (criminal sexual assault),

11-1.30 (aggravated criminal sexual assault),

11-1.50 (criminal sexual abuse),

11-1.60 (aggravated criminal sexual abuse).

An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),

10-2 (aggravated kidnapping),

10-3 (unlawful restraint),

10-3.1 (aggravated unlawful restraint),

11-9.1(A) (permitting sexual abuse of a child).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) or (2)(ii) of subsection (d) of this Section.

(2.5) For the purposes of subsections (b-5) and (b-10) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961or the Criminal Code of 2012:

10-5(b)(10) (child luring),

10-7 (aiding or abetting child abduction under Section 10-5(b)(10)),

11-1.40 (predatory criminal sexual assault of a child),

11-6 (indecent solicitation of a child),

11-6.5 (indecent solicitation of an adult),

11-9.2 (custodial sexual misconduct),

11-9.5 (sexual misconduct with a person with a disability),

11-11 (sexual relations within families),

11-14.3(a)(1) (promoting prostitution by advancing prostitution),

11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a person engaged in the sex trade),

11-14.3(a)(2)(C) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A and (B) of paragraph (2) of subsection (a) of Section 11-14.3),

11-14.4 (promoting commercial sexual exploitation of a child),

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11-18.1 (patronizing a sexually exploited child),

11-20.1 (child sexual abuse material or child pornography),

11-20.1B (aggravated child pornography),

11-25 (grooming),

11-26 (traveling to meet a minor or traveling to meet a child), or

12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age:

11-1.20 (criminal sexual assault),

11-1.30 (aggravated criminal sexual assault),

11-1.60 (aggravated criminal sexual abuse), and

subsection (a) of Section 11-1.50 (criminal sexual abuse).

An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),

10-2 (aggravated kidnapping),

10-3 (unlawful restraint),

10-3.1 (aggravated unlawful restraint),

11-9.1(A) (permitting sexual abuse of a child).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (d) of this Section shall constitute a conviction for the purpose of this Section. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

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Community Relations

Administrative Procedure - Parental Involvement [1]

Building Principals shall advocate effective, comprehensive family involvement in education that will promote parents/guardians becoming active partners in education. Building Principals shall, at least once every semester, provide a written report to the Superintendent on parental involvement programs and efforts in their buildings. This administrative procedure identifies opportunities for parental involvement.

The District or school provides notices to parents/guardians on the following topics (list may not be exhaustive):

Public hearing on holding school or scheduling teachers' institutes, parent-teacher conferences, or staff development on certain holidays. 105 ILCS 5/24-2(b)(2).

Free and reduced-price food service. 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(c).

Fee and fine waiver. 23 Ill.Admin.Code §1.245.

Applications of pest control and/or lawn care products. 225 ILCS 235/10.3, 415 ILCS 65/3.

~~Instruction on recognizing and avoiding sexual abuse. 105 ILCS 5/27-13.2.~~

Parental school visitation rights. 820 ILCS 147/25.

Child's placement in English learner programs. 105 ILCS 5/14C-4.

Major school-sponsored events, including parent-teacher conferences, given to non-custodial parents. 105 ILCS 5/10-21.8.

Unexplained absence from school of a student in K-8 (within two hours). 105 ILCS 5/26-3b.

Graduation requirements, particularly when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).

A student's suspension and/or expulsion. 105 ILCS 5/10-22.6.

Electronic audio and/or visual recording devices if located on school buses. 720 ILCS 5/14-3(m).

Physician who prescribes District's supply of epinephrine injectors is protected from liability, with limited exceptions. 105 ILCS 5/22-30(c).

Availability of the District report card. 105 ILCS 5/10-17a(5).

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[1] Sample materials on parental involvement are also covered in 6:170, *Title I Programs,* for those districts that receive Title I funds. Districts that do not receive Title I funds may use this sample procedure exclusively. Title I imposes additional requirements for parent and family engagement programs; these requirement are covered in 6:170, *Title I Programs*; 6:170-AP1, *Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs*; 6:170-AP1, E1, *District-Level Parent and Family Engagement Compact*; and 6:170-AP1, E2, *School-Level Parent and Family Engagement Compact*.

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District's intent to withdraw from a special education joint agreement, if applicable. 105 ILCS 5/10-22.31, amended by P.A. 104-218, eff. 7-1-26~~1-164~~. [2]

See also:

6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*

7:190-E2, *Student Handbook Checklist*

7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*

State laws have created parental involvement opportunities on the following topics:

Students Records

Parents/guardians have many rights concerning their student's school records, including the right to access the records (105 ILCS 10/5); the right to challenge the content (105 ILCS 10/7); and a non-custodial parent has the right to receive copies of school correspondence and reports (105 ILCS 5/10-21.8).

Parent-Teacher Advisory Committees

The School Board establishes a parent-teacher advisory committee(s) on student discipline and behavior interventions for special education students. 105 ILCS 5/10-20.14 and 5/14-8.05(c).

Curriculum Involvement

The District must involve the parents/guardians of a child with disabilities in their child's education and placement. 20 U.S.C. §1414 and 1415; 34 C.F.R. §300.322, 501, 503, 504, 507 and 508; 105 ILCS 5/14-1 et seq., 23 Ill.Admin.Code §§226.500, 510, 520, 530 and 610.

If parent(s)/guardian(s) opts their child(ren) out in writing, the student is not required to take National Sex Education Standards (NSES) classes or courses. 105 ILCS 5/27-1015, renumbered by P.A. 104-3919.1a(d), added by P.A. 102-522, and 110/3, and see also 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;*~~ *Requests to Examine Materials*~~*; Written Objection(s)*~~ *and*~~*/or*~~ *Statutory Opt-outs*.

A parent/guardian has the right to examine instructional materials to be used in National Sex Education Standards (NSES) classes or courses. 105 ILCS 5/27-1015, renumbered by P.A. 104-3919.1a(e), added by P.A. 102-522, and 110/3. See also 2:250-E2*, Immediately Available District Public Records and Web-Posted Reports and Records*, and 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;*~~ *Requests to Examine Materials*~~*; Written Objection(s)*~~ *and*~~*/or*~~ *Statutory Opt-outs*.

The Board determines the instructional program with involvement of parents/guardians. 23 Ill.Admin.Code §1.410.

The District may consult with parent/guardian on an individual remediation plan for students demonstrating a proficiency level comparable to the average pupil performance one grade or more below current placement. [3] 105 ILCS 5/2-3.64(b), repealed by P.A. 98-972~~, eff. 8-15-14~~;

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[2] Remove this item if the District is not a member of a special education cooperative.

[3] Optional. Delete if the District does not engage in this practice.

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however, there is no penalty for continuing this practice when it is in the best interests of a student.

The District must notify parents/guardians of graduation requirements and when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).

The Board may use parent/guardian volunteers as: (1) assistants under the immediate supervision of a licensed teacher (105 ILCS 5/10-22.34~~, amended by P.A. 102-894~~); (2) supervisors, chaperones, or sponsors for non-academic activities (105 ILCS 5/10-22.34a~~, amended by P.A. 102-894~~); and (3) guest lecturers or resource persons under the immediate supervision of a certificated teacher (105 ILCS 5/10-22.34b~~, amended by P.A. 102-894~~).

Upon a parent/guardian's request, a student must be released for religious instruction or observance. 105 ILCS 5/26-1(5).

The District must post the school report card on its website and, upon request, send it to parents/guardians. If the District does not maintain a website, the report card must be sent to parents/guardians without request. The District must send a written notice home to parents/guardians stating: (1) that the report card is available on the website; (2) the website address; (3) that a printed copy will be sent upon request; and (4) the telephone number to call to request a printed copy. 105 ILCS 5/10-17a.

Conferences and Hearings

The District must notify parents/guardians and consult with them and keep them involved with the education and placement of their child with disabilities. 20 U.S.C. §1414 and 1415; 34 C.F.R. §300.322, 501, 503, 504, 507 and 508; 105 ILCS 5/14-1 et seq., 23 Ill.Admin.Code §§226.500, 510, 520, 530 and 610.

If applicable, the District must notify all parents/guardians of students with disabilities residing in the District of its intent to withdraw from the special education joint agreement and hold a public hearing at least 18 months before the District's proposed withdrawal date to review the District's plan for educating students after the withdrawal. 105 ILCS 5/10-22.31, amended by P.A. 104-218, eff. 7-1-26~~1-164~~. [4]

Parents/guardians have the right to an unpaid leave from work to attend educational or behavioral conferences. 820 ILCS 147/1 et seq.

The District may use two days for parent-teacher conferences and may add more days to the teacher work year subject to collective bargaining. 105 ILCS 5/3-11.

A non-custodial parent receives notices of parent-teacher conferences. 105 ILCS 5/10-21.8.

A hearing with the parents/guardians must precede a student's expulsion. 105 ILCS 5/10-22.6(a).

A parent involved with the Illinois child welfare system has certain rights, including: (1) to be notified of and invited to attend all of the child's school meetings; (2) to have all meetings scheduled at times and places that allow for the parent to participate; and (3) to be provided transportation assistance when necessary to attend meetings. Child Welfare Disclosure to Parents Act, 20 ILCS 522/, added by P.A. 104-254.

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[4] Remove this item if the District is not a member of a special education cooperative.

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Report on Parental Involvement

Parental involvement must be included in the school report card. 105 ILCS 5/10-17a.

The following Board policies provide opportunities for parental involvement:

School Board

2:150 *Committees*
2:260 *Uniform Grievance Procedure*

Operational Services

4:10 *Fiscal and Business Management*
4:110 *Transportation*
4:130 *Free and Reduced-Price Food Services*
4:140 *Waiver of Student Fees*
4:160 *Environmental Quality of Buildings and Grounds*
4:170 *Safety*

Personnel

5:230 *Maintaining Student Discipline*

Instruction

6:60 *Curriculum Content*
6:120 *Education of Children with Disabilities*
6:140 *Education of Homeless Children*
6:145 *Migrant Students*
6:150 *Home and Hospital Instruction*
6:160 *English Learners*
6:170 *Title I Programs*
6:180 *Extended Instructional Programs*
6:190 *Extracurricular and Co-Curricular Activities*
6:235 *Access to Electronic Networks*
6:270 *Guidance and Counseling Program*
6:280 *Grading and Promotion*
6:300 *Graduation Requirements*
6:310 *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*
6:340 *Student Testing and Assessment Program*

Students

7:15 *Student and Family Privacy Rights*
7:20 *Harassment of Students Prohibited*
7:30 *Student Assignment and Intra-District Transfer*
7:40 *Nonpublic School Students, Including Parochial and Home-Schooled Students*
7:50 *School Admissions and Student Transfers To and From Non-District Schools*
7:60 *Residence*
7:70 *Attendance and Truancy*
7:80 *Release Time for Religious Instruction/Observance*
7:90 *Release During School Hours*
7:100 *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*
7:165 *School Uniforms*
7:170 *Vandalism*

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7:180 *Prevention of and Response to Bullying, Intimidation, and Harassment*
7:185 *Teen Dating Violence Prohibited*
7:190 *Student Behavior*
7:200 *Suspension Procedures*
7:210 *Expulsion Procedures*
7:220 *Bus Conduct*
7:230 *Misconduct by Students with Disabilities*
7:240 *Conduct Code for Participants in Extracurricular Activities*
7:250 *Student Support Services*
7:260 *Exemption from Physical Education*
7:270 *Administering Medicines to Students*
7:275 *Orders to Forgo Life-Sustaining Treatment*
7:280 *Communicable and Chronic Infectious Disease*
7:285 *Food Allergy Management Program*
7:290 *Suicide and Depression Awareness and Prevention*
7:300 *Extracurricular Athletics*
7:305 *Student Athlete Concussions and Head Injuries*
7:340 *Student Records*

Community Relations

8:30 *Visitors to and Conduct on School Property*
8:90 *Parent Organizations and Booster Clubs*
8:95 *Parental Involvement*

School-level parental involvement programs include:

1. Keeping parents/guardians thoroughly informed about their child's school and programs.
   Develop and distribute a comprehensive student handbook.
   Distribute information to parents/guardians on their school visitation rights.
   Promote open houses/curriculum nights.
   Promote parent/guardian-teacher conferences.
   Provide progress reporting and report cards, and keep parents/guardians informed when their child is not adequately progressing and there is a likelihood of retention.
   Publish newsletters.
   Sponsor financial information nights.
2. Encouraging involvement in their child's school and education.
   Support and encourage parents/guardians volunteer opportunities.
   Work with the PTO to promote parents/guardians volunteer opportunities.
   Develop and use outreach programs to community groups and organizations.
3. Establishing effective two-way communication between all parents/guardians and District personnel.
   Monthly Building Principal coffees.
   Work with PTO leadership to ensure parental input.
   Train personnel to collaborate with families of diverse backgrounds, including backgrounds that might impede parental/guardian participation, e.g., illiteracy or language difficulty.
4. Seeking the advice of parents/guardians on school governance issues and methods to fulfill the District's educational mission.
   Work with PTO leadership to ensure parental input.

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Establish a school-community advisory committee to identify, consider, and discuss educational problems and issues.

5. Informing parents/guardians how they can assist their children's learning
   Provide information to parents/guardians about activities they can do at home.
   Provide programs on how to establish a home environment that supports learning and appropriate behavior.
   Implement a homework-hotline.

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School Board

Exhibit - Waiver and Modification Request Resource Guide

Waiver or Modification	Explanation, Special Considerations, and Resources
Exemptions from Unfunded Mandates, 105 ILCS 5/22-60.	**Explanation** Applies to unfunded or under-funded: (1) mandates in the School Code enacted after 8-20-10, or (2) regulatory mandates promulgated by the Ill. State Board of Education (ISBE) and adopted by rule after 8-20-10, other than those promulgated with respect to 105 ILCS 5/22-60 or statutes already enacted on or before 8-20-10. Allows the District to petition its Regional Superintendent or ~~an Suburban Cook County~~ Intermediate Service Center Executive Director, whichever is appropriate, to request exemption from implementing the mandate in school(s) in the next school year. **Special Considerations** 1. Whether the significance of the unfunded or under-funded mandate justifies the effort needed to seek an exemption, and 2. The advisability of simultaneously seeking a waiver or modification using ~~Section~~ 105 ILCS 5/2-3.25g (see *Explanation* section in the row below). **Resources** ISBE Rules and Waivers division at: www.isbe.net/Pages/Waivers.aspx, (217) 782-5270, or waivers@isbe.net.
School Code Mandates and ISBE Rules, 105 ILCS 5/2-3.25g, amended by 104-391~~, amended by P.A. 100-465~~; 23 Ill.Admin.Code §1.100.	**Explanation** There are two options for the District (explanations are listed below each option): **Option 1: Petition ISBE** for a *waiver* of School Code mandates; ISBE forwards the petition for waiver to the Ill. General Assembly for consideration in its next-scheduled report. **Option 2: Petition ISBE** for one or more of the following: 1. A *modification* of the mandates in the School Code (this is different than asking for a *waiver* of mandates in the School Code).

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Waiver or Modification	Explanation, Special Considerations, and Resources
	2. A *waiver* of ISBE administrative rules. 3. A *modification* of ISBE administrative rules. For **Option 1**, *a waiver of mandates in the School Code*, the District must demonstrate that the waiver is necessary to: (a) stimulate innovation; (b) improve student performance; or (c) it can address the intent of the mandate in a more effective, efficient, or economical manner. 105 ILCS 5/2-3.25g~~, amended by P.A. 100-465~~, and 23 Ill.Admin.Code §1.100, list and describe mandates from which school districts may not seek a *waiver* or *modification*. For **Option 2**, *a modification of the mandates in the School Code and/or a waiver or modification of administrative rules*, the District must demonstrate that: (1) it can address the intent of the rule or mandate in a more effective, efficient, or economical manner; or (2) the waiver or modification is necessary to stimulate innovation or improve student performance. The District must also provide certain notices as follows: 1. Publish a notice in a newspaper of general circulation within the District of the time, date, place, and general subject matter of a public hearing on the proposed waiver or modification request. This notice must be published at least seven days before the hearing. 2. If there is no newspaper published in the county, give notice in a secular newspaper published in an adjoining county having general circulation within the District. 715 ILCS 5/2~~, amended by P.A. 100-72,~~ and ~~715 ILCS~~ 5/5. 3. Post the time, date, place, and general subject matter of the public hearing on the District's website at least 14 days before the hearing. 4. Notify, electronically or in writing, the affected exclusive bargaining agent(s) and the District's State legislators of the District's intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from staff. This notice must occur at least seven days before the hearing, and the affected exclusive bargaining agent(s) shall be allowed to attend the public hearing. 105 ILCS 5/2-3.25g(c-5)~~, amended by P.A. 100-782~~. Check the ISBE website listed below in the *Special Considerations* section for changes in notice requirements. **Special Considerations**

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Waiver or Modification	Explanation, Special Considerations, and Resources
	The District must develop a plan supporting a waiver or modification request that meets the criteria in 105 ILCS 5/2-3.25g. See www.isbe.net/Pages/Overview-of-the-Waiver-Process.aspx. 105 ILCS 5/2-3.25g; 23 Ill.Admin.Code §1.100. **Resources** ISBE rules at: 23 Ill.Admin.Code §1.100 (*Waiver and Modification of State Board Rules and School Code Mandates*) 23 Ill.Admin.Code §1.110 (*Appeal Process Under Section 22-60 of the School Code*) ISBE waivers at: www.isbe.net/Pages/Waivers.aspx Waiver overview at: www.isbe.net/Pages/Overview-of-the-Waiver-Process.aspx Instructions at: www.isbe.net/Pages/Waiver-Application.aspx Application form at: www.isbe.net/documents/33-77_waiver_application.pdf
Physical Education, 105 ILCS 5/27-7106, ~~amend~~renumbered by ~~P.A. 100-465~~ P.A. 104-391. Driver Education, 105 ILCS 5/27-815~~24.2~~, renumbered by P.A. 104-391 and 105 ILCS 5/2-3.25g, amended by P.A. 104-391~~, amended by P.A. 100-465~~.	**Explanation** See the *Explanation* section in the row above. **Special Considerations** In addition to the *Explanation* section above: 1. **Physical education** is managed as a *waiver* of School Code mandates discussed in the *Explanation* section above. A waiver of this School Code mandate may be in effect for up to five years. Recent legislative changes removed any cap applicable to renewal of waivers related to physical education. 2. **Driver education fee increases** require the District to include the proposed amount of the fee increase: (a) in the public notice; and (b) on the District's website. 105 ILCS 5/2-3.25g(c-5). **Note:** For a sample school district resolution to increase driver education fees, see 4:140-E3, *Resolution to Increase Driver Education Fees*. **Resources** See the *Resources* section in the row above.
Holidays, 105 ILCS 5/24-2(b).	**Explanation** Allows the District to hold school or schedule teachers' institutes, parent-teacher conferences, or staff

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Waiver or Modification	Explanation, Special Considerations, and Resources
	development on certain holidays without submitting a modification request to and obtaining approval from ISBE. After a public hearing, the District may hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on: 1. The third Monday in January (Dr. Martin Luther King, Jr.'s Birthday); 2. February 12 (President Abraham Lincoln's Birthday); 3. The first Monday in March (Casimir Pulaski Day); 4. The second Monday in October (Columbus Day); and/or 5. November 11 (Veterans Day). **Special Considerations** The Board must provide notice before the public hearing to both educators and parents/guardians with: (1) the time, date, and place of the hearing; (2) a description of the proposal; and (3) information that testimony from educators and parents/guardians will be taken about the proposal during the hearing. The District must prepare a proposal for recognizing the person(s) honored by the holiday through instructional activities conducted on that day or, if the day is not used for student attendance, on the first school day preceding or following that day. The District may also consider aligning the proposal with Board policies 5:200, *Terms and Conditions of Employment and Dismissal*; 5:330, *Sick Days, Vacation, Holidays, and Leaves*; and 6:20, *School Year Calendar and Day.* **Resources** See the tab labeled *Waivers and modifications no longer needed for legal school holiday requests, most parent-teacher conference schedules* on ISBE's website at: www.isbe.net/Pages/Modifications-of-the-School-Codes-and-Rules-of-the-State-Board.aspx.
Parent-Teacher Conferences (Attendance Calculation), 105 ILCS 5/10-19.05(d)~~, added by P.A. 101-12~~.	The District is allowed to count a parent-teacher conference as a full day of attendance under any of the following configurations: 1. A minimum of five clock-hours of parent-teacher conferences; 2. Both a minimum of two clock-hours of parent-teacher conferences held in the evening following a full day of student attendance, and a minimum of three clock-

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Waiver or Modification	Explanation, Special Considerations, and Resources
	hours of parent-teacher conferences held on the day immediately following evening parent-teacher conferences; or 3. Multiple parent-teacher conferences held in the evenings following full days of student attendance, in which the time used for the parent-teacher conferences is equivalent to a minimum of five clock-hours. **Special Considerations** Any other options for counting a parent-teacher conference as a full day of attendance not covered by the language above will require a waiver request to the General Assembly for its consideration. The above clock-hour requirements do not apply if the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7 and the State Superintendent of Education may establish minimum clock-hour requirements under 105 ILCS 5/10-30. 105 ILCS 5/10-19.05(j-5)~~, added by P.A. 101-643~~. **Resources** See the tab labeled *Waivers and modifications no longer needed for legal school holiday requests, most parent-teacher conference schedules* on ISBE's website at: www.isbe.net/Pages/Modifications-of-the-School-Codes-and-Rules-of-the-State-Board.aspx.

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School Board

Exhibit - Immediately Available District Public Records and Web-Posted Reports and Records [1]

[*For use by only those ~~D~~districts that have websites*.]

The District's Freedom of Information Officer designates the public records that are listed in this table as being immediately available to the public. The records that are asterisked (*) are posted on the District's website and may be immediately inspected, downloaded, printed, and/or copied. Any asterisked public record is also immediately available for inspection or copying upon request at the District's administrative office during its regular business hours, provided any applicable fees are paid. Unless otherwise noted in the special instructions column, records not asterisked (*) will be provided within five business days as allowed by the Freedom of Information Act, provided any applicable fees are paid.

Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
*Annual schedule of regular meetings for the current school year that are posted at the beginning of each calendar or fiscal year *Public notice of each Board meeting that is posted at least 48 hours before the meeting and remains posted until the meeting is concluded *Agenda of each regular meeting that is posted at least 48 hours before a meeting and remains posted until the meeting is concluded **Note:** For school districts that do not post board meeting notices and/or agendas on a website (because they do not	5 ILCS 120/2.02.

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

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

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
have a website maintained by a full-time staff member), the notice and agenda must be continuously available for public review during the entire 48-hour period preceding the meeting	
*Official open meeting minutes that are posted within 10 days of the Board's approval and remain posted for at least 60 days (required if the District has a website maintained by a full-time staff member)	5 ILCS 120/2.06(b).
*Description of the District and its records including: Summary of the District's purpose Functional subdivisions Total amount of operating budget Number and location of all of its separate offices Approximate number of full- and part-time employees (see also, salary and benefits information report for the Superintendent, administrators, and teachers, District's Statement of Affairs) Identification and membership of the Board Brief description of the methods whereby the public may request information and public records Directory information for the Freedom of Information Officer Address where requests for public records should be directed Fees	5 ILCS 140/4. The District must prominently post the list at each administrative office and make it available for inspection and copying.
*A hyperlink to an email address(es) for members of the public to communicate with members of the Board	50 ILCS 205/20. The hyperlink must be easily accessible from the District's home page.
Annual budget for current fiscal year, itemized by receipts and expenditures	105 ILCS 5/17-1.2. This may be accomplished using the Ill. State Board of Education (ISBE) *School*

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	District Budget Form (50-36) or the summary pages from it. [2] The District must notify its students' parents/guardians when the budget is web-posted along with its website address.
*Notice of a public hearing under the Truth in Taxation Law, when applicable (required if the District has a website maintained by a full-time staff member)	35 ILCS 200/18-75, amended by P.A. 103-1018. The notice on the website must be posted for at least 30 consecutive days on or near the top of the District's website home page or on a page accessible through a direct link from the home page. The notice must be posted not more than 14 days nor less than seven days prior to the date of the public hearing. Id. at 18-80.
*Notice of public hearing on waiver or modification of a School Code mandate, when applicable	105 ILCS 5/2-3.25g(c-5). The time, date, place, and general subject matter of the public hearing must be posted at least 14 days prior to the hearing. If the District is requesting to increase the fee charged for driver education authorized pursuant to 105 ILCS 5/7-24.2, the website information must include the proposed amount of the fee the District will request. See 2:20-E, *Waiver and Modification Request Resource Guide*.
*District Report Card and a Report Card for each School (the Report Cards will be provided by ISBE by Oct. 31 of each year, unless otherwise provided by law)	105 ILCS 5/10-17a. Annually, no more than 30 calendar days after receiving the Report Cards from the State Superintendent, the District must: (1) present them at a regular Board meeting, (2) post them on the District's website, (3) make them available to a newspaper of general circulation serving the District, and (4) upon request, send them home to parents/guardians. 105 ILCS 5/10-17a(5).

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

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	The District also must send a written notice home to parents/guardians stating: (1) that the Report Cards are available on the website, (2) the website's address, (3) that a printed copy will be sent upon request, and (4) the telephone number to request a printed copy. Id.
*Hyperlink to ISBE's Expanded High School Snapshot Report	105 ILCS 5/10-17a(7), added by P.A. 103-503. The hyperlink must be displayed in a manner that is easily accessible to the public. ISBE is required to prepare a stand-alone report covering high schools beginning 10-31-27 and by Oct. 31 of each subsequent year.
*The District's discipline plan and progress on the plan, in the event the District is identified by ISBE to be in the top 20% (for three consecutive years) of districts for out-of-school suspensions, out-of-school expulsions, or racial disproportionality in the use of out-of-school suspensions and expulsions	105 ILCS 5/2-3.162. If the District is required to submit a plan to ISBE, it must be approved at a public board meeting and posted on the District's website. Within one year after being identified by ISBE, the District must submit to ISBE and post on its website a progress report describing implementation of the plan and the results achieved.
*A list of all contracts in excess of $25,000 and any contracts with an exclusive bargaining representative	105 ILCS 5/10-20.44~~.~~, amended by P.A. 104-261, eff. 1-1-26. ~~There is no statutory timeline for web-posting.~~ Each year, before Dec. 1, and in conjunction with the ~~submission~~ publication of the Statement of Affairs ~~to ISBE~~on the District's website and in a newspaper of general circulation, ~~before Dec. 1,~~ the District ~~must submit to ISBE~~shall include an annual report on all contracts over $25,000 awarded during the previous fiscal year.
*Contract(s) with any commercial driver training school(s) for driver education	105 ILCS 5/27-815~~24.2~~, renumbered by P.A. 104-391. The District is required to web-post this document if it has a website. If the District

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	has no website, it must make the contract available upon request.
*Annual Statement of Affairs	105 ILCS 5/10-17~~.~~, amended by P.A. 104-261, eff. 1-1-26. Annually by Dec. 1, t~~T~~he District ~~is not required to web post this document. It must, annually by Dec. 1, submit the Statement to ISBE for posting on ISBE's website, have copies of the Statement available in the main administrative office,~~must post its statement of affairs on its website and ~~publish a summary of the Statement~~ in a newspaper of general circulation published in the District.
*Fiscal Efficiency Report, summarizing the District's attempts to improve fiscal efficiency through shared services or outsourcing in the prior fiscal year	105 ILCS 5/17-1.1. The report must be: (1) approved by the Board at an open meeting,[3] and (2) primarily in checklist form and approximately one page in length.
Beginning in levy year 2022, if the District has an aggregate property tax levy greater than $5,000,000, it will make good faith efforts to electronically publish the following data from all vendors and subcontractors doing business with the District: Whether the vendor or subcontractor is minority-owned, women-owned, or veteran-owned Whether the vendor or subcontractor holds a certification as a minority-owned, women-owned, or veteran-owned business as defined in 30 ILCS 575/, or if they are self-certifying; and If the vendor self-certifies, whether it qualifies as a small business under federal Small Business Administration	35 ILCS 200/18-50.2. The law does not define *electronically publish*; website posting is a means of compliance. This item is not asterisked should the District choose to electronically publish the information offline.

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

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
standards (See www.sba.gov/federal-contracting/contracting-guide/size-standards).	
*Notice of a public hearing at which the Board will consider closing a school, when applicable	105 ILCS 5/10-22.13. The notice of the public hearing must be provided at least 10 days prior to the hearing and include the time, date, place, and name or description of the school building that the Board is considering closing.
*Explanation of the data elements of *covered information*[4] that the District collects, maintains, or discloses to any person, entity, third party, or governmental agency. *A description of the procedures[5] that parents/guardians may use to carry out their rights under 105 ILCS 85/33(c)(1), (2), & (3), including the right to: Inspect and review their child's covered information Request a paper or electronic copy of their child's covered information Request corrections for factual inaccuracies contained in their child's covered information	105 ILCS 85/27(a)(1). The explanation of data elements of covered information must be clear and understandable by a layperson and cover the following: (1) how the District uses the covered information; (2) to whom or what entities the District discloses the covered information; and (3) for what purpose the District discloses the covered information. The explanation of data elements and description of parent rights procedures must be updated by Jan. 31 and July 31 each year, as needed.
*A list of operators with whom the District has written agreements and the following for each operator: Copy of the agreement Business address List of any subcontractors to whom covered information may be disclosed or a link to a page on the operator's website that clearly lists the subcontractors	105 ILCS 85/27(a)(2) & (3). The District must post new operator contracts and an explanation of the data elements of covered information disclosed to the operator (see immediate row above) within 10 business days after entering into the contract. 105 ILCS 85/27(c).

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[4] *Covered information* means personally identifiable information or material (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's/guardian's use of the operator's site, service or application for K-12 school purposes; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application. 105 ILCS 85/5. *Operators* are entities that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and used for K-12 school purposes. Id. See sample administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*, for additional information regarding posting requirements under Student Online Personal Protection Act, 105 ILCS 85/, and sample exhibit 7:345-AP, E1, *Student Covered Information Reporting Form*, for a sample reporting format.

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

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	This list must also be updated by Jan. 31 and July 31 each year, as needed.
*A list of *breaches* of covered information maintained by the school or an operator involving 10% or more of the District's student enrollment. The list must include: Number of students whose covered information was involved in the breach, unless the breach involved *personal information* as defined in the Personal Information Protection Act, 815 ILCS 530/5, in which case the number of students involved may not be disclosed Date, estimated date, or estimated date range of the breach Name of the operator, if applicable	105 ILCS 85/27(a)(5). The District must update breach information by Jan. 31 and July 31 each year, and it must remain on the District's website for at least five years after the District adds it to the list. Breaches that occurred (or were estimated to have occurred) prior to 7-1-21 or breaches that were posted more than five years prior to updating the current list do not need to be posted. [6]
*Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* *Information developed as a result of the evaluation and assessment of the bullying policy's outcomes and effectiveness	105 ILCS 5/22-1107 ~~23.7~~(b)(10) and (11), renumbered by P.A. 104-391.
*Contact information for the District's Title IX Coordinator(s) and Board policies 2:260, *Uniform Grievance Procedure*; and 2:265, *Title IX Grievance Procedure*	34 C.F.R. §106.8.
Training materials for any individuals designated as Title IX Coordinator(s), investigators, decision-makers, and informal resolution facilitators	34 C.F.R. §106. 45(b)(10)(i)(D). Naming only the training provider and course does not meet this requirement. The U.S. Dept. of Education (DOE) requires training materials to be publicly available "so that a district's approach to training Title IX personnel may be transparently viewed by the [district's] educational community and the public, including for the purpose of holding a [district] accountable for using training materials

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

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	that comply with [Title IX] regulations." 85 Fed. Reg. 30254. Consult the Board Attorney regarding this requirement; making training materials of third-party consultants publicly available may violate their intellectual property rights. The DOE acknowledged the potential for intellectual property violations, suggesting that districts either "secure permission from the consultant to publish the training materials" or create their own training materials. 85 Fed. Reg. 30412.
*Board policy 7:20, *Harassment of Students Prohibited*, and age-appropriate explanations of its contents in student handbook(s)	105 ILCS 5/10-20.69. The District must have an age-appropriate policy on sexual harassment (1) in the student handbook(s), (2) posted on the District's website, and (3) posted in any other area where policies, rules and standards of conduct are posted in each school.
*Board policy 7:255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence,* and procedures for requesting supportive services	105 ILCS 5/26A-20(d), added by P.A. 102-466, a/k/a *Ensuring Success in School Law*~~,~~ ~~eff. 7-1-25~~. Copies must be made available to students and parent(s)/guardian(s) at no cost at each school. Procedures for requesting supportive services that are available at the building level and on building-specific websites should include the building-level Article 26A Resource Person's name and contact information. See administrative procedure 7:255-AP1, *Supporting Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*.
*Board policy 7:290, *Suicide and Depression Awareness and Prevention*	105 ILCS 5/2-3.166.
*Contact information for the National Suicide Prevention Lifeline (988), ~~and~~ the Crisis Text Line (Text 741741), and the Safe2Help Illinois helpline (Call 844-4-SAFEIL or Text SAFE2 to 72332) if the District does not issue	105 ILCS 5/10-20.81, amended by P.A.s 103-143 and 104-264, eff. 1-1-26.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
student identification cards to all students in grades 6-12 or school employees serving those grades	
*Administrator and Teacher Salary and Benefits Report (itemized salary report for the Superintendent and all administrators and teachers); *benefits* includes, without limitation, vacation days, sick days, bonuses, annuities, and retirement enhancements	105 ILCS 5/10-20.47. [7] Annually on or before Oct. 1: (1) the information must be presented at a regular Board meeting and posted on the District's website, and (2) after the Board meeting at which the information was presented, the Report must be provided to ISBE.
All records pertaining to the creation, alteration or revision of school attendance areas shall be open to the public	105 ILCS 5/10-21.3. This law also requires school attendance areas to be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality. See Board policy 7:30, *Student Assignment and Intra-District Transfer*.
*Vacancies for teaching positions in a subject shortage area, before hiring a retired teacher to any such position	40 ILCS 5/16-150.1, amended by P.A. 103-588. The District must, on an ongoing basis, post the vacancy for a period of at least 90 days during the six months preceding either the fall or spring term for which it seeks to employ a retired teacher in a subject shortage area. This posting requirement is in effect for employment ending no later than June 30, 2027.
*Information regarding a Severance Agreement entered into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination	50 ILCS 205/3c. Within 72 hours of Board approval, the District must post: (1) the name/title of person receiving payment under the severance agreement, (2) the amount of payment, (3) that the employee or contractor was found to have engaged in sexual harassment or sexual discrimination, as applicable, and (4) the

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

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	date, time, and location of the meeting at which the agreement was approved. **Note:** The Government Severance Pay Act (GSPA), 5 ILCS 415/10(a)(2), prohibits an employee of a school district with contract provisions for severance pay from receiving any severance if the employee is fired by the board for *misconduct*, which includes sexual harassment and/or discrimination. Id. at 415/5. For more discussion about ~~the~~ reconciling these laws, see f/n 7 in sample policy 2:260, *Uniform Grievance Procedure*.
*As an employer that participates in the Ill. Municipal Retirement Fund (IMRF), a compensation report for employees who have a total compensation package that exceeds $75,000 per year; *total compensation package* means salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted	5 ILCS 120/7.3. The report must be posted within six business days after the District approves a budget. The District may choose to post a physical copy of this information at its principal office in lieu of posting the information directly on the website in which case it must post directions on the website for accessing that information. The Ill. Attorney General's office has not provided guidance concerning whether this requirement applies to employees who do not participate in IMRF, e.g., Teachers' Retirement System (TRS) participants.
*As an employer that participates in the IMRF, a compensation report for employees who have a total compensation package that is equal to or in excess of $150,000 per year; total compensation package means payment by the employer to the employee for salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted	5 ILCS 120/7.3. The report must be posted at least six days before the District approves an employee's total compensation package that is equal to or in excess of $150,000. The District may choose to post a physical copy of this information at its principal office in lieu of posting the information directly on the website in which case it must post directions on the website for accessing that information. The Ill. Attorney General's office has not provided guidance concerning whether this requirement applies to employees who do

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	not participate in IMRF, e.g., TRS participants.
*As an employer that participates in IMRF, a link to information posted on the IMRF website at: www.imrf.org/en/about-imrf/transparency/employer-cost-and-participation-information	40 ILCS 5/7-135.5.
*Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	105 ILCS 5/22-85.5(e).
*A description of activities to address intergroup conflict (an optional program authorized by 105 ILCS 27-23.6)	105 ILCS 5/27-1050~~23.6~~(c), renumbered by P.A. 104-391.
The total number of personnel with a school support personnel endorsement, and for each endorsement area: 1. Those actively employed by the District on a full-time basis; 2. Those actively employed by the District on a part-time basis; and 3. Those actively employed by a special education cooperative providing services to students in the District	105 ILCS 5/10-20.80. Annually by Dec. 1, the District must report its school support personnel information as of Oct. 1 to ISBE and web-post it.
The total number of students enrolled in the District and of that total, the number of students with an individualized education program (IEP) or Section 504 plan	105 ILCS 5/2-3.182. Annually by Dec. 1, ISBE must make the enrollment information available on its website based on the District's enrollment information as of Oct. 1.
*Notice that students with disabilities who do not qualify for an IEP may qualify for services under Section 504	105 ILCS 5/14-6.01. The notice shall: (1) identify the location and phone number of the District office or employee to whom inquiries about the identification, assessment, and placement of children with disabilities should be directed, and (2) inform parents/guardians who are deaf or do not typically communicate using spoken English that they are entitled to the services of an interpreter when participating in a Section 504 meeting.
*Class size reporting that includes the information described in 105 ILCS 5/2-3.136a:	105 ILCS 5/10-20.70. Annually, the District must report its class size information, which ISBE must make available on its website by Jan. 31 (see

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
1. The total number of *teachers* actively employed in the District, listed by individual school; 2. The *pupil-teacher ratio* for the District; 3. The number of *class instructors*, by grade level and subject; 4. The *class size* for each *class* and *class section* at each school in the District and the total number of classes or class sections in each school that exceed the class size guidelines under 105 ILCS 5/18-8.15(b)(2) (evidence-based funding core teacher ratios).	www.isbe.net/Pages/class-size-report.aspx). See 105 ILCS 5/2-3.136a for definitions of the italicized terms.
*Names of Board members who have completed professional development leadership training	105 ILCS 5/10-16a requires the District to post on its website the names of all Board members who have completed professional development leadership training. The web-posting may be expanded to log all Board members' training and development activities. 5 ILCS 120/1.05(b) and (c) require each Board member to complete training on the Open Meetings Act. After completing the training, each Board member must file a copy of their certificate of completion with the Board. 105 ILCS 5/24-16.5 requires each Board member to complete a training program on performance evaluations before voting on a dismissal based on a performance evaluation pursuant to the Performance Evaluation Reform Act.
Immunization data ~~reported to ISBE by each Nov. 15~~	105 ILCS 5/22-105~~7-8.1~~(6), renumbered by P.A. 104-391. By Dec. 1, the District must annually make the immunization *data* that it must report to ISBE by Nov. 15 each year publicly available. The data, not its format, must be identical to the data reported to ISBE. Boards have control over the method(s) used to make this data publicly available. One method is to instruct the reader to ask for the data directly from ISBE.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
Information on mental health issues and local treatment resources	The Ill. House of Representatives encouraged this in HR 478 (99th General Assembly, 5-31-15).
*All reliable assessments, scored by entities other than the District that are administered in each of the District's schools	105 ILCS 5/22-82(b). These must be made available to parents and/or guardians through the District's website or paper handouts.
*The District's Remote and/or Blended Remote Learning Day Plan, when the Governor has declared a public health emergency pursuant to 20 ILCS 3305/7.	105 ILCS 5/10-30(6).
*When the Board allows for student participation in registered apprenticeship programs: 1. Notification to students and parents of the opportunities for registered apprenticeships, which includes the following statements: a. Students may participate in any registered apprenticeship program listed by the District, and b. Students may find a registered, but not listed, apprenticeship program with a business or organization if a registered apprenticeship program is not offered in the District. 2. Board policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students* (specifically, the section titled **Registered Apprenticeship Program**) 3. A form for a parent/guardian to request that when their child successfully completes a registered apprenticeship program, it be substituted for a course	23 Ill.Admin.Code §255.200(b)(4) and (c).
*If offered by the District, identification of the curriculum the District uses to provide comprehensive personal health and safety and comprehensive sexual health education (National Sex Education Standards (NSES)), the scope and sequence of these instructional materials, and the name and contact information, including an email address, of a school staff member who can respond to inquiries about instruction and materials	105 ILCS 5/27-1015~~9.1a~~, renumbered by P.A. 104-391.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*Board policy 6:135, *Accelerated Placement Program*	23 Ill.Admin.Code §227.60(a).
*Board policy 7:70, *Attendance and Truancy*	105 ILCS 5/10-19.05(k), amended by P.A. 104-250, eff. 1-1-26; 23 Ill.Admin.Code §207.20(b).
*Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*	105 ILCS 5/22-95, added by P.A. 103-472.
*The name(s) of designated Prioritization of Urgency of Need for Services (PUNS)-trained employee(s) in each school within the District.	105 ILCS 5/2-3.163(c), amended by P.A. 103-504. Every public school must designate at least one employee to take the Ill. Dept. of Human Services' PUNS training. Id. See Board policy 5:100, *Staff Development Program*.
*If the District has one or more school buses equipped with an automated traffic law enforcement system, notice to drivers that its buses are so equipped.	625 ILCS 5/11-208.9(m).
*Type 1 diabetes informational material.	105 ILCS 5/2-3.204~~ (final citation pending)~~, added by P.A. 103-641. The informational materials to be posted are those made available on ISBE's website.
*Local postsecondary and career expectations framework	105 ILCS 5/10-20.84(a). The framework must be available at a prominent location on the District's website.
*Informational materials about the Illinois Achieving a Better Life Experience (ABLE) account program established under the State Treasurer Act.	105 ILCS 5/14-8.02i, amended by P.A. 104-314, eff. 1-1-26. The informational materials are distributed to the District by ISBE and must be posted by the District beginning with the 2026-2027 school year.

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General School Administration

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

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

Events Requiring Reports Concerning School Safety and Security	Resources
A student or other person poses a clear and present danger to himself, herself, or others. This report is made to the Ill. State Police (ISP) within 24 hours after the Building Principal makes this determination. The Building Principal must also notify the Superintendent or designee whenever he or she makes a clear and present danger report to ISP. [1] This report is required by the Firearm Concealed Carry Act (430 ILCS 66/105), and the Mental Health and Developmental Disabilities Code (405 ILCS 5/6-103.3). The Building Principal may delegate making reports concerning students, but not otherwise. *Clear and present danger* is defined in 430 ILCS 65/1.1, amended by P.A. 104-270, as a person who: (1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, advanced practice psychiatric nurse, or qualified examiner; or (2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, advanced practice psychiatric nurse, qualified examiner, school administrator, or law enforcement official. ISP rules implementing this duty to report are found in 20 Ill.Admin.Code §1230.120(b), and state, in relevant part:	The ISP has posted information and instructions at: https://isp.illinois.gov/StaticFiles/docs/FirearmsSafety/Forms/CPD%20Reporting%20handout.pdf. 3:60, *Administrative Responsibility of the Building Principal* 7:340, *Student Records* 7:340-AP1, *School Student Records*

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[1] Optional and suggested as a best practice. This aligns with sample administrative procedure 4:190-AP2, *Threat Assessment Team*.

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Events Requiring Reports Concerning School Safety and Security	Resources
b) Law enforcement officials and school administrators shall report determinations of a clear and present danger directly to ~~the Department~~ [ISP]. ~~The Department~~ [ISP] shall make a form and instruction for the reporting available to law enforcement officials and school administrators on its website. 1) Clear and present danger reports shall be reviewed by the Department to deny a FOID [Firearm Owners Identification] card application or revoke a FOID card under Section 8(f) or 8.1(d) of this Act. 2) Clear and present danger reporting shall be made consistent with the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) to assist ~~the Department~~ [ISP] with protecting the health and safety of the public by denying persons who present a clear and present danger from having lawful access to weapons. **Note:** 430 ILCS 65/8.1(d), as amended by P.A. 104-5, also allows ISP to suspend a person's FOID card.	
A student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability. This report is made to the Ill. Dept. of Children and Family Services (DCFS) immediately upon suspicion or receipt of knowledge. The DCFS Child Abuse Hotline is 800/25-ABUSE (within Illinois) or 217/524-2606 (outside Illinois). In addition to the Building Principal, all school personnel are required to make this report. A staff member should inform the Building Principal if the staff member made a report; the Building Principal should inform the Superintendent of any report made. This report is required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), and the Dept. of Human Services Act (20 ILCS 1305/). A knowing and willful failure to make the report to DCFS is a Class A misdemeanor for the first violation and a second or subsequent violation is a Class 4 felony. 325 ILCS 5/4.	Information and directions are available from DCFS at: www.state.il.us/dcfs/child/index.shtml. 5:90, *Abused and Neglected Child Reporting* 7:190-AP6, ~~*Administrative Procedure –*~~ *Guidelines for Investigating Sexting Allegations*
Child sexual abuse material~~pornography~~ is discovered on electronic and information technology equipment. This report is made immediately to local law enforcement, or the National Center for Missing and Exploited Children's CyberTipline 800/THE-LOST~~843-5678~~ or online at: ~~www.CyberTipline.com~~https://report.cybertip.org/. According to 325 ILCS 5/4.5,	5:90, *Abused and Neglected Child Reporting*

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Events Requiring Reports Concerning School Safety and Security	Resources
Electronic and information technology equipment means~~,~~ equipment used in the creation, manipulation, storage, display, or transmission of data, including internet and intranet systems, software applications, operating systems, video and multimedia, telecommunications products, kiosks, information transaction machines, copiers, printers, and desktop and portable computers. (Italics added.) An electronic and information technology equipment worker or the worker's employer is required to make this report by 325 ILCS 5/4.5, amended by P.A. 104-245, eff. 1-1-26. Failure to make this report is a business offense subject to a fine of $1,001. Id. at 5/4.5(e).	
Hazing resulted in bodily harm to any person. This report is required when the Building Principal or other school personnel or volunteer observes hazing. This report is made to the Superintendent or other supervising authority or, in the event of death or great bodily harm, to law enforcement. 720 ILCS 5/12C-50.1. The statute does not provide a deadline for making the report, but making the report immediately is prudent. Failure to report hazing is a Class B misdemeanor and if the hazing resulted in death or great bodily harm the failure to report is a Class A misdemeanor. Id. at 5/12C-50.1(c).	5:90, *Abused and Neglected Child Reporting* 7:190, *Student Behavior*
The person enrolling a student fails to provide a certified copy of the student's birth certificate within 30 days of enrolling the student. The Superintendent or designee is required to immediately notify local law enforcement. The Superintendent or designee must also notify the person enrolling the student, in writing, that unless the person complies within 10 days, the case will be referred to local law enforcement for investigation. If the person does not comply within 10 days, the Superintendent or designee refers the case to local law enforcement. 325 ILCS 50/5(b)(2) and 325 ILCS 55/5(b). This report is required by the Missing Children Records Act (325 ILCS 50/), and the Missing Children Registration Law (325 ILCS 55/).	7:50, *School Admissions and Student Transfers To and From Non-District Schools* 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*
The District receives notification from the ISP of the disappearance of a student currently or previously enrolled. The Superintendent or designee is required to flag records pertaining to the student, such that whenever a copy of or information regarding the flagged records is requested, the Superintendent or designee will be alerted. The Superintendent or designee must immediately report to local law enforcement any request concerning flagged records or	7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*

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Events Requiring Reports Concerning School Safety and Security	Resources
knowledge about where the student may be located. 325 ILCS 50/5(a) and 325 ILCS 55/5(a). This report is required by the Missing Children Records Act (325 ILCS 50/), and the Missing Children Registration Law (325 ILCS 55/).	
A drug-related incident occurred on school property, including any conveyance used to transport students, or on any public way within 1000 feet of the school. The Building Principal or designee is required to immediately notify the Superintendent or designee and any involved student's parent/guardian.[2] The Superintendent or designee is required to immediately report to local law enforcement. 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling). Schools must also report any verified incident involving drugs to the Ill. State Board of Education (ISBE) through its web-based School Incident Reporting System (SIRS) as it occurs during the year but no later than July 31 for the preceding school year. Id. See f/n 6 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan.* 105 ILCS 127/2 also requires reporting to the municipal police dept. or office of the county sheriff of the municipality or county where the school is located within 48 hours of becoming aware of the drug violation. 105 ILCS 127/2 sets forth specific drug violations that will trigger this duty to report; however, best practice suggests reporting any drug violation. This report is required by the School Reporting of Drug Violations Act, 105 ILCS 127/.	3:60, *Administrative Responsibility of the Building Principal* 4:170-AP1, *Comprehensive Safety and Security Plan,* Letter J. Required Notices
The safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity. If this occurs, the Building Principal is required to utilize the resources of proper law enforcement agencies. 105 ILCS 5/10-21.4a.	3:60, *Administrative Responsibility of the Building Principal* 7:190, *Student Behavior*

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[2] Parent/guardian notification is only required by law when the alleged offense is firearm possession by a student or a threat of firearm violence by a student, but parent/guardian notification is suggested here as a best practice. 105 ILCS 5/10-27.1A(b), amended by P.A. 104-174. This aligns with the **Required Notices** subhead of sample policy 7:190, *Student Behavior*, and section **J. Required Notices** of sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, which provide that a parent/guardian will be notified of drug-related incidents and battery of a staff member. See f/n 5~~9~~6 in sample policy 7:190, *Student Behavior*, and f/n 5 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. If your board has not expanded this notification duty in policy 7:190, *Student Behavior*, delete "~~and any involved student's parent/guardian~~."

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Events Requiring Reports Concerning School Safety and Security	Resources
A student committed a criminal or civil offense. The Superintendent or designee is required to make this report. This report is made to local law enforcement agencies as part of a reciprocal reporting system between the District and local law enforcement agencies. No specified time period is stated in the statute. A reciprocal reporting system is required by 105 ILCS 5/10-20.14, amended by P.A. 104-430.	2:150, *Committees* 7:190-AP3, *Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students*
A threat of gun violence on school grounds is made, or a person on school grounds possesses a firearm. This report is made by the Building Principal or designee to local law enforcement **immediately** after receiving a report of a threat of gun violence on school grounds or of a person on school grounds possessing a firearm. If the report pertains to a threat of firearm violence made by a student, the Building Principal or designee must attempt to notify the student's parent/guardian **as soon as possible** and must further attempt to contact the parent/guardian to ensure that the student does not have access to a firearm. The Building Principal or designee must also notify the Superintendent or designee and any involved student's parent/guardian, and the Superintendent or designee must also immediately report to local law enforcement. Schools must also report any verified incident involving a firearm to ISBE through SIRS as it occurs during the year but no later than July 31 for the preceding school year. See f/n 6 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. These reports are required by 105 ILCS 5/10-27.1A, amended by P.A.s ~~102-197~~103-34, 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling), and 104-174. A knowing and willful failure to make the report is a petty criminal offense for the first violation and a second or subsequent violation is a Class C misdemeanor. Id.	7:190, *Student Behavior* 4:170-AP1, *Comprehensive Safety and Security Plan,* Letter J. Required Notices
A staff member is battered. This report is made by the Building Principal or designee to the Superintendent or designee and to any involved student's parent/guardian.[3] The Superintendent or designee will immediately report to local law enforcement and will report to ISBE through SIRS as	4:170-AP1, *Comprehensive Safety and Security Plan,* Letter J. Required Notices

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[3] See f/n 1, above.

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Events Requiring Reports Concerning School Safety and Security	Resources
incidents occur during the school year and no later than August 1 for the preceding school year. 105 ILCS 5/10-21.7~~, amended by P.A. 102-894~~.	
A student engaged in aggressive behavior. The Superintendent or designee is required to make this report. This report is made to the parent/guardian of a student who engaged in aggressive behavior including, without limitation, bullying. 105 ILCS 5/10-20.14(d). No specific time period is stated in the statute.	7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:190, *Student Behavior* 7:190-E1, *Aggressive Behavior Reporting Letter and Form*

Required Notices Concerning School Safety and Security	Resources
Human Trafficking Hotline. The Superintendent or designee ensures the Ill. Dept. of Human Services' notice is posted in conspicuous and accessible locations such as administrative offices or other locations in view of school employees. This notice is required by the Human Trafficking Resource Center Notice Act, 775 ILCS 50/.	Notice available for download at: www.dhs.state.il.us/page.aspx?item=82023.
Lead in Drinking Water. If samples from any drinking water lead test performed in any District school(s) exceed five parts per billion, the Superintendent or designee provides notification of the sampling results to the parents or guardians of all enrolled students. This notification is required by 225 ILCS 320/35.5(c)(3).	4:170, *Safety*
Sex Offender Information is Available. This notice is provided to the parents/guardians of students at either registration or parent-teacher conferences. Either the Building Principal or teacher shall notify the parents/guardians that information about sex offenders is available on the ISP website. 730 ILCS 152/120(g). This notice is required by the Sex Offender Community Notification Law, 730 ILCS 152/120(g).	4:170, *Safety* 4:175-AP1, *Criminal Offender Notification Laws; Screening* 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws*

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Instruction

Exhibit - State Law Graduation Requirements

This exhibit is intended as a reference, but it may not reflect recent legislative updates. Before relying on it, check the Ill. General Assembly website, www.ilga.gov, for the current statute. ***Note:*** *There is a lag between when a bill becomes law and when the law is updated* at *www.ilga.gov.*

The School Code, 105 ILCS 5/27-60522, amended by P.A. 104-387 and amended and renumbered by P.A. 104-391s 101-464, 101-654, 101-643, 102-366, 102-551, and 102-864, and 105 ILCS 5/22-87, added by P.A. 101-180amended by P.A.s 104-13 and 104-14, contains the following course requirements and financial aid application requirement for a student in Illinois to receive a high school diploma. Other graduation requirements, including additional course requirements, if any, are contained in School Board policy 6:300, *Graduation Requirements*. For guidance in offering the coursework necessary to meet the State graduation requirements, see the Ill. State Board of Education, *State Graduation Requirements, Guidance Document* (202516), available at: www.isbe.net/Documents/grad_require.pdf.

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State Law Graduation Requirements

105 ILCS 5/27-22605, amended by P.A. 104-387 and amended and renumbered by P.A. 104-391s 101-464, 101-643, 101-654, 102-366, 102-551, and 102-864.

Required high school courses.

(a) - (d) are not listed because they are blank in the statute.

(e) **Through the 2023-2024 school year**, as a prerequisite to receiving a high school diploma, each pupil entering the 9th grade must, in addition to other course requirements, successfully complete all of the following courses:

(1) Four years of language arts.

(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. When applicable, writing-intensive courses may be counted towards the fulfillment of other graduation requirements.

(3) Three years of mathematics, one of which must be Algebra I and one of which must include geometry content, and one of which may be an Advanced Placement computer science course. A mathematics course that includes geometry content may be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path.

(3.5) For pupils entering the 9th grade in the 2022-2023 school year and 2023-2024 school year, one year of a course that includes intensive instruction in computer literacy, which may be English, social studies, or any other subject and which may be counted toward the fulfillment of other graduation requirements.

(4) Two years of science.

(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government and, beginning with

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pupils entering the 9th grade in the 2016-2017 school year and each school year thereafter, at least one semester must be civics, which shall help young people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be competent and responsible citizens throughout their lives. Civics course content shall focus on government institutions, the discussion of current and controversial issues, service learning, and simulations of the democratic process. School districts may utilize private funding available for purposes of offering civics education. Beginning with pupils entering the 9th grade in the 2021-2022 school year and each school year thereafter, one semester, or part of one semester, may include a financial literacy course.

(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, (D) vocational education, or (E) forensic speech (speech and debate). A forensic speech course used to satisfy the course requirement under subdivision (1) may not be used to satisfy the course requirement under this subdivision (6).

(f) The State Board of Education shall develop and inform school districts of standards for writing-intensive coursework.

(e-5) **Beginning with the 2024-2025 school year**, as a prerequisite to receiving a high school diploma, each pupil entering the 9th grade must, in addition to other course requirements, successfully complete all of the following courses:

(1) Four years of language arts.

(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. If applicable, writing-intensive courses may be counted toward the fulfillment of other graduation requirements.

(3) Three years of mathematics, one of which must be Algebra I, one of which must include geometry content, and one of which may be an Advanced Placement computer science course. A mathematics course that includes geometry content may be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path.

(3.5) One year of a course that includes intensive instruction in computer literacy, which may be English, social studies, or any other subject and which may be counted toward the fulfillment of other graduation requirements.

(4) Two years of laboratory science.

(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government and at least one semester must be civics, which shall help young people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be competent and responsible citizens throughout their lives. Civics course content shall focus on government institutions, the discussion of current and controversial issues, service learning, and simulations of the democratic process. School districts may utilize private funding available for the purposes of offering civics education. One semester, or part of one semester, may include a financial literacy course.

(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, (D) ~~vocational~~ career and technical education, or (E) forensic speech (speech and debate). A forensic speech course used to satisfy the course requirement under subdivision (1) may not be used to satisfy the course requirement under this subdivision (6).

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(e-10) Beginning with the 2028-2029 school year, as a prerequisite to receiving a high school diploma, each pupil entering the 9th grade must, in addition to other course requirements, successfully complete 2 years of foreign language courses, which may include American Sign Language. A pupil may choose a third year of foreign language to satisfy the requirement under paragraph (6) of subsection (e-5).

(f) The State Board of Education shall develop and inform school districts of standards for writing-intensive coursework.

(f-5) If a school district offers an Advanced Placement computer science course to high school students, then the school board must designate that course as equivalent to a high school mathematics course and must denote on the student's transcript that the Advanced Placement computer science course qualifies as a mathematics-based, quantitative course for students in accordance with subdivision (3) of subsection (e) of this Section.

(g) The~~is~~ amendatory Acts of 1983 and of the 94th General Assembly do not apply to students with disabilities whose course of study is determined by an Individualized Education Program. [1]

Subdivision (3.5) of subsection (e) does not apply to pupils entering the 9th grade in the 2021-2022 school year or a prior school year or to students with disabilities whose course of study is determined by an individualized education program.

Subsection (e-5) does not apply to pupils entering the 9th grade in the 2023-2024 school year or a prior school year or to students with disabilities whose course of study is determined by an individualized education program. Subsection (e-10) does not apply to pupils entering the 9th grade in the 2027-2028 school year or a prior school year or to students with disabilities whose course of study is determined by an individualized education program.

(h) The provisions of this Section are subject to the provisions of Section 27-~~22.05~~610 [substitutions for required courses].

(i) The State Board of Education may adopt rules to modify the requirements of this Section for any students enrolled in grades 9 through 12 if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Management Agency Act.

105 ILCS 5/22-87, ~~added by P.A. 101-180~~amended by P.A.s 104-13 and 104-14.

Graduation requirements; Free Application for Federal Student Aid.

(a) Beginning with the 2020-2021 school year, in addition to any other requirements under this Code, as a prerequisite to receiving a high school diploma from a public high school, the parent or guardian of each student or, if a student is at least 18 years of age or legally emancipated, the student must comply with either of the following:

(1) File a Free Application for Federal Student Aid with the United States Department of Education or, if applicable, an application for State financial aid.

(2) On a form created by the State Board of Education, file a waiver with the student's school district indicating that the parent or guardian or, if applicable, the student understands what the Free Application for Federal Student Aid and application for State financial aid are and has chosen not to file an application under paragraph (1).

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[1] This section has been modified to delete older, irrelevant language that still appears in the statute.

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(b) Each school district with a high school must require each high school student to comply with this Section and must provide to each high school student and, if applicable, his or her parent or guardian any support or assistance necessary to comply with this Section. A school district must award a high school diploma to a student who is unable to meet the requirements of subsection (a) due to extenuating circumstances, as determined by the school district, if (i) the student has met all other graduation requirements under this Code and (ii) the principal attests that the school district has made a good faith effort to assist the student or, if applicable, his or her parent or guardian in filing an application or a waiver under subsection (a).

Beginning with the 2025-2026 school year, each high school must designate at least one member of its staff as a contact for matters related to this Section, annually provide the individual's name and contact information to the State Board of Education and Illinois Student Assistance Commission in a form and manner that these agencies prescribe, and inform high school seniors that this individual is available to answer questions about this Section or to refer them to an appropriate resource, which may include, but is not limited to, the Illinois Student Assistance Commission. The contact shall serve as a designated point of contact for information from the State Board of Education and Illinois Student Assistance Commission related to this Section, including the free resources available to their students and schools to help them comply with this Section. A person designated as a point of contact under this Section shall, upon designation, be required to complete an initial orientation and, thereafter, shall be encouraged to participate in annual briefings. The individual shall be eligible to receive professional development hours for both the initial orientation and subsequent annual briefings, as applicable. [2]

Beginning with the 2025-2026 school year, the school district shall provide appropriate support to each high school student to assist with education about and the completion of a financial aid application as described in subsection (a). This support may be offered in a variety of formats, times, and settings and shall include an opportunity for the student to request and receive help during the school day in completing the student's portion of the financial aid application. The high school may request assistance from the Illinois Student Assistance Commission to support the completion of financial aid applications, including application completion events and individual assistance, at no cost to the high school. A high school student may choose whether to use the support or assistance provided under this Section.

A school district must award a high school diploma to a student who is unable to meet the requirements of subsection (a) due to extenuating circumstances, as determined by the school district, if (i) the student has met all other graduation requirements under this Code and (ii) the principal attests that the school district has made a good faith effort to assist the student or, if applicable, his or her parent or guardian in filing an application or a waiver under subsection (a).

(c) The State Board of Education may adopt rules to implement this Section.

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[2] The second and third paragraphs of 105 ILCS 5/22-87(b) reflect additions made by P.A.s 104-13 and 104-14, respectively. Because these public acts amended the same subsection, the final appearance of this subsection in the Ill. Compiled Statutes may be different than shown in this sample exhibit.

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Instruction

Exhibit – Form for Exemption from Financial Aid Application Completion

This form is to be used to document a parent/guardian or student's exemption from the State law requirement to file, as a prerequisite to receiving a high school diploma:

1. *A Free Application for Federal Student Aid (FAFSA) at* https://studentaid.gov/;
2. *An application for State financial aid at* www.isac.org/students/before-college/financial-aid-planning/retention-of-illinois-rise-act/; *or*
3. *An Ill. State Board of Education (ISBE) FAFSA Nonparticipation Form and instructions on accessing and completing the Form are at:* www.isbe.net/Pages/FAFSA.aspx~~www.isbe.net/Documents/FAFSA-Non-Participation-Form.pdf~~. *105 ILCS 5/22-87(b), amended by P.A. 104-13 and 104-14~~added by P.A. 101-180~~; 23 Ill.Admin Code §1.440(c)(4).*

Return a copy of thise completed form to the parent/guardian or student and keep a copy in the student's file.

Completed by Sstudent's parent/guardian or sStudent, if 18 years or older or legally emancipated.

Student's Name: _____

Address: _____

School: _____

Grade: _____

I am unable to file a FAFSA, an application for State financial aid, or an ISBE FAFSA Nonparticipation Form because of the following:

_____

_____

_____

_____

_____

Completed by the High School Principal.

Due to extenuating circumstances, the Student is unable to file a FAFSA, an application for State financial aid, or an ISBE FAFSA Nonparticipation Form:

☐ Yes ☐ No, exemption denied

(Complete next portion only if the answer is Yes above)

I attest that the District has made the following good faith efforts to assist the Student's parent/guardian or Student, if applicable, in filing an application or a waiver from this requirement:

_____

_____

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The student has met all other State law graduation requirements.

☐ Yes, exemption approved ☐ No, exemption denied

High School Principal Signature

Date

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Instruction

Exhibit - Class Substitution Request [1]

Students in grades 9-12 may satisfy one or more high school courses or graduation requirements by successfully completing related vocational or technical education courses, or a registered apprenticeship program. Students participating in a registered apprenticeship program must be at least 16 years old.

This request for class substitution must be completed by the student's parent/guardian (or by the student who is at least 18 years of age) and submitted to the Building Principal for approval. Such requests will be kept in the student's temporary school record in accordance with 23 Ill.Admin.Code §1.445 (as applicable) and Section 4 of the Ill. School Student Records Act (105 ILCS 10/4).

Student Name (*please print*) Grade

Parent/Guardian Name (*please print*) Telephone Student Birthdate

Class Requesting to Substitute	**Vocational/Technical Course/Registered Apprenticeship Program Substitute**

Student Signature Date

Parent/Guardian Signature (*For students under age 18*) Date

Request for class substitution: ☐ **Approved**
☐ **Denied**

Building Principal Date

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[1] Optional. But, if offered, it must be included in board policy. 105 ILCS 5/27-~~610~~22.05~~5~~, amended and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.445; 23 Ill.Admin.Code §255.200. See sample policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*.

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Students

Exhibit - Memorandum of Understanding

Memoranda of Understanding (MOUs) vary by community. This exhibit contains two sample MOUs in two subheads: **General Law Enforcement Memorandum of Understanding (MOU)** and **School Resource Officer (SRO) Memorandum of Understanding (MOU).**[1] Beginning 7-1-26, an SRO MOU is required for any district that uses an SRO. 105 ILCS 5/10-20.68(a-5), added by P.A. 104-430. Depending upon the needs in the District, each MOU is designed to stand alone or be combined into one MOU.

Use these sample MOUs to develop the District's MOU with (1) assistance from the Board Attorney, (2) careful attention to the footnotes, which provide instructions, information, best practice considerations, and other resources, (3) alignment of their sample language to the District's or its individual school building's local conditions and student discipline needs, (4) careful attention to [INSERT] the requested information and fill boxes and blanks with the information indicated in the final MOU, (5) deletions of all sample language not used from the final MOU, (6) deletions of all footnotes from the final MOU.

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General Law Enforcement Memorandum of Understanding (MOU)

Table of Contents:

A. Introduction
B. Definitions/Acronyms
C. MOU Leadership Team
D. District Authority over the Educational Environment
E. Identified Needs for Services to Maintain the Educational Environment
F. Annual Evaluation of MOU; Renewal; Termination
G. Record Sharing
H. Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students
I. Live Feeds
J. Cell Phone/ Electronic Device Searches
K. Agency and Police Interviews
L. Body-Worn Cameras (BWCs)
M. General Provisions
1. Scope of Agreement
2. Amendment
3. Assignment
4. Notices
5. Governing Law
6. Non-Waiver of Breach
7. Severability
8. Enforcement

A. Introduction

In consideration of the mutual promises, terms, and conditions set forth in the sections below, and for other good and valuable consideration, the receipt and sufficiency of which is hereby expressly acknowledged,[2] this Memorandum of Understanding (MOU) is entered into by [INSERT District's

The footnotes should be removed before the material is used.

[1] **Consult the Board Attorney about developing these sample MOU(s).** Neither sample is meant to replace existing MOU(s) that the District may have with any Local Law Enforcement Agency (LLEA), but they may be helpful in reviewing any existing MOU(s). The District may have several **General MOU** agreements with multiple LLEAs.

[2] See f/n 1, and specifically discuss posting this as a contract on the District's website pursuant to 105 ILCS 5/10-20.44.

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name] (District) and [INSERT Local Law Enforcement Agency's name] (LLEA)on the [INSERT DATES _____ day of _____, 20__].

The District and LLEA agree that they may enter into and participate in joint programs and intergovernmental agreements with units of local government and other school districts to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance (Ill. Constitution, Art. VII, Sec. 10, 5 ILCS 220/1 et seq., and Board Policy 1:20, *District Organization, Operations, and Cooperative Agreements*).

The District is organized and operates as follows: [3]

The LLEA is organized and operates as follows: [4]

The District and LLEA further agree to the following sections:

B. Definitions/Acronyms [5]

Memorandum of Understanding (MOU) - Defines a local law enforcement agency's role in schools and describes the respective duties of a school district and local law enforcement agencies (105 ILCS 5/10-20.14(b) encourages school districts to create memoranda of understanding (MOU) with law enforcement agencies). Its purpose is to prevent confusion, decrease conflict, and promote school safety.

Leadership Team (Team) - A group of designated key staff members from each party. These individuals will be responsible for the implementation of the MOU. They will communicate directly with each other about MOU issues.

Local Law Enforcement Agency (LLEA) - A police department or State's Attorney's Office within the District's boundaries.

Police Officer - A police officer employed by the LLEA but who is not specifically assigned to the District or any of its buildings.

School Resource Officer (SRO) - A police officer who is assigned to the District or any of its buildings through an ~~intergovernmental agreement or a~~ memorandum of understanding with the LLEA. [6]

C. MOU Leadership Team (Team)

The following individuals are designated for the MOU Team as described in Section B, above.

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[3] Use the Board's statement from policy 1:20, *District Organization, Operations, and Cooperative Agreements*. Delete this statement if the Board does not have a statement or does not want to include it in the MOU.

[4] Delete this statement if the local law enforcement agency does not have or provide a statement.

[5] Amend these definitions to align with the local community.

[6] See 105 ILCS 5/10-20.68, amended by P.A. 104-430.

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District Staff: [7]

LLEA Staff: [8]

D. District Authority Over the Educational Environment [9]

The District has identified the need for a partnership with LLEA. LLEA will partner with District school officials to manage substantially disruptive student behavior and discipline issues. Collaboration between the District and LLEA and respect for the important role each party holds in connection with our community's youth are essential to the success of the mission of both parties. Where it is necessary for LLEA to be present on school property, its employees will conduct themselves according to the District's principles of schooling and interactions with minors, will not knowingly communicate false facts or lie to minors,[10] and will always recognize the responsibility and authority of the District's officials to manage the educational environment and work with them to minimize any impact its actions might have upon that environment. The District's management authority includes the ability to order the LLEA to leave District property immediately.

Both parties recognize that disciplining students is better left for District officials to manage, especially in light of 105 ILCS 5/10-20.14(b). If a student in the District is recommended for prosecution in a court of law, the Team conferences about the most appropriate form of discipline for the student. Final discretion regarding discipline lies with the District. Final discretion regarding whether to charge an individual with an ordinance, criminal, or traffic violation lies with the LLEA.

E. Identified Needs for Services to Maintain the Educational Environment [11]

LLEA's activities shall align to the District's identified needs for creating and maintaining its educational environment. All services rendered by LLEA for the District shall seek to implement a partnership that creates effective and positive school student discipline that (a) functions in concert with efforts to address school safety and climate; (b) utilizes all appropriate and available

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[7] Individuals for the District may include principals, teachers, school-employed mental health professionals, instruction/curriculum professionals, and a staff member skilled in data collection analysis.

20 ILCS 1705/76~~, added by P.A. 101-45,~~ requires the Ill. Dept. of Public Health to create and maintain an online database and resource page on its website that contains mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel. See the database at: www.dhs.state.il.us/page.aspx?item=118331.

[8] Individuals for the LLEA may include employees who have demonstrated interest and/or training in challenges specific to schools.

[9] 105 ILCS 5/10-20.14(b), amended by P.A. 104-430. See f/n 1. Defining parameters helps prevent school buildings from becoming unintended extensions of the LLEA. Discuss how the case law on this concept applies to the District and the MOU terms and insert any recommendations. See also the Ill. Council of School Attorneys' *Guidelines for Interview of Students,* at: www.iasb.com/law/ICSAGuidelinesforInterviewsofStudents.pdf.

[10] Prohibiting the LLEA from communicating false facts or lying to minors is optional, but it aligns with new legislation that prohibits law enforcement and juvenile officers from lying to minors suspected of a crime during interrogation. 705 ILCS 405/5-401.6 and 725 ILCS 5/103-2.2~~, added by P.A. 102-101~~.

[11] This section lists communications and reports that are required or authorized by the School Code to be exchanged between the District and its LLEAs. Discuss local conditions within the District to determine other services that may be needed from the LLEA to maintain ideal educational environments. School climate surveys may also provide data to determine these needs.

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behavioral and disciplinary interventions, including restorative measures as defined in 105 ILCS 5/22-110-27-23.7(b)[12]; (c) is clear, consistent, and equitable; and (d) reinforces positive behaviors.

1. The District's identified needs for services from LLEA are each of the following:

    a. When requested, assistance with conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the District for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search produces evidence that the student has violated or is violating either the law, local ordinance, or the District's policies or rules, such evidence may be seized by school authorities and turned over to law enforcement authorities, and disciplinary action may be taken. 105 ILCS 5/10-22.6(e) and 10-22.10a.

    b. Utilization by Building Principals of proper law enforcement agency resources when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal possession or use of weapons, or by illegal gang activity. 105 ILCS 5/10-21.4a.

    c. Cooperation with the parent-teacher advisory committee to develop policy guideline procedures that establish and maintain a reciprocal reporting system between the District applicable local law enforcement agencies regarding criminal and civil offenses committed by students. 105 ILCS 5/10-20.14(b) and see Board Policy 2:150, *Committees*.

    d. Immediate required reporting to local law enforcement authorities by the superintendent of batteries committed against teachers, teacher personnel, administrative personnel, or educational support personnel. 105 ILCS 5/10-21.7, amended by P.A. 102-894.

    e. Immediate required notification by the Building Principal or his or her designee to a local law enforcement agency upon receiving a report that any person has been observed in possession of a firearm on school grounds, becomes aware of any person in possession of a firearm on school grounds, or becomes aware of any threat of gun violence on school grounds., other than a law enforcement official engaged in the conduct of his or her official duties. 105 ILCS 5/10-27.1A.

    f. Upon receipt of a report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, immediate required notification by the Superintendent or designee to the local law enforcement authorities of all such firearm-related incidents occurring in a school or on school property. 105 ILCS 5/10-27.1A.

    g. Upon receipt of a report from any school personnel regarding a verified incident involving prohibited[13] drugs in a school or on school owned or leased property, immediate required reporting by the Superintendent or designee to the local law enforcement authorities of all such drug-related incidents occurring in a school or on school property. 105 ILCS 5/10-27.1B.

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[12] Optional. See 105 ILCS 5/22-11027-23.7, amended by P.A. 102-241, renumbered by P.A. 104-391, and sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment.*

[13] *Prohibited* is added because 105 ILCS 5/10-27.1B includes cannabis in its definition of *drugs*, but cannabis may be allowed in a school or on school property under limited circumstances. See f/n 11 in policy 7:190, *Student Behavior*.

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h. Implementation of other sections of the School Code that authorize the District to work with LLEA for the purposes of keeping schools safe and providing education or training.

i. Based upon locally based District outcomes, the District has identified these additional needs: [14]

2. The LLEA has identified partnership needs from the District, which include each of the following:

a. Sharing required reports to applicable Building Principals whenever a child enrolled in the District is detained for proceedings under the Juvenile Court Act of 1987 (705 ILCS 405/), or for any criminal offense or any violation of a municipal or county ordinance (105 ILCS 5/22-20). The report shall include the basis for detaining the child, circumstances surrounding the events that led to the child's detention, and status of proceedings. The report shall be updated as appropriate to notify the Building Principal of developments and the disposition of the matter. Building Principals shall keep this information separate from the official school record of the student and ensure that it does not become part of the official school record of the student. Such information shall not be a public record and will be used solely by the appropriate school official or officials that the Building Principal determines have a legitimate educational or safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school. 105 ILCS 5/22-20.

b. In accordance with administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students*, transmitting juvenile law enforcement records concerning a minor enrolled in any District school who has been arrested or taken into custody for certain offenses. 705 ILCS 405/1-7(A)(8)(A) and 405/5-905(1)(h)(A) and see *Section H., Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students*, below.

c. Based upon locally-based LLEA outcomes, the LLEA has identified these additional needs:

F. Annual Evaluation of MOU; Renewal; Termination

The parties will periodically review the MOU for relevancy, monitor its terms for effectiveness, and consider whether any modifications are required. This review may align with the School Board's annual policy review and monitoring calendar. The MOU will remain in effect and

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[14] Use school climate surveys and other information to identify additional needs from the LLEA, which may include, but not be limited to requiring the LLEA to:

- Cooperate with building principals and staff to coordinate and develop delinquency prevention programs, anti-crime programs and/or school emergency plans or other safety-related plans, including targeted school violence prevention efforts, and
- Explain the LLEA's role in society.

For more discussion about identifying and developing additional needs, see the discussion in f/n 27.

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automatically renew from year to year unless terminated. Any party may terminate its participation in this MOU upon thirty (30) days prior written notice to the other(s).

G. Record Sharing [15]

Both parties recognize the privacy protections of federal and State law in the disclosure of student records. When sharing information, State and federal laws regarding *school student records* apply. See the Family Educational Rights and Privacy Act (20 U.S.C. §1232g; 34 C.F.R. Part 99) and the Illinois School Student Records Act (105 ILCS 10/; 23 Ill.Admin.Code Part 375). The applicable federal and/or State law shall control, and the District may refuse disclosure requests by LLEA without a warrant or subpoena/court order. The SRO and LLEA's officers shall at all times recognize and comply with the confidentiality of student and education records and may only seek such records in accordance with the requirements of the District's Policy 7:340, *Student Records*.

School student records may only be released to the LLEA by the Building Principal. Information kept by law enforcement professionals working in a school is not considered a *school student record*. See 105 ILCS 10/2. Information derived from reports of law enforcement to principals regarding students detained for proceedings are not considered a *school student record*. 105 ILCS 5/22-20. The *school student records* definition and 7:340-AP1, *School Student Records* are incorporated into this agreement.

Within its standard operating procedures, the LLEA will include training for its officers about these laws, along with information about how to access the District's policies and procedures for school student records. For general guidance both parties will refer to *Answers to FAQs Responding to a Subpoena* (Illinois Council of School Attorneys, Revised October 2021) at:

www.iasb.com/IASB/media/School-Law/FAQ_Responding_to_Subpoena.pdf.

H. Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students [16]

As outlined in Section E.2.b., above, the District and LLEA's officers shall at all times recognize and comply with (a) the School Code requirements for a reciprocal reporting system regarding criminal and civil offenses committed by students (105 ILCS 5/10-20.14(b)), and (b) the Juvenile Court Act of 1987 and the School Code's requirements for the management and sharing of law enforcement records and other information about students who have contact with LLEA.

The District's administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students* is incorporated into this MOU.

Nothing in this MOU is intended to impose upon any party a duty to report information to any other party that is not otherwise required by law. This MOU shall not be interpreted as making an obligation of a party mandatory that is otherwise discretionary under the law or vice versa. No party to this MOU waives any defenses or immunities it otherwise has under the law, including without limitation any immunities under the Sections 2-204 or 2-205 of the Local Governmental and Governmental Employees Tort Immunity Act or the State Employee Indemnification Act. 5 ILCS 350/.

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[15] For Sections G – L, see f/n 1 and ensure that the language for these sections aligns to local conditions. These sections may duly apply to an SRO-specific agreement. See f/n 26 for instructions to add them to the sample School Resource Officer (SRO) MOU below. For further resources, see f/n 1 in policy 7:150, *Agency and Law Enforcement Requests~~Police Interviews~~*.

[16] Id. Replace this section with a reference to any existing reciprocal reporting agreements already in place. **Important: exiting reciprocal reporting agreement(s) may be a part of a larger countywide agreement(s).**

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I. Live Feeds

The District will provide access to its live feeds to one or more of its buildings in the event of a health or safety emergency. Access is strictly to allow LLEA tactical forces to become familiar with current conditions that underlie the health or safety emergency in the District's building(s). [17]

J. Cell Phone/Electronic Device Searches [18]

The established procedures between the parties for searching cell phones/electronic devices must be followed. Both parties agree that cell phone/electronic device searches involve Fourth Amendment search and seizure issues and the federal Stored Communication Act (SCA) (18 U.S.C. §2701) issues. Generally asking for permission, calling the parents to come and search the phone, or getting a warrant solves this issue. Investigations of sexting allegations shall follow administrative procedure, 7:190-AP6, *Guidelines for Investigating Sexting Allegations*, which is incorporated into this agreement.

K. Agency and Police Interviews

Board Policy 7:150, *Agency and Law Enforcement Requests~~Police Interviews~~*, and administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests~~Police Interviews~~*, are incorporated into this MOU and must be followed at all times.

Within its standard operating procedures, LLEA will include training for its officers about this policy and procedure, along with information about how to access the District's policies and procedures. [19]

Before a student under 18 years of age who is suspected of committing a criminal act is detained and questioned on school grounds, a law enforcement officer, school resource officer, or other school security personnel will (a) notify or attempt to notify the student's parent/guardian, (b) document the time and manner of the notification or attempted notification, (c) make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if not present, ensure that school personnel (including, but not limited to, a school social worker, school psychologist, school nurse, school counselor, or any other mental health professional) are present during the questioning, and (d) if practicable, make reasonable efforts to ensure a law enforcement

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[17] Id. Considerations to discuss with the Board Attorney for this section may include, but are not limited to:

1. Which parties have authority to activate a live feed?
2. If police are given authority to activate, what is the standard for activation? Is it upon request of the Superintendent or an emergency 911 call reporting a crime in progress at the school?
3. How and when is the live feed tested?
4. When and what are the requirements for testing the live feed?
5. Will the Superintendent have the right to review the activation logs to ensure that the live feed is/was being activated in accordance with the MOU terms?

[18] Id. See the following publications to develop more detailed researched-based local procedures for this section:

Searching and Seizing Computers and Obtaining Electronic Evidence Manual (Sept. 2009), Chapter 3, The Stored Communication Act, at: www.justice.gov/file/442111/download

Orin S. Kerr, A User's Guide to the Stored Communications Act, and a Legislator's Guide to Amending It, George Washington Law Review (Aug. 2004), at: courses.ischool.berkeley.edu/i205/s10/readings/week10/kerr-storedcomm.pdf

[19] The following optional sentence may be added: "For general guidance, both parties will refer to Ill. Council of School Attorneys' *Guidelines for Interview of Students,* at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/guidelines-for-interviews-of-students/ ."

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officer trained in promoting safe interactions and communications with youth is present during questioning. [20]

L. Body-Worn Cameras (BWCs)

All parties agree that any use of BWCs by officers must be subject to and in compliance with federal, state, and local regulations regarding the use and operation of them. The LLEA shall notify the District at least two weeks before its officers assigned to the District are to begin use of BWCs, and it will provide written information and training to the Building Principals and assistant principals of the schools in which the officers may enter. Training shall include the objectives and procedures for the use of BWCs in public and in schools. Every officer equipped with a BWC shall be trained in the operation of the equipment prior to its use. To maximize the effectiveness of the BWC and the integrity of the video documentation, officers shall adhere to the objectives and procedures outlined in this MOU and the LLEA's General Operations Orders or similar policies when they utilize BWCs. LLEA shall, if not otherwise prohibited by law, provide to the District copies of any such filming of students, parents, employees, or others upon school property, upon request for such copies by the District, as a law enforcement record. In the event that the LLEA receives advice that providing a copy of such videos is prohibited, the LLEA agrees to facilitate the availability of its officer(s) that made the video to testify, upon request by the District, in any school disciplinary hearing concerning his/her/their knowledge of the facts and circumstances of the videoed incident. Any such film or video taken by and kept in the possession of LLEA's officers may be considered *law enforcement records* under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g and 34 C.F.R. §99.8) and Ill. School Student Records Act (ISSRA) (105 ILCS 10/2(d)). Any copy of such film or video, if permitted by law to be provided to the District, may become an *educational record* of the District. The LLEA's officers shall at all times recognize and comply with the confidentiality of student and education records and may only seek such records in accordance with the requirements of Board Policy 7:340, *Student Records*, which is incorporated into the terms of this MOU.

M. General Provisions [21] [22]

1. Scope of Agreement

Nothing in this MOU is intended to impose upon any party a duty to report information to any other party that is not otherwise required by law. This MOU shall not be interpreted as making an obligation of a party mandatory that is otherwise discretionary under the law or vice versa. No party to this MOU waives any defenses or immunities it otherwise has under the law, including without limitation any immunities under Sections 2-204 and/or 2-205 of the Local Governmental and Governmental Employees Tort Immunity Act or the State Employee Indemnification Act. 5 ILCS 350/.

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[20] 105 ILCS 5/22-85~~, added by P.A. 101-478 and amended by P.A.s 102-197 and 102-558~~. See sample policy 7:150, *Agency and Law Enforcement Requests~~Police Interviews~~*.

[21] If the District uses the same LLEA for school resource officer (SRO) services, and it wants its SRO MOU(s) referenced in this General MOU:

1. Change section M. General Provisions to: N. General Provisions, and
2. Insert the following:

M. School Resource Officer (SRO) Terms

The District's School Resource Officer (SRO) MOU dated [INSERT DATES ___ day of ____, 20__] is incorporated into this agreement.

[22] This section **M. General Provisions** includes general best practice terms for intergovernmental agreements. **Note:** If the optional section discussed in f/n 18 was added, this becomes section N.

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2. **Amendment**

   No change or modification of this MOU shall be valid unless it is in writing and is signed by all parties.

3. **Assignment**

   No party to this MOU may assign it or its rights or obligations.

4. **Notices**

   All notices required pursuant to this MOU shall be in writing and sent by U.S. certified mail, postage prepaid, return receipt requested or by overnight express delivery to the address of the party set forth below or as otherwise directed in writing by such party or as provided under applicable state law. Notice is deemed given three (3) days after being deposited in the U.S. Mail for certified mail delivery or one (1) day after being deposited with an overnight express delivery courier for delivery to the correct address.

5. **Governing Law**

   This MOU shall be construed in accordance with and pursuant to the laws of the State of Illinois.

6. **Non-Waiver of Breach**

   The failure of any party to insist upon strict performance of any of the terms or conditions of this MOU shall not be construed to be a waiver of such term or condition or any subsequent breach of it.

7. **Severability**

   The invalidity or unenforceability of any particular provision of this MOU shall not affect the other provisions of it, and it shall be construed in all respects as if such invalid or unenforceable provision were omitted.

8. **Enforcement**

   No party to this MOU shall be liable for any negligent or wrongful acts, either by omission or commission, chargeable to the other party. This MOU shall not be construed to create a duty owed by any party to any third party. The District and LLEA agree that the exclusive claims or remedies for breach of this MOU are limited to an action for specific performance or mandamus action or termination of the MOU. Each party waives any and all other claims and remedies, direct or indirect, by way of subrogation or otherwise, that it may have against the other party arising out of the performance or non-performance of any provision of this MOU.

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Board President	Date
Authorized Signatory for LLEA	Date

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School Resource Officer (SRO) Memorandum of Understanding (MOU) [23]

Table of Contents:

A. Introduction
B. Definitions/Acronyms
C. MOU Leadership Team
D. District Authority over the Educational Environment
E. Funding; Payment for SROs; Chain of Command
F. Data Collection; Review & Evaluation of SRO Program
~~F.~~G. Ongoing Training of SROs
~~G.~~H. SRO Selection Process; Qualifications & Certification
~~H.~~I. SRO Employer; Assignments; Mentoring & Outreach; Supervision; Performance Evaluations; Conflict Resolution; Termination/Replacement; Extra Duties/Projects

A. Introduction

[INSERT **Section A** from **General MOU** here.]

B. Definitions/Acronyms

[INSERT **Section B** from **General MOU** here.]

C. MOU Leadership Team

[INSERT **Section C** from **General MOU** here.]

D. District Authority Over the Educational Environment

[INSERT **Section D** from **General MOU**, above. End Section D with this sentence: "The LLEA recognizes that assigning SROs to District buildings is not a substitute for effective student discipline policies."]

E. Funding; Payment for SROs; Chain of Command [24]

1. **Funding.** Members of the Leadership Team (Team) will negotiate the terms for funding including any grant funding that is available. Any terms tied to grant funding, such as data collection include: [25]

2. **Payment for SROs.** The Team has agreed that the District shall compensate LLEA for the SROs in 10 equal installments commencing on August 15th of each fiscal year in the following amounts:

3. **Chain of Command.** The Team shall develop a local, District-specific chain of command for the placement of SROs in school buildings. Each District administrator responsible for

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[23] Required by 105 ILCS 5/10-20.68(a-5), added by P.A. 104-430, beginning 7-1-26 for any district that uses an SRO. **See f/n 1. This section does not replace any existing SRO MOU agreements that the District may have.** SRO terms must always be specifically aligned with the buildings in which the SROs will be assigned; therefore, SRO MOU agreements generally work best as a stand-alone agreement.

[24] See f/ns 1 and 2.

[25] Delete this language if grant funding does not apply.

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supervising and evaluating the SRO in his/her/their assigned building(s) shall be included in an individual SRO's District-specific chain of command. [26]

F. Data Collection; Review & Evaluation of SRO Program

1. **Data Collection.** The Team will outline a process for collecting data in accordance with 105 ILCS 5/2-3.206 on the number of students who are referred to a law enforcement agency or official and the number of instances of referrals to law enforcement that such students received. This District will annually report this data to the Ill. State Board of Education, disaggregated by race and ethnicity, sex, grade level, whether a student is an English learner, and disability. *Referral to law enforcement* means an action by which a student is reported to a law enforcement agency or official, including a school police unit, for an incident that occurred on school grounds, during school-related events or activities (whether in-person or virtual), or while taking school transportation, regardless of whether official action is taken. *Referral to law enforcement* includes citations, tickets, court referrals, and school-related arrests. [27]

2. **Review & Evaluation of SRO Program.** The Team will determine and implement a process for the regular review and evaluation of the SRO Program, which shall include community and stakeholder input. [28]

~~F.~~G. Ongoing Training of SROs [29]

Both parties agree that training is critical to the success of this partnership. The LLEA's assigned SROs (as defined in Section H below) will receive minimum in-service training and certification requirements as would normally apply to all other certified officers of LLEA through LLEA and/or local State's attorney offices. In addition, an ongoing District training calendar shall be developed for assigned SROs and District officials.

Trainings will consist of updates from the District's School Board Attorney on current laws and difficult issues such as search and seizure, questioning, and requests for student records. In addition, trainings will delineate legal authority for when assigned SROs will be acting at the direction of a District official (reasonableness) or at the direction of LLEA (probable cause).

Other LLEA employees that are not SROs but have frequent contact with District buildings will be encouraged to attend any of these trainings.

All trainings, when possible, must occur during school breaks or at times that would least impact the District and should include: (1) emerging education issues, (2) state law training requirements, (3) mental health awareness training, (4) restorative justice (if applicable), and (5) record sharing.

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[26] The District may have several SRO District chains of command based upon local conditions.

[27] Required by 105 ILCS 5/2-3.206 and 105 ILCS 5/10-20.68(a-5)(4), both added by P.A. 104-430. The annual reporting requirement begins with the 2027-28 school year and must occur in a manner and method determined by the Ill. State Board of Education. 105 ILCS 5/2-3.206(b), added by P.A. 104-430.

[28] Required by 105 ILCS 5/10-20.68(a-5)(5), added by P.A. 104-430.

[29] See f/n 1. Ongoing training is a best practice that SRO MOUs should address for both parties. Modify the language to match the District's practices.

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~~G.~~H. SRO Selection Process; Qualifications & Certification [30]

1. **Selection Process.** The Team shall develop formal screening criteria based upon the following *Office of Community Oriented Policing Services (COPS)* characteristics: (1) likes kids – wants to, and is able to, work with kids; (2) has the right demeanor and people skills, including being calm, patient, approachable, and "able to put up gracefully with guff from kids;" (3) has experience as a patrol officer or road deputy; (4) has above-average integrity; (5) demonstrated willingness to work hard, be dependable and on time, be self-directed, and has the ability to teach. Other formal screening criteria shall include:

   In addition, the Team shall designate the appropriate school officials in buildings to be assigned an SRO to provide input to LLEA on SRO applicants for open SRO positions, such as reviewing applications and memoranda of interest provided by candidates, sitting in on interviews of candidates and/or rating of applicants.

2. **SRO Qualifications & Certification.** The LLEA must ensure that the SRO has either of the following qualifications issued by the Ill. Law Enforcement Training Standards Board under Section 10.22 of the Ill. Police Training Act (50 ILCS 705/10.22): (1) a certificate of completion for the required course of instruction or (2) an approved waiver (prior experience and training only). Such training must include specific training on working with students with disabilities to ensure appropriate and effective interactions that support their educational and behavioral needs.[31] The certificate of completion or waiver of it must be obtained within one year of assignment to the District.[32] The SRO must possess, at minimum, 48 hours of National Association of School Resource Officer (NASRO) training,[33] along with the following other qualifications: [34]

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[30] See f/n 1. Restated from U.S. Department of Justice's Office of Community Oriented Policing Service (COPS) publication, A Guide to Developing, Maintaining, and Succeeding with Your School Resource Officer (SRO) Program, written by Peter Finn, Meg Townsend, Michal Shively, and Tom Rich, at:
www.popcenter.asu.edu/sites/default/files/Responses/school_police/PDFs/Finn_et_al_2005.pdf

[31] Required by 105 ILCS 5/10-20.68(a-5)(2), added by P.A. 104-430.

[32] Required by 105 ILCS 5/10-20.68(b), amended by P.A. 104-430. The District is not responsible for an officer's SRO certification training or payment for it. Additional training is available from the National Association of School Resource Officers.

[33] Optional. Delete this qualification requirement if the District does not wish to require it in addition to the required certification under 105 ILCS 5/10-20.68(b), amended by P.A. 104-430.

[34] A District may want to insert its own qualifications specific to local conditions. Delete this qualification requirement if the District does not wish to require additional qualifications.

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~~H.~~I. SRO Employer; Assignments; Mentoring & Outreach; Supervision; Performance Evaluations; Conflict Resolution; Termination/Replacement; Extra Duties/Projects [35] [36] [37]

1. **Employer.** SROs are employed by LLEA. The District does not employ any SROs that are assigned in any of its buildings. The District is not considered a joint employer of SROs for purposes of the Fair Labor Standards Act (FLSA). The SRO remains covered by the LLEA's insurance and continues to enjoy the immunities specific to his or her employment with LLEA. Section D, *District Authority Over the Educational Environment*, above shall apply to the District's specific responsibilities for supervision and performance evaluations of assigned SROs while in District school buildings as their duties pertain to fulfilling the identified needs and goals of a District building.

2. **Assignments.** For purposes of this section, SRO means a sworn police officer of LLEA who has been assigned to a District building pursuant to this MOU. SROs shall be assigned to District buildings by the LLEA with input from the MOU Leadership Team. Staffing issues at LLEA may take precedence to the assignment of an SRO to the District.

    a. **SRO Work Hours, Uniform, and Visibility on Campus.** The SRO shall remain on school grounds during normal school hours, except when necessary to attend a law enforcement emergency, to attend any meetings or trainings described in this MOU, or on limited occasions to attend to official law enforcement business off campus. With the exception of emergency situations out of the SRO's control, the SRO shall give the SRO Supervisor and Building Principal(s) reasonable advanced notice of any times when the SRO is not expected to be on campus during normal school hours, and LLEA may provide a replacement SRO to the extent possible.

    The SRO shall wear the official law enforcement uniform or other apparel issued by the LLEA at all times while serving on District property. The SRO shall make best efforts to maintain high visibility at all times when practical and safe to do so, especially in areas where incidents of crime or violence are most likely to occur.

    The SRO shall, whenever possible and in accordance with guidance from the Building Principal or designee, participate in or attend school functions during the SRO's regular duty hours in order to assure the peaceful operation of school-related programs.

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[35] ~~Id.~~ Defining the role, duties, and responsibilities of the SRO is required by 105 ILCS 5/10-20.68(a-5)(1), added by P.A. 104-430. ~~and s~~

See f/n 1. Replace this section with any existing intergovernmental agreement(s) or MOU(s) terms. Questions to answer while memorializing assignments in the MOU include:

- Will the SRO be a full-time or part-time assignment? A full-time SRO contract usually requires the SRO to be present during the times that students are on campus and would follow the District's calendar. A part-time SRO contract would generally require the SRO to be present during certain hours of the school day when students are on campus.
- Will the District have an SRO at each school within the District?
- Will the SROs only be assigned to high schools?

[36] See f/ns 1 and 12. If the District wants sections G – L from the **General MOU** in its SRO MOU, add them here and adjust the alphanumeric lettering.

Do not use this option or the f/n 27 option if the District uses the same LLEA for SRO services (see f/n 18).

[37] Id. If the District wants section **M. General Provisions** (see f/n 18) from the **General MOU**, insert it here and adjust the alphanumeric numbering. Discuss, if it exists, the District's targeted school violence prevention program (see sample policy 4:190, *Targeted School Violence Prevention Program*) and information sharing between the District and local law enforcement. See Recommendation 3 in *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, Presented to the Office of the Governor 4-5-18, at: www.iasb.com/safety/.

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b. **Student Search Assistance.** When requested, assistance with conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the District for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search produces evidence that the student has violated or is violating the law, local ordinance, or the District's policies or rules, such evidence may be seized by school authorities and/or turned over to law enforcement authorities, and disciplinary action may be taken. 105 ILCS 5/10-22.6 and 10-22.10a.

c. **Prohibition on Issuing Tickets or Citations.** In accordance with 105 ILCS 5/10-22.6(i), the SRO is prohibited from issuing municipal code tickets or citations to students for incidents occurring: (1) on school property during school hours; or (2) during school-related transportation. 105 ILCS 5/10-20.68(a-5)(3). [38]

~~c.~~d. **Administrative Hearings.** Contingent upon pre-approval by the LLEA, the SROs will attend suspension review and/or expulsion hearings upon the request of school officials or the Superintendent. The SRO will be prepared to provide testimony on any actions that were taken by the SRO and any personally observed conduct witnessed by the SRO.

~~d.~~e. **Goal Setting for Services in District.** [39]

3. **Mentoring & Outreach.** The SRO shall conduct himself or herself as a role model at all times and in all facets of the job; shall seek to establish a strong rapport with staff, faculty, students, parents, and other members of the school community; and shall encourage students to develop positive attitudes toward the school, education, law enforcement officers, and good citizenship in general.

4. **Supervision.** With input from the LLEA and/or the MOU Team, the District will assign school officials to supervise SROs in District buildings based upon the individual SRO's needs, School Board policies, available local resources, specific school building needs, and geographical realities. Both parties expect excellence from SROs and commit to frequent communication

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[38] Nothing in the law prohibits an SRO from issuing a ticket for student conduct that occurs outside school hours, nor does it prohibit LLEAs from issuing tickets or citations for traffic violations that occur on school grounds. Districts may still involve LLEAs in serious student misconduct and students may still be criminally charged if such misconduct occurs within the District's jurisdiction. See the **When and Where Conduct Rules Apply** subhead of sample policy 7:190, *Student Behavior*, for a sample jurisdictional statement.

[39] These may be identical to the **General MOU** terms in f/n 10. List whether the SRO will additionally:

- Assume any instructional responsibilities for short-term programs
- Provide individual mentoring to students, and become familiar with local youth-related service providers

Other questions to answer include whether the District wants a "law enforcement/safety officer," a problem solver and liaison to community resources, or both? Defining these roles helps to establish a successful relationship.

~~The following publication, U.S. Departments of Education and Justice Release School Discipline Guidance Package to Enhance School Climate and Improve School Discipline Policies/Practices, may be helpful for the District to identify and develop specific needs, goals and/or services from its LLEA. It is available at: www.ed.gov/news/press-releases/us-departments-education-and-justice-release-school-discipline-guidance-package-enhance-school-climate-and-improve-school-discipline-policiespractices. **Note:** These guidance documents were rescinded by a joint U.S. Dept. of Education and U.S. Dept. of Justice Dear Colleague letter dated 12-21-18, at: www2.ed.gov/about/offices/list/ocr/letters/colleague-201812.pdf (copy and paste link into browser if clicking doesn't work).~~

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between supervising school officials and the SROs assigned to their buildings. The SRO and his or her supervising District official shall meet both formally and informally on a regular basis to discuss issues, duties, and responsibilities.

5. **Performance Evaluations.** An instrument for SRO performance evaluations in the school setting shall be agreed upon by the assigned SRO and the District's official supervising the SRO. Both parties recognize that a performance evaluation instrument for an SRO should incorporate data results from the District's school climate assessments, if available.

6. **Conflict Resolution.** If the District's expectation of excellence is not being met by an SRO, the supervising District official will report unresolved concerns to the SRO's direct law enforcement supervisor at LLEA sooner rather than later. Addressing issues promptly helps increase understanding and minimize potential negative impact on the school environment. If that method of communication does not solve the conflict, the Team has agreed to the following formal conflict resolution process between the District and LLEA:

   [ ]

7. **Termination/Replacement of SROs.** When paragraph 6, *Conflict Resolution*, above, has not been successful, the District may request that the SRO be removed from his or her assignment and replaced with another SRO from LLEA. If a replacement is not immediately available, the District reserves the right to terminate the SRO's assignment in a specific building until a replacement is available.

8. **Extra Duties/Projects.** The Team has negotiated the below terms for special projects and/or extra duties:

   [ ]

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Board President _____ Date _____

Authorized Signatory for LLEA _____ Date _____

Incorporated by reference: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:150 (Committees), 7:150-AP (Managing Agency and Law Enforcement Requests ~~Police Interviews~~), 7:190 (Student Behavior), 7:190-AP3 (Guidelines for Reciprocal Reporting of ~~Criminal~~ Offenses Committed by Students), 7:190-AP6 (Guidelines for Investigating Sexting Allegations), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:340 (Student Records), 7:340-AP1 (School Student Records)

LEGAL REF.: 105 ILCS 5/2-3.206, 5/10-20.14(b), 5/10-20.68, 5/10-22.6(i), 5/22-20, and 5/22-85.
50 ILCS 705/10.22, Ill. Police Training Act.
705 ILCS 405/1-7, 1-8(F), 1-8(G), and 5-905, Juvenile Court Act of 1987.

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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: January 13, 2026
Re: Fiscal Year 2027 Tentative Budget Designee

As part of sound financial planning and in accordance with Illinois law (Article 17 of the School Code), the District is required to prepare a tentative budget for the upcoming fiscal year, which runs from July 1, 2026, through June 30, 2027. Beginning budget preparations at this time allows the District to thoughtfully plan for revenues, expenditures, and strategic priorities for the next school year.

To align with best practices and ensure an efficient budget process, the Board is asked to formally establish the 2026–27 fiscal year and appoint Chief Financial Officer, Annaka Whiting, to prepare the Tentative Budget. This action enables staff to begin reviewing and planning the upcoming budget without delay.

It is recommended that the Board of Education approve the resolution to establish the fiscal year and direct the Chief Financial Officer to prepare the budget. Consistent with the School Code of Illinois, the Board is required annually to pass a resolution instructing the Administration to prepare a budget for the forthcoming fiscal year. The resolution accomplishes both by establishing the 2026–27 fiscal year and appointing the Chief Financial Officer to initiate the budget process.

Investment Period: July 1, 2026 – June 30, 2027
Total Investment: N/A
Funding Source: N/A

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

Rock Island-Milan School District #41

R E S O L U T I O N

WHEREAS, Pursuant to Article 17 of the School Code of the State of Illinois, it is required that an annual budget in tentative form for Rock Island-Milan School District #41 be prepared by an individual designated by this Board of Education for the fiscal year commencing July 1, 2026, and ending June 30, 2027.

NOW THEREFORE BE IT RESOLVED, by the Board of Education of Rock Island-Milan School District #41 in the County of Rock Island, State of Illinois, that the fiscal year be established as commencing July 1, 2026, and ending June 30, 2027.

BE IT FURTHER RESOLVED, by the Board of Education of Rock Island-Milan School District #41 in the County of Rock Island, State of Illinois, that Annaka Whiting, Chief Financial Officer, is hereby appointed to prepare a Tentative Budget for said school district for the fiscal year beginning July 1, 2026, and ending June 30, 2027, which Tentative Budget shall be filed with the Secretary of this Board of Education in accordance with the Illinois Program Accounting Manual for Local Education Agencies - Circular Series No. A-358 - issued by the Illinois State Board of Education.

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President

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Board Secretary

Dated_____