ROCK ISLAND-MILAN SCHOOL DISTRICT NO. 41

BOARD OF EDUCATION COMMITTEE OF THE WHOLE MEETING

ROCK ISLAND CENTER FOR MATH AND SCIENCE
2101 16TH AVENUE
ROCK ISLAND, IL 61201

TUESDAY, MAY 26, 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 regular meeting minutes of May 12, 2026, both executive session minutes from May 12, 2026, the regular meeting minutes of May 19, 2026, and the executive session minutes from May 19, 2026 with all executive session minutes to remain confidential.

II. **Special Items**

A. **5Essentials School Recognitions... Presentation**

Mr. Jeff Dase, Deputy Superintendent, will recognize Denkmann Elementary School and Thomas Jefferson Elementary School for achieving "Well-Organized" status on the 5Essentials survey for the 2025 - 26 school year.

B. **Superintendent's Advisory Council Recognition... Presentation**

Dr. Sharon Williams, Superintendent, will recognize 2026 - 27 advisory council members.

C. **Rock Island Center for Math & Science... Presentation**

Mr. John Hawley, Principal, will give a presentation on the Rock Island Center for Math & Science.

III. **Committee of the Whole**

Dr. Sharon Williams, Superintendent, will give a presentation on technology use, social media and bullying.

IV. **Reports**

A. Board Members

B. Superintendent

C. RIEA President

D. RIESPA President

E. AFSCME President

V. **Communications**

Requests from persons wishing to speak on certain agenda items will be called upon at this time. Citizens may also use this time to address the Board of Education on items not on the agenda. Comments should be limited to three (3) minutes.

VI. **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-f)... Action**

a. **ACT II Transportation Amendment... Action**

It is recommended that the Board of Education approve the amended contract for service with Act II Transportation, 310 East First Avenue, Coal Valley, IL, from $225,000 to $260,000 for the remainder of fiscal year 26.

b. **Great Minds... Action**

It is recommended that the Board of Education approve the purchase of curriculum materials and digital licenses from Great Minds, P.O. Box 20283, Pittsburgh, PA, in the amount of $160,059.08 for fiscal year 27.

c. **Lexia Learning Systems Amendment... Action**

It is recommended that the Board of Education approve the amended contract for service with Lexia Learning Systems, 17855 Dallas Parkway, Suite 400, Dallas, TX, from $56,506.37 to $119,726.37 for fiscal year 26.

d. **SAVVAS Learning Company... Action**

It is recommended that the Board of Education approve a spending increase with SAVVAS Learning Company, 55 Washington Street, Suite 800, Brooklyn, NY, from $91,253.36 to $110,253.36 for fiscal year 26.

e. **SAVVAS Learning Company... Action**

It is recommended that the Board of Education approve the purchase of curriculum materials and digital licenses from SAVVAS Learning Company, PO Box 6820, Chandler, AZ, in the amount of $47,510 for fiscal year 27.

f. **Tri-State Travel Amendment... Action**

It is recommended that the Board of Education approve the amended contract for service with Tri-State Travel, 530 W. 76th Street, Davenport, IA, from $70,000 to $85,000 for the remainder of fiscal year 26.

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

It is recommended that the Board of Education authorize bills for payment dated

May 15, 2026, in the amount of $4,783,792.79.

3. **List of Donations... Actions**

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

4. **Certified Appointments... Action**

It is recommended that the Board of Education approve the certified appointments of Adrienne Anderson and Lori Lefebvre for the 2026 - 27 school year.

5. **Non-Certified Appointment... Action**

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

6. **Certified Internal Transfers... Action**

It is recommended that the Board of Education approve the certified internal transfers of Gail Gant, Dionne Lohmann, Shannon Hudson, and Jamie Pilichowski for the 2026 - 27 school year.

7. **Certified Coach Appointments... Action**

It is recommended that the Board of Education approve the certified coach appointments of Pharoah Gay, Melanie Martinez, Matthew McCarthy, and Andrea Parer for the 2025 - 26 school year.

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

It is recommended that the Board of Education approve the non-certified coach appointment of Calvin Larson and Robrina Taylor for the 2025 - 26 school year.

9. **Certified Retirements... Action**

It is recommended that the Board of Education accept the certified retirement of Sylvia Cooper, Cross Categorical Teacher at Edison Junior High School with thirteen (13) years of service, effective June 3, 2027, Tonya Hanrahan, Cross Categorical Teacher at Rock Island High School with eight (8) years of service effective June 4, 2026, and Wendy Kerker, Sixth Grade Teacher at Ridgewood Elementary School with twenty-six (26) years of service, effective June 4, 2026.

10. **Certified Resignations... Action**

It is recommended that the Board of Education accept the certified resignations of Rachel Carr, Fourth Grade Teacher at Frances Willard Elementary School, with four (4) years of service, effective June 4, 2026, and John Hawley, Principal at Rock Island Center for Math and Science, with four (4) years of service effective June 25, 2026.

11. **Certified Coach Resignation... Action**

It is recommended that the Board of Education accept the certified coach resignation of Jarrin Williams, Head Boys Track Coach at Rock Island High School with ten (10) years of service effective December 19, 2025.

VII. **Operations**

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

The district received a FOIA request and responded within the required timeframe to Mike Adams, who requested video surveillance footage from February 5, and March 4, 2026, from Edison Junior High.

The district received a FOIA request and responded within the required timeframe to Lisa Melton, who requested video surveillance footage related to an incident at Earl Hanson Elementary School.

B. **Board Policy Updates - Second Reading... Information & Action**

It is recommended that the Board of Education approve the PRESS 121 Board Policies received from the Illinois Association of School Boards as presented.

C. **Thomas Jefferson Sitework... Action**

It is recommended that the Board of Education approve the contract recommendations from Russell Construction as presented to complete sitework at Thomas Jefferson Elementary School for an overall cost of $1,179,431.

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). 5 ILCS 120/2(c)(9): Student disciplinary cases. 5 ILCS 120/2(c)(10): The placement of individual students in special education programs and other matters relating to individual students.

IX. **Adjournment**

ROCK ISLAND-MILAN SCHOOL DISTRICT #41

Board of Education Meeting

May 26, 2026

Sharon Williams, Ed. D.

Superintendent

AGENDA

1. 5Essentials School Recognitions
2. Superintendent’s Advisory Council Recognition
3. Committee of the Whole: Technology Use/Social Media/Bullying

5Essentials School Recognitions

Jeff Dase, Ed. S., Deputy Superintendent

5Essentials School Recognitions

The 5Essentials Survey identifies five indicators that lead to improved outcomes for all students, including improved attendance and larger test score gains.

The five indicators that positively affect school success are:

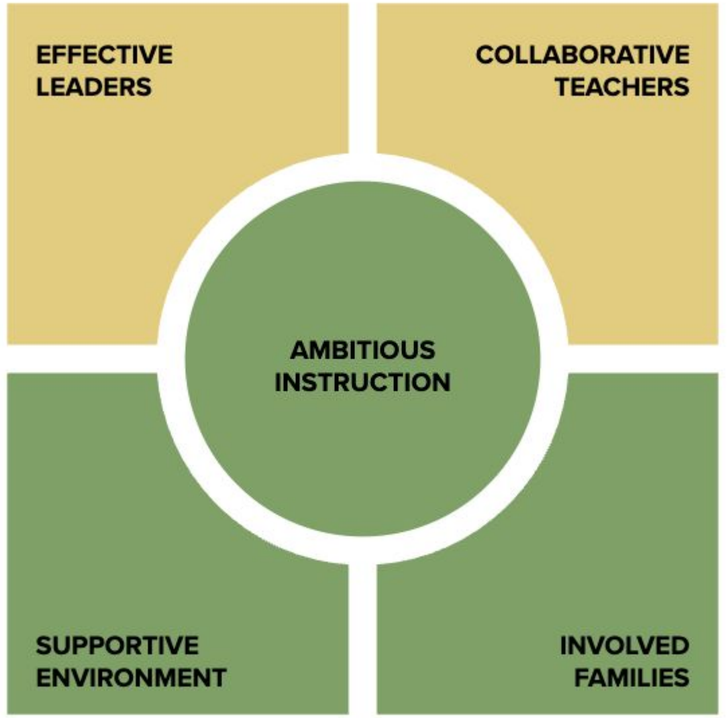
1. Effective Leaders
2. Collaborative Teachers
3. Involved Families
4. Supportive Environments
5. Ambitious Instruction

Research derived from the Five Essentials for School Success has proven that schools strong on at least **three** of the 5Essentials are **10 times** more likely to improve student outcomes.

5Essentials School Recognitions

Well-Organized School

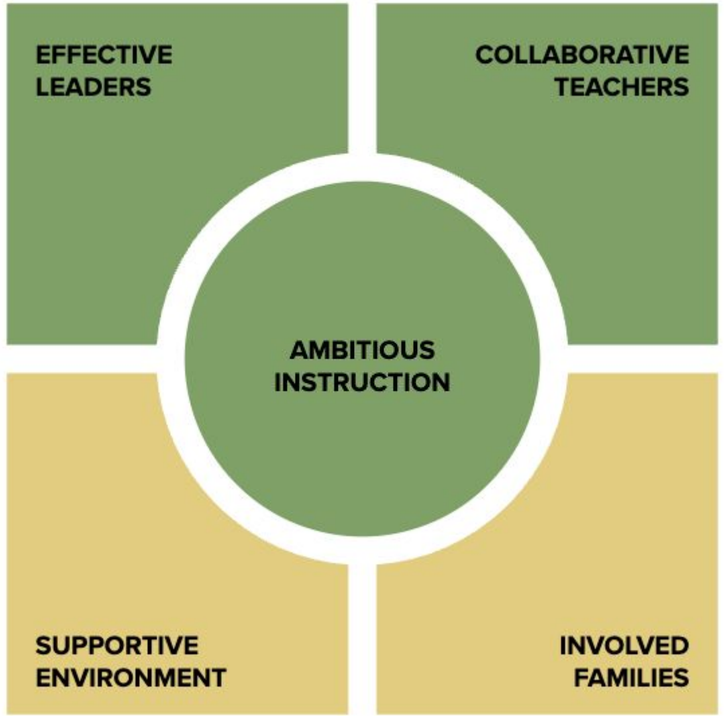
Denkmann
Elementary School



5Essentials School Recognitions

Well-Organized School

Thomas Jefferson
Elementary School



Superintendent's Advisory Councils Recognition

Sharon Williams, Ed. D., Superintendent

Superintendent’s Advisory Councils

The superintendent’s advisory council provides a platform for open communication and feedback between the superintendent and Scholars, Families, Staff and Teachers, aiming to improve school practices and address issues by providing a forum for insights and ideas.



Superintendent’s Teacher Advisory

Melissa Barton	Earl Hanson Elementary School
Kelly Beale	Frances Willard Elementary School
Chris Beierlein	Administration Center
Carissa Boyd	Frances Willard Elementary School
Jose Burgos Vasquez	Rock Island High School
Stephanie Dieudonne	Rock Island High School
Sarah Engstrom	Rock Island High School
Kathleen Hernandez	Horace Mann Early Learning Center
Lisa Kuffler	Horace Mann Early Learning Center
Stacy Lofgren	Rock Island Center for Math and Science
Dionne Lohmann	Administration Center
Beth McKinley	Washington Junior High School



Superintendent’s Teacher Advisory

Catherine Napwori	Rock Island Academy Elementary School
Katherine Nelson	Washington Junior High School
Angie Paprocki	Denkmann Elementary School
Brynn Pauwels	Frances Willard Elementary School
Beth Raygor	Earl Hanson Elementary School
Jamie Ruberg	Rock Island Academy Elementary School
Mariann Stanforth	Washington Junior High School
Amanda Weber	Edison Junior High School



Superintendent’s Staff Advisory

Brooke Bennett	Thomas Jefferson Elementary School
John Campbell	Rock Island High School
Tonya Davis	Rock Island High School
Tuesday Few	Administration Center
Yolanda Grandberry-Pugh	Rock Island High School
Gretchen Hampsey	Administration Center
Cory Hollway	Administration Center
Amy Jahn	Edison Junior High School



Superintendent’s Staff Advisory

Beth MacKenna	Administration Center
Jennifer Moa	Earl Hanson Elementary School
Teresa Pepping	Rock Island Academy Elementary School
Monica Poe	Earl Hanson Elementary School
Todd Poe	Rock Island Center for Math and Science
Monta Ponsetto	Rock Island - Milan Education Foundation
Ramsey Vesey Jr.	Thurgood Marshall Learning Center
Selena Wellington	Rock Island Academy Elementary School
Joseph Woods	Thurgood Marshall Learning Center



Superintendent’s Family Advisory

Amy Conner	Washington Junior High School
Karen Davis	Thomas Jefferson Elementary School
Melissa Greenwood	Washington Junior High School
Rachel Gustafson	Rock Island High School
Mia Holliday	Eugene Field Elementary School
Ashley Madison	Rock Island High School
Melanie Rice	Washington Junior High School
MacKenzie Roessler	Rock Island High School
Jamie Ruberg	Rock Island High School
Joel Ruberg	Rock Island High School
Josh Spaulding	Earl Hanson Elementary School
Sharan Witcraft	Rock Island Academy Elementary School
Raquel Witschen	Rock Island Center for Math and Science





Superintendent’s High School Advisory

Farah Alhamdan	Rock Island High School
Elliot Batz	Rock Island High School
Ryan Conner	Rock Island High School
TJ Bridges	Rock Island High School
Caligina Burton-Botten	Rock Island High School
Charles Cooley	Rock Island High School
Elijah Hodgett	Rock Island High School
John Htoo	Rock Island High School
Ryielle Jones	Rock Island High School
Florance Irasubiza	Rock Island High School
Sheer Ler	Rock Island High School



Superintendent’s High School Advisory

Marley Reyes	Rock Island High School
Chelsie Thomas	Rock Island High School
Janiah Wallace	Rock Island High School
Isai Zetina	Rock Island High School
Nytrell Bommon	Thurgood Marshall Learning Center
Nora Clark	Thurgood Marshall Learning Center
Hailey Rosenbaum	Thurgood Marshall Learning Center
Spencer Smallwood	Thurgood Marshall Learning Center
JaKayla Walsh	Thrugood Marshall Learning Center



Superintendent’s JHS Advisory

Brooklyn Bea	Washington Junior High School
Jase Blackwood	Washington Junior High School
Hudson Dean	Edison Junior High School
Laylah Grandberry-Robinson	Washington Junior High School
Jordan Gray	Edison Junior High School
Aelle Harris	Edison Junior High School
Velissa Jackson	Edison Junior High School
Veliciah Lopez	Thurgood Marshall Learning Center
A’zavion McGee	Edison Junior High School
Jordan McMurray	Edison Junior High School
Maliyah McQueen	Washington Junior High School



Special thanks to Katherine Nelson (WJHS) and Melanie Martinez (EJHS), JHSs Sponsors

Superintendent’s JHS Advisory

Olivia Moa	Washington Junior High School
Serenity Nelson	Edison Junior High School
Derriasia Nephew	Washington Junior High School
Thaliyah Nimmers	Edison Junior High School
Jade Overton	Washington Junior High School
Marc Polite	Washington Junior High School
Asma Rahimi	Washington Junior High School
Bralan Reynolds	Washington Junior High School
Fatima Rivera Sanchez	Washington Junior High School
Shining Star	Edison Junior High School
Victoria Woods	Washington Junior High School
Houston Zepeda	Washington Junior High School



ROCK ISLAND-MILAN SCHOOL DISTRICT #41

Committee of the Whole:
Technology Use

Social Media & Bullying

Superintendent's JHS Advisory Council Action Project

Sharon Williams, Ed. D., Superintendent

Action Project

What is one area of the satisfaction survey results to address?

- **Bullying**
- School Environment
- Academic Support and Improvement

Bullying is unwanted, aggressive behavior that involves a real or perceived power imbalance. To be considered bullying, the action must be intentional, repeated over time (or highly likely to be repeated), and meant to cause physical or psychological harm.

Connection to Board Policy and District Procedures

Scholar Handbook

The Rock Island-Milan School District 41 Scholar Handbook provides a comprehensive guide to school policies, procedures, and resources. It includes important information on attendance, academics, student services, and daily operations, helping scholars and families stay informed and supported throughout the school year.

Scholar Handbook

Dari
Karen
Kinyarwanda
Spanish
Swahili

Code of Conduct

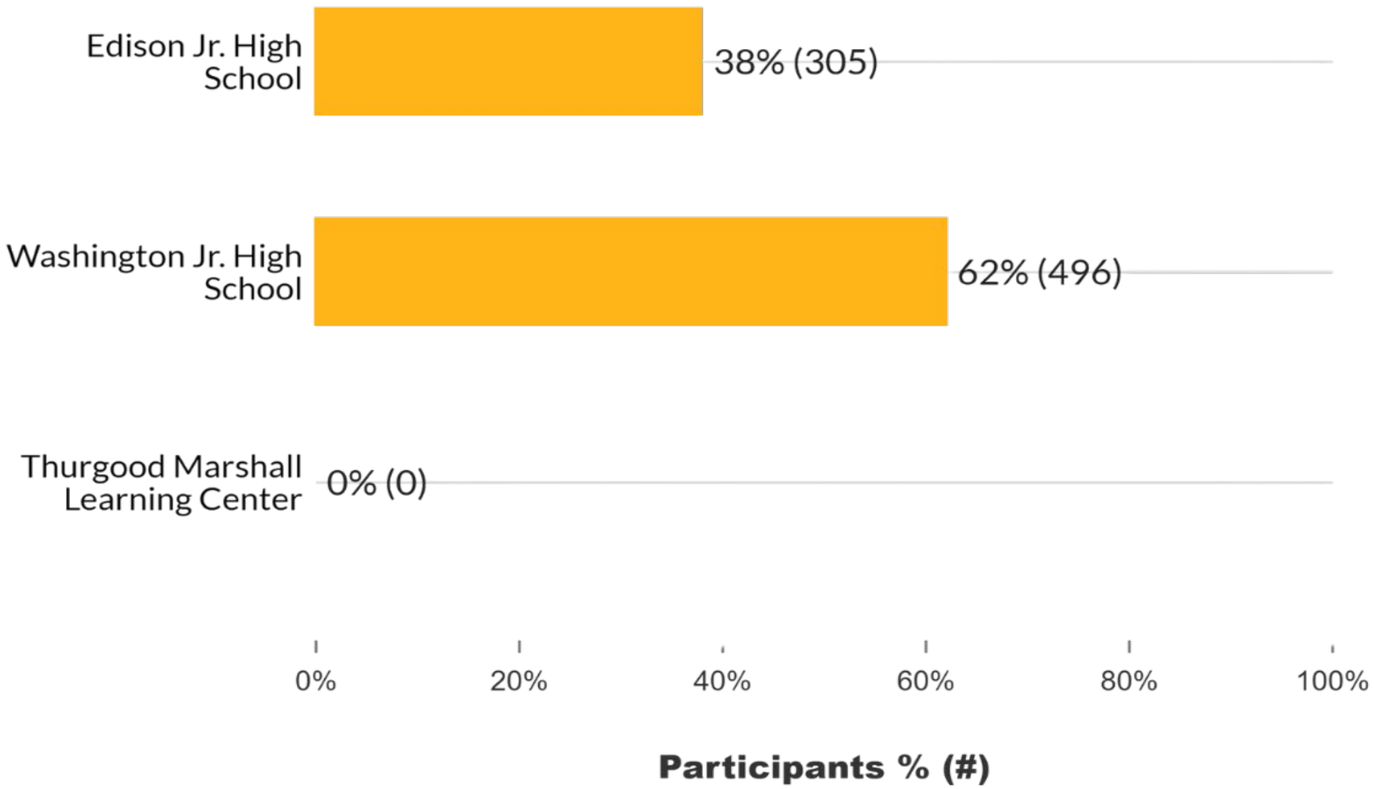
The Rock Island-Milan School District 41 Code of Conduct outlines the expectations for scholar behavior and the standards necessary to maintain a safe, respectful, and orderly school environment. It defines appropriate conduct, explains corrective actions procedures, and emphasizes accountability, responsibility, and positive decision-making for specific stakeholders roles with the RIMSD41 community.

Code of Conduct

Dari
Karen
Kinyarwanda
Spanish
Swahili

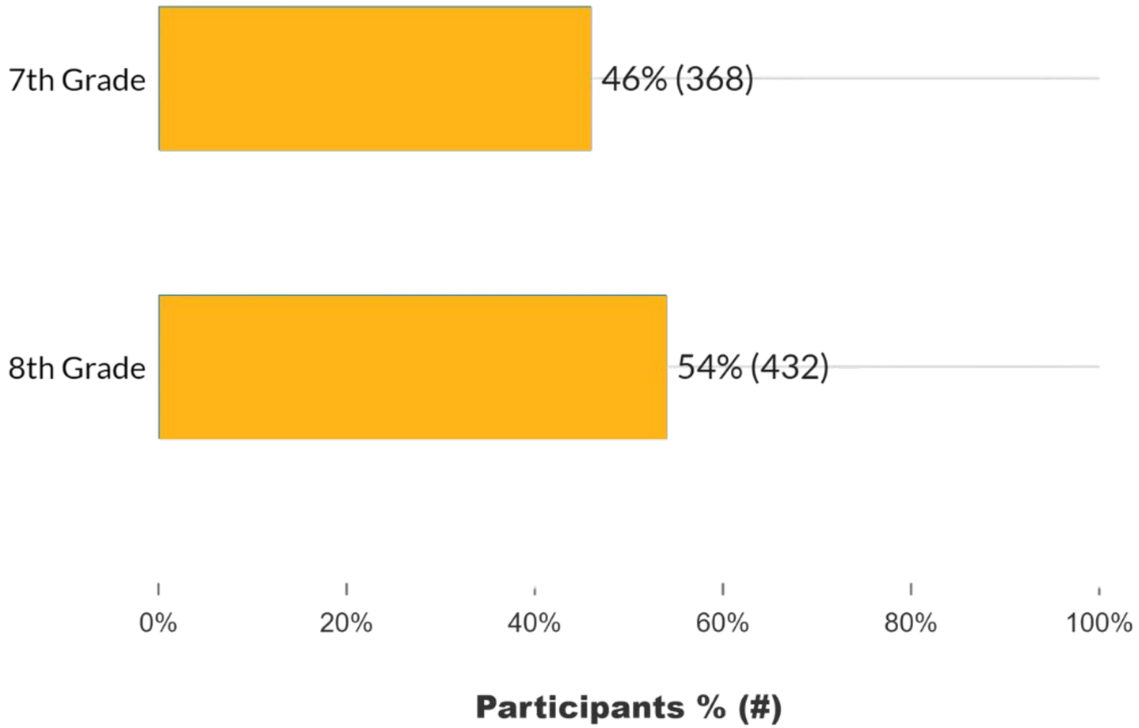
Survey Results

What school are you enrolled in?



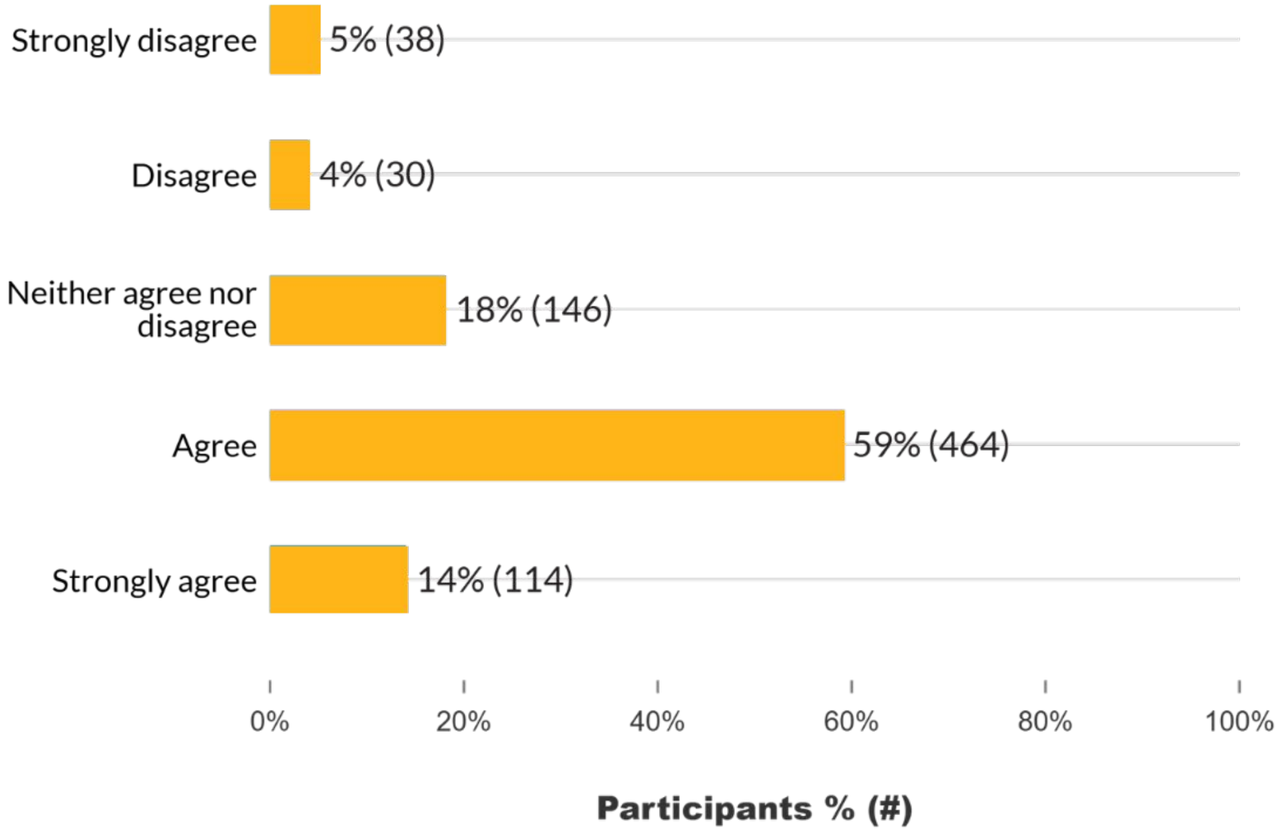
Survey Results

What grade are you in?



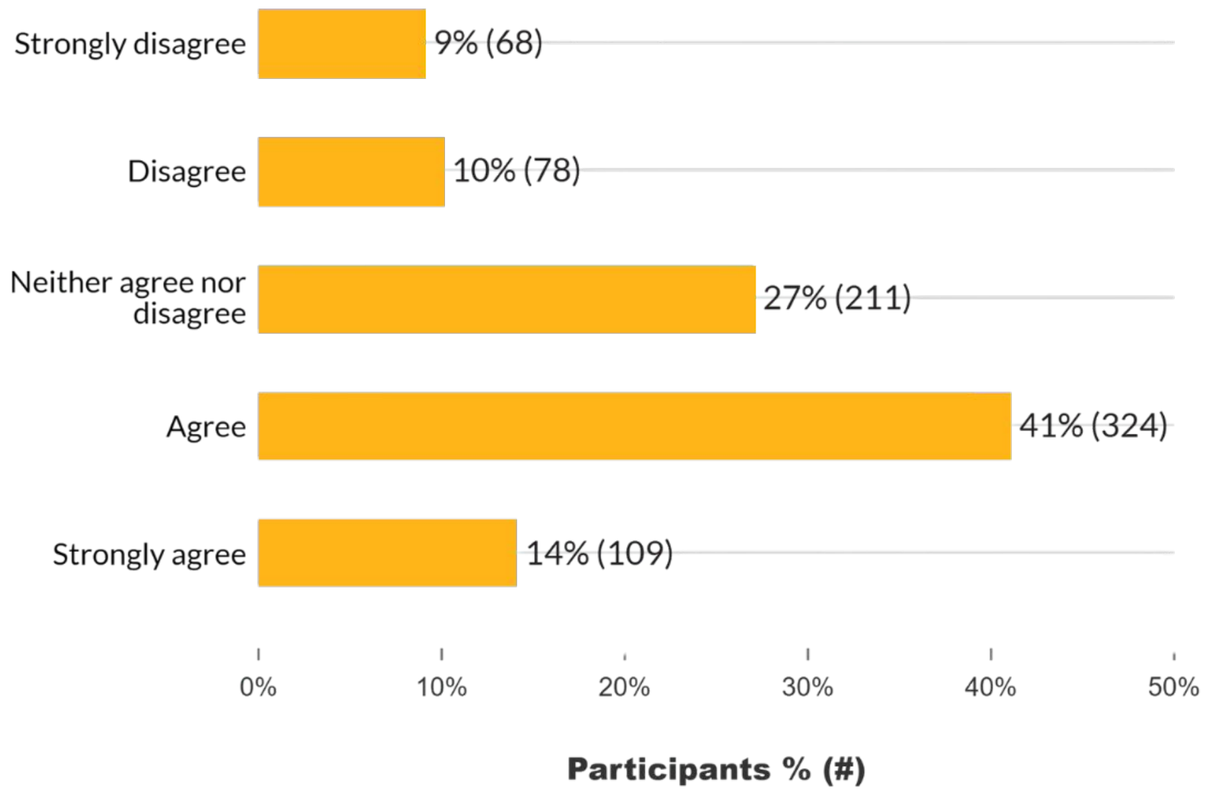
Survey Results

I feel safe in my school.



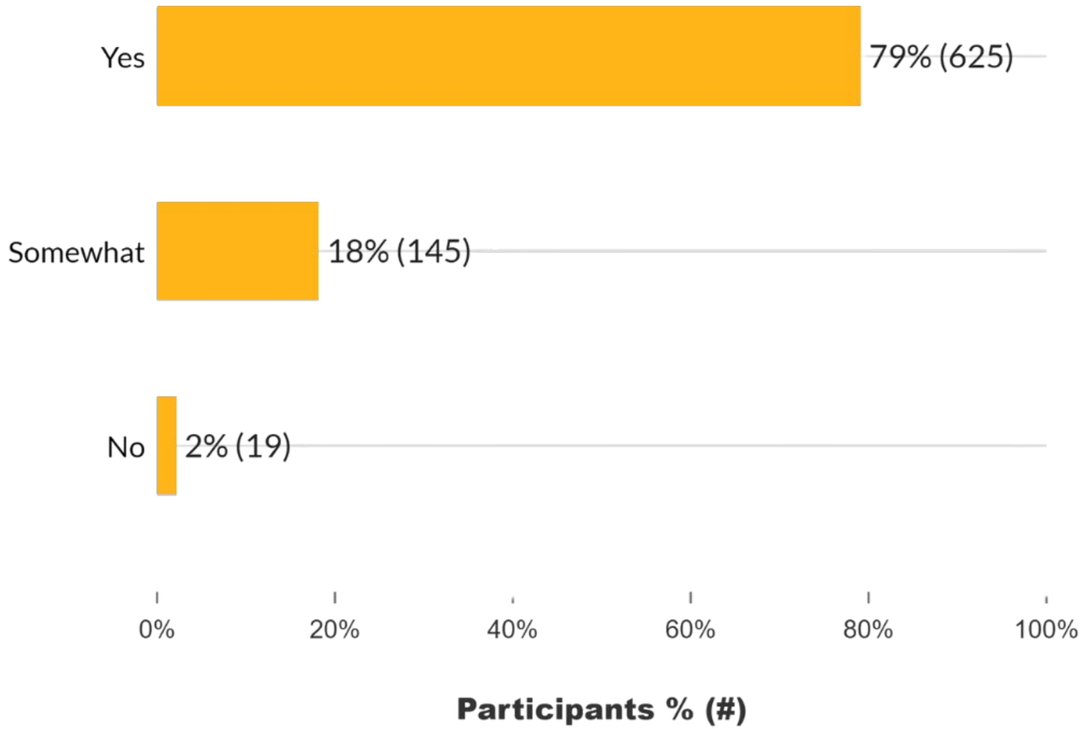
Survey Results

I do not experience bullying or disrespect by other students at school.



Survey Results

I understand the school's expectations and consequences for student behavior.



Survey Results

If you experience bullying or disrespect, in what ways do you feel disrespected?

- Verbal Abuse
- Physical Abuse
- Cultural and Identity Disrespect
- Boundary Violations
- General Rudeness

Survey Results

What is one change that would improve the school experience for students?

- Behavior and Respect
- Teaching and Learning
- Facilities and Resources
- Discipline and Safety
- Student Autonomy and Engagement

Our Recommendations for Leadership Action

Mental Health Support

- Provide more resources for scholars and staff regarding mental health systems and strategies.
- Increase staffing and time for mental health and counseling support.
  - Example: counselor weekly visits to health/gym
- Develop anonymous reporting methods.
- Develop mediation protocols.
- Provide mental health breaks.

Our Recommendations for Leadership Action

Learning Environment: School Building/Classrooms, Nutrition, Equipment

- Improve devices (Chromebooks) and connectivity.
- Improve choices and portions for meals.
- Make restroom and facility improvements.
  - Water fountains
  - AC in gyms
- Increase staff for hallway monitoring.
- Provide safe places for students to calm down.

Our Recommendations for Leadership Action

Learning Environment: Academics and School Culture

- Provide equitable funding for academic materials and programs between schools.
- Encourage more participation in school activities.
- Improve award systems - make students feel appreciated.
- Improve elective choices.
- Provide relevant classwork and homework.
- Ensure equity in consequences for misbehavior (less bias - more equity).
- Provide more time for students to talk to each other.
- Improve behavior and discipline systems.
- Provide fun activities that more students can enjoy.

Committee of the Whole Discussion Prompts

- Share your thoughts on how cyberbullying and online harassment are affecting scholars in our schools and community.
- Discuss ways the district and families can work together to promote responsible and safe social media use.
- What role should schools play when social media conflicts impact the school environment?
- Reflect on whether current district policies and practices related to bullying, harassment, and technology use are meeting scholar needs.
- Discuss how we can better teach and reinforce digital citizenship and positive online behavior.



Committee of the Whole Discussion Prompts

- In what ways can technology be used to strengthen student engagement, learning, and school safety?
- Discuss what supports or training staff may need to better respond to cyberbullying and online behavior concerns.
- Share suggestions for creating a school culture where students feel safe reporting bullying or harmful online behavior.
- What additional steps can the district take to balance the benefits of technology with student safety and well-being?
- Share ideas for supporting students' mental health as they navigate social media pressures and online conflict.




BOARD OF EDUCATION
ROCK ISLAND MILAN

ROCK ISLAND-MILAN SCHOOL DISTRICT #41

Rock Island Center for Math and Science

Mr. John Hawley

Principal

We Exist to…

Nurture students of all abilities and talents to learn and succeed at their highest potential in a STEAM environment that is welcoming to all.



RICMS Values



Core values:

What we do better than anyone else. We must have these, hire these, and make decisions around them.

- Care (Care for self, others, students, etc.)
- Passion (Hard work, …)
- Learning and Growth

Aspirational values:

Something we don't have yet but want to develop.

- Innovation
- STEM/STEAM
- Flexibility and balance

Permission to Play:

Values that are common and important but not a core value.

- Integrity
- Collaboration

Accidental values:

Values we possess but don't want to possess and must guard against.

- Inflexible
- Rigidity - you can't be rigid and innovative at the same time
- Passive Aggressive

JOHN DEERE

5Essentials - Our Journey

Schools strong on at least three of the five essentials were **10x more likely** to show substantial gains in student learning over time than schools weak on three or more of the five essentials. A persistent weakness in even **just one of the five essential factors** reduced the likelihood of improvement **to less than 10%.**

Further, 5Essentials Measures are positively related to a variety of outcomes including:



Attendance



Test Score Gains



Freshman OnTrack



Graduation Rates

2025 5E Focus Goal

Increase Student Discourse

Quality of Student Discussion

Students participate in classroom discussions that build their critical thinking skills.

Teachers report the following about classroom discussions:

Students build on each other's ideas during discussion.

Students use data and text references to support their ideas.

Students show each other respect.

Students provide constructive feedback to their peers and to me.

Most students participate in the discussion at some point.

Students encourage each other to participate in discussion.

2025 5E

Student Discourse Action Steps

- 5Essential student discourse descriptors in every classroom.
- Teachers explain what the descriptors look like and sound like in every classroom.
- Teachers participate in a book study on math talks: “Activating Math Talks, 11 Purposeful Techniques for your Elementary Students”.
- Professional development by Instructional Coach, Chris Beierlein, and RIROE Instructional Coach, Tami Kelly.
- Quarterly surveys by students and teachers on the 5Essential questions.
- Feedback from principals on the 5E and math talk book look fors.
- Hopefully, improved results on the 2026 5E.

2026 5E

Overall Picture



2026 5E Survey Response

Repondent	Response Rate	(Illinois)
Students	99.9%	93.1%
Teachers	93.6%	75.8%
Parents	59.0%	18.4%

2026 5E Results

Student Discourse

Quality of Student Discussion

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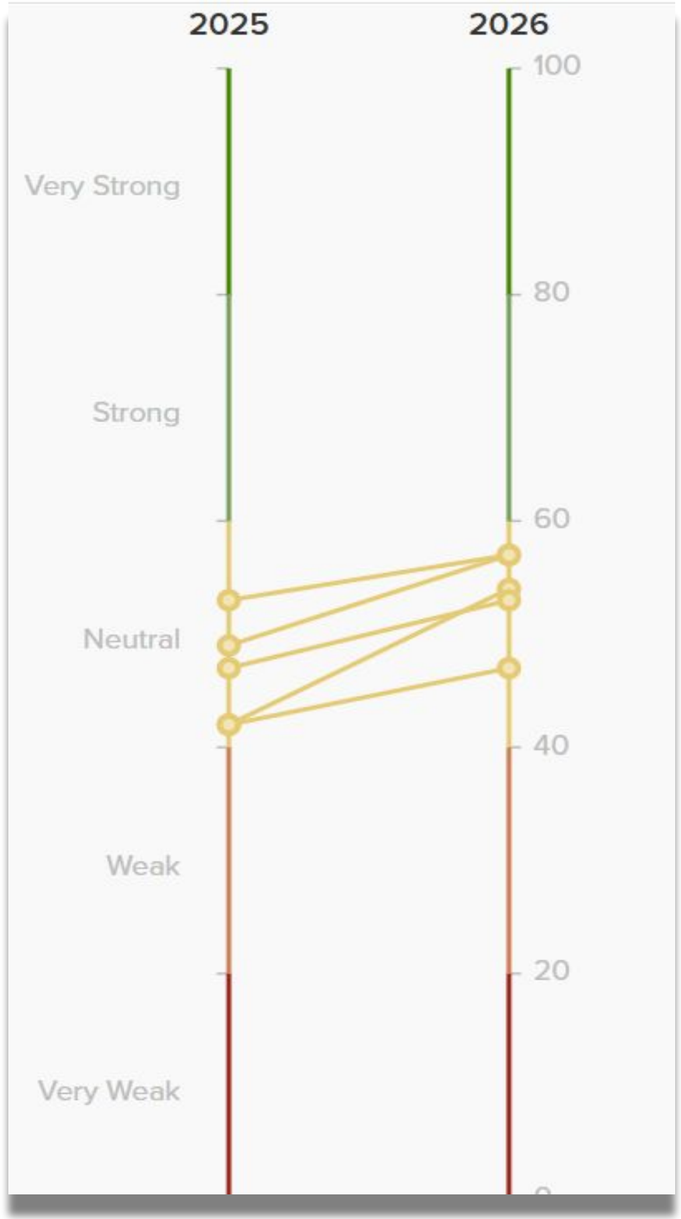
Students encourage each other to participate in discussion.



2026 5E Results

2-Year Trends

The 5Essentials	Change	Performance
Ambitious Instruction	+ 12	54 Neutral
Collaborative Teachers	+ 8	57 Neutral
Involved Families	+ 6	53 Neutral
Supportive Environment	+ 5	47 Neutral
Effective Leaders	+ 4	57 Neutral



2026 5E Results

2-Year Trends - Ambitious Instruction

In schools with strong Ambitious Instruction, classes are challenging and engaging. The instruction is well-structured, and encourages students to build and apply knowledge. When combined with a support environment, Ambition Instruction has the most direct effect on student learning. It is:

- well-defined with clear expectations for student success
- interactive and encourages students to build and apply knowledge
- well-paced (not measured)
- aligned across grades (not measured)

Measures	Change	Performance	Respondent
English Instruction	+ 18	66 Strong	Student
Quality of Student Discussion	+ 14	47 Neutral	Teacher
Academic Press	+ 11	55 Neutral	Student
Math Instruction	+ 6	48 Neutral	Student

2026 5E Results

2-Year Trends - Collaborative Teachers

In schools with strong Collaborative Teachers, all teachers collaborate to promote professional growth. In such schools teachers are:

- active partners in school government
- committed to the school
- focused on professional development

Measures	Change	Performance	Respondent
Collaborative Practices	+ 14	61 Strong	Teacher
Collective Responsibility	+ 12	65 Strong	Teacher
Teacher-Teacher Trust	+ 8	51 Neutral	Teacher
School Commitment	+ 7	64 Strong	Teacher
Quality Professional Development	- 1	43 Neutral	Teacher

2026 5E Results

2-Year Trends - Involved Families

In schools with Involved Families, the entire staff builds strong external relationships. Such schools:

- see parents as partners in helping students learn
- value parents' input and participation in advancing the school's mission
- support efforts to strengthen its students' community resources

Measures	Change	Performance	Respondent
Parent Involvement in School	+ 8	52 Neutral	Teacher
Parent Influence on Decision Making in Schools	+ 8	55 Neutral	Teacher
Teacher-Parent Trust	+ 4	53 Neutral	Teacher

2026 5E Results

2-Year Trends - Supportive Environment

In schools with a Supportive Environment, the school is safe, demanding, and supportive. In such schools:

- students feel safe in and around the school
- they find teachers trustworthy and responsive to their academic needs
- all students value hard work
- teachers push all students toward high academic performance

Measures	Change	Performance	Respondent
Parent Involvement in School	+ 8	52 Neutral	Teacher
Parent Influence on Decision Making in Schools	+ 8	55 Neutral	Teacher
Teacher-Parent Trust	+ 4	53 Neutral	Teacher

52

2026 5E Results

2-Year Trends - Effective Leaders

In schools with Effective Leaders, principals and teachers work together to implement a shared vision. In such schools, people, programs, and resources are focused on a vision for sustained improvement. Leaders:

- practice shared leadership
- set high goals for quality instruction
- maintain mutually trusting and respecting relationships
- support professional advancement for faculty and staff
- manage resources for sustained program improvement (not measured)

Measures	Change	Performance	Respondent
Teacher Influence	+ 7	47 Neutral	Teacher
Instructional Leadership	+ 4	62 Strong	Teacher
Teacher-Principal Trust	+ 4	70 Strong	Teacher
Program Coherence	+ 0	47 Neutral	Teacher

2026 - 2027 5E Focus

Measures	Performance	Essential	Respondent
Parent Supportiveness	27 Weak	Supplemental Measures	Student

2026 - 2027 5E Tentative Plan



Partner with Ron Mirr and Ms. Dixon to improve family engagement.

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Jeff Dase, Deputy Superintendent
Date: May 26, 2026
Re: Act II Transportation

We recommend the approval of Act II Transportation, 310 East First Avenue, Coal Valley, IL, for transportation services for various school activities. While Johannes Bus Services is used whenever possible, Act II provides an additional option when larger buses are required or when Johannes is unavailable. The district has worked with Act II Transportation for over 10 years and values their reliable customer service and quality service.

We have utilized Act II Transportation when other transportation providers were unable to meet the transportation needs necessary to support scholar participation in events and activities. Due to increased transportation costs associated with rising fuel prices, outstanding invoices, and increased scholar participation in extracurricular activities, it is recommended that the Board of Education approve a revised total funding amount from $225,000 to $260,000 for the 2025–2026 school year to accommodate additional costs and service demands.

Investment Period: July 1, 2025 - June 30, 2026
Total Investment: Not to Exceed $260,000
Funding Source: Transportation Fund

Rock Island-Milan School District #41
2000 7th Avenue, Rock Island, IL 61201
309-793-5900 x10210 | 309-793-5905 fax
Sharon.williams@rimsd41.org
www.rimsd41.org

Contract for Service Form

Rock Island-Milan School District 41

VENDOR NAME: Act II Transportation **EMAIL:** ricklawson@actiitransportation.com

ADDRESS: 310 East 1st Ave Coal Valley, IL 61240

DATES OF SERVICE TO BE COMPLETED: 2025-2026 School Year

SCHOOL DISTRICT CONTACT: Mike Emendorfer

COMPENSATION: $ not to exceed ~~225,000~~ $260,000.00

DESCRIPTION OF DUTIES:

Transportation and busing for various school events

Lawson Enterprises, INC DBA Act II Transportation
Owner: Rick Lawson

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 ☒

Requesting School: RIHS, EJHS, WJHS

Budget Code: 4-5-100-000-1501-3310, 4-5-160-000-1501-3310, 4-5-180-000-1501-3310

Signature of Vendor: Rick Lawson **Date:** 10/20/2025

Signature of Budget Administrator: _____ **Date:** 10/20/2025

_____ 10/28/2025

Superintendent or School Board President **Date**

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Scott Vance, Assistant Superintendent for Teaching and Learning
Date: May 12, 2026
Re: Great Minds (Eureka Math^2) Annual Curriculum Renewal

The Teaching and Learning department annually purchases materials, digital licenses, and instructional professional development in support of the approved Rock Island-Milan School District curriculum.

The digital components are the online teacher and/or student access to the curriculum as well as intervention materials for math, reading, and science. Listed below are the details for this annual renewal:

Great Minds: $160,059.08

- Eureka Math Squared License**s:** $44,448.79
- Eureka Squared Math Materials: $110,081.88
- Eureka Math Squared Instructional Professional Development: $3,900
- Proportionate Share (Jordan Catholic): $1,628.41

Eureka Math^2 is the approved math curriculum for Kindergarten through 5th grade. The Eureka Math^2 curriculum focuses on establishing a conceptual understanding of math rather than only relying on procedural skills. This approach will provide students with a better understanding and improve their college and career readiness.

It is recommended that the Board of Education approve the purchase of curriculum materials and digital licenses at a total cost of $160,059.08 from Great Minds, PO Box 200283, Pittsburgh, PA., 15251-0283.

Investment Period: July 1, 2026 - June 30, 2027
Total Investment: $160,059.08
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: Great Minds **EMAIL:** julie.long@greatminds.com

ADDRESS: PO Box 200283
Pittsburg, PA 15251-0283

DATES OF SERVICE TO BE COMPLETED: 2026-2027 school year

SCHOOL DISTRICT CONTACT: Stacey Golz

COMPENSATION: $ $160,059.08

DESCRIPTION OF DUTIES:

Eureka Math Squared licenses - $44,448.79
Eureka Math Squared materials - $110,081.88
full day onsite pd - $3,900
Jordan Catholic - $1628.41

Faith's Law. Contractor additionally certifies that prior to sending any employee or contractor/subcontractor to the premises, Contractor has complied with all employment history review and other obligations of 105 ILCS 5/22-94. Upon request of the School District, Contractor agrees to promptly disclose all records, information and determinations related to Section 22-94 employment history review for each of its employees or independent contractors.

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: Eureka Math Squared **Website:** www.greatminds.com

Subscription/Software Start Date: 07/01/2026 **End Date:** 06/30/2026

SOPPA Approved: Yes ■ or No ☐

School Board President or Superintendent **Date**

Requesting School:

Budget Code: Title I & II

Signature of Vendor: **Date:**

Signature of Requestor: **Date:**

Signature of Budget Administrator: **Date:** 5/26/2026

Quote	Total	Description	School	
547966	$3,900.00	Eureka Math PD Quote	District	
545835	$1,628.41	Eureka Math Package	Jordan Catholic	
553434	$14,634.70	Eureka Math Package	Thomas Jefferson	
553421	$23,529.41	Eureka Math Package	RICMS	
553414	$23,090.48	Eureka Math Package	RIA	
553408	$13,660.25	Eureka Math Package	Ridgewood	
553405	$14,082.79	Eureka Math Package	Longfellow	
553404	$14,217.90	Eureka Math Package	Frances Willard	
553396	$22,351.16	Eureka Math Package	Eugene Field	
553385	$12,641.10	Eureka Math Package	Earl Hanson	
553361	$16,322.88	Eureka Math Package	Denkmann	
	$160,059.08			

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Great Minds Quote

Date	April 21, 2026	Quote Number	00547966
Expiration Date	June 30, 2027		
Prepared By	Kayla Woods	Contact Name	Dorian Maag
Email	kayla.woods@greatminds.org	Phone	(309) 793-5985
		Email	dorian.maag@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Dorian Maag
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	2000 7th Avenue ROCK ISLAND, IL 61201
		End User	Rock Island/Milan School District #41

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

PD - Services	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - On-Site PD Support Services - Full Day	GM-03574	1.00	$3,900.00	0.00%	$3,900.00

Services	$3,900.00
Solution Subtotal	$3,900.00
Discount	($0.00)
Shipping and Handling	$0.00
***Pre-Tax Solution Total**	***$3,900.00***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$3,900.00**

This Quote is governed by the Terms and Conditions at https://greatminds.org/customer-quote-terms which are hereby incorporated by reference as if fully set forth herein.

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Great Minds Quote

Date	April 13, 2026	Quote Number	00545835
Expiration Date	July 30, 2026		
Prepared By	Jonathan Lyskawa	Contact Name	Jennifer Heckenkamp
Email	jonathan.lyskawa@greatminds.org	Phone	3099121674
		Email	jheckenkamp@jordanschool.com
Bill to Name	Jennifer Heckenkamp	Ship to Name	Jennifer Heckenkamp
Bill To	2901 24th St Rock Island, IL 61201	Ship To	2901 24th St Rock Island, IL 61201
		End User	Jordan Catholic School

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Kit	ISBN	Quantity	Special Price	Total Price
Grade K				
Eureka Math Squared Grade K Learn & Digital Bundle: Part-Part-Total Modules 1-6	978-1-64929-023-6	5.00	$32.86	$164.30
Grade 1				
Eureka Math Squared Grade 1 Learn & Digital Bundle: Units of Ten Modules 1-6	978-1-64929-024-3	5.00	$32.86	$164.30
Grade 2				
Eureka Math Squared Grade 2 Learn & Digital Bundle: Ten Tens, Modules 1-6	978-1-64929-025-0	5.00	$32.86	$164.30
Grade 3				
Eureka Math Squared Grade 3 Learn & Digital Bundle: Units of Any Number Modules 1-6	978-1-64929-026-7	5.00	$32.86	$164.30
Grade 4				
Eureka Math Squared Grade 4 Learn & Digital Bundle: Fractional Units Modules 1-6	978-1-64929-027-4	5.00	$32.86	$164.30
Grade 5				
Eureka Math Squared Grade 5 Learn & Digital Bundle: Fractions are Numbers Modules 1-6	978-1-64929-028-1	5.00	$32.86	$164.30
Grade 6				
Eureka Math Squared Grade 6 Learn & Digital Bundle: Ratios and Rates Modules 1-6	978-1-64929-029-8	5.00	$32.86	$164.30
Grade 7				
Eureka Math Squared Grade 7 Learn & Digital Bundle: Ratios and Proportionality Modules 1-6	978-1-64929-030-4	5.00	$32.86	$164.30
Grade 8				
Eureka Math Squared Grade 8 Learn & Digital Bundle: Ratios and Linearity Modules 1-6	978-1-64929-031-1	5.00	$32.86	$164.30

Kit	$1,575.90
Solution Subtotal	$1,575.90
Discount	($97.20)
Shipping and Handling	$149.71
***Pre-Tax Solution Total**	***$1,628.41***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$1,628.41**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553434
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Stacey Golz
Email	kayla.woods@greatminds.org	Phone	(309) 737-3111
		Email	stacey.golz@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Thomas Jefferson Elementary School- ATTN: Stacey Golz
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	1307 W 4th Street Milan, IL 61264
		End User	Thomas Jefferson Elementary School

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	265.00	$10.00	15.00%	$2,252.50
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	221.00	$12.36	25.00%	$2,048.67

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	47.00	$35.70	14.95%	$1,427.05
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	45.00	$44.10	14.95%	$1,687.82
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	32.00	$44.10	14.95%	$1,200.23
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	39.00	$44.10	14.95%	$1,462.77
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	46.00	$44.10	14.95%	$1,725.32
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	45.00	$44.10	14.95%	$1,687.82

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade 2					
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 2	978-1-64497-088-1	6.00	$5.84	15.00%	$29.78
Grade 5					
Eureka Math Squared Grade 5 Learn: Fractions are Numbers Module 6	978-1-64497-118-5	15.00	$5.84	15.00%	$74.46

Kit	$10,806.60
Print	$122.64
Digital	$5,381.56
Solution Subtotal	$16,310.80
Discount	($2,714.37)
Shipping and Handling	$1,038.28
***Pre-Tax Solution Total**	***$14,634.70***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$14,634.70**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553421
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Stacey Golz
Email	kayla.woods@greatminds.org	Phone	(309) 737-3111
		Email	stacey.golz@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Rock Island Center for Math and Science- ATTN: Stacey Golz
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	2101 16th Ave Rock Island, IL 61201
		End User	Rock Island Center for Math and Science

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	402.00	$10.00	15.00%	$3,417.00
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	336.00	$12.36	25.00%	$3,114.72

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	70.00	$35.70	14.95%	$2,125.40
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	72.00	$44.10	14.95%	$2,700.51
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	59.00	$44.10	14.95%	$2,212.92
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	68.00	$44.10	14.95%	$2,550.48
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	74.00	$44.10	14.95%	$2,775.52
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	67.00	$44.10	14.95%	$2,512.97

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 2	978-1-64497-076-8	7.00	$5.84	15.00%	$34.75
Eureka Math Squared Grade K Learn: Part-Part-Total Module 5	978-1-64497-079-9	5.00	$5.84	15.00%	$24.82
Eureka Math Squared Grade K Learn: Part-Part-Total Module 6	978-1-64497-080-5	18.00	$5.84	15.00%	$89.35
Grade 2					

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 2	978-1-64497-088-1	11.00	$5.84	15.00%	$54.60
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 5	978-1-64497-091-1	12.00	$5.84	15.00%	$59.57
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 6	978-1-64497-092-8	17.00	$5.84	15.00%	$84.39
Grade 4					
Eureka Math Squared Grade 4 Learn: Fractional Units Module 4	978-1-64497-110-9	13.00	$5.84	15.00%	$64.53

Kit	$17,493.00
Print	$484.72
Digital	$8,172.96
Solution Subtotal	$26,150.68
Discount	($4,329.15)
Shipping and Handling	$1,707.88
***Pre-Tax Solution Total**	***$23,529.41***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$23,529.41**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553414
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Miranda Lee
Email	kayla.woods@greatminds.org	Phone	(309) 793-5970
		Email	miranda.lee@risd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Rock Island Academy- ATTN: Miranda Lee
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	930 14TH ST ROCK ISLAND, IL 61201
		End User	Rock Island Academy

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	430.00	$10.00	15.00%	$3,655.00
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	362.00	$12.36	25.00%	$3,355.74

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	31.00	$35.70	14.95%	$941.25
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	55.00	$44.10	14.95%	$2,062.89
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	71.00	$44.10	14.95%	$2,663.00
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	84.00	$44.10	14.95%	$3,150.59
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	5.00	$44.10	14.95%	$187.54
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	111.00	$44.10	14.95%	$4,163.28

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 1	978-1-64497-075-1	11.00	$5.84	15.00%	$54.60
Eureka Math Squared Grade K Learn: Part-Part-Total Module 2	978-1-64497-076-8	10.00	$5.84	15.00%	$49.64
Eureka Math Squared Grade K Learn: Part-Part-Total Module 6	978-1-64497-080-5	8.00	$5.84	15.00%	$39.71
Grade 1					

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Eureka Math Squared Grade 1 Apply: Units of Ten Module 1	978-1-64497-636-4	19.00	$3.27	12.00%	$54.67
Eureka Math Squared Grade 1 Learn: Units of Ten Module 1	978-1-64497-081-2	19.00	$5.84	15.00%	$94.32
Eureka Math Squared Grade 1 Learn: Units of Ten Module 3	978-1-64497-083-6	10.00	$5.84	15.00%	$49.64
Grade 2					
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 1	978-1-64497-087-4	9.00	$5.84	15.00%	$44.68
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 2	978-1-64497-088-1	24.00	$5.84	15.00%	$119.14
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 3	978-1-64497-089-8	7.00	$5.84	15.00%	$34.75
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 4	978-1-64497-090-4	9.00	$5.84	15.00%	$44.68
Grade 4					
Eureka Math Squared Grade 4 Learn: Fractional Units Module 1	978-1-64497-099-7	24.00	$5.84	15.00%	$119.14
Eureka Math Squared Grade 4 Learn: Fractional Units Module 2	978-1-64497-108-6	19.00	$5.84	15.00%	$94.32
Eureka Math Squared Grade 4 Learn: Fractional Units Module 3	978-1-64497-109-3	56.00	$5.84	15.00%	$277.98
Eureka Math Squared Grade 4 Learn: Fractional Units Module 4	978-1-64497-110-9	44.00	$5.84	15.00%	$218.42

Kit	$15,483.30
Print	$1,522.13
Digital	$8,774.32
Solution Subtotal	$25,779.75
Discount	($4,304.79)
Shipping and Handling	$1,615.52
***Pre-Tax Solution Total**	***$23,090.48***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$23,090.48**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553408
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Gail Jefferson
Email	kayla.woods@greatminds.org	Phone	309-793-5980
		Email	gail.jefferson@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Ridgewood Elementary- ATTN: Gail Jefferson
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	9607 14th Street West Rock Island, IL 61201
		End User	Ridgewood Elementary

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	275.00	$10.00	15.00%	$2,337.50
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	220.00	$12.36	25.00%	$2,039.40

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	53.00	$35.70	14.95%	$1,609.23
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	50.00	$44.10	14.95%	$1,875.35
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	24.00	$44.10	14.95%	$900.17
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	30.00	$44.10	14.95%	$1,125.21
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	44.00	$44.10	14.95%	$1,650.31

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 1	978-1-64497-075-1	18.00	$5.84	15.00%	$89.35
Eureka Math Squared Grade K Learn: Part-Part-Total Module 4	978-1-64497-078-2	13.00	$5.84	15.00%	$64.53
Eureka Math Squared Grade K Learn: Part-Part-Total Module 5	978-1-64497-079-9	13.00	$5.84	15.00%	$64.53
Grade 2					
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 2	978-1-64497-088-1	12.00	$5.84	15.00%	$59.57
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 3	978-1-64497-089-8	20.00	$5.84	15.00%	$99.28

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade 3					
Eureka Math Squared Grade 3 Apply: Units of Any Number Module 1	978-1-64497-648-7	10.00	$3.27	12.00%	$28.78
Eureka Math Squared Grade 3 Learn: Units of Any Number Module 1	978-1-64497-093-5	10.00	$5.84	15.00%	$49.64
Grade 4					
Eureka Math Squared Grade 4 Learn: Fractional Units Module 1	978-1-64497-099-7	33.00	$5.84	15.00%	$163.81
Eureka Math Squared Grade 4 Learn: Fractional Units Module 2	978-1-64497-108-6	42.00	$5.84	15.00%	$208.49
Eureka Math Squared Grade 4 Learn: Fractional Units Module 3	978-1-64497-109-3	26.00	$5.84	15.00%	$129.06
Eureka Math Squared Grade 4 Learn: Fractional Units Module 4	978-1-64497-110-9	23.00	$5.84	15.00%	$114.17
Grade 5					
Eureka Math Squared Grade 5 Learn: Fractions are Numbers Module 1	978-1-64497-113-0	5.00	$5.84	15.00%	$24.82
Eureka Math Squared Grade 5 Learn: Fractions are Numbers Module 2	978-1-64497-114-7	19.00	$5.84	15.00%	$94.32

Kit	$8,418.90
Print	$1,399.26
Digital	$5,469.20
Solution Subtotal	$15,287.36
Discount	($2,559.83)
Shipping and Handling	$932.73
***Pre-Tax Solution Total**	***$13,660.25***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$13,660.25**

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GREAT MINDS

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553405
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Cristian AMORINO
Email	kayla.woods@greatminds.org	Phone	309-793-5975
		Email	cristian.amorino@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Longfellow Liberal Arts School-ATTN: Cristian AMORINO
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	4198 7th Ave Rock Island, IL 61201
		End User	Longfellow Liberal Arts School

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	222.00	$10.00	15.00%	$1,887.00
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	179.00	$12.36	25.00%	$1,659.33

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	54.00	$35.70	14.95%	$1,639.59
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	45.00	$44.10	14.95%	$1,687.82
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	43.00	$44.10	14.95%	$1,612.80
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	45.00	$44.10	14.95%	$1,687.82
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	42.00	$44.10	14.95%	$1,575.30
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	29.00	$44.10	14.95%	$1,087.70

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade 1					
Eureka Math Squared Grade 1 Learn: Units of Ten Module 1	978-1-64497-081-2	12.00	$5.84	15.00%	$59.57
Grade 3					
Eureka Math Squared Grade 3 Apply: Units of Any Number Module 1	978-1-64497-648-7	8.00	$3.27	12.00%	$23.02
Eureka Math Squared Grade 3 Learn: Units of Any Number Module 1	978-1-64497-093-5	8.00	$5.84	15.00%	$39.71

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Eureka Math Squared Grade 3 Learn: Units of Any Number Module 2	978-1-64497-094-2	8.00	$5.84	15.00%	$39.71
Grade 4					
Eureka Math Squared Grade 4 Learn: Fractional Units Module 4	978-1-64497-110-9	5.00	$5.84	15.00%	$24.82

Kit	$10,924.20
Print	$218.88
Digital	$4,432.44
Solution Subtotal	$15,575.52
Discount	($2,551.33)
Shipping and Handling	$1,058.59
***Pre-Tax Solution Total**	***$14,082.79**
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$14,082.79**

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GREAT MINDS

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553404
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Wendy Verdugo
Email	kayla.woods@greatminds.org	Phone	309-793-5940
		Email	wendy.verdugo@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Frances Willard Elementary- ATTN: Wendy Verdugo
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	2503 9th St Rock Island, IL 61201
		End User	Frances Willard Elementary

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	244.00	$10.00	15.00%	$2,074.00
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	192.00	$12.36	25.00%	$1,779.84

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	51.00	$35.70	14.95%	$1,548.51
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	59.00	$44.10	14.95%	$2,212.92
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	34.00	$44.10	14.95%	$1,275.24
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	32.00	$44.10	14.95%	$1,200.23
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	40.00	$44.10	14.95%	$1,500.28
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	31.00	$44.10	14.95%	$1,162.72

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 1	978-1-64497-075-1	13.00	$5.84	15.00%	$64.53
Eureka Math Squared Grade K Learn: Part-Part-Total Module 4	978-1-64497-078-2	7.00	$5.84	15.00%	$34.75
Eureka Math Squared Grade K Learn: Part-Part-Total Module 6	978-1-64497-080-5	19.00	$5.84	15.00%	$94.32
Grade 1		84			

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Eureka Math Squared Grade 1 Learn: Units of Ten Module 1	978-1-64497-081-2	4.00	$5.84	15.00%	$19.86
Grade 2					
Eureka Math Squared Grade 2 Apply: Ten Tens, Module 1	978-1-64497-642-5	18.00	$3.27	12.00%	$51.80
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 2	978-1-64497-088-1	17.00	$5.84	15.00%	$84.39
Grade 4					
Eureka Math Squared Grade 4 Apply: Fractional Units Module 1	978-1-64497-654-8	10.00	$3.27	12.00%	$28.78
Eureka Math Squared Grade 4 Learn: Fractional Units Module 1	978-1-64497-099-7	9.00	$5.84	15.00%	$44.68

Kit	$10,464.30
Print	$494.52
Digital	$4,813.12
Solution Subtotal	$15,771.94
Discount	($2,595.12)
Shipping and Handling	$1,041.09
***Pre-Tax Solution Total**	***$14,217.90**
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$14,217.90**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553396
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Kathy Slayden
Email	kayla.woods@greatminds.org	Phone	309-793-5935
		Email	kathy.slayden@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Eugene Field Elementary- ATTN: Kathy Slayden
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	2900 31st Ave Rock Island, IL 61201
		End User	Eugene Field Elementary

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	387.00	$10.00	15.00%	$3,289.50
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	325.00	$12.36	25.00%	$3,012.75

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	43.00	$35.70	14.95%	$1,305.60
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	73.00	$44.10	14.95%	$2,738.01
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	78.00	$44.10	14.95%	$2,925.55
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	57.00	$44.10	14.95%	$2,137.90
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	58.00	$44.10	14.95%	$2,175.41
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	78.00	$44.10	14.95%	$2,925.55

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 1	978-1-64497-075-1	2.00	$5.84	15.00%	$9.93
Eureka Math Squared Grade K Learn: Part-Part-Total Module 2	978-1-64497-076-8	3.00	$5.84	15.00%	$14.89
Grade 1					
Eureka Math Squared Grade 1 Learn: Units of Ten Module 1	978-1-64497-081-2	17.00	$5.84	15.00%	$84.39

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Eureka Math Squared Grade 1 Learn: Units of Ten Module 5	978-1-64497-085-0	7.00	$5.84	15.00%	$34.75
Grade 2					
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 2	978-1-64497-088-1	4.00	$5.84	15.00%	$19.86
Grade 4					
Eureka Math Squared Grade 4 Learn: Fractional Units Module 3	978-1-64497-109-3	5.00	$5.84	15.00%	$24.82
Eureka Math Squared Grade 4 Learn: Fractional Units Module 4	978-1-64497-110-9	8.00	$5.84	15.00%	$39.71

Kit	$16,705.50
Print	$268.64
Digital	$7,887.00
Solution Subtotal	$24,861.14
Discount	($4,122.52)
Shipping and Handling	$1,612.54
***Pre-Tax Solution Total**	***$22,351.16***
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$22,351.16**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553385
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Stacey Golz
Email	kayla.woods@greatminds.org	Phone	(309) 737-3111
		Email	stacey.golz@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Earl Hanson Elementary- ATTN: Stacey Golz
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	4101-9th St. Rock Island, IL 61201
		End User	Earl Hanson Elementary

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	224.00	$10.00	15.00%	$1,904.00
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	196.00	$12.36	25.00%	$1,816.92

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	27.00	$35.70	14.95%	$819.80
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	48.00	$44.10	14.95%	$1,800.34
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	46.00	$44.10	14.95%	$1,725.32
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	30.00	$44.10	14.95%	$1,125.21
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	15.00	$44.10	14.95%	$562.61
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	45.00	$44.10	14.95%	$1,687.82

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 1	978-1-64497-075-1	6.00	$5.84	15.00%	$29.78
Eureka Math Squared Grade K Learn: Part-Part-Total Module 2	978-1-64497-076-8	21.00	$5.84	15.00%	$104.24
Eureka Math Squared Grade K Learn: Part-Part-Total Module 6	978-1-64497-080-5	10.00	$5.84	15.00%	$49.64
Grade 2		90			

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Eureka Math Squared Grade 2 Learn: Ten Tens, Module 5	978-1-64497-091-1	15.00	$5.84	15.00%	$74.46
Grade 4					
Eureka Math Squared Grade 4 Learn: Fractional Units Module 3	978-1-64497-109-3	9.00	$5.84	15.00%	$44.68

Kit	$9,078.30
Print	$356.24
Digital	$4,662.56
Solution Subtotal	$14,097.10
Discount	($2,352.28)
Shipping and Handling	$896.28
***Pre-Tax Solution Total**	***$12,641.10**
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$12,641.10**

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Great Minds Quote

Date	May 11, 2026	Quote Number	00553361
Expiration Date	August 4, 2026		
Prepared By	Kayla Woods	Contact Name	Lindsay Russell
Email	kayla.woods@greatminds.org	Phone	309-793-5922
		Email	lindsay.russell@rimsd41.org
Bill to Name	AP Rock Island/Milan SD 41	Ship to Name	Denkmann Elementary- ATTN: Lindsay Russell
Bill To	2000 7th Avenue Rock Island, IL 61201	Ship To	4101 22nd Ave Rock Island, IL 61201
		End User	Denkmann Elementary

Make Payment to:
Great Minds PBC Tax ID: 84-3785772
Mail payment to:
Great Minds PBC
P.O. Box 200283
Pittsburgh, PA 15251-0283

Phone: 202.223.1854
Email: ordertracking@greatminds.org

Wire/ACH Silicon Valley Bank **Beneficiary: Great Minds PBC**
ABA #121140399 – Account #3303446795 Intl: SWIFT SVBKUS6S
Please email all remittance information to payments@greatminds.org.

Eureka Math 2 - Digital	ISBN	Quantity	List Price	Discounts	Total Price
Grade Multiple					
Eureka Math Squared - Great Minds Platform License: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01998	297.00	$10.00	15.00%	$2,524.50
Eureka Math Squared, Premium Assessment, Grades 1-9: Service End Date (6/30 of School Year 2026 - 2027 unless noted otherwise)	GM-01835	246.00	$12.36	25.00%	$2,280.42

Eureka Math 2 - Kit	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Early Access Bundle: Part-Part-Total Modules 1-6	978-1-63642-649-5	45.00	$35.70	14.95%	$1,366.33
Grade 1					
Eureka Math Squared Grade 1 Early Access Bundle: Units of Ten Modules 1-6	978-1-63642-644-0	45.00	$44.10	14.95%	$1,687.82
Grade 2					
Eureka Math Squared Grade 2 Early Access Bundle: 10 Tens Modules 1-6	978-1-63642-645-7	61.00	$44.10	14.95%	$2,287.93
Grade 3					
Eureka Math Squared Grade 3 Early Access Bundle: Units of Any Number Modules 1-6	978-1-63642-646-4	28.00	$44.10	14.95%	$1,050.20
Grade 4					
Eureka Math Squared Grade 4 Early Access Bundle: Fractional Units Modules 1-6	978-1-63642-647-1	38.00	$44.10	14.95%	$1,425.27
Grade 5					
Eureka Math Squared Grade 5 Early Access Bundle: Fractions are Numbers Modules 1-6	978-1-63642-648-8	48.00	$44.10	14.95%	$1,800.34

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade K					
Eureka Math Squared Grade K Learn: Part-Part-Total Module 1	978-1-64497-075-1	11.00	$5.84	15.00%	$54.60
Eureka Math Squared Grade K Learn: Part-Part-Total Module 6	978-1-64497-080-5	14.00	$5.84	15.00%	$69.50
Grade 1					
Eureka Math Squared Grade 1 Learn: Units of Ten Module 1	978-1-64497-081-2	8.00	$5.84	15.00%	$39.71

Eureka Math 2 - Print	ISBN	Quantity	List Price	Discounts	Total Price
Grade 3					
Eureka Math Squared Grade 3 Learn: Units of Any Number Module 1	978-1-64497-093-5	19.00	$5.84	15.00%	$94.32
Eureka Math Squared Grade 3 Learn: Units of Any Number Module 5	978-1-64497-097-3	20.00	$5.84	15.00%	$99.28
Grade 4					
Eureka Math Squared Grade 4 Apply: Fractional Units Module 4	978-1-64497-657-9	10.00	$3.27	14.50%	$27.96
Eureka Math Squared Grade 4 Learn: Fractional Units Module 1	978-1-64497-099-7	8.00	$5.84	15.00%	$39.71
Eureka Math Squared Grade 4 Learn: Fractional Units Module 3	978-1-64497-109-3	11.00	$5.84	15.00%	$54.60
Eureka Math Squared Grade 4 Learn: Fractional Units Module 4	978-1-64497-110-9	16.00	$5.84	15.00%	$79.42
Grade 5					
Eureka Math Squared Grade 5 Learn: Fractions are Numbers Module 1	978-1-64497-113-0	9.00	$5.84	15.00%	$44.68
Eureka Math Squared Grade 5 Learn: Fractions are Numbers Module 3	978-1-64497-115-4	18.00	$5.84	15.00%	$89.35
Eureka Math Squared Grade 5 Learn: Fractions are Numbers Module 5	978-1-64497-117-8	10.00	$5.84	15.00%	$49.64

Kit	$11,308.50
Print	$873.66
Digital	$6,010.56
Solution Subtotal	$18,192.72
Discount	($3,027.15)
Shipping and Handling	$1,157.31
***Pre-Tax Solution Total**	***$16,322.88**
Estimated Sales Tax	$0.00
Estimated S&H Tax	$0.00
Total Solution:	**$16,322.88**

This Quote is governed by the Terms and Conditions at https://greatminds.org/customer-quote-terms which are hereby incorporated by reference as if fully set forth herein.

The estimated tax amounts provided in this quote are based on the state and local tax rates applicable at the time of quotation. These rates are subject to change by relevant tax authorities. The final tax amount on the invoice will reflect

the applicable rates at the time of invoicing. If Customer is tax-exempt, valid exemption documentation must be provided prior to invoicing in order for the exemption to be applied.

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Scott Vance, Assistant Superintendent of Teaching and Learning
Date: May 26, 2026
Re: Lexia Partnership (amendment)

The Rock Island-Milan School district partners with Lexia Learning Systems, LLC to provide English Language Arts software for our nine elementary schools as well as EL software to our English Learner staff in support of our EL scholars.

In support of the district's reading initiative, the Teaching and Learning Department is recommending amended the current partnership with Lexia Learning Systems, LLC to provide our elementary staff LETRS (Language Essential for Teacher of Reading and Spelling). LETRS is a professional development program focusing on the science of reading that provides teachers with a deep dive into the underlying processes of reading and writing with the aim to provide teachers the skills to effectively teach reading and writing to our scholars.

Therefore it is recommended that the District approve an amended contract with Lexia Learning Systems, 17855 Dallas Parkway, Suite 400, Dallas, Texas 75287 in the amount of $119,726.37 as presented.

Investment Period: February 7, - June 30, 2026
Amended Investment: $63,220 (total investment $119,726.37)
Funding Source: Federal Funds (SIG)

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

Docusign Envelope ID: 3D523BC2-BCCD-8621-8049-6A5890B9C3F0

Contract for Service Form

Rock Island-Milan School District 41

VENDOR NAME: Lexia Learning Systemas LLC **EMAIL:** contracts@lexialearning.com

ADDRESS: 17855 Dallas Parkway, Ste. 400
Dallas, TX 75287

DATES OF SERVICE TO BE COMPLETED: 2025-2026 school year

SCHOOL DISTRICT CONTACT: Stacey Golz

COMPENSATION: $ 63,220.00 (previous $ 59,090 amended total $119,726.37)

DESCRIPTION OF DUTIES:

30 - LETRS Participant Materials bundle (print + License) with Live Online Professional Learning -3E - $31,970.00
15 - LETRS Participant Materials Bundle (Print + License) with Live Online Professional Learning - Admin - $23,750.00
1 - LETRS Success Partnership Bronze - $7500.00

Faith's Law. Contractor additionally certifies that prior to sending any employee or contractor/subcontractor to the premises, Contractor has complied with all employment history review and other obligations of 105 ILCS 5/22-94. Upon request of the School District, Contractor agrees to promptly disclose all records, information and determinations related to Section 22-94 employment history review for each of its employees or independent contractors.

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

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

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

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

SOPPA Approved: Yes ☐ or No ☐

_____ _____
School Board President or Superintendent **Date**

Requesting School: RIMSD #41

Budget Code: 1-5-(310,300,260,290,240)-2210-3191-0

Signature of Vendor Signed by: Nick Gaehde 4C1C4333F8405... **Date:** 5/4/2026
Nick Gaehde, President

Signature of Requestor: _____ **Date:** 5/6/2026

Signature of Budget Administrator: R Dillon **Date:** 5/6/2026

QUOTE

Lexia Learning Systems LLC
17855 Dallas Parkway, Suite 400
Dallas, TX 75287 USA
Phone: (978) 405-6200
Fax: (978) 402-3621

Quote #: Q-728251-3
Created Date: 4/8/2026

Prepared By: Kathleen Tirakian
Email: kathleen.tirakian@lexialearning.com

Ship To:
Rock Island-Milan Sch Dist 41
Attn: Accounts Payable
2101 6th Ave
Rock Island, IL 61201 US

Bill To:
Dorian Maag
Rock Island-Milan Sch Dist 41
Attn: Accounts Payable
2000 7th Ave
Rock Island, IL 61201 US

Quantity	Line Item Description	Product Code	Version	Volume	Term	Sales Price	Total Price
30	LETRS Participant Materials Bundle (Print + License) with Live Online Professional Learning	382459	3E	1	1 year	$1,065.67	$31,970.00
15	LETRS Participant Materials Bundle (Print + License) with Live Online Professional Learning	387065	Administrator		2 year	$1,583.33	$23,750.00
1	LETRS Success Partnership Bronze	388076	3E	1	1 year	$7,500.00	$7,500.00

Total Price	$63,220.00
Est. Tax	$0.00
Total Due	$63,220.00

Prices quoted are inclusive of Shipping and Handling.

If you are Tax-Exempt, please send a copy of your Tax-Exempt Certification with your PO. Please note that if you have previously provided this certificate to Voyager Sopris, we will need a new certificate issued to Lexia Learning Systems.

Email Purchase Orders with quote number Q-728251-3 to the following:
Attn: Kathleen Tirakian
Email: kathleen.tirakian@lexialearning.com

PLEASE NOTE THE QUOTE NUMBER MUST APPEAR ON PURCHASE ORDER(S) IN ORDER TO PROCESS.

TERMS AND CONDITIONS
**Prices included herein are exclusive of all applicable taxes, including sales tax, VAT or other duties or levies imposed by any federal, state or local authority, which are the responsibility of Customer. Any taxes shown are estimates for informational purposes only. Customer will provide documentation in support of tax exempt status upon request. Pricing is valid for 60 days. Unless otherwise provided herein, Lexia will invoice the total fees set forth above upon receipt of customer's PO/acceptance. Payment is due net 30 days of invoice.

1-Year licenses expire 12 months from the date of activation; 2-Year licenses expire 24 months from the date of activation

- Additional Support Services purchased separately from subscription licenses/packages (e.g., webinars or additional onsite and/or virtual training hours) must be used within 12 months from the received date of the PO acceptance of the applicable quote
- A customer-designated account administrator contact name and email address are required for all subscriptions and service orders.

ORDER TERM

This quote and the associated confirming purchase order or other customer confirmation of this quote serve as an agreement for this order, which becomes effective upon its acceptance by both parties. Unless otherwise agreed by Lexia and customer in writing, the licenses, products and/or services purchased pursuant to this order will begin on or about the start date and continue in effect for the applicable period set forth in this quote. Unless otherwise set forth herein or agreed to by Lexia and customer in writing, all subscriptions and services are deemed delivered upon provisioning of license availability, and all subscription licenses and services must be used within the applicable subscription or service period herein; unused subscription licenses or services are not eligible for refund or credit. Onsite training is fulfilled with virtual training as needed. Without prejudice to its other rights, Lexia may suspend delivery of the subscriptions, products and/or services in the event that customer fails to make any payment when due following notice.

ORDER PROCESS

To submit an order, please send by email to your sales representative's email address listed above.
NOTE: EACH PURCHASE ORDER MUST INCLUDE THE CORRECT QUOTE NUMBER PROVIDED ON THIS QUOTE, AND THE QUOTE SHOULD BE ATTACHED.

ACCEPTANCE

All subscriptions, products and services hereunder are offered subject to the Lexia Application License Agreement terms, available at https://lexialearning.com/privacy/eula (the “License”), as supplemented by the terms herein. By placing any order, customer confirms its acceptance of the License and the terms and fees in this quote, which, together with any previously awarded proposal and/or any other associated agreement entered into by Lexia and customer regarding the subscriptions, products and services in and as supplemented by this quote, constitute the entire agreement between customer and Lexia regarding such subscriptions, products and services (the “Agreement”). Customer and Lexia agree that the terms and conditions of this Agreement supersede any additional or inconsistent terms or provisions in any customer drafted purchase order, which shall be void and of no effect, or any communications, whether written or oral, between customer and Lexia relating to the subject matter hereof. In the event of any conflict, the terms of this Agreement shall govern.

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Scott Vance, Assistant Superintendent for Teaching and Learning
Date: May 27, 2025
Re: Annual Curriculum Renewal

The Teaching and Learning department annually purchases materials, digital licenses, and instructional professional development in support of the approved Rock Island-Milan School District curriculum.

The digital components are the online teacher and/or student access to the curriculum as well as intervention materials for math, reading, and science.

Lexia (Reading Grades 3-5): $47,250

RIMSD 41 utilizes the Lexia Learning Systems as a supplemental online reading resource for students in grades 3-5.

It is recommended that the Board of Education approve the purchase of curriculum materials and digital licenses at a total cost of ($47,250.00) from Lexia Learning System, LLC. 300 Baker Avenue, Suite 202, Concord, MA. 01742.

Investment Period: July 1, 2025 - June 30, 2026
Total Investment: $47,250.00
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

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Debra Frantz, EL Program Director
Date: August 26, 2025
Re: Lexia Amendment

The Teaching and Learning department annually purchases materials, digital licenses, and instructional professional development in support of the approved Rock Island-Milan School District curriculum. The digital components include online teacher and/or student access to the curriculum as well as intervention materials for math, reading, and science.

RIMSD 41 utilizes the Lexia Learning Systems as a supplemental online reading resource for students in grades 3–5. The original purchase amount for the 2025–2026 school year was **$47,250.00**. To meet the needs of an increased number of EL students in select EL support courses at the secondary levels, an amendment to the original purchase limit is requested to include additional Lexia *English* student licenses not to exceed $10,000. This amendment would bring the revised total purchase amount to **$57,250.00**.

It is recommended that the Board of Education approve the purchase of curriculum materials and digital licenses, including the additional student licenses, for a revised total cost of **$57,250.00** from Lexia Learning Systems, LLC, 300 Baker Avenue, Suite 202, Concord, MA 01742.

Investment Period: July 1, 2025 - June 30, 2026
Total Investment: $57,250.00
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

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Ramona Dixon, Director of Grants, Accountability, and Assessments
Date: September 24, 2025
Re: **Request to Increase Spending Limit for Previously Used Vendor (Lexia)**

Under Title funding, the Illinois State Board of Education requires public schools to consult with local non-public schools. These consultations result in non-public schools being eligible for portions of our allocated Title I, II, and IV funds. Therefore, on behalf of Jordan Catholic School, we are requesting the approval for the purchase of 40 software licenses for use as an intervention at a cost not to exceed $1,840.

In accordance with board policy 4:60, the Grants, Assessments, and Accountability Department is requesting the ability to leverage a vendor who, in this fiscal year, has already exceeded the annual dollar amount/threshold. Please note, although this subscription purchase is under the amount necessary for board approval, we are bringing this to you only because we have exceeded the allowable annual threshold for this particular vendor. In May of 2025 the board of education approved a contract for service with Lexia at a cost of $47,250. As such, any further purchases for this vendor for this year will come to you for approval regardless of the amount.

It is recommended that the Board of Education approve the increasing of the spending limit, and purchase of 40 licenses from Lexia Learning Systems LLC, 300 Baker Avenue, Suite 202, Concord, MA 01742 in the amount not to exceed $1,840.

Investment Period: September 2025 - June 2026

Total Investment: $1,840.00

Funding Source: Title I

Rock Island-Milan School District #41
2000 7th Avenue, Rock Island, IL 61201
309-793-5900 x10210 | 309-793-5905 fax
Sharon.williams@rimsd41.org
www.rimsd41.org

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Ramona Dixon, Director of Grants, Accountability, and Assessments
Date: May 26, 2026
Re: **SAVVAS-Increase Spending Limit**

In accordance with board policy 4:60, the Grants, Assessments, and Accountability Department is requesting the ability to leverage a vendor who, in this fiscal year, has already exceeded the annual dollar amount/threshold. Over the course of the 25-26 school year several board approvals were sought for the vendor SAVVAS Learning Company, and to date the board of education approved expenditures that equate to $91,253.36.

As such, any further purchases for this vendor for this year will come to you for approval regardless of the amount since the vendor spending threshold for one year has been reached. In order to support summer professional learning, and leverage upwards amendment funds, we are requesting three additional training days at a cost of $19,000 for this state approved learning partner. This in-person workshop provides educators with practical teaching techniques to apply right away, positively impacting student learning. Participants engage in an in-depth overview of the SIOP® Model and receive guidance to successfully implement the Model in their schools and classrooms.

Therefore, it is recommended that the Board of Education approve an increase to the spending limit from $91,253.36 to $110,253.36 with SAVVAS Learning Company, 55 Washington Street, Suite 800, Brooklyn, NY 11201.

Investment Period: July 2025 - June 2026
Total Investment: $110,253.36 (previous limit $91,253.36)
Funding Source: Title I School Improvement for the $19,000 increase

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: SAVVAS **CONTACT NAME:** Christine Maleska & Jennifer Mostowski

PHONE: 630-650-8489 **EMAIL:** christine.maleska@savvasl.com & jennifer.mostowski@savvas.com

ADDRESS: 15 E Midland Ave, Ste 502, Paramus, NJ 07652-2938

DATES OF SERVICE TO BE COMPLETED: 2025-2026 School Year

SCHOOL DISTRICT CONTACT: Paulette Risden-Rice

COMPENSATION: $19,000

Description	Contract Amount
SIOP® Component Enrichment Workshop • *SIOP® Training for Teachers - 3 Days*	$19,000
Grand Total	**$19,000**

Invoicing Details:
1. Invoice for total amount after sessions have been completed.

Is this a Subscription/Software: Yes ☐ or No ☐ **SOPPA Approved: Yes ☐ or No ☐**

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

Subscription/Software Name: N/A **Website:** N/A

Subscription/Software Start Date: N/A **End Date:** N/A

School Board President or Superintendent: _____ **Date:** _____

Requesting School: Administration Center

Budget Code: Designated Building SIG Funds

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

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

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

SAVVAS LEARNING COMPANY

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Rock Island-Milan Sch Dist 41
Quote Number Q-219595

Ramona Dixon
Director of Grants, Accountability, and Assessments
Rock Island-Milan Sch Dist 41
2101 6th Ave
Rock Island, IL 61201-8909

Quote Creation Date: 2/3/2026
Quote Expiration Date: 9/30/2026

SIOP®
Price Quote Summary

Solution	Base Amount	Total
The SIOP® Model	$19,000.00	$19,000.00
Solution Subtotal:	$19,000.00	$19,000.00

Shipping and Handling:	$0.00
Total:	$19,000.00

SAVVAS LEARNING COMPANY

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Rock Island-Milan Sch Dist 41
Quote Number Q-219595

Price Quote Detail

The SIOP® Model

The SIOP® Model - The SIOP® Model Professional Learning

ISBN	Description	Price	Charged Qty	Total Charged
0000112992	SIOP® TRAINING FOR TEACHERS 3-DAY	$19,000.00	1	$19,000.00
	The SIOP® Model - The SIOP® Model Professional Learning - Subtotal:			$19,000.00

Solution Subtotal:	$19,000.00
Shipping and Handling:	$0.00
Total:	$19,000.00

SAVVAS
LEARNING COMPANY

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Rock Island-Milan Sch Dist 41
Quote Number Q-219595

Savvas Learning Company LLC Terms and Conditions

To place your order please submit a copy of this price quote with your Purchase Order, include the Quote Number on your Purchase Order, and include any other required documentation. You may send the order documents using an electronic form or by mail. Please submit your PO and price quote via one of the following methods:

Online:
https://support.savvas.com/support/s/customerserviceus
Mail: PO Box 6820, Chandler, AZ 85246

Savvas does not accept Credit Card information via postal mail, facsimile, or email. Credit Card information will only be accepted via phone, eCommerce, or my Savvas Orders. For questions regarding your order please call Customer Service: 1-800-848-9500.

Price quote: This is a price quote for the customer's convenience only, and not an offer to contract. All quotes are subject to review and final acceptance by an authorized representative of Savvas at its offices. Savvas reserves the right to correct typographical, computational or other errors. Savvas' standard payment terms are net 30 days unless otherwise specified. All pricing is in US Dollars unless otherwise specified. Pricing calculations use multiple decimal places to determine the most accurate extended pricing but are represented in standard currency format.

Shipping & handling charges (where applicable) are shown on the quote. S&H rates quoted are for standard ground transportation and may not reflect account contracted rates. If expedited shipping is requested, actual charges may be higher. For orders picked up at the Savvas warehouse by the customer or a third party carrier contracted by the customer, a 2% handling charge will be applied to shippable items. The 2% charge will appear on the customer proposal and invoice as a S&H charge.

Taxes: All pricing in this quote is exclusive of any applicable sales, use or other similar taxes or duties. The customer is responsible for any such taxes or duties that may apply; if the customer is tax exempt, evidence of such tax exemption must be provided. Estimated tax may be provided solely for customer convenience. The amount indicated is only an estimate and is intended to be helpful for budgeting purposes. The actual amount of sales tax assessed at the time of invoicing may be more or less.

Platforms: Savvas, and any third party for which Savvas serves as the sales agent or distributor, reserve the right to change and/or update technology platforms, including possible edition updates to customers during the term of access. Customers will be notified of any change prior to the beginning of the new school year.

Damaged & Defective Products: If a print product, or the print component of a blended (print & digital) product, is received in damaged or defective condition, Savvas will issue a credit or replacement at no charge to the customer if the customer promptly (no later than 120 days) returns the damaged or defective product. Customers must report missing product immediately upon receipt.

Return Policy: Returns (other than damaged or defective products) are subject to the following conditions: (a) materials must be returned to Savvas at the customer's expense in new, unused condition, suitable for resale by Savvas (note that any barcoding, stickering, stamping or similar marking on any print materials renders them unsuitable for resale); (b) materials must be returned within six (6) months from the date of purchase; (c) the customer must obtain a Return Materials Authorization ("RMA") from Savvas prior to returning the materials, and must ship the materials back to Savvas within thirty days of receiving the RMA; (d) all materials sold in a set or package must be returned complete as originally sold; and (e) any materials provided by Savvas to the customer on a no-charge basis in consideration of the customer's purchase must be returned in proportion to the purchased materials that are being returned for a credit. A restocking fee of 3% may be applied to credits over $1,000. Savvas' return policy does not apply to science lab kits or trade publication novels, which are sold on a non-returnable basis.

Consumable Worktexts: Subsequent year consumable worktexts will ship each year on the anniversary of the original order date for the duration of their license. Worktexts will ship to the location listed on the original order. Quantities for each grade level and title will remain consistent each year. Changes to quantities of titles previously ordered, shipping location changes, or any other changes to consumable worktext shipments must be made 4 weeks prior to shipment date. (the anniversary of the original order date unless changed). Changes can be made on the Subscription Worktext Site: https://worktext-subscriptions.savvas.com

Annual subscriptions for iLit and Successmaker Only: Savvas' iLit and Successmaker products (and no others) automatically renew on the anniversary date of the original purchase and will be invoiced accordingly unless otherwise specified. If you wish to cancel, please let us know in writing prior to the date of renewal by completing the customer service request form which you can access here:
https://support.savvas.com/support/s/customer-service-support-form

Technical support services are included with purchase of Savvas digital products. **Online help:**
https://support.savvas.com/support/s/k12-curriculum-support-form
phone: 1-800-848-9500

Professional Services: All paid services must be delivered within twelve (12) months of the order date of those services. Any unused services expire at the end of such twelve (12) month period, unless otherwise specified in contract terms. Any cancellation made with less than 72 hours' notice will result in a cancellation fee equal to the full price of the event. MySavvasTraining is included with purchase of products
https://mysavvastraining.com

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Scott Vance, Assistant Superintendent for Teaching and Learning
Date: May 26, 2026
Re: Annual Curriculum Renewal

The Teaching and Learning department annually purchases materials, digital licenses, and instructional professional development in support of the approved Rock Island-Milan School District curriculum.

The digital components are the online teacher and/or student access to the curriculum as well as intervention materials for math, reading, and science. Listed below are the details for this annual renewal:

SAVVAS: $47,510

- Algebra Digital Courseware: $17,510.00
- Geometry Digital Courseware: $15,130.00
- Algebra II Digital Courseware: $9,520.00
- enVision Job Embedded PD: $3,750.00
- enVision PD: $1,600.00

enVision focuses on deep conceptual understanding utilizing visuals as well as personalized learning. The EnVision is utilized in core high school math courses such as Algebra, Geometry, and Algebra II.

It is recommended that the Board of Education approve the purchase of curriculum materials and digital licenses at a total cost of $47,510.00 from the SAVVAS Learning Company, PO Box 6820, Chandler, AZ, 85246.

Investment Period: July 1, 2026 - June 30, 2027
Total Investment: $47,510.00
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: SAVVAS **EMAIL:** mora.arnold@savvas.com

ADDRESS: PO Bos 6820 Chandler, AZ 85246

DATES OF SERVICE TO BE COMPLETED: 2026-2027

SCHOOL DISTRICT CONTACT: Katie Hartzler

COMPENSATION: $ 47,510.00

DESCRIPTION OF DUTIES:

enVision A/G/A Common Core grade 8/9 Algebra 1 $34.00 X 515 $17,510.00
enVision A/G/A Common Core grade 910 Geometry $34.00 x 445 $15,130.00
enVision A/G/A Common Core grade 10/11 Algebra 2 $34.00 x 280 $9,520.00
enVision A/G/A 1 hr professional development $800.00 x 2 $1,600.00
enVision A/G/A job-embedded services $3,750.00 x 1 $3,750.00

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: SAVVAS **Website:** https://www.savvas.com/

Subscription/Software Start Date: _____ **End Date:** 2026-2027

SOPPA Approved: Yes ■ or No ☐

Requester Name/Building: RIHS

Budget Code: _____

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

Signature of Budget Administrator: _____ **Date:** 5/21/26

_____ _____

Superintendent or School Board President **Date**

SAVVAS LEARNING COMPANY

Rock Island-Milan Sch Dist 41
Quote Number Q-247877

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Kristin Allen
Teaching and Learning
Specialist - Secondary
Rock Island-Milan Sch Dist 41
2000 7th Ave
Rock Island, IL 61201-8909

Quote Creation Date: 5/18/2026
Quote Expiration Date: 9/30/2026

Rock Island 41 enVision ©2018 SY 2026-27
Price Quote Summary

Solution	Base Amount	Total
enVision A|G|A Common Core	$42,160.00	$42,160.00
enVision A|G|A Professional Development	$5,350.00	$5,350.00
Solution Subtotal:	$47,510.00	$47,510.00

Shipping and Handling:	$0.00
Total:	$47,510.00

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Price Quote Detail

enVision A|G|A Common Core

enVision A|G|A Common Core ©2018 - Algebra 1

ISBN	Description	Price	Charged Qty	Total Charged
9780328937899	ENVISION AGA COMMON CORE ALGEBRA 1 DIGITAL COURSEWARE 1-YEAR LICENSE GRADE 8/9 COPYRIGHT 2018	$34.00	515	$17,510.00
	enVision A|G|A Common Core ©2018 - Algebra 1 - Subtotal:			$17,510.00

enVision A|G|A Common Core ©2018 - Geometry

ISBN	Description	Price	Charged Qty	Total Charged
9780328937905	ENVISION AGA COMMON CORE GEOMETRY DIGITAL COURSEWARE 1-YEAR LICENSE GRADE 9/10 COPYRIGHT 2018	$34.00	445	$15,130.00
	enVision A|G|A Common Core ©2018 - Geometry - Subtotal:			$15,130.00

enVision A|G|A Common Core ©2018 - Algebra 2

ISBN	Description	Price	Charged Qty	Total Charged
9780328937912	ENVISION AGA COMMON CORE ALGEBRA 2 DIGITAL COURSEWARE 1-YEAR LICENSE GRADE 10/11 COPYRIGHT 2018	$34.00	280	$9,520.00
	enVision A|G|A Common Core ©2018 - Algebra 2 - Subtotal:			$9,520.00

enVision A|G|A Professional Development

enVision AGA Professional Development - Virtual enVision AGA Professional Learning Offerings ©2018

ISBN	Description	Price	Charged Qty	Total Charged
0000125286	VIRTUAL ENVISION AGA @2018 PROFESSIONAL DEVELOPMENT (1 HR)	$800.00	2	$1,600.00
	enVision AGA Professional Development - Virtual enVision AGA Professional Learning Offerings ©2018 - Subtotal:			$1,600.00

enVision A|G|A National ©2018 Professional Development - Job Embedded Services

ISBN	Description	Price	Charged Qty	Total Charged
0000122620	ENVISION A|G|A: JOB-EMBEDDED SERVICES	$3,750.00	1	$3,750.00
	enVision A|G|A National ©2018 Professional Development - Job Embedded Services - Subtotal:			$3,750.00

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Solution Subtotal:	$47,510.00
Shipping and Handling:	$0.00
Total:	$47,510.00

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Savvas Learning Company LLC Terms and Conditions

To place your order please submit a copy of this price quote with your Purchase Order, include the Quote Number on your Purchase Order, and include any other required documentation.We have several ways you can place your order with Savvas Learning Company:

- **my Savvas Orders:**
  www.mysavvasorders.savvas.com
- Create a case online at:
  https://support.savvas.com/support/s/
  by clicking the **Place and Manage Orders** tile on the my Savvas Support home page
- **Phone:** 800-848-9500

Savvas does not accept Credit Card information via postal mail, facsimile, or email. Credit Card information will only be accepted via phone, eCommerce, or my Savvas Orders. For questions regarding your order please call Customer Service: 1-800-848-9500.

Price quote: This is a price quote for the customer's convenience only, and not an offer to contract. All quotes are subject to review and final acceptance by an authorized representative of Savvas at its offices. Savvas reserves the right to correct typographical, computational or other errors. Savvas' standard payment terms are net 30 days unless otherwise specified. All pricing is in US Dollars unless otherwise specified. Pricing calculations use multiple decimal places to determine the most accurate extended pricing but are represented in standard currency format.

Shipping & handling charges (where applicable) are shown on the quote. S&H rates quoted are for standard ground transportation and may not reflect account contracted rates. If expedited shipping is requested, actual charges may be higher. For orders picked up at the Savvas warehouse by the customer or a third party carrier contracted by the customer, a 2% handling charge will be applied to shippable items. The 2% charge will appear on the customer proposal and invoice as a S&H charge.

Taxes: All pricing in this quote is exclusive of any applicable sales, use or other similar taxes or duties. The customer is responsible for any such taxes or duties that may apply; if the customer is tax exempt, evidence of such tax exemption must be provided. Estimated tax may be provided solely for customer convenience. The amount indicated is only an estimate and is intended to be helpful for budgeting purposes. The actual amount of sales tax assessed at the time of invoicing may be more or less.

Platforms: Savvas, and any third party for which Savvas serves as the sales agent or distributor, reserve the right to change and/or update technology platforms, including possible edition updates to customers during the term of access. Customers will be notified of any change prior to the beginning of the new school year.

Damaged & Defective Products: If a print product, or the print component of a blended (print & digital) product, is received in damaged or defective condition, Savvas will issue a credit or replacement at no charge to the customer if the customer promptly (no later than 120 days) returns the damaged or defective product. Customers must report missing product immediately upon receipt.

Return Policy: Returns (other than damaged or defective products) are subject to the following conditions: (a) materials must be returned to Savvas at the customer's expense in new, unused condition, suitable for resale by Savvas (note that any barcoding, stickering, stamping or similar marking on any print materials renders them unsuitable for resale); (b) materials must be returned within six (6) months from the date of purchase; (c) the customer must obtain a Return Materials Authorization ("RMA") from Savvas prior to returning the materials, and must ship the materials back to Savvas within thirty days of receiving the RMA; (d) all materials sold in a set or package must be returned complete as originally sold; and (e) any materials provided by Savvas to the customer on a no-charge basis in consideration of the customer's purchase must be returned in proportion to the purchased materials that are being returned for a credit. A restocking fee of 3% may be applied to credits over $1,000. Savvas' return policy does not apply to science lab kits or trade publication novels, which are sold on a non-returnable basis.

Consumable Worktexts: Subsequent year consumable worktexts will ship each year on the anniversary of the original order date for the duration of their license. Worktexts will ship to the location listed on the original order. Quantities for each grade level and title will remain consistent each year. Changes to quantities of titles previously ordered, shipping location changes, or any other changes to consumable worktext shipments must be made 4 weeks prior to shipment date. (the anniversary of the original order date unless changed). Changes can be made on the Subscription Worktext Site: https://worktext-subscriptions.savvas.com

Annual subscriptions for iLit and Successmaker Only: Savvas' iLit and Successmaker products (and no others) automatically renew on the anniversary date of the original purchase and will be invoiced accordingly unless otherwise specified. If you wish to cancel, please let us know in writing prior to the date of renewal by completing the customer service request form which you can access here:
https://support.savvas.com/support/s/customer-service-support-form

Technical support services are included with purchase of Savvas digital products. **Online help:**
https://support.savvas.com/support/s/k12-curriculum-support-form
phone: 1-800-848-9500

15 E Midland Ave St 502
Paramus, NJ, 07652-2938

Professional Services: All paid services must be delivered within twelve (12) months of the order date of those services. Any unused services expire at the end of such twelve (12) month period, unless otherwise specified in contract terms. Any cancellation made with less than 72 hours' notice will result in a cancellation fee equal to the full price of the event. MySavvasTraining is included with purchase of products
https://mysavvastraining.com

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Jeff Dase, Deputy Superintendent
Date: May 26, 2026
Re: Tri-State Travel, Transportation Services

It is recommended that the Board of Education approve Tri-State Travel, 530 W. 76th Street, Davenport, IA, for various transportation needs. While Johannes Bus Services is the preferred provider whenever possible, Tri-State Travel offers an alternative when larger buses are needed, or when Johannes or Act II Transportation are unavailable. In addition to transporting athletes, Tri-State Travel is also used for field trips and non-athletic events for other schools within the District. This vendor has been a long-time partner of the District, reflecting a strong and reliable history of service.

We have utilized Tri-State Travel when other transportation providers were unable to meet the transportation needs necessary to support scholar participation in events and activities. Due to increased transportation costs associated with rising fuel prices, outstanding invoices, and increased scholar participation in extracurricular activities, it is recommended that the Board of Education approve a revised total funding amount from $70,000 to $85,000 for the 2025–2026 school year to accommodate these additional costs and service demands.

Investment Period: Fiscal Year 26
Total Investment: Not to exceed $85,000
Funding Source: Transportation 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

Rock Island-Milan School District 41

ENDOR NAME: Tri State Travel EMAIL: ekaiser@tristatetravel.com

DDRESS: 530 W 76th St Davenport, IA 52806

ATES OF SERVICE TO BE COMPLETED: 2025-2026 Season

CHOOL DISTRICT CONTACT: Mike Emendorfer

OMPENSATION: $ not to exceed ~~70,000~~ $85,000.00

ESCRIPTION OF DUTIES:

Transportation to and from Event's.

this a Subscription/Software: Yes ☐ or No ☒

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

bscription/Software Name: Website:

bscription/Software Start Date: End Date:

PPA Approved: Yes ☐ or No ☐

equesting School: RIHS, EJHS, WJHS

udget Code: 1-5-100-000-1501-3250

gnature of Vendor: Celeste Cook Date: 6/16/2025

gnature of Budget Administrator: Date: 7-15-25

uperintendent or School Board President

Date

SUMMARY OF CHECKS AND WIRES
May 15, 2026

COMPUTERIZED CHECK RUN

EDUCATION

Ed Fund CHECKS			Ed Fund ACH		
V208675-V208783			VA4544-VA4617		
Education	$	587,701.44	Education	$	614,041.51
Transportation	$	207,968.43	Transportation	$	15,510.25
Debt Service Fund			Debt Service Fund		
Capital Projects	$	174,179.29	Capital Projects		
Life Safety			Life Safety		
Tort Immunity	$	93,914.04	Tort Immunity	$	27,035.00
	$	1,063,763.20		$	656,586.76
			TOTAL EDUCATION	**$**	**1,720,349.96**

O&M

O&M CHECKS			O&M Fund ACH		
B39016-B39033	$	95,786.90	BA679-BA690	$	42,483.27
			TOTAL O&M	**$**	**138,270.17**

HEALTH

Health Fund CHECKS	Health Fund ACH		
	TOTAL HEALTH	**$**	**-**

TOTAL COMPUTERIZED CHECK RUN	**$**	**1,858,620.13**

WIRES

Ed, Bldg, Tort Salary Checks	$	2,009,158.97
Federal Income Tax	$	267,694.00
OASDI/Medicare	$	167,152.14
State Withholdings	$	120,813.13
Teacher's Retirement Systems/IMRF	$	256,177.48
Employee Deductions	$	104,176.94
Benefits Payments		
TOTAL WIRES	**$**	**2,925,172.66**

GRAND TOTAL	**$**	**4,783,792.79**

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
4544	05/21/2026	ACH	P - 07821	BERRY, NICOLE ELIZABETH	34.95
4545	05/21/2026	ACH	P - 07534	BRADLEY, DONNA LEIGH	74.36
4546	05/21/2026	ACH	P - 97380	BROCKHOUSE, BAILEY NICOLE	66.99
4547	05/21/2026	ACH	P - 97349	CHAPMAN, JOSHUA EDWARD	50.24
4548	05/21/2026	ACH	P - 07818	CLARK, LANCE ROBERT	4,708.80
4549	05/21/2026	ACH	P - 07358	FOSTER, DORIAN ANNE	123.60
4550	05/21/2026	ACH	P - 18342	FREEMAN, SARAH GRACE	119.96
4551	05/21/2026	ACH	P - 96562	GABLE, KARI A	174.75
4552	05/21/2026	ACH	P - 96620	GUSHULAK ST AMAND, CHASITY M	80.00
4553	05/21/2026	ACH	P - 05029	HALL, LAURA L	59.67
4554	05/21/2026	ACH	P - 96440	HAMPSEY, GRETCHEN ANN	159.92
4555	05/21/2026	ACH	P - 96570	HATTER, DANYELLE N	92.99
4556	05/21/2026	ACH	P - 97351	HOLLOWAY, CORY DAWAYNE JACARI	2,252.25
4557	05/21/2026	ACH	P - 97100	HOLTROP, JOCELYN LESLIE	78.16
4558	05/21/2026	ACH	P - 05386	KETCHAM, JODI L	58.80
4559	05/21/2026	ACH	P - 96364	LEONARD, SARAH ANN MARIE	290.00
4560	05/21/2026	ACH	P - 18391	LYON, LAURIE CHRISTINE	17.98
4561	05/21/2026	ACH	P - 96205	MARSHALL, AMY LYNN	102.92
4562	05/21/2026	ACH	P - 06237	MCDONALD, MICHELE A	10.59
4563	05/21/2026	ACH	P - 04756	MCWILLIAMS, BETTINA JO CULBERSON	72.50
4564	05/21/2026	ACH	P - 97272	MEYERS, LAURA L	40.75
4565	05/21/2026	ACH	P - 04462	PAPROCKI, ANGELA J	185.60
4566	05/21/2026	ACH	P - 97415	POREMBSKI, LAYNE PAIGE	211.71
4567	05/21/2026	ACH	P - 03200	POTERACK, TONIA R	119.27
4568	05/21/2026	ACH	P - 95047	RODRIGUEZ, FALLON MARIE	36.69
4569	05/21/2026	ACH	P - 96420	SALAS, CASSANDRA E	211.79
4570	05/21/2026	ACH	P - 06768	SCHULENBERG, ANN C	87.00
4571	05/21/2026	ACH	P - 97149	SHANNON, AARON DANIEL	259.34
4572	05/21/2026	ACH	P - 18322	SMITH, JENNIFER M	50.68
4573	05/21/2026	ACH	P - 04779	SPAULDING, DENA	35.00
4574	05/21/2026	ACH	P - 95655	TAETS, MCKENZIE A	46.55
4575	05/21/2026	ACH	P - 02557	TAYLOR, LILLIAN L	5.80
4576	05/21/2026	ACH	P - 07870	VOIGT, SCOTT STUART	75.11
4577	05/21/2026	ACH	P - 95224	VROMAN, LAURA Y	154.66
4578	05/21/2026	ACH	P - 17994	WANGLER, HEATHER K	78.52
4579	05/21/2026	ACH	P - 95054	WENTHE, KELLEY M	131.16
4580	05/21/2026	ACH	P - 97266	WHITING, ANNAKA M	2,143.50
4581	05/21/2026	ACH	P - 05113	WILLIAMS, LASHANTA	348.27

Total No. of Checks : 38 **Total Amount : 12,850.83**

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
208675	05/15/2026	Check	V - 10001	A & A AIR CONDITIONING	1,593.99
208676	05/15/2026	Check	V - 26276	ACCIDENT FUND INSURANCE COMPANY OF AMERICA	83,930.04
208677	05/15/2026	Check	V - 11013	AFSCME COUNCIL 31	2,173.23
208678	05/15/2026	Check	V - 26655	ANNE WILSON LOKKEN	9,984.00
208679	05/15/2026	Check	V - 20196	AMERICAN SCHOOL COUNSELOR ASSO	1,018.00
208680	05/15/2026	Check	V - 26480	AVANTIS EDUCATION INC.	21,499.00
208681	05/15/2026	Check	V - 24309	AVID CENTER	16,495.00
208682	05/15/2026	Check	V - 24732	BACKGROUND INVESTIGATION BUREAU, LLC	153.35
208683	05/15/2026	Check	V - 25975	BALLY'S QUAD CITIES CASINO & HOTEL	7,284.40
208684	05/15/2026	Check	V - 20275	BARNES & NOBLE	187.04
208685	05/15/2026	Check	V - 10091	BLACKHAWK BANK & TRUST	15,806.11
208686	05/15/2026	Check	V - 22296	BLITT AND GAINES, P.C.	321.81
208687	05/15/2026	Check	V - 26414	BRETT MATTHEW ELLIOTT	6,500.00
208688	05/15/2026	Check	V - 25276	BRYAN MURRAY	150.00
208689	05/15/2026	Check	V - 25588	BULK BOOKSTORE	279.50
208690	05/15/2026	Check	V - 24698	CARTRIDGE INK QUAD CITIES	1,151.93
208691	05/15/2026	Check	V - 26534	CHORAL TRACKS LLC	799.99
208692	05/15/2026	Check	V - 26317	COLUMN SOFTWARE PBC	468.70
208693	05/15/2026	Check	V - 24230	CATALYST FOR EDUCATIONAL CHANGE	3,995.20
208694	05/15/2026	Check	V - 26487	CORDOGAN CLARK & ASSOCIATES, INC	49,719.32
208695	05/15/2026	Check	V - 26329	DANIEL GLEASON	600.00
208696	05/15/2026	Check	V - 18471	DELL INC.	66,674.09
208697	05/15/2026	Check	V - 10272	ERIKSEN CHEVROLET INC.	1,526.59
208698	05/15/2026	Check	V - 24426	QUALITY GROUP	2,700.26
208699	05/15/2026	Check	V - 11149	FLINN SCIENTIFIC, INC.	98.10
208700	05/15/2026	Check	V - 24904	FLORIDA STATE DISBURSEMENT UNIT	40.28
208701	05/15/2026	Check	V - 25938	FREDERIC WHITESIDE	125.00
208702	05/15/2026	Check	V - 26442	HAND2MIND INC	1,674.95
208703	05/15/2026	Check	V - 15593	HUNGRY HOBO	889.14
208704	05/15/2026	Check	V - 11475	HY-VEE FOOD STORE	3,327.75
208705	05/15/2026	Check	V - 19730	ILLINOIS DEPARTMENT OF REVENUE	378.01
208706	05/15/2026	Check	V - 14937	ILLINOIS SCHOOL FOR THE DEAF	66.00
208707	05/15/2026	Check	V - 22672	ILLINOIS TOLLWAY	62.30
208708	05/15/2026	Check	V - 10441	JOHANNES BUS SERVICE INC.	235,256.98
208709	05/15/2026	Check	V - 10246	JOHNSON DISTRIBUTING INC.	22.00
208710	05/15/2026	Check	V - 24174	JUMPIN JOEYS/BOUNCE QC	700.00
208711	05/15/2026	Check	V - 10461	KIDDER MUSIC SERVICE	10,755.00

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
208712	05/15/2026	Check	V - 25765	KOHN LAWFIRM	629.13
208713	05/15/2026	Check	V - 26065	L&M ACCOUNTS	278.03
208714	05/15/2026	Check	V - 26427	LA FLAMA	275.00
208715	05/15/2026	Check	V - 10300	SUMMIT FINANCIAL RESOURCES, L.P.	4,052.91
208716	05/15/2026	Check	V - 25974	LEARNWELL	255.36
208717	05/15/2026	Check	V - 26643	LIFTED ENERGY LLC	555.00
208718	05/15/2026	Check	V - 20947	LOFFREDO FRESH PRODUCE CO., INC.	6,066.10
208719	05/15/2026	Check	V - 26438	LOGAN RIVER ACADEMY	23,420.00
208720	05/15/2026	Check	V - 22615	LONGFELLOW BOOSTER CLUB	170.69
208721	05/15/2026	Check	V - 26651	MALLORY JO HUDNALL	90.00
208722	05/15/2026	Check	V - 25452	MANDARICH LAW GROUP	407.25
208723	05/15/2026	Check	V - 25241	MARCO TECHNOLOGIES, LLC	159.54
208724	05/15/2026	Check	V - 25787	MATTHEW JON BECK	3,125.00
208725	05/15/2026	Check	V - 26132	MATTHEW JAMES NEWTON	300.00
208726	05/15/2026	Check	V - 25621	MAVWARE, LLC	295.00
208727	05/15/2026	Check	V - 25660	McCORMICK'S GROUP, LLC	1,596.35
208728	05/15/2026	Check	V - 23379	MEDIACOM COMMUNICATIONS CORP	580.00
208729	05/15/2026	Check	V - 14673	MENARDS, INC.	322.32
208730	05/15/2026	Check	V - 19278	MVP AUTO CENTER & RENTAL	145.00
208731	05/15/2026	Check	V - 21630	NIABI ZOO	25.00
208732	05/15/2026	Check	V - 10546	OFFICE DEPOT	191.99
208733	05/15/2026	Check	V - 24456	ONE STEP INC	2,904.00
208734	05/15/2026	Check	V - 10620	ORIENTAL TRADING COMPANY, INC.	217.97
208735	05/15/2026	Check	V - 19416	PAPA JOHN'S OF IOWA	1,742.50
208736	05/15/2026	Check	V - 24616	PATRICK STEVEN O'BRIEN	575.00
208737	05/15/2026	Check	V - 25389	PEPSI-COLA OF ROCK ISLAND	542.62
208738	05/15/2026	Check	V - 10639	PERMA-BOUND BOOKS	2,416.41
208739	05/15/2026	Check	V - 16700	PIONEER ATHLETICS	637.96
208740	05/15/2026	Check	V - 10081	PIZZA & SUBS	331.80
208741	05/15/2026	Check	V - 24976	POLK COUNTY SHERIFF	366.56
208742	05/15/2026	Check	V - 19004	QUAD CITY BOTANICAL CENTER	190.00
208743	05/15/2026	Check	V - 25748	QUALITY AWARDS & LAMINATING	43.50
208744	05/15/2026	Check	V - 18832	REALLY GOOD STUFF, LLC	116.91
208745	05/15/2026	Check	V - 11658	ROCK ISLAND FITNESS AND	883.20
208746	05/15/2026	Check	V - 10721	ROCK ISLAND BOARD OF EDUCATION	60.00
208747	05/15/2026	Check	V - 18465	ROCK ISLAND SCHOOL DISTRICT 41	75,720.38
208748	05/15/2026	Check	V - 26624	ROCK ISLAND MOOSE LODGE #190	840.00
208749	05/15/2026	Check	V - 10706	REGIONAL OFFICE OF EDUCATION-MOLINE	9,450.00

CHECK REGISTER FOR BH EDUCATION - VENDOR CHECKS - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
208750	05/15/2026	Check	V - 23239	RUSSELL CONSTRUCTION COMPANY	94,331.76
208751	05/15/2026	Check	V - 24824	RUSSELL G. JENKINS	150.00
208752	05/15/2026	Check	V - 18499	SCHOOL NURSE SUPPLY, INC.	180.78
208753	05/15/2026	Check	V - 21824	SCHOOL OUTFITTERS LLC	5,545.49
208754	05/15/2026	Check	V - 10476	SCHOOL SPECIALTY, LLC	1,970.21
208755	05/15/2026	Check	V - 25582	SCOTT COUNTY SHERIFF	208.56
208756	05/15/2026	Check	V - 25756	MARENEM INC	466.01
208757	05/15/2026	Check	V - 11244	SHAR PRODUCTS COMPANY	2,787.39
208758	05/15/2026	Check	V - 24411	SHRED-IT USA	287.45
208759	05/15/2026	Check	V - 25027	SKILES DRIVING SCHOOL INC	525.00
208760	05/15/2026	Check	V - 23774	SOLUTION TREE, INC.	6,921.00
208761	05/15/2026	Check	V - 17411	SOUTHWEST STRINGS	257.50
208762	05/15/2026	Check	V - 26526	ST. GEORGE GREEK ORTHODOX CHURCH, INC	450.00
208763	05/15/2026	Check	V - 26106	STEAM ON WHEELS	450.00
208764	05/15/2026	Check	V - 20558	SUN LIFE FINANCIAL	1,628.52
208765	05/15/2026	Check	V - 23240	SWANSON CONSTRUCTION COMPANY	30,128.21
208766	05/15/2026	Check	V - 24190	SWEETWATER SOUND, LLC	78,086.12
208767	05/15/2026	Check	V - 18792	THE CENTER: RESOURCES FOR TEACHING AND LEARNING	3,470.00
208768	05/15/2026	Check	V - 26636	THE DBQ PROJECT	1,802.00
208769	05/15/2026	Check	V - 26320	THE MIDWEST WRITING CENTER	180.00
208770	05/15/2026	Check	V - 20539	TRANSITIONS	195.00
208771	05/15/2026	Check	V - 15380	TRI-STATE TRAVEL	7,765.00
208772	05/15/2026	Check	V - 26017	TROPHY WORLD, INC.	316.00
208773	05/15/2026	Check	V - 21311	ULINE, INC.	1,623.44
208774	05/15/2026	Check	V - 20598	VERIZON WIRELESS	2,182.91
208775	05/15/2026	Check	V - 17371	VERNIER SCIENCE EDUCATION	3,792.63
208776	05/15/2026	Check	V - 26657	VIP CINEMAS, INC	500.00
208777	05/15/2026	Check	V - 26615	VIRTUAL DRIVER INTERACTIVE	96,850.00
208778	05/15/2026	Check	V - 26424	VLP CONSULTING AND LEADERSHIP DEVELOPMENT LLC	6,100.00
208779	05/15/2026	Check	V - 26647	WHIMSICAL MAX LTD	668.00
208780	05/15/2026	Check	V - 24843	WI SCTF	100.00
208781	05/15/2026	Check	V - 26604	WITH PARTNERS LLC	16,600.00
208782	05/15/2026	Check	V - 10945	XEROX CORPORATION	7,330.33

Total No. of Checks : 108 **Total Amount : 1,062,234.85**

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
679	05/21/2026	ACH	P - 95500	FILLMER, SUSAN K	21.97
680	05/21/2026	ACH	P - 96790	LOHMANN, RALPH AUGUST	24.72
681	05/21/2026	ACH	P - 96296	MUNOZ, JUSTIN TYLER	26.10
682	05/21/2026	ACH	P - 97290	NIMMERS, TROY L	33.86
683	05/21/2026	ACH	P - 96058	SCHAULAND, AMY H	89.83

Total No. of Checks : 5				**Total Amount :**	**196.48**

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
39016	05/15/2026	Check	V - 10018	ADEL WHOLESALERS, INC.	150.88
39017	05/15/2026	Check	V - 23054	REPUBLIC SERVICES	14,346.18
39018	05/15/2026	Check	V - 12747	B & B HARDWARE	141.98
39019	05/15/2026	Check	V - 10091	BLACKHAWK BANK & TRUST	171.78
39020	05/15/2026	Check	V - 26045	CERTASITE, LLC	645.08
39021	05/15/2026	Check	V - 26490	CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC.	579.57
39022	05/15/2026	Check	V - 26489	DOORS, INC	195.00
39023	05/15/2026	Check	V - 18292	LOWE'S	52.67
39024	05/15/2026	Check	V - 14673	MENARDS, INC.	121.95
39025	05/15/2026	Check	V - 10428	MIDAMERICAN ENERGY COMPANY	73,155.92
39026	05/15/2026	Check	V - 10551	VILLAGE OF MILAN	818.30
39027	05/15/2026	Check	V - 25119	O'REILLY AUTO PARTS	12.81
39028	05/15/2026	Check	V - 17204	REGALIA MANUFACTURING COMPANY	290.00
39029	05/15/2026	Check	V - 10722	CITY OF ROCK ISLAND	121.22
39030	05/15/2026	Check	V - 11412	STECKER GRAPHICS	90.00
39031	05/15/2026	Check	V - 24204	TNT TUCKPOINTING & BUILDING RESTORATION	690.00
39032	05/15/2026	Check	V - 26584	UNIFIRST HOLDINGS, INC.	3,888.60
39033	05/15/2026	Check	V - 20598	VERIZON WIRELESS	314.96

Total No. of Checks : 18 **Total Amount : 95,786.90**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 11 - A1**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 05/15/2026**
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
4582	05/21/2026	ACH	V - 25525	AMAZON.COM SERVICES, INC.	106,372.60
4583	05/21/2026	ACH	V - 26513	BSN SPORTS LLC	9,078.37
4584	05/21/2026	ACH	V - 14613	BURKE CLEANERS, INC.	875.71
4585	05/21/2026	ACH	V - 10131	CAROLINA BIOLOGICAL SUPPLY	2,529.39
4586	05/21/2026	ACH	V - 17243	CDW GOVERNMENT, INC.	6,865.40
4587	05/21/2026	ACH	V - 10174	CONES REPAIR SERVICE, INC.	241.00
4588	05/21/2026	ACH	V - 25711	CULLIGAN OF DAVENPORT	64.30
4589	05/21/2026	ACH	V - 18471	DELL INC.	1,499.00
4590	05/21/2026	ACH	V - 26250	FOLLETT CONTENT SOLUTIONS	292.83
4591	05/21/2026	ACH	V - 16421	FRANCZEK PC	27,035.00
4592	05/21/2026	ACH	V - 12004	THE PROPHET CORPORATION	12,206.50
4593	05/21/2026	ACH	V - 25375	ITEK INTERPRETING SOLUTIONS, LLC	4,212.16
4594	05/21/2026	ACH	V - 26598	J & M HARDWARE INC	16.93
4595	05/21/2026	ACH	V - 18269	J.W. PEPPER & SON	126.99
4596	05/21/2026	ACH	V - 24278	JOSTENS, INC	1,888.18
4597	05/21/2026	ACH	V - 14572	KAPCO	53.19
4598	05/21/2026	ACH	V - 26546	KASEYA US LLC	669.11
4599	05/21/2026	ACH	V - 24908	KOHL WHOLESALE	81,924.01
4600	05/21/2026	ACH	V - 25922	LAKESHORE LEARNING MATERIALS, LLC	583.22
4601	05/21/2026	ACH	V - 15989	MAINSTREAMUSA INC.	6,583.33
4602	05/21/2026	ACH	V - 20508	NCS PEARSON INCORPORATED	2,034.48
4603	05/21/2026	ACH	V - 24189	THE OUTHOUSE	525.36
4604	05/21/2026	ACH	V - 26008	PAN-O-GOLD BAKING CO.	1,279.80
4605	05/21/2026	ACH	V - 25751	QUALITY CONTROLLED STAFFING, INC.	5,771.50
4606	05/21/2026	ACH	V - 24277	SCHOOLS IN, LLC	7,387.63
4607	05/21/2026	ACH	V - 25681	SHI INTERNATIONAL CORP	286,166.16
4608	05/21/2026	ACH	V - 21664	SIX FLAGS GREAT AMERICA	11,885.24
4609	05/21/2026	ACH	V - 26500	SPECIAL EDUCATION SERVICES	39,558.75
4610	05/21/2026	ACH	V - 26501	SPECIAL EDUCATION SYSTEMS, INC	9,738.75
4611	05/21/2026	ACH	V - 19712	STAPLES ADVANTAGE	749.87
4612	05/21/2026	ACH	V - 20891	UNITED PARCEL SERVICE	20.85
4613	05/21/2026	ACH	V - 20134	WEST MUSIC	1,200.43
4614	05/21/2026	ACH	V - 23030	WESTERN PSYCHOLOGICAL SERVICE (WPS)	715.00

Total No. of Checks : 33 **Total Amount : 630,151.04**

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
684	05/21/2026	ACH	V - 25525	AMAZON.COM SERVICES, INC.	4,704.75
685	05/21/2026	ACH	V - 17235	GREENWOOD CLEANING SYSTEMS, IN	5,611.84
686	05/21/2026	ACH	V - 26598	J & M HARDWARE INC	206.86
687	05/21/2026	ACH	V - 24232	LAKEWOOD ELECTRIC & GENERATOR SVC, INC	16,560.00
688	05/21/2026	ACH	V - 23695	MIDWEST ALARM SERVICES	362.00
689	05/21/2026	ACH	V - 10003	THYMET PEST CONTROL	636.00

Total No. of Checks : 6 **Total Amount : 28,081.45**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 11 - A2**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 05/15/2026**
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
4615	05/18/2026	ACH	V - 26020	ANNA THIRTYACRE	300.00
4616	05/18/2026	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	727.35
4617	05/18/2026	ACH	V - 11015	IMRF ACCOUNT	12,557.54

Total No. of Checks : 3				**Total Amount :**	**13,584.89**

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
690	05/18/2026	ACH	V - 16777	HUGHES NETWORK TECHNOLOGIES	14,205.34

Total No. of Checks : 1 **Total Amount : 14,205.34**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 11 - A3**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 05/15/2026**
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 - CHECK

Report Code: AP_CHECKREG

CHECK NO.	CHECK DATE	TYPE	VENDOR TYPE - ID	VENDOR NAME	AMOUNT
208783	05/15/2026	Check	V - 26017	TROPHY WORLD, INC.	1,528.35

Total No. of Checks : 1 **Total Amount : 1,528.35**

Report Code: AP_CHECKREG

Search Criteria:

Fiscal Year	**: 2026**
FY Period - Task	**: 11 - A7**
Start Due Date	**: None**
End Due Date	**: None**
Check Date	**: 05/15/2026**
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 05.26.2026				
Donor	**Date**	**Amount**	**School**	**Purpose**
Springfield Armory	5/8/26	Non-Monetary Sports Bras & Clothes	EJHS	Nurse's Office and Resource Room
Eddie Williams	5/12/2026	$200.00	RIHS	RIHS Girls Track & Field Team Dinner
Liberty Diversified International	5/14/2026	$2,500.00	Ridgewood	Student Council
		$2,700.00		

Personnel Recommendations
Board of Education Meeting
May 26, 2026

Certified Appointments

It is recommended that the Board of Education approve the following certified appointments for the 2026-27 school year.

Adrienne Anderson - Fifth Grade Teacher at Rock Island Academy
Salary - $68,079/annually

Lori Lefebvre - French Teacher at Rock Island High School
Salary - $71,172/annually

Non-Certified Appointment

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

Alexis Stovall - School Nurse at Longfellow Elementary School
Salary - $32.42/hourly

Certified Internal Transfers

It is recommended that the Board of Education approve the following certified internal transfers for the 2026-27 school year.

Gail Gant- Cross Categorical Teacher at Ridgewood Elementary to Special Education Teacher at Edison Junior High School
Salary - $115,605/annually

Dionne Lohmann - Instructional Coach at the Administration Building to Fourth Grade Gifted Teacher at Earl Hanson Elementary School
Salary - $104,126/annually

Shannon Hudson- Cross Categorical Teacher at Earl Hanson Elementary to SPED Teacher at Washington Junior High School
Salary - $53,649/annually

Jamie Pilichowski - Fourth Grade Teacher at Rock Island Academy to Third Grade Gifted Teacher at Earl Hanson Elementary School
Salary - $108,698/annually

Certified Coach Appointments

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

Pharoah Gay -	Head Boys Track Coach at Rock Island High School Salary - $12,531/annual stipend
Melanie Martinez -	Head Junior High Boys/Girls Track Coach at Edison Junior High Salary - $5,419/annual stipend
Matthew McCarthy -	Assistant Head Football Coach at Rock Island High School Salary - $9,275/annual stipend
Andrea Parer -	Assistant Boys Track Coach at Rock Island High School Salary - $8,092/annual stipend

Non-Certified Coach Appointments

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

Calvin Larson -	Volunteer Assistant Football Coach at Rock Island High School
Robrina Taylor -	Volunteer Assistant Girls' Freshman Basketball Coach at Rock Island High School

Certified Retirements

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

Staff Member	Current Position	Years of Continuous Service
Slyvia Cooper	Cross Categorical Teacher at Edison Junior High School	13 Years Effective 06/03/2027
Tonya Hanrahan	Cross Categorical Teacher at Rock Island High School	8 Years Effective 06/04/2026

Wendy Kerker	Sixth Grade Teacher at Ridgewood Elementary School	26 Years Effective 06/04/2026

Certified Resignations

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

Staff Member	Current Position	Years of Continuous Service
Rachel Carr	Fourth Grade Teacher at Frances Willard	4 Years Effective 06/04/2026
John Hawley	Principal at Rock Island Center For Math and Science	4 Years Effective 06/25/2026

Certified Coach Resignation

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

Staff Member	Current Position	Years of Continuous Service
Jarrin Williams	Head Boys Track Coach At Rock Island High School	10 Years Effective 12/19/2025

Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Date: May 26, 2026
Re: PRESS Policy Second Reading and Adoption - Issue 121

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.

Several updates incorporate compliance with changes to the Freedom of Information Act and the Open Meetings Act, including clarifications to public records requests, exclusions of junk mail from public records, and restrictions on holding meetings on election days. Additional revisions reflect new or amended state and federal requirements, such as employee leave provisions, student protections, and parent notification requirements.

Most revisions are driven by statutory updates (including renumbering of Illinois School Code citations), required five-year reviews, and ongoing continuous improvement efforts.

Policy	Revision Descriptions	Recommendation
2:140-E, Guidance for Board Member Communications, Including Email Use	The exhibit is updated in response to the Freedom of Information Act (FOIA), 5 ILCS 140/2, amended by P.A. 104-438, excluding junk mail from the definition of public record, and for continuous improvement.	Adopt
2:150-AP, Superintendent Committees	The procedure is updated in response: 1. 23 Ill. Admin. Code §228.30, amended by 49 Ill. Reg. 9475, addressing requirements for the transitional bilingual education parent advisory committee; 2. The renaming of 6:170-AP1, E1, District-Level Parent and Family Engagement Plan Compact; and 3. Continuous improvement.	Adopt

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
2:200, Types of School Board Meetings	The policy, Cross References, and footnotes are updated. The policy is updated with minor style changes. The footnotes are updated in response to the Open Meetings Act (OMA), 5 ILCS 120/2.07(a), added by P.A. 104-438, prohibiting public bodies from holding regular or special meetings on an election day, and for continuous improvement. An option regarding the posting location for special meetings is added to footnote 19. A minor title correction is made to 2:210, Organizational School Board Meetings, in the Cross References.	Adopt
2:200-AP, Types of School Board Meetings	The procedure is updated to align with the option added to footnote 19 in 2:200, Types of School Board Meetings.	Adopt
2:220, School Board Meeting Procedure	The policy, Cross References, and footnotes are updated. The policy and footnotes are updated in response to OMA, 5 ILCS 120/7(a), adding performance of active military duty as a service member as a reason a board member may attend a meeting remotely, and for continuous improvement. A Cross Reference to 2:110, Qualifications, Term, and Duties of Board Officers, is added.	Adopt
2:250, Access to District Public Records	The policy, Legal References, and footnotes are updated. The policy and footnotes are updated in response to: 1. Freedom of Information Act (FOIA), 5 ILCS 140/3, amended by P.A. 104-438, requiring requests for public records be made in the body of an e-mail, and permitting public bodies to ask a requester to verify that they are a person;	Adopt
	2. FOIA, 5 ILCS 140/2, amended by P.A 104-438,	

Policy	Revision Descriptions	Recommendation
	revising the definition of public record to exclude junk mail; and 3. Continuous improvement. The Legal References are updated for continuous improvement.	
2:250-AP1, Access to and Copying of District Public Records	The procedure is updated for the reasons stated in 2:250, Access to District Public Records, above, and in response to FOIA, 5 ILCS 140/4, eliminating the requirement for a district with a website to also post a description of itself and how to request its public records at its offices.	Adopt
2:250-AP2, Protocols for Record Preservation and Development of Retention Schedules	The procedure is updated in response to Local Records Act, 50 ILCS 205/3, amended by P.A. 104-438, revising the definition of public record to exclude junk mail, and for continuous improvement.	Adopt
2:250-E2, Immediately Available District Public Records and Web-Posted Reports and Records	The exhibit is updated in response to: 1. FOIA, 5 ILCS 140/4, amended by P.A. 104-438, eliminating the requirement for a district with a website to also post a description of itself and how to request its public records at its offices; 2. ISBE's Understanding Type I Diabetes for Parents and Guardians; and 3. Continuous improvement.	Adopt
2:260, Uniform Grievance Procedure	The Legal References and footnotes are updated in response to 105 ILCS 5/22- 110, renumbered by P.A. 104-391, and for continuous improvement.	Adopt
2:265, Title IX Grievance Procedure	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/27-215(a)(4) and 5/27-240, both renumbered by P.A. 104-391.	Adopt

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
4:40, Incurring Debt	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/19-1(p-235), renumbered by P.A. 104-417, and 105 ILCS 5/20-2, amended by P.A. 103-591, authorizing an increase of up to 3% of a bond issue to cover certain bond-related expenses.	Adopt
4:140-E4, Resolution to Increase Driver Education Fees	The exhibit is updated in response to 105 ILCS 5/27-815, titled safety education; driver education course, (formerly 105 ILCS 5/27-24.2), renumbered by P.A. 104- 391, and for continuous improvement.	Adopt
4:165, Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors	The policy, Legal References, and footnotes are updated in response to the repeal of 105 ILCS 5/27-13.2, by P.A. 104-391, which formerly required districts to give parents/guardians of students in grades K-8 prior written notice of sexual abuse prevention instruction. The Legal References and footnotes are updated in response to 105 ILCS 5/27-215 and 5/27-1015, both renumbered by P.A. 104-391. The policy and footnotes are also updated for continuous improvement.	Adopt
4:170-AP6, E2, Notification to Staff and Parents/Guardians of CPR and AED Video	The exhibit is updated with a new Ill. High School Association (IHSA) web address.	Adopt
5:30, Hiring Process and Criteria	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to 820 ILCS 55/13-25, added by P.A. 104-455, prohibiting employers from taking adverse action against an employee based only on the receipt of a notice of	Adopt

Policy	Revision Descriptions	Recommendation
	discrepancy (a no-match letter).	
5:30-AP1, Interview Questions	The procedure is updated in response to a five-year review.	Adopt
5:30-AP2, Investigations	The procedure is updated in response to 820 ILCS 55/13-25, added by P.A. 104-455, prohibiting employers from taking adverse action against an employee based only on the receipt of a notice of discrepancy (a no-match letter), and for continuous improvement.	Adopt
5:30-AP2, E1, Notice of Preliminary Hiring Decision Based on Conviction Record	The exhibit is updated in response to a five-year review.	Adopt
5:30-AP2, E2, Notice of Final Hiring Decision Based on Conviction Record	The exhibit is updated in response to a five-year review.	Adopt
5:50, Drug- and Alcohol- Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to:	Adopt
	1. P.A. 104-391, renumbering and repealing citations in 105 ILCS 5/27; and 2. 105 ILCS 5/22-81 (a/k/a Louie's Law), added by P.A. 103-399, requiring ISBE and the Ill. Dept. of Human Services to develop and regularly update a comprehensive Substance Use Prevention and Recovery Instruction Resource Guide for public elementary and secondary schools across the State of Illinois.	Adopt
5:90-AP1, Coordination with Children's Advocacy Center	The procedure is updated in response to 105 ILCS 5/27-240, renumbered by P.A. 104-391, and for continuous improvement.	Adopt

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
5:190-E1, Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications	The exhibit is unchanged in response to a five-year review.	Adopt
5:250, Leaves of Absence	The policy, Legal References, and footnotes are updated in response to the Family Neonatal Intensive Care Leave Act, 820 ILCS 157/, added by P.A. 104- 259, eff. 6-1-26, allowing employees to take a specified amount of unpaid leave if their child is a patient in a neonatal intensive care unit. The policy and footnotes are also updated for continuous improvement.	Adopt
5:330, Sick Days, Vacation, Holidays, and Leaves	The policy, Legal References, and footnotes are updated for the reasons stated in 5:250, Leaves of Absence, above.	Adopt
6:20-AP, Remote and/or Blended Remote Learning Day Plan(s)	The procedure is updated in response to P.A. 104-391, renumbering citations throughout 105 ILCS 5/27, and for continuous improvement.	Adopt
6:50, School Wellness	The policy, Legal References, and footnotes are updated. The policy and Legal References are updated with minor style changes. The footnotes are updated in response to: 1. 105 ILCS 5/27-215 and 5/27-235, added by P.A. 104-391, replacing, in part, 105 ILCS 110/3 and 110/3.5;	Adopt
	2. P.A. 104-391, renumbering and reorganizing various provisions throughout 105 ILCS 5/27;	

Policy	Revision Descriptions	Recommendation
	3. Farm Fresh Schools Program Act, 105 ILCS 24/, and State Finance Act, 30 ILCS 105/5.728, both repealed by P.A. 104-435, eliminating the Farm Fresh Schools Program and its related funding; and 4. Continuous improvement.	
6:65, Student Social and Emotional Development	The policy, Legal References, and footnotes are updated for continuous improvement. The footnotes are also updated in response to 105 ILCS 5/27- 1080, renumbered by P.A. 104-391.	Adopt
6:100, Using Animals in the Educational Program	The Legal References are updated in response to 105 ILCS 5/27-265, renumbered by P.A. 104-391, and for continuous improvement.	Adopt
6:100-AP, Dissection of Animals	The procedure is updated in response to a five-year review.	Adopt
6:100-E1, Guidelines and Application for Using Animals in School Facilities for Educational Purposes	The exhibit is updated in response to a five-year review.	Adopt
6:100-E2, Student Permission for Exposure to Animals	The exhibit is unchanged in response to a five-year review.	Adopt
6:145, Migrant Students	The policy, Cross References, and footnotes are updated in response to a five- year review. The footnotes are also updated in response to 105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288, requiring schools to protect the integrity of school learning environments for all children so that no parent is discouraged from sending and no child is discouraged from attending school, including from the threat of immigration enforcement on a school campus.	Adopt

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
6:170, Title I Programs	The policy, Legal References, Cross References, and footnotes are updated. The policy and footnotes are updated to more closely align with federal statutes and guidance and terminology used by ISBE, and to ensure compatibility with the U.S. Dept. of Education's revised non-regulatory guidance. The Legal References and Cross References are updated for continuous improvement.	Adopt
6:170-AP1, Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs	The procedure is updated to ensure compatibility with the U.S. Dept. of Education's revised non-regulatory guidance and for continuous improvement.	Adopt
6:170-AP1, E1, District-Level Parent and Family Engagement Plan Compact	RENAMED. The exhibit is renamed and updated to more closely align with federal statutes and guidance and terminology used by ISBE, and to ensure compatibility with the U.S. Dept. of Education's revised non-regulatory guidance.	Adopt
6:170-AP1, E2, School-Level Parent and Family Engagement Plan Compact	RENAMED. The exhibit is renamed and updated for the reasons stated in 6:170- AP1, E1, District-Level Parent and Family Engagement Plan, above.	Adopt
6:170-AP2, Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance,	REFORMATTED. The exhibit is updated in response to a five-year review.	Adopt

Policy	Revision Descriptions	Recommendation
and Protection of Pupil Rights Laws		
6:180, Extended Instructional Programs	The policy, Legal References and footnotes are updated. The policy is updated with minor style changes. The Legal References and footnotes are updated in response to: 1. 105 ILCS 5/27-255, added by P.A. 104-391, replacing, in part, 105 ILCS 110/3; 2. P.A. 104-391, renumbering and reorganizing various provisions throughout 105 ILCS 5/27. The footnotes are also updated for continuous improvement.	Adopt
6:235-AP1, E1, Student Authorization for Access to the District's Electronic Networks	The exhibit is updated in response to a five-year review.	Adopt
6:235-AP1, E2, Staff Authorization for Access to the District's Electronic Networks	The exhibit is updated in response to a five-year review.	Adopt
6:235-AP2, Web Publishing Guidelines	The procedure is updated in response to a five-year review.	Adopt
6:235-E3, Online Privacy Statement	The exhibit is updated in response to a five-year review.	Adopt
7:20, Harassment of Students Prohibited	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 for continuous improvement.	Adopt
7:50, School Admissions and Student Transfers To and From Non-District Schools	The policy, Legal References, Cross References, and footnotes are updated. The policy is updated with minor style changes. The Legal References and footnotes are updated in response to:	Adopt

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
	1. 105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288, prohibiting the denial of a free public education to every child in Illinois; and 2. 105 ILCS 5/22-105, titled Health examinations and immunizations (formerly 105 ILCS 5/27-8.1), renumbered by P.A. 104-391. The footnotes are also updated for continuous improvement. 7:150, Agency and Law Enforcement Requests, is added to the Cross References.	
7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students	The Legal References and footnotes are updated in response to 105 ILCS 5/22- 105, titled Health examinations and immunizations (formerly 105 ILCS 5/27-8.1), renumbered by P.A. 104-391. The footnotes are also updated for continuous improvement.	Adopt
7:185, Teen Dating Violence Prohibited	The policy, Legal References, and footnotes are updated. The policy and footnotes are updated for continuous improvement. The Legal References and footnotes are also updated in response to 105 ILCS 5/27-240, renumbered by P.A. 104-391.	Adopt
7:190-E2, Student Handbook Checklist	The exhibit is updated in response to: 1. 105 ILCS 5/27-13.2, repealed by P.A. 104-391, resulting in the renaming of 6:60-AP1, E1, Requests to Examine Materials and Statutory Opt-outs; 2. 775 ILCS 5/1-103(Q), added by P.A. 103-785, adding reproductive health decisions to the list of prohibited bases of discrimination;	

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
	3. 105 ILCS 5/22-87(b), amended by P.A. 104-13, requiring notice to students in grade 12 of the Free Application for Federal Student Aid (FAFSA) designee available to answer questions; 4. 105 ILCS 5/10-19.05, added by P.A. 104-250, requiring publicly posted attendance policies to include the career development experiences that may count toward the calculation of clock hours of schoolwork; 5. 105 ILCS 5/10-20.5a(b-5), added by P.A. 104-15, requiring notice to students and parents/guardians, at the time of school registration or at other appropriate times prior to the end of a student's junior year, of the student's right to have direct admission information sent to the Ill. Student Assistance Commission and other approved entities under the Public University Direct Admission Program Act; 6. 105 ILCS 5/26A-20(d), 26A-40(h), added by P.A. 102-466, a/k/a Ensuring Success in School Law, requiring notice of revised policies to respond to students who are parents, expectant parents, or victims of domestic or sexual violence, including also providing notice annually to all school personnel and students 12 years of age and older of the availability of counseling without parent/guardian consent;	Adopt
	7. The renaming of 6:170-AP1, E1, District-Level Parent and Family Engagement Plan Compact; and 8. Continuous improvement.	

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
7:220, Bus Conduct	The policy, Legal References, and footnotes are updated in response to a five- year review. The Legal References are updated with minor style changes.	Adopt
7:230, Misconduct by Students with Disabilities	The policy, Legal References, and footnotes are updated in response to a five- year review. The Legal References are updated with a minor style change.	Adopt
7:240, Conduct Code for Participants in Extracurricular Activities	The Legal References and footnotes are updated in response to 105 ILCS 5/27- 255(d), renumbered by P.A. 104-391, and for continuous improvement.	Adopt
7:240-AP2, E1, Consent to Participate in Extracurricular Drug and Alcohol Testing Program	The exhibit is updated with a new IHSA web address, and for continuous improvement.	Adopt
7:260, Exemption from Physical Education	The policy, Legal References, and footnotes are updated in response to a five-year review. The policy is updated with minor style changes. The Legal References and footnotes are updated in response to 105 ILCS 5/27-710, renumbered by P.A. 104-391. The footnotes are also updated for continuous improvement.	Adopt
7:280, Communicable and Chronic Infectious Diseases	The Legal References and footnotes are updated in response to a five-year review. The Legal References are updated with a minor style change.	Adopt
7:285-AP, Anaphylaxis Prevention, Response, and Management Program	The procedure is updated in response to: 1. 105 ILCS 5/2-3.190, amended by P.A. 104-391, reflecting the repeal of the Critical Health Programs and Comprehensive Health Education Act;	

Policy	Revision Descriptions	Recommendation
	2. 105 ILCS 5/22-110, titled bullying prevention (formerly 105 ILCS 5/27-23.7), renumbered by P.A. 104-391; and 3. Continuous improvement.	Adopt
7:300, Extracurricular Athletics	The policy, Legal References, and footnotes are updated for continuous improvement. The footnotes are also updated in response to an IHSA website update.	Adopt
7:300-E2, Certificate of Physical Fitness for Participation in Athletics	The exhibit is updated for the reasons stated in 7:300, Extracurricular Athletics, above.	Adopt
7:305-AP, Program for Managing Student Athlete Concussions and Head Injuries	The procedure is updated for the reasons stated in 7:300, Extracurricular Athletics, above.	Adopt
7:340-AP1, School Student Records	The procedure is updated in response to: 1. 105 ILCS 5/10-20.5a, amended by P.A. 104-15, adding student birth dates to the types of directory information that districts must share with military recruiters, public institutions of higher education, and the Ill. Student Assistance Commission, through a centralized data system;	Adopt
	2. 105 ILCS 5/27-605, renumbered by P.A. 104-391, addressing State graduation requirements; and 3. 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 for the reasons stated in 7:340-AP1, School Student Records, above.	Adopt

Sharon Williams, Ed.D.
Superintendent of Schools

Policy	Revision Descriptions	Recommendation
7:340-AP1, E3, Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information	The exhibit is updated in response to 105 ILCS 5/10-20.5a, amended by P.A. 104-15, adding student birth dates to the types of directory information that districts must share with military recruiters, public institutions of higher education, and the Ill. Student Assistance Commission, through a centralized data system, and for continuous improvement.	Adopt
7:340-AP1, E4, Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information	The exhibit is updated for the reasons stated in 7:340-AP1, E3, Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information, above.	Adopt
8:90, Parent Organizations and Booster Clubs	The policy and footnotes are updated in response to a five-year review.	Adopt

School Board

Types of School Board Meetings [1]

General

For all meetings of the School Board and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein as well as in the Open Meetings Act (OMA). This shall include mailing meeting notifications to news media that have officially requested them and to others as approved by the Board.[2] Unless otherwise specified, all meetings are held in the District's main office.[3] Board policy 2:220, *School Board Meeting Procedure*, governs meeting quorum requirements.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with ~~the Open Meetings Act~~OMA that is required by Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training.[4] In addition, each Board member must complete a course of training on ~~the Open Meetings Act~~OMA as required by Section 1.05(b) or (c) of that Act. [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 controls this policy's content. The provisions of the Open Meetings Act (OMA) do not apply to collective bargaining negotiations, including negotiating team strategy sessions, and grievance arbitrations as provided in 115 ILCS 5/18.

[2] 5 ILCS 120/2.02. These responsibilities may be given to anyone.

[3] State law ~~only~~ requires that meetings be held in a location convenient and open to the public and no open meeting is allowed to be held on a legal holiday unless the regular meeting day falls on that holiday. 5 ILCS 120/2.01. Regular and special meetings also may not be held or scheduled on the day of a general primary election, a general election, a consolidated primary election, or a consolidated election, as defined in the Election Code. 5 ILCS 120/2.07(a), added by P.A. 104-438. According to an Ill. Atty. Gen. Public Access Counselor Opinion (PAO), a board may not meet in a private residence because it would not be convenient and open to the public. PAO 12-8. A board meeting 26 miles away from its regular location, while open to the public, was inconvenient because "the public, as a practical matter, would be deterred from attending it." PAO 13-14. Generally, a board must also plan to accommodate a greater number of meeting attendees if it is aware of heightened interest in a meeting. PAO 25-11. Any person may record an open meeting. 5 ILCS 120/2.05. See sample policy 2:220, *School Board Meeting Procedure*.

[4] Each board must designate at least one employee or member to receive training on compliance with OMA. 5 ILCS 120/1.05. Revise this paragraph if the board designates other individual(s) to receive the training. A list of designated individual(s) must be submitted to the Ill. Atty. Gen. Public Access Counselor (PAC). The designated individual(s) must successfully complete an electronic training curriculum administered by the PAC within 30 days after that designation, and thereafter must successfully complete an annual training program. OMA does not specify duties for the designated individuals who receive the training but presumably they would assist the board in its OMA compliance efforts.

[5] 5 ILCS 120/1.05(b) applies to training administered by the Ill. Atty Gen. Office; 1.05(c) applies to training administered by IASB. Board members elected or appointed after 1-1-12 must complete the training not later than 90 days after taking the oath of office. Even before this law, compliance with OMA has always been considered a shared responsibility of board members. Failing to complete OMA training does not affect the validity of an action taken by the board nor is it considered a criminal violation. 5 ILCS 120/1.05(b) and 120/4. However, a person found to have violated any other provisions of OMA is guilty of a Class C misdemeanor punishable by a $1,500 fine and/or 30 days in jail. 5 ILCS 120/4.

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Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year.[6] The Superintendent shall prepare and make available the calendar of regular Board meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law. [7]

A meeting agenda shall be posted at the District's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting. [8]

Closed Meetings [9]

The Board and Board committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body to determine its validity.[10] However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase

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[6] OMA and the School Code have different provisions regarding the establishment of a regular meeting schedule. OMA requires each public body to prepare and make available a regular meeting schedule at the beginning of each calendar or fiscal year. 5 ILCS 120/2.03. The School Code states that this task is accomplished during the organizational meeting. By *announcing* the schedule at the beginning of each calendar or fiscal year and by *fixing* the schedule at the organizational meeting, a board can implement both laws. Note that the phrase in this sample policy, "at the beginning of each fiscal year," can be changed to "at the beginning of each calendar year."

[7] Regular meeting dates may be changed by giving at least 10 days' notice in a newspaper of general circulation and posting a notice at the district's main office. 5 ILCS 120/2.03. Districts with a population of less than 500, in which no newspaper is published, may give the 10 days' notice by posting a notice in at least three prominent places within the district, in addition to posting a notice at the district's main office. Id. Notice shall also be given to those news media having filed an annual request to receive notifications. Id. The 10 days' notice requirement does not apply to the rescheduling of a single meeting if the regular meeting schedule is otherwise maintained. See PAO 24-13 and f/n 17, below.

[8] 5 ILCS 120/2.02(a). The posting location may need modification to comply with the law's requirement that the agenda be posted at the district's main office. For agenda requirements, see sample policy 2:220, *School Board Meeting Procedure*.

OMA also requires that "any requested notice and agenda for the meeting be continuously available for public review during the entire 48-hour period preceding the meeting." 5 ILCS 120/2.02(c) ~~(emphasis added)~~. The requirement for continuously available is satisfied if the district posts any required notice and agenda on its website. However, to comply with the legislative intent, posting on the district website does not replace the posting described in this sentence. See Rep. Pihos' remarks reported in *New open-meetings law; is hard-copy posting of agendas still required?*, Sept. 2012, Illinois Bar Journal.

For districts that do not post board meeting agendas on a website (because they do not have a website maintained by a full-time staff member), add the following sentence:

The agenda shall be continuously available for public review during the entire 48-hour period preceding the meeting. If a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the district's control, the lack of availability does not invalidate any meeting or action taken.

[9] 5 ILCS 120/2(c), amended by P.A. 103-311. The reasons for closed meetings are frequently addressed in court decisions and Ill. Atty. Gen. opinions; only a few of these decisions/opinions are mentioned in the footnotes.

[10] "Th[is] exception is not intended to allow private discussion of fiscal matters, notwithstanding that they may directly or indirectly impact the employees of the public body." See PAOs 12-11 and 15-03. Discussing the elimination of an employee's position for reasons unrelated to the performance of the employee is not within the scope of Section 2(c)(1). See PAO 15-07. Nor does the exception permit a public body to hold closed sessions to discuss employees in general or issues that may ultimately have an impact on employees. See PAOs 15-05, 16-13, and 18-12.

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Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [~~the Open Meetings Act~~OMA]. 5 ILCS 120/2(c)(1). [11]

2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2). [12]
3. The selection of a person to fill a public office, as defined in ~~the Open Meetings Act~~OMA, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in ~~the Open Meetings Act~~OMA, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).
5. Evidence or testimony presented to the Board regarding denial of admission to school events or property pursuant to 105 ILCS 5/24-24, provided that the Board prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4.5).
6. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
7. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
8. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
9. 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).
10. Student disciplinary cases. 5 ILCS 120/2(c)(9).
11. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).

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[11] The Local Government Wage Increase Transparency Act, 50 ILCS 155/, allows *disclosable payments* (described below) to Ill. Municipal Retirement Fund (IMRF) employees only when the school board has first discussed the specific payment to be made at a meeting open to the public and posted and held in accordance with the requirements of OMA. 50 ILCS 155/5.

The provisions apply only to disclosable payments made to participating employees under Article Seven of the Ill. Pension Code (IMRF) who began participation before 1-1-11 and who are not subject to a collective bargaining agreement with respect to the employment upon which the participation is based.

Disclosable payments means a payment, whether in the form of an increase in the rate of earnings or a lump-sum payment, that would:

1. Be made by a participating employer to a participating employee after the employee has expressed to the employer his or her intent to retire or withdraw from service;
2. Have the effect of increasing the employee's reportable monthly earnings from that employer by more than 6% compared to the previous month; and
3. Be made between 12 months and 90 days prior to the employee's expected termination of service.

A disclosable payment also includes payment for accumulated sick leave; it does not include a refund of contributions or any payment required to be paid by State or federal law.

[12] Discussing a hiring freeze is not within the scope of Section 2(c)(2). See PAO 15-07. And if a public body is not engaged in collective bargaining at the time of the meeting, discussion of a hiring freeze does not constitute a collective negotiating matter. Id.

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12. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
13. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
14. Self evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16). [13]
15. Discussion of minutes of meetings lawfully closed under ~~the Open Meetings Act~~OMA, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
16. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum, taken at an open meeting. The vote of each Board member present, and the reason for the closed meeting, will be publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes. [14]

A single motion calling for a series of closed meetings may be adopted when such meetings will involve the same particular matters and are scheduled to be held within three months of the vote. [15]

No final Board action will be taken at a closed meeting. [16]

Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required

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[13] IASB ~~field services~~Outreach and Training directors are available to facilitate a board self-evaluation.

[14] 5 ILCS 120/2a. Provided the open meeting was properly noticed, no additional notice is required to close the meeting. A motion to close a meeting can be as simple as, "I move that the Board hold [go into] a closed session to discuss [state one of the closed meeting grounds with reference to the specific section authorizing the closed meeting]."

The adequacy of a motion to go into closed session was discussed in Henry v. Anderson and Champaign Community Unit School Dist. No. 4, 356 Ill.App.3d 952 (4th Dist. 2005). A statutory citation is not required in the motion to go into closed session, but OMA does require a reference to the specific exception.

The *litigation* exception can be challenging~~is tricky~~. If the litigation has been filed and is pending, the motion to go into closed session need only state that the board will discuss litigation that has been filed and is pending. If the litigation has not been filed, the board must: (1) find that the litigation is probable or imminent, and (2) record and enter into the closed session minutes the basis for that finding. ~~120 ILCS 5/~~5 ILCS 120/2~~(e)11~~. See City of Bloomington v. Raoul, 184 N.E.3d 366 (Ill. App. 4th Dist. 2021) (finding city council improperly invoked litigation exception to justify closed session); PAO 21-03.

[15] Id.

[16] 5 ILCS 120/2(e). See also PAOs 13-03, 13-07, ~~and~~ 14-01, and 24-03.

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when the original meeting is open to the public and: (1) is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. [17]

Special Meetings

Special meetings may be called by the President or by any three members of the Board by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting.[18]

Public notice of a special meeting is given by posting a notice at the District's main office at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice. A meeting agenda shall accompany the notice. [19]

All matters discussed by the Board at any special meeting must be related to a subject on the meeting agenda. [20]

Emergency Meetings

Public notice of emergency meetings shall be given as soon as practical, but in any event, before the meeting to news media that have filed a written request for notice. [21]

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[17] 5 ILCS 120/2.02.

[18] 105 ILCS 5/10-16 (two members of a board of directors; 105 ILCS 5/10-6). Lawyers disagree whether three members may call a special meeting without violating OMA, although there is general agreement that no violation occurs if three members call a special meeting while they are participating in a lawful board committee meeting with the matter on the agenda.

[19] 5 ILCS 120/2.02. News media that gave the board an address or telephone number within the district's territorial jurisdiction must be given notice in the same manner as given board members.

OMA requires that "any required notice and agenda be *continuously available* for public viewing during the entire 48-hour period preceding the meeting." 5 ILCS 120/2.02(c) (emphasis added). The requirement for *continuously available* is satisfied if the district posts any required notice and agenda on its website. Posting on the district website does not replace the posting described in this paragraph. See f/n 8.

For districts that do not post board meeting notices and agendas on a website (because they do not have a website maintained by a full-time staff member), add the following sentence:

> The notice and agenda shall be continuously available for public review during the entire 48-hour period preceding the meeting.

Some attorneys find OMA's posting requirements for special meetings to be unclear and recommend that a board post notices and agendas of such meetings at the district's main office *and* at the location where the meeting is to be held. Consult the board attorney for guidance on this issue and ensure that posting practices align with this policy and administrative procedure 2:200-AP, *Types of School Board Meetings*. Posting at the meeting location promotes greater transparency. Boards that post public notices and agendas of special meetings at the meeting location may revise this sentence as follows:

> Public notice of a special meeting is given by posting a notice at the District's main office and the location where the meeting is to be held at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice.

Note that if this alternative language is used, this sample policy requires posting in the same manner for reconvened and rescheduled meetings in alignment with OMA; see the **Reconvened or Rescheduled Meetings** subhead.

[20] Lawyers disagree whether OMA mandates this restriction, i.e., whether it restricts board *discussions* to items related to an item on the special meeting agenda. OMA limits board *action* to items on the agenda (5 ILCS 120/2.02(c)); it states that the validity of any action taken "which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda." 5 ILCS 120/2.02(a). For agenda requirements, see sample policy 2:220, *School Board Meeting Procedure*.

[21] 5 ILCS 120/2.02(a).

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Posting on the District Website [22]

In addition to the other notices specified in this policy, the Superintendent or designee shall post the following on the District website: (1) the annual schedule of regular meetings, which shall remain posted until the Board approves a new schedule of regular meetings; (2) a public notice of all Board meetings; and (3) the agenda for each meeting which shall remain posted until the meeting is concluded.

LEGAL REF.: 5 ILCS 120/, Open Meetings Act.
5 ILCS 140/, Freedom of Information Act.
105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 2:120 (Board Member Development), 2:210 (Organizational School Board Meetings), 2:220 (School Board Meeting Procedure), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks), 8:30 (Visitors to and Conduct on School Property)

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[22] Required *only if* the district has a website that is maintained by a full-time staff member; if not, this section may be omitted. 5 ILCS 120/2.02. Note that 5 ILCS 120/2.02(b) requires that a notice of *all* meetings be posted on the district website, but only notices of *regular* meetings must remain posted until the *regular* meeting is concluded. As this is an obvious oversight, it is wise to leave the notice of every meeting on the website until after the meeting occurred. The agenda must remain on the district website until the meeting is concluded. Id.

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School Board

School Board Meeting Procedure [1]

Agenda

The School Board President is responsible for focusing the Board meeting agendas on appropriate content.[2] The Superintendent shall prepare agendas in consultation with the Board President. The President shall designate a portion of the agenda as a consent agenda for those items that usually do not require extensive discussion before Board action. Upon the request of any Board member, an item will be withdrawn from the consent agenda and placed on the regular agenda for independent consideration.[3]

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting.[4] Items submitted by Board members to the Superintendent or the President shall be placed on the agenda for an upcoming meeting.[5] District residents may suggest

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[1] State law requires boards to have a policy concerning: (1) the public's right to record meetings (5 ILCS 120/2.05), and (2) if applicable, attendance by video or audio means (5 ILCS 120/7). Boards are not mandated to have a policy on the remaining topics covered in this policy. The following items are matters of local discretion: agenda preparation and contents, process for board members to have items placed on agenda, receipt and handling of residents' requests for agenda inclusions, and order of business.

[2] Appropriate agenda content includes establishing board processes, clarifying the district's purpose, delegating authority, defining operating limits, monitoring district progress, and taking legally required board action. See *IASB's Foundational Principles of Effective Governance* at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance ~~www.iasb.com/principles.cfm~~.

[3] To comply with the Open Meetings Act's (OMA's) mandate that minutes contain a "summary of discussion on all matters proposed, deliberated, or decided," a board should include a list of consent items in the agenda. OMA also requires that any final action "be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted." 5 ILCS 120/2(e). Some level of explanation of the consent agenda items must be verbally given before a board votes to approve a consent agenda. The Ill. Supreme Court has held that "the recital must announce the nature of the matter under consideration, with sufficient detail to identify the particular transaction or issue, but need not provide an explanation of its terms or its significance." Bd. of Educ. of Springfield Sch. Dist. No. 186 v. Atty. Gen. of Ill., 77 N.E.3d 625, 636 (Ill. 2017).

[4] 5 ILCS 120/2.02(c). The Ill. Appellate Court held that OMA prohibits a board from voting on a matter at a regular meeting that is not on the pre-meeting published agenda. Rice v. Bd. of Trustees of Adams Cnty., 326 Ill.App.3d 1120 (4th Dist. 2002).~~d~~

[5] An alternative follows for those boards that want to give discretion to the board president to decide whether an item submitted by a board member should be added to a meeting agenda:

Any Board member may submit suggested agenda items to the Board President for his or her consideration.

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inclusions for the agenda.[6] The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed. [7]

The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency.[8] The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of School Board Meetings*.

The Board President shall determine the order of business at regular Board meetings. Upon consent of a majority of members present, the order of business at any meeting may be changed.

Voting Method

Unless otherwise provided by law, when a vote is taken upon any measure before the Board, with a quorum being present, a majority of the votes cast shall determine its outcome.[9] A vote of *abstain* or

Commented [DJ1]: Note to subscribers: The option in footnote 6 specifically relates to the sentence in the policy regarding agenda items suggested by district residents. Reference to district residents is added to the optional language to clarify the intended scope of the option.

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[6] See sample policy 2:230, *Public Participation at School Board Meetings and Petitions to the Board.* In districts governed by a board of school directors, an appointed board official must give a resident of the district~~person~~ requesting consideration of a matter by the board a formal written response no later than 60 days after receiving the request. The response must establish a meeting before the board or list the reasons for denying the request. 105 ILCS 5/10-6.

Options follow to restrict the addition of new agenda items by district residents; the phrases between [ ] may be used together, separately, or eliminated:~~.~~

Discussion items suggested by District residents may be added to the agenda [at the beginning of a regular meeting] [upon unanimous approval of those Board members present].

[7] An Ill. Atty. Gen. Public Access Counselor Opinion (PAO) found no violation of OMA when a board removed an item from the agenda within the 48-hour notice time period. PAO 14-3. Removals inform the public that the board does not plan to proceed on the topic.

[8] State law does not require this, except that 105 ILCS 5/10-16 requires members to receive a written notice of a special meeting that includes the meeting's purpose.

[9] In most situations, the failure of a member to vote has the effect of acquiescence or concurrence with the majority of votes cast. Prosser v. Village of Fox Lake, 91 Ill.2d 389 (Ill. 1982); People v. Bertrand, 978 N.E.2d 681 (Ill. App. 1st Dist. 2012). For example, a motion passes with a vote of two *yeas*, one *nay*, and four *abstentions*. A motion fails with a vote of two *yeas*, three *nays*, and two *abstentions*. A motion fails with a vote of three *yeas*, three *nays*, and one *abstain* because there is no majority. Exceptions include when a statute requires the *affirmative vote* of a majority or extra. Statutory exceptions include the following board actions:

1. Dismissing a teacher for any reason other than reduction of staff or elimination of that position requires approval by the majority of all members. 105 ILCS 5/24-12.
2. Directing the sale of district real property or buildings thereon must be approved by at least 2/3 of the board members~~.~~, unless the sale is residential property constructed or renovated by students as part of a curricular program, in which case, the board could engage the services of a licensed real estate broker to sell the property for a commission not to exceed 7%, contingent upon the public listing of the property on a multiple listing service for a minimum of 14 calendar days and a sale of the property happens within 120 days. 105 ILCS 5/5-22.
3. Making or renewing a lease of school property to another school district or municipality or body politic and corporate for a term longer than 10~~ten~~ years, or to alter the terms of such a lease whose unexpired term exceeds 10 years, requires approval by at least 2/3 of the board's full membership. 105 ILCS 5/10-22.11.
4. Leasing any building, rooms, grounds, and appurtenances to be used by the district for school or administration purposes for a term longer than ten years, or to alter the terms of such a lease whose unexpired term exceeds ten years, requires approval by at least 2/3 of the board's full membership. 105 ILCS 5/10-22.12.
5. Obtaining personal property by lease or installment contract requires approval by an affirmative vote of at least 2/3 of the board members. *Personal property* includes computer hardware and software and all equipment, fixtures, and improvements to existing district facilities to accommodate computers. 105 ILCS 5/10-22.25a.
6. Adopting a supplemental budget after a successful referendum requires approval by a majority of the full board. 105 ILCS 5/17-3.2.

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present, or a vote other than *yea* or *nay*, or a failure to vote, is counted for the purposes of determining whether a quorum is present. A vote of abstain or present, or a vote other than yea or nay, or a failure to vote, however, is not counted in determining whether a measure has been passed by the Board, unless otherwise stated in law. The sequence for casting votes is rotated. [10]

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes. An individual Board member may request that a roll call vote be taken on any other matter; the President or other presiding officer may approve or deny the request but a denial is subject to being overturned by a majority vote of the members present. [11]

Minutes

The Board Secretary shall keep written minutes of all Board meetings (whether open or closed), which shall be signed by the President and the Secretary.[12] The minutes include: [13]

1. The meeting's date, time, and place;
2. Board members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted yea and nay;
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting;

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7. Petitioning the circuit court for an emergency election requires approval by a majority of the members. 10 ILCS 5/2A-1.4.
8. Expending funds in emergency situation in the absence of required bidding requires approval by at least 3/4 of the board. 105 ILCS 5/10-20.21(a)(xiv).
9. Exchanging school building sites requires approval by at least a 2/3 majority of the board. 105 ILCS 5/5-23.
10. Waiving the administrative cost cap requires approval by an affirmative vote of at least 2/3 of the board. 105 ILCS 5/17-1.5.
11. Authorizing an advisory question of public policy to be placed on the ballot at the next regularly scheduled election requires approval by a majority of the board. 105 ILCS 5/9-1.5.

[10] Voting sequence is at the board's discretion. A board may indicate how frequently it changes the voting sequence by adding *after each vote*, *monthly*, or *annually* to the end of the sentence. All board members, including officers, may make motions and vote.

[11] This paragraph's first sentence contains the requirements in 105 ILCS 5/10-7. The second sentence is optional and may be deleted or amended. Other optional provisions include:

Option 1: Any Board member may include a written explanation of his or her vote in the District file containing individual Board member statements; the explanation will not be part of the minutes.

Option 2: Any Board member may request that his or her vote be changed before the President announces the result.

If a board takes a roll call vote on all action items, it may substitute this paragraph with the following sentence:

The Board shall take a roll call vote on all matters requiring its action, including but not limited to, all questions involving the expenditure of money and all questions involving the closing of a meeting to the public.

[12] 105 ILCS 5/10-7 and 5 ILCS 120/2.06. The minutes are the only record showing that the board took official action, including necessary prerequisites to make such action legally sufficient. A non-member recording secretary (of a board of education) or clerk (of a board of directors) may be given these responsibilities. 105 ILCS 5/10-14.

[13] All items listed are required to be recorded in minutes **except** items 7-9; other items may be included at the board's discretion. 5 ILCS 120/2.06 and 120/2a; 105 ILCS 5/10-7. The Ill. Atty. Gen. Public Access Counselor (PAC) found a board's vague reference to a *personnel matter* insufficient to meet the requirements of #3. PAO 13-7.

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7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion;[14] and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

The minutes shall be submitted to the Board for approval or modification at its next regularly scheduled open meeting. Minutes for open meetings must be approved within 30 days after the meeting or at the second subsequent regular meeting, whichever is later. [15]

Every six months, or as soon after as is practicable, in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) determines which, if any, no longer require confidential treatment and are available for public inspection.[16] This is also referred to as a *semi-annual review*. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release, but it reports its determination in open session. [17]

The Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require. [18]

The official minutes are in the custody of the Board Secretary.[19] Open meeting minutes are available for inspection during regular office hours within 10 days after the Board's approval;[20] they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member.

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

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[14] The intent behind this optional item is to give an individual member a means of recording his or her support or opposition to a motion that was taken by oral vote; it will record that the individual took an alternative position to that of the majority without having the minutes recite unnecessary detail.

[15] Required by 5 ILCS 120/2.06(b).

[16] Required by 5 ILCS 120/2.06(d), ~~amended by P.A. 102-653~~. If a board is unable to conduct the review every six months, it must do so as soon after as is practicable, taking into account the nature and meeting schedule of the board. Id. A board may also conduct the review more frequently. For the sake of brevity and to align with the closed meeting exception in 5 ILCS 120/2(c)(21) that continues to refer to a public body's *semi-annual* review of its closed session minutes, this policy's exhibits use the term *semi-annual*, even though that term was removed from 5 ILCS 120/2.06(d).

While board notes from closed sessions may be confidential under the Freedom of Information Act (FOIA), they may be discoverable by the opposing party in a lawsuit. Bobkoski v. Cary Sch. Dist. 26, 141 F.R.D. 88 (N.D. Ill. 1992).

The failure to strictly comply with the semi-annual review does not cause the written minutes or related verbatim record to become public, provided that the board, within 60 days of discovering its failure to strictly comply, reviews the closed session minutes and reports the result of that review in open session. 5 ILCS 120/2.06(d), ~~amended by P.A. 102-653~~.

[17] 5 ILCS 120/2(c)(21) allows boards to discuss the confidentiality needs of closed meeting minutes in closed meetings.

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

[19] Optional provision: "A copy of the minutes is kept in a secure location appropriate for valuables."

[20] Required by 5 ILCS 120/2.06(b).

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Board member.[21] The minutes, whether reviewed by members of the public or the Board, shall not be removed from the District's administrative offices or their official storage location except by vote of the Board or by court order. [22]

The Board's open meeting minutes shall be posted on the District website within ten days after the Board approves them; the minutes will remain posted for at least 60 days. [23]

Verbatim Record of Closed Meetings

The Superintendent, or the Board Secretary when the Superintendent is absent, shall audio record all closed meetings.[24] If neither is present, the Board President or presiding officer shall assume this responsibility. After the closed meeting, the person making the audio recording shall label the recording with the date and store it in a secure location. The Superintendent shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Board for every closed meeting, and (2) a secure location for storing closed meeting audio recordings is maintained close to the Board's regular meeting location. [25]

After 18 months have passed since being made, the audio recording of a closed meeting is destroyed provided the Board approved: (1) its destruction, and (2) minutes of the particular closed meeting. [26]

Individual Board members may access verbatim recordings in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member.[27] Access to the verbatim

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[21] 5 ILCS 120/2.06(f). The listed individuals in the statute are matched to the titles in the IASB Policy Reference Manual. If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

See the discussion in paragraph two of f/n 27 below about what *in the presence of* means.

[22] Id.

[23] Posting on the website is required *only if* the district has a website that is maintained by a full-time staff member; if not, this sentence may be omitted. 5 ILCS 120/2.06(b).

[24] Boards must keep a verbatim record of their closed meetings in the form of an audio or video recording. 5 ILCS 120/2.06(a). This sample policy uses audio recording only; a board that uses a video recording should amend this policy and exhibit 2:220-E1, *Board Treatment of Closed Meeting Verbatim Recordings and Minutes*.

The interests of continuity, efficiency, and ease of holding someone accountable suggest that the superintendent be made responsible for making and storing the verbatim recordings. If the superintendent is not present, e.g., during discussions concerning the superintendent's contract, the tasks should be given to a board member.

[25] Alternatively, use: "is maintained within the District's administrative offices or their official storage location."

[26] This paragraph paraphrases 5 ILCS 120/2.06(c). No notification to, or the approval of, a records commission or the State Archivist is needed if a recording is destroyed under the conditions listed.

[27] 5 ILCS 120/2.06(e). The listed individuals align with the other titles used in the IASB Policy Reference Manual. If the board wishes to mirror the statute, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

The intent of the *in the presence of* language is meant to protect both (1) the verbatim recordings/closed session minutes (see f/n 21 above), and (2) the board members requesting access to them. It ensures that a school district official is present at all times when a requesting board member accesses the verbatim recording/closed session minutes. The requirement is meant to prevent misuse and removal of the verbatim recording/closed session minutes from the district offices or official storage location. It is also meant to protect the board member who requests the access from being alone and in a situation where the board member could potentially be accused of tampering with or taking the verbatim recording/closed session minutes.

Consult the board attorney about:

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recordings is available at the District's administrative offices or the verbatim recording's official storage location.[28] Requests shall be made to the Superintendent or Board President. While a Board member is listening to a verbatim recording, it shall not be re-recorded or removed from the District's main office or official storage location, except by vote of the Board or by court order. [29]

Before making such requests, Board members should consider whether such requests are germane to their responsibilities, service to District, and/or Oath of Office in policy 2:80, *Board Member Oath and Conduct*. In the interest of encouraging free and open expression by Board members during closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections. [30]

Quorum and Participation by Audio or Video Means [31]

A quorum of the Board must be physically present at all Board meetings. A majority of the full membership of the Board constitutes a quorum.

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1. The practice of sending an *appointed* board member to be present with a board member who requests access to verbatim recordings/closed session minutes. 5 ILCS 120/2.06(e) states, "any *elected* official of the public body;" appointed is not listed but is mentioned elsewhere in the language of this section of the law;
2. Access to verbatim recordings/closed session minutes by other officials employed by the district, e.g., superintendent or other high-level administrators and even the board attorney; and
3. How this law affects the sharing of closed session minutes with board members prior to a meeting at which the closed session minutes will be approved.

The intent of P.A. 99-515, which amended 5 ILCS 120/2.06(e), was to manage a board member's *individual* request for access to these items in the board member's individual capacity (see sample policy 2:80, *Board Member Oath and Conduct*), not change prior practices in regard to other officials and board attorneys or the required work of school boards under various laws. While many attorneys do not interpret the law to restrict access or change procedures for these other high-level school officials and attorneys employed by the district, some attorneys do, and it is important to obtain legal advice on this specific issue.

[28] Id.

[29] Id.

[30] This paragraph is optional. It provides boards an opportunity to discuss and encourage each member to carefully think about purposes for their requests to listen to verbatim recordings, which historically has been and should continue to be to "access information relevant to the exercise of duties" for the public body. Intra-board conflicts may escalate if the recording is used to confirm or dispute who-said-what. Prior to P.A. 99-515, OMA did (and still does) allow boards to release these types of information. 5 ILCS 120/2.06(e). Board members should evaluate whether their requests under 5 ILCS 120/2.06(e) are "relevant to the exercise of their duties" before making such requests. Confirming or disputing who-said-what diverts resources away from operations of the district in educating its students. Additional considerations in listening to verbatim recordings may include personnel and student records confidentiality issues, which should be discussed with the board attorney.

[31] 5 ILCS 120/2.01 and 120/7, amended by P.A.s 103-311 and 104-438. See also 105 ILCS 5/10-6 (regular and special meetings) and 5/10-12 (quorum). In order to allow attendance by video or audio means, a board must adopt a policy conforming to the restrictions in OMA. The statute requires the board member who wishes to attend remotely to notify the "recording secretary or clerk of the public body." The policy includes the superintendent as a possible person to receive the notice. Everything in this section is required aside from provisions on the length of notification that is given the secretary and the process for accommodating the request. Alternatively, a board may: (1) prohibit members from participating by video or audio means by omitting this section, (2) add other requirements, or (3) alter the 24-hour notification. Note that the statute does not contemplate someone either approving or denying a request, only that the request be accommodated if the notification is provided.

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Provided a quorum is physically present, a Board member may attend a meeting by video or audio conference if he or she is prevented from physically attending because of: (1) personal illness or disability, (2) employment or District business, (3) a family or other emergency, ~~or~~ (4) unexpected childcare obligations, or (5) performance of *active military duty* as a *service member*. If a member wishes to attend a meeting by video or audio means, he or she must notify the R~~r~~ecording S~~s~~ecretary or Superintendent at least 24 hours before the meeting unless advance notice is impractical. The recording secretary or Superintendent will inform the Board President and make appropriate arrangements. A Board member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Board meeting including voting on any item.

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No Physical Presence of Quorum and Participation by Audio or Video; Disaster Declaration [32]

The ability of the Board to meet in person with a quorum physically present at its meeting location may be affected by the Governor or the Director of the Ill. Dept. of Public Health issuing a disaster declaration related to a public health emergency.[33] The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President determines that an in-person meeting or a meeting conducted under the **Quorum and Participation by Audio or Video Means** subhead above, is not practical or prudent because of the disaster declaration; if neither the

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In a non-binding opinion, the PAC found a public body violated OMA when it allowed a board member to join a closed session meeting remotely without first taking action at that particular meeting in open session to approve the remote participation. 2019 PAC 57660. Therefore, even with the adoption of this policy to approve remote participation, best practice is to ensure the public is informed of any board members that are participating remotely for a particular board meeting. Consult the board attorney for advice on whether the board should take action every time it wishes to permit a member to participate remotely or in those instances where a board member objects to such participation.

Conflicting obligations to an employer may provide a permissible reason for a board member's attendance by video or audio conference. PAO 24-7. A board member does not have to show that it would be infeasible to commute from a work assignment to the meeting location to participate remotely. Id.

OMA borrows the definition for *active military duty* from the Service Member Employment and Reemployment Act, 330 ILCS 61/1-10. 5 ILCS 120/7(a), amended by P.A. 104-438. It means any full-time military service regardless of length or voluntariness, including, but not limited to, annual training, full-time National Guard duty, and State active duty. 330 ILCS 61/1-10. *Service member* means a resident of Illinois who is a member of any component of the U.S. Armed Forces or the National Guard of any state, D.C., a commonwealth, or territory of the U.S. 5 ILCS 120/7(a), amended by P.A. 104-438.

32 5 ILCS 120/2.01 and 120/7(e)(1)-(10). See also 105 ILCS 5/10-6 (regular and special meetings) and 5/10-12 (quorum). During the 2020 COVID-19 pandemic, Ill. Gov. Pritzker issued Executive Order (EO) 2020-07 pursuant to 20 ILCS 3305/7 (disaster proclamation due to public health emergency) that temporarily suspended OMA's physical quorum requirement. The Governor extended this OMA relief though subsequent Executive Orders as the crisis continued. In June of 2020, 5 ILCS 120/~~120/~~7~~(e)~~ was enacted, immediately requiring public bodies to meet a number of conditions before suspending the physical quorum requirement.

Boards must remember that public comment is still required when a quorum is not physically present at the meeting location. ~~See Public Comment section of the Ill. Atty. Gen.'s guidance entitled *Guidance to Public Bodies on the Open Meetings Act and the Freedom of Information Act During the COVID-19 Pandemic* on p. 5 at: www.foiapac.ilag.gov/content/pdf/Updated%20Remote%20Meetings%20Guidance%20May%202023.pdf.~~

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

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

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President nor Vice President are present or able to perform this determination, the Superintendent shall serve as the duly authorized designee for purposes of making this determination. [34]

The individual who makes this determination for the Board shall put it in writing, include it on the Board's published notice and agenda for the audio or video meeting and in the meeting minutes,[35] and ensure that the Board meets every OMA requirement for the Board to meet by video or audio conference without the physical presence of a quorum. [36]

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use the most recent edition of Robert's Rules of Order Newly Revised, as a guide when a question arises concerning procedure. [37]

Broadcasting and Recording Board Meetings

Any person may record or broadcast an open Board meeting.[38] Special requests to facilitate recording or broadcasting an open Board meeting, such as seating, writing surfaces, lighting, and access to electrical power, should be directed to the Superintendent at least 24 hours before the meeting.

Recording meetings shall not distract or disturb Board members, other meeting participants, or members of the public. The Board President may designate a location for recording equipment, may restrict the movements of individuals who are using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meeting.

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[34] 5 ILCS 120/7(e)(2) states "the head of the public body as defined in [the Freedom of Information Act (FOIA), 5 ILCS 140/2(e), FOIA]." FOIA defines *head of the public body* to mean the *president* or "such person's duly authorized designee." 5 ILCS 140/2(e). Sample ~~P~~policy 2:110, *Qualifications, Term, and Duties of Board Officers*, designates the vice president to perform the duties of the president if that office is vacant or he or she is absent or unable to perform the office's duties.

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

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

[36] See sample exhibit 2:220-E9, *Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration*.

[37] Boards are not required to follow any particular rules of order. Rules, however, must be in writing and available for public inspection, in order to have any legal effect. 105 ILCS 5/10-20.5.

[38] The public's right to record meetings must be addressed in board policy. 5 ILCS 120/2.05. However, a provision requiring advance notice to record a meeting is invalid. PAO 12-10.

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

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:150 (Committees), 2:200 (Types of School Board Meetings), 2:210 (Organizational School Board Meeting), 2:230 (Public Participation at School Board Meetings and Petitions to the Board)

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School Board

Access to District Public Records [1]

Full access to the District's public records is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures. The Superintendent or designee shall: (1) provide the Board with sufficient information and data to permit the Board to monitor the District's compliance with FOIA and this policy, and (2) report any FOIA requests during the Board's regular meetings along with the status of the District's response. [2]

Freedom of Information Officer [3]

The Superintendent shall serve as the District's Freedom of Information Officer and assume~~s~~ all the duties and powers of that office as provided in FOIA and this policy. The Superintendent may delegate these duties and powers to one or more designees, but the delegation shall not relieve the Superintendent of ~~the~~ responsibility for the delegated action ~~that was delegated~~.

Definition [4]

The District's *public records* are defined as records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary material

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[1] The Ill. Freedom of Information Act (FOIA) governs the subject matter in this policy. 5 ILCS 140/. School districts are required to make public records available to any person for inspection or copying, unless they fall within an exception. 5 ILCS 140/3(a). The f/ns only discuss sections of FOIA that are relevant to school districts. State law does not explicitly require boards to adopt a policy on access to their records. However, a board policy is the logical instrument to memorialize the actions that are required to implement FOIA. The laws limiting the disclosure of employee evaluations are discussed in f/n 7.

See also *Let the Sunshine In: School Board Meetings and Records* published by IASB at: www.iasb.com/IASB/media/Documents/JPBSunshine.pdf.

Any person denied access to a public record may request a review by the Ill. Public Access Counselor (PAC) established in the office of the Ill. Atty. Gen. 5 ILCS 140/9.5. As a result of the review, the PAC may issue an opinion binding on the requester and public body. IASB reports on the opinions relevant to school districts at: www.iasb.com/policy-services-and-school-law/court-decisions-listing/~~www.iasb.com/law/decisions.cfm?SubjectArea=Freedom%20of%20Information%20Act%20-%20FOIA~~.

[2] This sentence allows a board to monitor the district's compliance with FOIA. This is an important duty as illustrated by FOIA's provision stating: "It is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible." The School Code requires the FOIA report described in #2 (105 ILCS 5/10-16); it is optional, however, for districts governed by a board of school directors.

[3] Each board must designate one or more official(s) or employee(s) to act as its freedom of information officer(s). 5 ILCS 140/3.5 **(referred to in the f/ns as *FOIA Officer*)**. A board may replace *Superintendent* in this paragraph with another job title, or may replace the paragraph with one of the alternatives below:

Alternative 1: The Board will appoint an employee to serve as the District's Freedom of Information Officer. That appointee assumes all the duties and powers of that office as provided in FOIA and this policy.

Alternative 2: The Superintendent shall appoint an employee, who may be himself or herself, to [continue as with alternative 1].

[4] The definition is quoted from 5 ILCS 140/2(c), amended by P.A. 104-438. Substitute the following alternative for this paragraph if desired:

The definition of *public records*, for purposes of this policy, is the definition contained in 5 ILCS 140/2(c) without amendment.

Junk mail means any unsolicited commercial mail or commercial electronic communication sent to a district and not responded to by a district. 5 ILCS 140/2(j), added by P.A. 104-438.

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pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of the School District. The District's public records do not include *junk mail*.

Requesting Records [5]

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the District's Freedom of Information Officer. Individuals making a request are not required to state a reason for the request other than to identify when the request is for a commercial purpose or when requesting a fee waiver. Email requests must include the entirety of the request within the body of the email and not as an attachment or hyperlink. The Superintendent or designee shall instruct District employees to immediately forward any request for inspection and copying of a public record to the District's Freedom of Information Officer or designee.

Responding to Requests

The Freedom of Information Officer shall approve all requests for public records unless:

1. The requested material does not exist; [6]
2. The requested material is exempt from inspection and copying by the Freedom of Information Act; [7] ~~or~~
3. Complying with the request would be unduly burdensome;~~.~~ [8]

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

[5] This section restates 5 ILCS 140/3(c) amended by P.A. 104-438, in relevant part. Districts may, but are not required to, accept oral requests. Compliance with an oral request may stave off the formal written request and permit more flexibility in the response. If the district wants to accept oral requests, delete ~~must be made in writing and~~ from the first sentence and add the following:

> Oral requests may be accepted provided personnel are available to handle them, but otherwise must be made in writing.

The response to an oral request should be documented. Districts may provide a request form for convenience but may not require its use. See sample exhibit 2:250-E1, *Written Request for District Public Records*.

[6] FOIA does not require a public body to create a record. 5 ILCS 140/1; Chicago Tribune Co. v. Dept. of Financial and Professional Regulation, 8 N.E.3d 11 (Ill. App. 4th Dist. 2014). However, compiling information already in the public body's possession into a different format in order to respond to a FOIA request does not constitute the creation of a new record. PAO 15-10. See also Hites v. Waubonsee Community College, 56 N.E.3d 1049 (Ill. App. 2nd Dist. 2016) (holding that databases that house aggregations of data and do not merely store documents are subject to FOIA).

[7] 5 ILCS 140/7~~, amended by P.A. 101-434, 102-791, 102-752, eff. 1-1-23, and 102-753, eff. 1-1-23,~~ and 140/7.5 describe numerous explicit exceptions to the presumption that all public records are available for public inspection. Each record is "presumed to be open to inspection or copying" and the district will have "the burden of proving by clear and convincing evidence that it is exempt." 5 ILCS 140/1.2 and 140/11(f). A person who prevails in a court proceeding to enforce FOIA will be awarded attorney's fees; the public body may incur a civil penalty of between $2,500 and $5,000 for each occurrence of a willful or intentional violation of FOIA or other action in bad faith; and courts may impose additional penalties of up to $1,000 for each day the violation continues if (1) the board fails to comply with the court's order after 30 days, (2) the court's order is not on appeal or stayed, and (3) the court does not grant the public body additional time to comply with the court's order to disclose public records. 5 ILCS 140/11(i) and (j). School officials should seek the board attorney's advice concerning the denial of a record request.

Two State laws limit the disclosure of employee personnel evaluations:

1. The Personnel Record Review Act prohibits the disclosure of performance evaluations. 820 ILCS 40/11.
2. The School Code prohibits the disclosure of public school teacher, principal, and superintendent performance evaluations except as otherwise provided in the certified employee evaluation laws. 105 ILCS 5/24A-7.1.

5 ILCS 140/7(kk)~~, added by P.A. 101-434,~~ exempts from disclosure "the public body's credit card numbers, debit card numbers, bank account numbers, Federal Employer Identification Number, security code numbers, passwords, and similar account information" that could result in identity theft or fraud of a government entity or a person.

[8] 5 ILCS 140/3(g).

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4. The request would require the District to open electronically attached files or hyperlinks to view or access details of a request. In that case, the requester shall be notified within five business days that the entirety of the electronic request must appear within the body of the electronic submission;[9] or

~~3.~~5. The District has a reasonable belief that the request was not submitted by a person, and the requester fails to verify orally or in writing that they are a person within 30 days of the District's request for such verification. [10]

Within five business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA.[11] The Freedom of Information Officer may extend the time for a response for up to five business days from the original due date.[12] If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the extension, and (2) either inform the person of the date on which a response will be made, or agree with the person in writing on a compliance period. [13]

The time periods are extended for responding to requests for records made for a commercial purpose, requests by a recurrent requester, or voluminous requests, as those terms are defined in Section 2 of FOIA. The time periods for responding to those requests are governed by Sections 3.1, 3.2, and 3.6 of FOIA. [14]

When responding to a request for a record containing both exempt and non-exempt material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request. [15]

Fees [16]

Persons making a request for copies of public records must pay any and all applicable fees. The Freedom of Information Officer shall establish a fee schedule that complies with FOIA and this policy

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[9] 5 ILCS 140/3(c), amended by P.A. 104-438.

[10] 5 ILCS 140/3(j), added by P.A. 104-438.

[11] 5 ILCS 140/3(d). Reasons for extensions are addressed at 5 ILCS 140/3(e). Public bodies must respond to FOIA requests. PAOs 16-05, 16-04, 16-03, and 16-01. Public bodies must also conduct a reasonable search for public records responsive to a FOIA request, which includes searching public employees' communications on personal devices or accounts for records pertaining to the transaction of public business. PAO 16-06.

[12] 5 ILCS 140/3(e).

[13] 5 ILCS 140/3(f). A board may replace the default paragraph with the following alternative:
The Freedom of Information Officer shall respond to record requests according to the time periods described in 5 ILCS 140/3.

[14] The timelines are extended to respond to a: (1) *recurrent requester* (defined in 5 ILCS 140/2(g)); (2) request with a *commercial purpose* (defined in 5 ILCS 140/2(c-10)); and (3) *voluminous request* (defined in 5 ILCS 140/2(h)). To use the extended timelines, a district must follow the requirements in 5 ILCS 140/3.2 for responding to a *recurrent requester*; 5 ILCS 140/3.1 for responding to a request with a *commercial purpose*; and 5 ILCS 140/3.6 for responding to a *voluminous request*. See sample administrative procedure 2:250-AP1, *Access to and Copying of District Public Records*, for additional information.

[15] 5 ILCS 140/7, ~~amended by P.A.s 101-434, 102-791, 102-752, eff. 1-1-23, and 102-753, eff. 1-1-23~~. Redacting exempt portions is permitted, but not required, except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure. 5 ILCS 140/2.10. Reviewing past responses to FOIA requests will promote uniform treatment of requests for similar records.

[16] 5 ILCS 140/6. The first paragraph's intent is to be efficient and avoid paraphrasing a complex law. See sample administrative procedure 2:250-AP1, *Access to and Copying of District Public Records,* for a fee schedule identifying the maximum fees permitted.

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and is subject to the Board's review. The fee schedule shall include copying fees and all other fees to the maximum extent they are permitted by FOIA, including without limitation, search and review fees for responding to a request for a commercial purpose and fees, costs, and personnel hours in connection with responding to a voluminous request.

Copying fees, except when fixed by statute, shall be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. In no case shall the copying fees exceed the maximum fees permitted by FOIA. If the District's actual copying costs are equal to or greater than the maximum fees permitted by FOIA, the Freedom of Information Officer is authorized to use FOIA's maximum fees as the District's fees. No copying fees shall be charged for: (1) the first 50 pages of black and white, letter or legal sized copies, or (2) electronic copies other than the actual cost of the recording medium, except if the response is to a voluminous request, as defined in FOIA.

A fee reduction is available if the request qualifies under Section 6 of FOIA. The Freedom of Information Officer shall set the amount of the reduction taking into consideration the amount of material requested and the cost of copying it. [17]

Provision of Copies and Access to Records

A public record that is the subject of an approved access request will be available for inspection or copying at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer. [18]

Many public records are immediately available from the District's website including, but not limited to, the process for requesting a public record.[19] The Freedom of Information Officer shall direct a requester to the District's website if a requested record is available there. If the requester is unable to

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5 ILCS 140/6(a) states: "If a request is *not* a request for a *commercial purpose* or a *voluminous request*, a public body *may not* charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records." (Emphasis added.) This implies that a search and review fee may be charged when responding to a request for a *commercial purpose* or a *voluminous request*. However, 5 ILCS 140/6(b) states that the search and review fee described in 5 ILCS 140/6(f) may be charged *only to* someone making a *commercial request*. 5 ILCS 140/6(f) contains the maximum amounts that may be charged for search and review but does not explain when they may be charged. The FOIA Officer will need to consult the board attorney concerning fees.

[17] 5 ILCS 140/6(c) makes it mandatory to furnish records "without charge or at a reduced charge" if the request is in the *public interest* as defined by FOIA. If a board wants to indicate when a reduction is available by paraphrasing the statute, it may substitute the following alternative for the default paragraph:

> A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the preservation of the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. The Freedom of Information Officer shall set the amount of the reduction, taking into consideration the amount of material requested and the cost of copying it.

[18] Public bodies may adopt rules for the times and places where records will be made available. 5 ILCS 140/3(h). A board may amend this sentence to reflect other times and/or places where records will be made available.

[19] 5 ILCS 140/4. A district may reduce FOIA requests by posting records on its website. Many records are required to be web-posted, see sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. If the district does not have a website, replace this paragraph as follows:

> Some public records are available for immediate access including a description of the process for requesting a public record, and a list of all types or categories of records under its control.

For a list of required web-postings see sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Using the district's website is also a convenient way to comply with FOIA's requirement to identify documents that are *immediately* available. 5 ILCS 140/3.5(a). Although not required to be web-posted, a list of all types or categories of records under its control must be prepared and made available. 5 ILCS 140/5; see sample administrative procedure 2:250-AP1, *Access to and Copying of District Public Records*.

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reasonably access the record online, he or she may resubmit the request for the record, stating his or her inability to reasonably access the record online, and the District shall make the requested record available for inspection and copying as otherwise provided in this policy. [20]

Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request.[21] Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission. [22]

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[20] 5 ILCS 140/8.5.

[21] The Local Records Act (50 ILCS 205/3) requires the preservation of records described in items #1-3. The preservation of records described in item #3 is also required by the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) and the Ill. School Student Records Act (105 ILCS 10/), among other laws. An example of a record described in item #4 is a record subject to a *litigation hold* or a document preservation requirement pursuant to Federal Rules of Civil Procedure, Rules 16 and 26.

Categorizing email messages is complicated because two laws apply, and the rules differ when a board member is a party. See sample policy 2:140, *Communications To and From the Board*, for a discussion of email between or among board members. When employees or agents are using email for school purposes, the email messages may be *public records*, but will not necessarily be subject to disclosure depending on the topic discussed. FOIA's list of exemptions from disclosure determines whether these emails are subject to disclosure. For exemptions see 5 ILCS 140/7~~, amended by P.A.s 101-434102-791, 102-752, eff. 1-1-23, and 102-753, eff. 1-1-23, and 140/7.5~~.

Not all email messages between or among employees must be preserved, even if they are *public records* for purposes of FOIA. The definition of *public record* in the Local Records Act (50 ILCS 205/3) is narrower than its definition in FOIA. Thus, staff email, like all district records, must be retained only when it contains material described in #1-4. While this is a slippery slope without definitive parameters, employee email that is conversational or personal, or contains brainstorming may generally be deleted.

The Prevailing Wage Act (820 ILCS 130/5) requires contractors, while participating in public works, to keep certified payroll records of all laborers, mechanics, and other workers employed by them on the project and to submit this record ~~no later than the 15th of the month to the public body, until~~to the Ill. Dept. of Labor (IDOL) ~~activates~~ through an electronic database~~ for certified payrolls no later than 4-1-20, at which time contractors will submit certified payrolls only to that database. Id. The public body in charge of the project must keep the records submitted before 1-1-14 for a period of not less than three years. Records submitted on or after 1-1-14 must be kept for a period of five years or until the IDOL activates the electronic database for certified payrolls, whichever is less. Id. Records may be retained in paper or electronic format~~. These records are considered public records, except for contractors' employees' addresses, telephone numbers, social security numbers, race, ethnicity, and gender, and they must be made available in accordance with FOIA. Id. **Note:** 820 ILCS 130/5 requires contractors to maintain records of the race, ethnicity, gender, and veteran status of workers on a public works project. FOIA, however, was not similarly amended to require public bodies to redact the workers' race, ethnicity, and gender from certified payroll records before disclosure. See 5 ILCS 140/2.10. The Ill. Atty. Gen. has previously issued at least one non-binding opinion finding that disclosure of a person's gender is not an unwarranted invasion of personal privacy under 5 ILCS 140/7(1)(c). Districts should consult with their board attorneys regarding what categories of information may be properly redacted in response to a FOIA request for certified payroll records.

[22] 50 ILCS 205/. Preservation and destruction of documents is covered in sample administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. See also the Ill. Secretary of State's website for information on preserving and destroying records at:

www.cyberdriveillinois.com/departments/archives/records_management/.

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LEGAL REF.: 5 ILCS 140/, Illinois Freedom of Information Act.
50 ILCS 205/, Local Records Act.
105 ILCS 5/10-16 and 5/24A-7.1.
820 ILCS 40/11, Personnel Record Review Act.
820 ILCS 130/5, Prevailing Wage Act.

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

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School Board

Uniform Grievance Procedure [1]

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the School Board, its employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy[2], or has a complaint regarding any one of the following: [3]

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 et seq. [4]

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[1] State or federal law requires this subject matter be covered by policy and controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Employee grievance procedures are a mandatory subject of bargaining and cannot be changed without the employee exclusive representative's consent. This policy and its companion sample policy 2:265, *Title IX Grievance Procedure*, are in addition to, and not a substitute for, the employee grievance procedure contained in a collective bargaining agreement.

A grievance procedure is required by many civil rights acts and implementing regulations, including those listed. For the sake of consistency and ease of administration, this policy consolidates all board grievance procedures, excluding Title IX sexual harassment complaints (see sample policy 2:265, *Title IX Grievance Procedure*) into one policy, except those contained in collective bargaining agreements. See the cross references for the policies referring to this uniform grievance procedure policy.

[2] Including the phrase "guaranteed by the State or federal Constitution, State or federal statute, or Board policy" broadens the scope of this policy beyond the items listed. Consult the board attorney regarding whether to retain this phrase and/or to otherwise limit the scope of this policy.

[3] The Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §1400 et seq.) is not included in the list of statutes that may serve as the basis of a grievance, and attorneys disagree whether it should be. Many believe that IDEA provides the exclusive remedy; others believe that including IDEA allows parents/guardians an opportunity to get their position before the board. Unique and specific complaint resolution mechanisms are expressly provided under IDEA, Article 14 of the School Code, and their respective implementing regulations. These mechanisms follow: (1) IDEA at 20 U.S.C. §1415 (procedural safeguards-mediation and due process); (2) IDEA regulations at 34 C.F.R. §§300.151-300.153 (state complaints), 300.506 (mediation), and 300.507 et seq. (due process); (3) 105 ILCS 5/14-8.02a (mediation and due process) and 5/14-8.02b (expedited due process); and (4) special education regulations at 23 Ill.Admin.Code §§226.560 (Mediation), 226.570 (State Complaint Procedures), and Subpart G (due process). A board that would like to include IDEA should consult the board attorney.

[4] The Americans with Disabilities Act Amendments Act (ADAAA) (Pub. L. 110-325), made significant changes to the Americans with Disabilities Act's definition of disability by broadening the scope of coverage. The ADAAA also overturned a series of U.S. Supreme Court decisions that interpreted the Americans with Disabilities Act of 1990 in a way that made it difficult to prove that impairments were a disability. The U.S. Equal Employment Opportunity Commission's (EEOC) regulations, 29 C.F.R. Part 1630, are at: www.eeoc.gov/eeoc-disability-related-resources/laws-and-regulations-related-disability-discrimination.

Boards should consult with their attorneys regarding how the ADAAA and its implementing regulations impact their districts.

Title II of the ADA of 1990 also includes website accessibility. The *Web Content Accessibility Guidelines* (WCAG) Version 2.1, Level AA is the formal federal legal standard for public accommodation websites, including school districts. The compliance date for districts is 4-24-26 or 4-26-27, depending upon the size of the population where the district is located. 28 C.F.R. §§35.104 and 35.200 et seq. See the U.S. Dept. of Justice's *Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments* (4-8-24), at: https://www.ada.gov/resources/2024-03-08-web-rule/. WCAG 2.1 is available at: www.w3.org/TR/WCAG21. 105 ILCS 5/10-20.75 also requires school districts to ensure their *Internet websites or web services* comply with Level AA of the WCAG 2.1 or any revised version of those guidelines. *Internet website or web service* means "any third party online curriculum that is made available to enrolled students or the public by a school district through the Internet." Id.

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2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX complaints governed by Board policy 2:265, *Title IX Grievance Procedure*
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq. [5]
4. Discrimination and/or harassment on the basis of race, color, or national origin prohibited by the Illinois Human Rights Act, 775 ILCS 5/; Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.; and/or Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (see Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*) [6]
5. Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (see also number 4, above, for discrimination and/or harassment on the basis of race, color, or national origin)
6. Sexual harassment prohibited by the State Officials and Employees Ethics Act[7], 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of

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[5] See f/n 4's discussion of website accessibility above. See also the discussion in f/n 2 of sample policy 8:70, *Accommodating Individuals with Disabilities*.

[6] 105 ILCS 5/22-95(b)(1)(B), added by P.A. 103-472, requires a district to have an internal process for filing a complaint regarding a violation of its policy (or policies) prohibiting discrimination and harassment on the basis of race, color, national origin, and retaliation. Sample policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, utilizes this policy as an internal complaint process. See also sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*, which includes additional procedures to be followed when responding to complaints of discrimination and harassment on the basis of race, color, and national origin.

[7] 5 ILCS 430/70-5(a) requires governmental entities (including school districts) to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment that contains certain prescribed elements. See sample policy 5:20, *Workplace Harassment Prohibited,* at f/n 3 and subhead **Complaints of Sexual Harassment Made Against Board Members by Elected Officials** in sample policy 2:105, *Ethics and Gift Ban,* for further detail. Complaints of sexual harassment made against board members by fellow board members or other elected officials of governmental units must undergo an *independent review*, which is not a term defined in the statute. Unlike the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies*. 105 ILCS 5/10-20.5. Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. 105 ILCS 5/10-20. School districts are also required to create, maintain, and implement an age-appropriate sexual harassment policy. 105 ILCS 5/10-20.69. See sample policy 7:20, *Harassment of Students Prohibited*, and its f/n 9 for further information.

50 ILCS 205/3c requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was "found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964." Consult the board attorney about the word *found*. It raises many practical application questions, e.g., when does the word *found* trigger a board's compliance responsibility pursuant to this law. Such questions include, but are not limited to:

1. Must a school board make a *finding* to trigger this requirement? If the severance agreement is entered into post-termination, a record of board *findings* rarely exists.
2. Are charges for termination *findings*? Often superintendents submit charges for termination, but these are not technically *findings*.
3. Are charges based on a complaint manager's report and determination(s) *findings* under the law when a board still has the ability to review and reject the complaint manager's determination(s)?

Next, contrast the above publication law with the Government Severance Pay Act (GSPA), 5 ILCS 415/10(a)(2). GSPA prohibits an employee of a school district with contract provisions for severance pay from receiving any severance if he or she is fired for *misconduct* by the board. GSPA defines *misconduct* to include sexual harassment and/or discrimination. Id. at 415/5.

Consult the board attorney about how to reconcile whether sexual harassment and/or sexual discrimination is misconduct for which a severance would be prohibited under the GSPA, and therefore, not available to be published under 50 ILCS 205/3c. And for further discussion and other applicable transparency laws that apply to this issue, see also f/n 16 in sample policy 5:20, *Workplace Harassment Prohibited*.

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1964, 42 U.S.C. §2000e et seq. (Title IX sexual harassment complaints are addressed under Board policy 2:265, *Title IX Grievance Procedure*) [8]

7. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60 [9]
8. Bullying, 105 ILCS 5/27-23.7 [10]
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children [11]
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, 820 ILCS 180/
12. Illinois Equal Pay Act of 2003, 820 ILCS 112/
13. Provision of services to homeless students
14. Illinois Whistleblower Act, 740 ILCS 174/ [12]
15. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq. [13]

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[8] Consult the board attorney regarding proper filing and storage of these investigation documents, including whether certain student-related investigation documents are *sole possession records*, a Family Policy Compliance Office (FPCO)-created an exemption to the Family Education Rights Privacy Act (FERPA) (20 U.S.C. §1232g). See *Letter to Ruscio*, 115 LRP 18601 (FPCO 12-17-14).

[9] 105 ILCS 5/10-20.60 requires schools to implement the Ill. sex equity grievance procedures when processing student complaints about breastfeeding accommodations. Complainants must be informed that the board's decision may be appealed to the Regional Superintendent (or appropriate Intermediate Service Center Executive Director) and, thereafter, to the State Superintendent. 23 Ill.Admin.Code §200.40. **Note:** Certain claims brought under 105 ILCS 5/10-20.60 may also be covered by the anti-discrimination protections of Title IX; consult the board attorney for further advice. Guidance from U.S. Dept. of Education on Title IX requirements for pregnant and parenting students (June 2013) is available at: www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/issues/sex-issue03.html.

[10] All districts must have a policy on bullying. 105 ILCS 5/~~27-23.7~~22-110, renumbered by P.A. 104-391. See sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The inclusion of *bullying* in the list of topics that may serve as the basis of a grievance furthers the obligation to communicate this policy to students and their parents/guardians.

[11] Parents/guardians of educationally disadvantaged children may sue a district for misuse of funds allocated by State law for the benefit of such children. Noyola v. Bd. of Educ., 179 Ill.2d 121 (Ill. 1997) (affirming the appellate court's conclusion in Noyola v. Bd. of Educ., 284 Ill.App.3d 128 (1st Dist. 1996) that parents/guardians may pursue a claim to enforce the requirements of the School Code but holding that the proper action for enforcement is by means of mandamus not an implied right of action).

[12] The Whistleblower Act (740 ILCS 174/), amended by P.A. 103-867, includes school districts in the definition of employer. It protects employees from employer retaliation for disclosing information to a government or law enforcement agency. 740 ILCS 174/15, amended by P.A.s 103-867 and 104-440, contains language prohibiting employers from retaliating against employees who disclose information in a court, an administrative hearing, or in any other proceeding initiated by a public body where the employee has a good faith belief that an activity, policy, or practice of the employer: (1) violates a State or federal law, rule, or regulation; or (2) poses a substantial and specific danger to employees, public health, or safety. The Ill. False Claims Act (740 ILCS 175/) includes school districts in its definition of *State*. A strict interpretation of this language appears to allow school boards to collect civil penalties and costs against someone making a false claim. Before disciplining any employee, boards should thoroughly investigate the ramifications of these acts in consultation with their attorney and liability insurance carriers.

[13] The Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff et seq.) is a federal law. Title I addresses the use of genetic information pertaining to health insurance. Title II protects job applicants, current and former employees, labor union members, and apprentices and trainees from discrimination based on their genetic information. GINA covers employers with 15 or more employees.

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16. Employee Credit Privacy Act, 820 ILCS 70/ [14]

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parent(s)/guardian(s)); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable[15] resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, *school business days* means days on which the District's main office is open.

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GINA broadly defines genetic information to include information about an individual's genetic tests, their family members, and, among other things, the manifestation of a disease or disorder in the individual or the individual's family members. Information about an individual's or family member's age or gender is excluded from genetic information. Its remedies mirror those available under a Title VII of the Civil Rights Act claim: back pay, reinstatement, attorneys' fees and compensatory and punitive damages. Retaliation against an individual who brings a claim under GINA is also prohibited. Federal regulations are available at 29 C.F.R. Part 1635, and background information on these regulations is available at: www.eeoc.gov/genetic-information-discrimination. An FAQ entitled *FAQs on the Genetic Information Nondiscrimination Act* is available at: www.dol.gov/agencies/ebsa/laws-and-regulations/laws/gina.

The Ill. Genetic Information Protection Act (GIPA) (410 ILCS 513/) also prohibits employers from making employment decisions on the basis of any employee's genetic testing information and from penalizing employees who do not want to disclose their genetic information as part of a workplace wellness program. GIPA includes the federal GINA's definition of genetic information and creates more stringent obligations on Ill. employers. While the federal GINA exempts small employers (those with less than 15 employees), Illinois' GIPA covers all employers, even those with one employee. GIPA also provides penalties for negligent and intentional mishandling of genetic information. Note that Title II of GINA does not preempt GIPA's greater protections to Illinois employees.

Before using any sort of genetic information, consult the board attorney for guidance regarding GINA's and GIPA's specific applications to the district and how these laws integrate with other related federal laws, such as the Family and Medical Leave Act (29 U.S.C. §2612 et seq.) and the ADA, and State laws governing time off for sickness and workers' compensation.

[14] 820 ILCS 70/. Unless a satisfactory credit history is an *established bona fide occupational requirement* of a particular position, an employer may not: (1) refuse to hire, discharge, or otherwise discriminate against an individual with respect to employment because of the individual's credit history or credit report; (2) inquire about an applicant's or employee's credit history; or (3) order or obtain an applicant's or employee's credit report from a consumer reporting agency. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, when the position's duties include custody of or unsupervised access to cash or marketable assets valued at $2,500 or more. 820 ILCS 70/10(b). A person who is injured by a violation of this Act may bring a civil action to obtain injunctive relief and/or damages. 820 ILCS 70/25. The court must award costs and reasonable attorneys' fees to a prevailing plaintiff. Id.

[15] The phrase "prompt and equitable resolution" comes from Title IX implementing regulation 34 C.F.R. §106.8(c) which requires schools to "adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints" of sex discrimination.

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Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender.[16] The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager or designee shall process and review the complaint under Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

For any complaint alleging sex discrimination that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Title IX Coordinator or designee[17] shall process and review the complaint under Board policy 2:265, *Title IX Grievance Procedure*.

For any complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint under Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, in addition to any response required by this policy.

For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint according to that policy, in addition to any response required by this policy, and shall consider whether an investigation under Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*,[18] should be initiated.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf.[19] The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

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[16] ~~This is a~~These are best practices to reduce barriers to filing a complaint.

[17] "Title IX Coordinator or designee" is used where Title IX is implicated. In contrast, if Title IX is not implicated, "Nondiscrimination Coordinator or a Complaint Manager or designee" is used (see the last paragraph under the **Filing a Complaint** subhead).

[18] See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*, and its exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

[19] This sample policy gives complaint managers the flexibility to appoint another individual to conduct an investigation, which may be appropriate in cases where the neutrality or efficacy of the complaint manager is an issue, and/or where the district wishes to have the expertise and related attorney-client and work product privileges that an in-house or outside attorney may afford an investigation. Such alternative appointments are often made in consultation with the superintendent or other district-level administrator (except in cases involving complaints about those individuals).

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The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time from the Superintendent.

The Superintendent will keep the Board informed of all complaints.

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

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall provide his or her written decision to the Complainant and the accused[20] as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard. [21]

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board.

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

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall provide its written decision to the Complainant and the accused,[22] as well as to the Complaint Manager.

This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party. [23]

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[20] Using a consistent delivery method that allows the district to verify the date of receipt is a best practice, e.g., registered mail, return receipt requested, and/or personal delivery.

[21] *Preponderance of evidence* is a standard of proof used in civil cases. It means "the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force." See *Black's Law Dictionary*, *11th ed. 2019*.

[22] See f/n 20, above.

[23] The Ill. sex equity regulations require districts to have "specific timelines for completion of each step and rendering of a written decision, and shall provide for final appeal of grievance decisions made at the system level to the system's governing board." 23 Ill.Admin.Code §200.40(c)(1). To avoid arguments over these timelines, this sample policy provides that the failure to strictly follow the timelines does not prejudice any party. The grievance procedure is worthless if complaints are not thoroughly and promptly investigated.

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Appointing a Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers [24]

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others.

The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX. [25]

The Superintendent shall appoint at least one Complaint Manager to administer this policy. If possible, the Superintendent will appoint two Complaint Managers, each of a different gender. The District's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator, Title IX Coordinator, and the Complaint Managers. [26]

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[24] 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 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.

[25] Title IX regulations require districts to designate and authorize an 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. If a district has more than one Title IX Coordinator, it should designate one of its Title IX Coordinators to retain ultimate oversight to ensure the district's consistent compliance with its responsibilities under Title IX and its implementing regulations.

A district must prominently display its Title IX nondiscrimination policies (this policy 2:260, *Uniform Grievance Procedure*, and policy 2:265, *Title IX Grievance Procedure*) and contact information for its Title IX Coordinator on its website, if any, and in each handbook made available to students, applicants for employment, parents/guardians, employees, and collective bargaining units. 34 C.F.R. §106.8(a) and (b). Notifications must state that nondiscrimination extends to employment, and that inquiries about the application of Title IX and its regulations may be referred to the district's Title IX coordinator, to the U.S. Dept. of Education's Assistant Secretary of Education, or both. 34 C.F.R. §106.8(b). See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

[26] The board may include the following option to address publication of such contact information:

"The Superintendent or designee shall ensure that students, parents/guardians, employees, and members of the community are informed of the contact information for the District's Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers on an annual basis."

Publicizing the contact information for the Nondiscrimination Coordinator and Complaint Managers through personnel handbooks, student handbooks, and/or on the district's website is a best practice. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh/.

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Nondiscrimination Coordinator:

Name

Address

Email

Telephone

Title IX Coordinator:

Name

Address

Email

Telephone

Complaint Managers:

Name

Address

Email

Telephone

Name

Address

Email

Telephone

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LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
20 U.S.C. §1232g, Family Education Rights Privacy Act.
20 U.S.C. §1400, The Individuals with Disabilities Education Act.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments; 34 C.F.R. Part 106.
29 U.S.C. §206(d), Equal Pay Act.
29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
29 U.S.C. §2612, Family and Medical Leave Act.
42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964.
42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
42 U.S.C. §12101 et seq., Americans With Disabilities Act; 28 C.F.R. Part 35.
105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69, 5/10-20.75, 5/10-22.5, 5/22-19, 5/22-95 ~~(final citation pending)~~, 5/22-110, 5/24-4, and 5/27-1~~, 5/27-23.7, and 45/1-15~~.
105 ILCS 45/, Education for Homeless Children Act.
5 ILCS 415/10(a)(2), Government Severance Pay Act.
5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
410 ILCS 513/, Ill. Genetic Information Privacy Act.
740 ILCS 174/, Whistleblower Act.
740 ILCS 175/, Ill. False Claims Act.
775 ILCS 5/, Ill. Human Rights Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 112/, Equal Pay Act of 2003.
820 ILCS 180/, Victims' Economic Security and Safety Act; 56 Ill.Admin.Code Part 280.
23 Ill.Admin.Code §§1.240, 200.40, 226.50, and 226.570.

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

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School Board

Title IX Grievance Procedure [1]

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

Title IX Sexual Harassment Prohibited

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a District employee or agent, or student, engages in Title IX Sexual Harassment when that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:[2]

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;[3] or

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[1] Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. §1681 et seq.) requires this subject matter be covered by policy and controls this policy's content. This policy contains items on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Employee grievance procedures are a mandatory subject of bargaining and cannot be changed without the employee exclusive representative's consent. This policy and its companion policy 2:260, *Uniform Grievance Procedure*, are in addition to, and not a substitute for, the employee grievance procedure contained in a collective bargaining agreement.

For the sake of consistency and ease of administration, this policy addresses only Title IX sexual harassment grievances, except those contained in collective bargaining agreements. See the cross references for the policies referring to this Title IX sexual harassment grievance procedure policy.

A district must have at least one policy explicitly stating it does not discriminate on the basis of sex in its education programs or activities under Title IX and its implementation regulations (34 C.F.R. Part 106). 34 C.F.R. §106.8(b)(1). Title IX jurisdiction is geographically limited to discrimination against a person in the United States. 34 C.F.R. §106.8(d). While all complaints of sexual harassment may not constitute sexual harassment under 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 in the United States – including applicants for employment, students, parents/guardians, any employee, and third parties.

[2] 34 C.F.R. §106.30. The definition of *sexual harassment* in the policy and in Title IX includes *unwelcome* conduct. Id. However, case law does not always distinguish between *welcome* and *unwelcome* conduct. See Mary M. v. North Lawrence Community Sch. Corp., 131 F.3d 1220 (7th Cir. 1997) (8th grade student did not need to show that a school employee's sexual advances were *unwelcome* in order to prove sexual harassment).

[3] 34 C.F.R. §106.30. This behavior is commonly called *quid pro quo* sexual harassment. See 85 Fed. Reg. 30036, f/n 94. By using the term individual, Title IX regulations do not limit quid pro quo sexual harassment to situations where the provision of an aid, benefit or service by an employee is conditioned on a current student's participation in unwelcome sexual conduct. By way of example, quid pro quo Title IX sexual harassment involving an employee and an individual other than a current student may be implicated when: an employee tells a former student she can only get a letter of recommendation if she participates in unwelcome sexual conduct; an employee selects a volunteer for a coveted field trip chaperone position if he participates in unwelcome sexual conduct; or a supervisory employee subjects a subordinate employee to unwelcome sexual conduct in exchange for a promotion.

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2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity; or
3. *Sexual assault* as defined in 20 U.S.C. §1092(f)(6)(A)(v), *dating violence* as defined in 34 U.S.C. §12291(a)(11), *domestic violence* as defined in 34 U.S.C. §12291(a)(12), or *stalking* as defined in 34 U.S.C. §12291(a)(36). [4]

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

Definitions from 34 C.F.R. §106.30

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. [5]

Education program or activity includes locations, events, or circumstances where the District has substantial control over both the *Respondent* and the context in which alleged sexual harassment occurs.[6]

Formal Title IX Sexual Harassment Complaint means a document filed by a *Complainant* or signed by the Title IX Coordinator[7] alleging sexual harassment against a *Respondent* and requesting that the District investigate the allegation. [8]

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment. [9]

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the *Complainant* or the *Respondent* before or after the filing of a Formal Title IX Sexual Harassment Complaint or where no Formal Title IX Sexual Harassment Complaint has been filed. [10]

Title IX Sexual Harassment Prevention and Response

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

1. Ensures that the District's comprehensive health education program in Board policy 6:60, *Curriculum Content*, incorporates (a) age-appropriate sexual abuse and assault awareness and

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[4] See sample exhibit 2:265-E, *Title IX Glossary of Terms*, for these definitions and other definitions of italicized terms in this policy. Title IX regulations at 34 C.F.R. §106.30 contain pinpoint citations to the Violence Against Women Act (VAWA) (34 U.S.C. §12291 et seq.) for the definitions of *dating violence*, *domestic violence,* and *stalking*. VAWA was reauthorized in 2022 and the citations changed; however, 34 C.F.R. §106.30 has not been updated. This policy uses the updated VAWA citations.

[5] 34 C.F.R. §106.30.

[6] 34 C.F.R. §106.44(a).

[7] See f/n 17 in sample policy 2:260, *Uniform Grievance Procedure*.

[8] 34 C.F.R. §106.30.

[9] Id.

[10] Id. See sample administrative procedure 2:265-AP1, *Title IX Response*, for further discussion of supportive measures.

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prevention programs in grades pre-K through 12,[11] and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12.[12] This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.

2. Incorporates education and training for school staff as recommended by the Superintendent, Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. [13]
3. Notifies applicants for employment,[14] students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the District's website, if any, and in each handbook made available to such persons. [15]

Making a Report

A person who wishes to make a report under this Title IX grievance procedure may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the person is comfortable speaking. [16]

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

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[11] Required by 105 ILCS ~~110/3~~5/27-215(a)(4), renumbered by P.A. 104-391, and 105 ILCS 5/10-23.13 (*Erin's Law*).

[12] Required by ~~Id. at 110/3~~105 ILCS 5/27-240, renumbered by P.A. 104-391.

[13] ~~105 ILCS 110/3~~Id. Detailed training requirements exist for Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. 34 C.F.R. §106.45(b)(1)(iii). Title IX rules "[leave districts] discretion to determine the kind of training to other employees that will best enable the [district], and its Title IX Coordinator, to meet Title IX obligations." 85 Fed. Reg. 30114. Many attorneys agree the best practice is to train all district staff about the definition of sexual harassment, the scope of the district's education program or activity, all relevant district policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX coordinator. See sample administrative procedure 2:265-AP1, *Title IX Response*.

[14] If your district is covered by Subpart C of Title IX, which "applies only to institutions of vocational education, professional education, graduate higher education, and public institutions of undergraduate higher education," amend this to state "applicants for admission or employment." 34 C.F.R. §106.15(d).

[15] 34 C.F.R. §106.8. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

[16] Using "or any employee with whom the Complainant is comfortable speaking" ensures Title IX compliance because Title IX deems "any employee" of an elementary or secondary school who has notice of sexual harassment or allegations of sexual harassment to have *actual knowledge*. Therefore, a report to any employee triggers a district's duty to respond. 34 C.F.R. §106.30. This policy contains an item upon which collective bargaining may be required. Any policy that impacts wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

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The Superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator. [17]

Title IX Coordinator:

_____
Name

_____
Address

_____
Email

_____
Telephone

Processing and Reviewing a Report

Upon receipt of a report made under this Title IX grievance procedure, the Title IX Coordinator and/or designee will promptly contact the Complainant to: (1) discuss the availability of supportive measures, (2) consider the *Complainant's* wishes with respect to *supportive measures*, (3) inform the Complainant of the availability of supportive measures with or without the filing of a Formal Title IX Sexual Harassment Complaint, and (4) explain to the Complainant the process for filing a Formal Title IX Sexual Harassment Complaint. [18]

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it.[19] For any report received, the Title IX Coordinator shall review Board policies 2:260, *Uniform Grievance Procedure*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*;[20] 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*, to determine if the allegations in the report require further action.

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[17] Title IX regulations require districts to designate and authorize an employee to coordinate its efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). Districts must identify the Title IX Coordinator by name, office address, email address, and telephone number. Id. If a district has more than one Title IX Coordinator, it should designate one of its Title IX Coordinators to retain ultimate oversight to ensure the district's consistent compliance with its responsibilities under Title IX and its implementing regulations. A district's Nondiscrimination Coordinator often also serves as its Title IX Coordinator. See sample policy 2:260, *Uniform Grievance Procedure*.

The Title IX Coordinator with ultimate oversight should be listed in this policy. While the name and contact information is 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 name and contact information when necessary. It is important for updated name and contact information to be inserted into this policy and regularly monitored.

[18] Required by 34 C.F.R. §106.44(a) and (b) regardless of whether a formal Title IX sexual harassment complaint is filed.

[19] See sample exhibit 2:265-E, *Title IX Glossary of Terms*, for a discussion of Title IX sexual harassment and non-Title IX sexual harassment. Consult the board attorney for further guidance.

[20] See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*.

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Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.

Formal Title IX Sexual Harassment Complaint Grievance Process

When a Formal Title IX Sexual Harassment Complaint is filed, the Title IX Coordinator will investigate it or appoint a qualified person to undertake the investigation. [21]

The Superintendent or designee shall implement procedures to ensure that all Formal Title IX Sexual Harassment Complaints are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45.[22] The District's grievance process shall, at a minimum: [23]

1. Treat *Complainants* and *Respondents* equitably by providing remedies to a *Complainant* where the *Respondent* is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a *Respondent*.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a *Complainant, Respondent,* or witness.
3. Require that any individual designated by the District as a Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process:
    a. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual *Complainant* or *Respondent*.
    b. Receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially. [24]
4. Require that any individual designated by the District as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

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[21] This policy gives Title IX coordinators the flexibility to appoint another qualified individual to conduct an investigation. This may be appropriate when the neutrality or efficacy of the Title IX coordinator is an issue, and/or where the district wishes to have the expertise that an in-house or outside attorney may afford to an investigation. Alternative appointments are often made in consultation with the superintendent or other district-level administrator (except in cases involving complaints about those individuals) and the board attorney. If a complaint involves the superintendent or other district-level administrator, alternative appointments are often made in consultation with the board and the board attorney.

[22] 34 C.F.R. §106.45(b). See sample administrative procedures 2:265-AP1, *Title IX Response*, and 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

[23] 34 C.F.R. §106.45(b)(1) lists the basic requirements for a grievance process.

[24] Aside from the general training requirements of 34 C.F.R. §106.45(b)(1)(iii), the DOE gives districts flexibility to determine certain training practices or techniques to best meet training requirements based upon their unique local conditions and resources within their educational community. 85 Fed. Reg. 30120. See also 85 Fed. Reg. 30084 (declining to specify that training of Title IX personnel must include implicit bias training, so long as training provides instruction on how to serve impartially and avoid prejudgment of the facts at issue, conflicts of interest, and bias, and that training materials avoid sex stereotypes).

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5. Require that any individual designated by the District as a decision-maker receive training[25] on issues of relevance of questions and evidence, including when questions and evidence about the *Complainant's* sexual predisposition or prior sexual behavior are not relevant.
6. Include a presumption that the *Respondent* is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. Include reasonably prompt timeframes for conclusion of the grievance process.
8. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
9. Base all decisions upon the *preponderance of evidence* standard. [26]
10. Include the procedures and permissible bases for the *Complainant* and *Respondent* to appeal.
11. Describe the range of *supportive measures* available to *Complainants* and *Respondents*.
12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. [27]

Enforcement

Any District employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with

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[25] While live hearings are only required for postsecondary institutions, elementary and secondary schools may choose to offer them as part of their grievance process. **Consult the board attorney if the board wants the district to use a live hearing in its grievance process.**

If using a live hearing during the grievance process, amend #5 by inserting the following underscored text: "Require that any individual designated by the District as a decision-maker receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the *Complainant's* sexual predisposition or prior sexual behavior are not relevant."

[26] 34 C.F.R. §106.45(b)(1)(vii) requires the Title IX sexual harassment grievance process to state the standard of proof it will use to determine responsibility of the respondent. The standard of proof selected must be applied "consistently to formal complaints alleging Title IX sexual harassment regardless of whether the respondent is a student or an employee." 85 Fed. Reg. 30373. This sample policy uses the *preponderance of evidence* standard of proof, not the *clear and convincing evidence* standard of proof. *Preponderance of evidence* is a standard of proof used in civil cases. It means "the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force." See *Black's Law Dictionary*, *11th ed. 2019*. *Preponderance of evidence* is the standard of proof used in sample policy 2:260, *Uniform Grievance Procedure*. *Clear and convincing* is a higher standard of proof, requiring more than *preponderance of evidence* but less than proof beyond a reasonable doubt. It means "evidence indicating that the thing to be proved is highly probable or reasonably certain." See *Black's Law Dictionary*, *11th ed. 2019*. **Consult the board attorney regarding the appropriate standard of proof for the district, as well as implications if a different standard of proof is used in this policy than in 2:260, *Uniform Grievance Procedure*.** For boards that choose the *clear and convincing evidence* standard of proof, delete "~~*preponderance of*~~" and insert "*clear and convincing*." Ensure the same standard of proof is used in 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

[27] Examples of legally recognized privileges include attorney-client privilege, doctor-patient privilege, and spousal privilege. See 85 Fed. Reg. 30277.

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student behavior policies.[28] Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the District or the parties to exercise any other rights under existing law. [29]

Retaliation Prohibited [30]

The District prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation using Board policy 2:260, *Uniform Grievance Procedure*. [31]

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence)

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[28] See sample policies 7:190, *Student Behavior*, and 7:230, *Misconduct by Students with Disabilities*. See also sample policies 7:200, *Suspension Procedures*, and 7:210, *Expulsion Procedures*, for due process requirements when student suspension or expulsion is recommended following a determination of responsibility for Title IX sexual harassment.

[29] Examples of rights the district or parties may exercise ancillary to this Title IX grievance procedure include, but are not limited to: disciplinary processes for suspensions and expulsions of students under 105 ILCS 5/10-22.6; tenured teacher dismissal proceedings under 105 ILCS 5/24-12; any other pre-termination process required by an applicable collective bargaining agreement, employment policy or procedure, or employment contract; and student appeal of a sex equity grievance decision under 23 Ill. Admin. Code §200.40 (see sample policy 7:10, *Equal Educational Opportunities*).

[30] 34 C.F.R. §106.71.

[31] Retaliation complaints must be processed under sample policy 2:260, *Uniform Grievance Procedure*, because they are covered under the district's grievance procedure for resolving non-sexual harassment Title IX complaints. See 34 C.F.R. §106.8(c). Title IX sexual harassment regulations state that "[c]omplaints alleging retaliation may be filed according to the grievance procedures for sex discrimination required to be adopted under §106.8(c)." 34 C.F.R. §106.71.

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Operational Services

Incurring Debt [1]

The Superintendent shall provide early notice to the School Board of the District's need to borrow money. The Superintendent or designee[2] shall prepare all documents and notices necessary for the Board, at its discretion, to: (1) issue State Aid Anticipation Certificates,[3] tax anticipation warrants,[4] working cash fund bonds,[5] bonds,[6] notes,[7] and other evidence of indebtedness,[8] or (2) establish a line of credit with a bank or other financial institution.[9] The Superintendent shall notify the Ill. State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law. [10]

Bond Issue Obligations [11]

In connection with the Board's issuance of bonds, the Superintendent shall be responsible for ensuring the District's compliance with federal securities laws, including the anti-fraud provisions of the

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[1] State law controls this policy's content. School districts are subject to a statutory debt limitation (105 ILCS 5/19-1(a)); other provisions in 5/19-1 contain exceptions. Not all forms of indebtedness are subject to the statutory debt limitations. Before incurring any debt, the board must be certain that the debt will be within the district's debt limitation.

[2] Boards that employ business managers may want to substitute "Business Manager", "Chief School Business Official", or another locally equivalent title for "Superintendent or designee" and "Superintendent" as they appear throughout this policy; the business manager most commonly performs the duties described in this policy.

[3] 50 ILCS 420/1 et seq. and 105 ILCS 5/18-18.

[4] 105 ILCS 5/17-16.

[5] 105 ILCS 5/20-2, amended by P.A. 103-591, 5/20-4, and 5/20-5; 30 ILCS 305/2.

[6] 105 ILCS 5/19-1 et seq.; 30 ILCS 350/. A district may borrow money and issue bonds for the purposes stated in 105 ILCS 5/19-3 provided the board properly adopted an election referendum and subsequently the voters approved the proposition. 10 ILCS 5/28-2. 105 ILCS 5/19-1(p-2~~3~~5), added by P.A. 103-591 and renumbered by P.A. 104-417, provides that bonds issued under 105 ILCS 5/19-3 that are authorized by an election held on or after 11-5-24 must mature within 30 years from their date. Districts have the authority to issue bonds for certain purposes without a direct referendum, e.g., School Fire Prevention and Safety Bonds, Working Cash Fund Bonds, Funding Bonds, and Insurance Reserve Bonds. However, as is the case with Working Cash Fund Bonds, certain types of bonds still require boards to follow backdoor referendum procedures.

[7] 50 ILCS 420/0.01 et seq. See also f/n 6, above.

[8] Other types of indebtedness include funding bonds and refunding bonds (105 ILCS 5/19-1 et seq.), as well as debt certificates and alternate bonds authorized by the Local Government Debt Reform Act (30 ILCS 350/).

[9] 105 ILCS 5/17-17.

[10] 105 ILCS 5/19-1(q).

[11] Optional. This subhead is offered for boards that want to: (1) expressly address their obligations to comply with federal securities laws; and (2) authorize the creation of written procedures to protect the status of tax-exempt (or otherwise tax-advantaged) bonds issued by the board. As a matter of best practice and to reduce potential future liabilities, many attorneys recommend that board policy address these obligations. Consult the board attorney and/or bond counsel for guidance.

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Securities Act of 1933, as amended[12] and, if applicable, the continuing disclosure obligations under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended. [13]

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

The Board may contract with outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection. [14]

LEGAL REF.: 15 U.S.C. §77a et seq., Securities Act of 1933.
15 U.S.C. §78a et seq., Securities Exchange Act of 1934.
17 C.F.R. §240.15c2-12.
30 ILCS 305/2, Bond Authorization Act.
30 ILCS 352/, Bond Issue Notification Act.
30 ILCS 350/, Local Government Debt Reform Act.
50 ILCS 420/, Tax Anticipation Note Act.
105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 et seq.

CROSS REF.: 4:10 (Fiscal and Business Management)

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

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The Internal Revenue Service strongly encourages, but does not currently require, issuers of tax-exempt bonds to establish written post-issuance compliance monitoring procedures. For guidance regarding the recommended content of such procedures, see *IRS Publication 4079*, *Tax-Exempt Governmental Bonds,* at: www.irs.gov/pub/irs-pdf/p4079.pdf. Such procedures may be included in a written bond resolution for a specific bond issue, and/or they may be established more generally. Consult the board attorney and/or bond counsel regarding the establishment of such procedures for tax-exempt bonds.

If a board does not accept this subhead, delete the Administrative Procedure Reference and the following Legal References: 15 U.S.C.§77a et seq., Securities Act of 1933; 15 U.S.C.§78a et seq., Securities Exchange Act of 1934; and 17 C.F.R. §240.15c2-12.

[12] 15 U.S.C. §77q.

[13] 17 C.F.R. §240.15c2-12. See sample administrative procedure 4:40-AP, *Preparing and Updating Disclosures*, for a detailed set of sample procedures designed to facilitate a district's compliance with disclosure requirements of federal securities laws.

[14] Delete the last paragraph of this subhead if the board does not want to include a sentence in this policy that addresses the use of outside professionals for assistance with compliance. Boards that regularly utilize outside professionals to assist them in meeting bond disclosure requirements may want to include this language to memorialize their current practice. Contracts for the services of individuals possessing a high degree of professional skill, such as attorneys and financial consultants, are exempt from competitive bidding requirements. 105 ILCS 5/10-20.21(a)(i).

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Operational Services

Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors [1]

Child sexual abuse and grooming behaviors harm students, their parents/guardians, the District's environment, its school communities, and the community at large, while diminishing a student's ability to learn. The Board has a responsibility and obligation to increase awareness and knowledge of:[2] (1) issues regarding child sexual abuse, (2) likely warning signs that a child may be a victim of sexual abuse, (3) ~~grooming~~ behaviors related to child sexual abuse and grooming, (4) how to report child sexual abuse, (5) appropriate relationships between District employees and students based upon State law, and (6) how to prevent child sexual abuse.

To address the Board's obligation to increase awareness and knowledge of these issues, prevent sexual abuse of children,[3] and define prohibited grooming behaviors,[4] the Superintendent or designee shall

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[1] Required by *Erin's Law*, 105 ILCS 5/10-23.13~~, amended by P.A. 102-610~~. Also infused into this policy are concepts from *Faith's Law,* 105 ILCS 5/22-85.5,~~ added by P.A. 102-676,~~ which provides helpful guidance for districts to implement *Erin's Law* due to its vagueness. See f/ns 1 and 1~~4~~5 in sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, for further information regarding *Faith's Law*.

~~Three~~Two additional statutes address a district's responsibility to provide age-appropriate sexual abuse and assault awareness and prevention education programs:

1. 105 ILCS ~~110/3~~27/215, renumbered by P.A. 104-391, Critical Health Problems and Comprehensive Health Education Act (requires districts to establish a Comprehensive Health Education Program that includes age-appropriate sexual abuse and assault awareness and prevention education in grades pre-K through 12) (see sample policy 6:60, *Curriculum Content*, and administrative procedure 6:60-AP1, *Comprehensive Health Education Program*);
2. 105 ILCS 5/27-1015(b), renumbered by P.A. 104-391~~9.1a(b), added by P.A. 102-552~~ (requires comprehensive personal health and safety and comprehensive sexual health education a/k/a National Sex Education Standards (NSES) to: (a) be 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 (including sexual abuse and assault), 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) (see sample policy 6:60, *Curriculum Content*, and administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*); and

~~105 ILCS 5/27-13.2 (addresses (a) written objections to sexual abuse prevention instruction and notice provisions (minimum five days) for students in grades K through 8, 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) (see sample policy 6:60, *Curriculum Content*, and administrative procedure 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*).~~See sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, at f/n 2, for information regarding the repeal of 105 ILCS 5/27-13.2, which 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.

[2] 105 ILCS 5/10-23.13~~, amended by P.A. 102-610,~~ at (b)(1).

[3] Id. at (b).

[4] Id. at (b).

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implement an Awareness and Prevention of Sexual Abuse and Grooming Behaviors Program. The Program will:

1. Educate students with:
    a. An age-appropriate and evidence-informed health and safety education[5] curriculum that includes methods for how to report child sexual abuse and grooming behaviors to authorities,[6] through Board policy 6:60, *Curriculum Content*; [7]
    b. Information in Board policy 7:250, *Student Support Services*, about: (i) District counseling options, assistance, and intervention for students who are victims of or affected by sexual abuse,[8] and (ii) community-based Children's Advocacy Centers and sexual assault crisis centers and how to access those serving the District. [9]
2. Train District employees about child sexual abuse and grooming behaviors by January 31 of each school year with materials that include: [10]
    a. A definition of prohibited grooming behaviors and employee-student boundary violations pursuant to Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest;*
    b. Evidence-informed[11] content on preventing, recognizing, reporting, and responding to child sexual abuse, grooming behaviors, and employee-student boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; 5:90, *Abused and Neglected Child Reporting*; 5:100, *Staff Development Program*; and 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and
    c. How to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.

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[5] Id. at (b)(1).

[6] Id. at (b)(4).

[7] 105 ILCS 5/10-23.13(b). See policy 6:60, *Curriculum Content*, and administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, for information on school board choices related to health and safety education, including sex education.

[8] Id. at (b)(2) and (3).

[9] Id. at (b)(5). See policy 5:90, *Abused and Neglected Child Reporting*, and administrative procedure 5:90-AP1, *Coordination with Children's Advocacy Center*, for more information on Children's Advocacy Centers.

[10] Citations for each letter:
    a. 105 ILCS 5/10-23.13(b).
    b. Id. at (b), (b)(1.5), and (c).
    c. Id. at (b) and (b)(1.5).

[11] Two Illinois laws address "evidence-informed." *Evidence-informed* per *Erin's Law* means modalities that were created utilizing components of evidence-based treatments or curriculums. 105 ILCS 5/10-23.13(a)~~, added by P.A. 102-610~~. Contrast with NSES at 105 ILCS 5/27-1015(a)~~9.1a(a)~~, renumbered by P.A. 104-391~~added by P.A. 102-552~~, which defines an *evidence-informed program* as "a program that uses the best available research and practice knowledge to guide program design and implementation."

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3. Provide information to parents/guardians in student handbooks about the warning signs[12] of child sexual abuse, grooming behaviors, and employee-student boundary violations with evidence-informed educational information that also includes: [13]
    a. Assistance, referral, or resource information, including how to recognize grooming behaviors,[14] appropriate relationships between District employees and students based upon Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*,[15] and how to prevent child sexual abuse from happening;
    b. Methods for how to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations to authorities; and
    c. Available counseling and resources for children who are affected by sexual abuse, including both emotional and educational support for students affected by sexual abuse, so that the student can continue to succeed in school pursuant to Board policy 7:250*, Student Support Services*.

~~4. Provide parents/guardians of students in any of grades K through 8 with not less than five days' written notice before commencing any class or course providing instruction in recognizing and avoiding sexual abuse, as well as the opportunity to object in writing.~~ [16]

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[12] 105 ILCS 5/10-23.13(b) and (b)(1); warning signs and *likely* warning signs are mentioned twice in the law. This policy uses likely in the purpose introduction. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, Online Model Student Handbook (MSH), at~~:~~ ~~www.ilprincipals.org/resources/model-student-handbook~~https://ilprincipals.org/msh/.

[13] This information is listed in sample exhibit 7:190-E2, *Student Handbook Checklist*. Citations for each letter:
a. 105 ILCS 5/10-23.13(b) and (b)(1).
b. Id. at (b)(4) and (5).
c. Id. at (b).

[14] Providing information to parents/guardians about how to recognize grooming behaviors is not in *Erin's Law*; it only addresses informing parents/guardians about the methods for increasing their awareness and knowledge of grooming behaviors. 105 ILCS 5/10-23.13(b)(1). This policy requires the district to provide information to parents/guardians about how to recognize grooming behaviors to: (1) effect the purpose of *Erin's Law*, (2) align with the intent of the statutes cited in f/n 1, above (educating all students to recognize and avoid sexual abuse and assault), and (3) align with the notification requirements in 105 ILCS 5/27-13.2 (parents/guardians of K-8 students prior to commencing instruction in recognizing and avoiding sexual abuse (see f/n 15, below)).

[15] 105 ILCS 5/22-85.5(e)~~, added by P.A. 102-676,~~ requires the employee code of professional conduct policy be included in any staff, student or parent/guardian handbook provided by the district. See sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, and sample exhibit 7:190-E2, *Student Handbook Checklist*.

~~[16] Required by 105 ILCS 5/27-13.2. See 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Statutory Opt-outs.* Delete for high school districts.~~

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LEGAL REF.: 105 ILCS 5/10-23.13, 5/22-85.5, and 5/27-10159.1a, and 5/27-13.2.
105 ILCS 110/35/27-215, Critical Health Problems and Comprehensive Health Education Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/11-25, Criminal Code of 2012.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 7:20 (Harassment of Students Prohibited), 7:250 (Student Support Services)

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General Personnel

Hiring Process and Criteria [1]

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment.[2] The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board.[3] If the Superintendent's recommendation is rejected, the Superintendent must submit another.[4] No individual will be employed who has been convicted of a criminal offense listed in 105 ILCS 5/21B-80(c). [5]

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 contains an item on which impact 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] See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Districts may not classify a job as either a *male* or *female* job. 29 C.F.R. §1604.5, 34 C.F.R. §106.55.

105 ILCS 5/22-9~~5~~6, added by P.A. 103-46 and renumbered ~~amended~~ by P.A. 103-~~564~~46, 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.

[3] Boards must consider the superintendent's recommendations concerning, among other things, "the selection, retention, and dismissal of employees." 105 ILCS 5/10-16.7. The board may want to use this alternative sentence:

All personnel decisions are made by the Board, but only on the recommendation of the Superintendent.

A board that fills a "new or vacant teaching position" must select a candidate based on: (1) certifications, (2) qualifications, (3) merit and ability (including performance evaluation, if available), and (4) relevant experience, provided that the length of continuing service with the district must not be considered a factor, unless all other factors are determined by the school district to be equal. 105 ILCS 5/24-1.5. The statute does not define "new or vacant teaching positions." The requirement does not apply to filling vacant positions under 105 ILCS 5/24-12 (reduction in force and recall). Consult the board attorney about these issues.

The Equal Pay Act of 2003, 820 ILCS 112/10(b-25), added by P.A. 103-539, ~~eff. 1-1-25,~~ makes it unlawful for employers with 15 or more employees to fail to include the "pay scale and benefits" for a position in any specific job posting. "Pay scale and benefits" means the wage or salary, or the wage or salary range, and a general description of benefits and other compensation. Id. at 112/5, amended by P.A. 103-539~~, eff. 1-1-25~~. To satisfy the posting requirement, an employer can include a hyperlink to a public webpage that includes the pay scale and benefit information. Id. at 112/10(b-25), added by P.A. 103-539~~, eff. 1-1-25~~. If an employer uses a third party to post its job postings, then the employer must provide the pay scale and benefits or a hyperlink containing the information to the third party. Id. The Act also requires employers to inform current employees of promotion opportunities within 14 calendar days after the employer posts externally for the position. Id. Employers are not prohibited from asking applicants about their wage or salary expectations for a position. Id.

[4] An additional optional sentence follows:

The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board's approval.

[5] 775 ILCS 5/2-103.1 prohibits employers from using conviction records as a basis to refuse to hire or to take any adverse action against an applicant or employee 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. For the disqualifying offenses listed in 105 ILCS 5/21B-80, ~~amended by P.A. 102-552,~~ a district does not have to show a substantial relationship between the offense and the position or that hiring or continuing to employ the person would involve an unreasonable risk. However, the Ill. Dept. of Human Rights (IDHR) interprets the Ill. Human Rights Act (IHRA) to still require the employer to notify the applicant of the disqualification pursuant to law and to afford the applicant at least five business days to respond in case the applicant wants to dispute the accuracy of the conviction record. Id. at 5/2-103.1(C). See IDHR's *Conviction Record Protection – Frequently Asked Questions* (March 2021), at:

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All applicants must complete a District application in order to be considered for employment. [6]

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https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

Attorneys have different opinions as to whether the IHRA requires the *interactive assessment* outlined in 775 ILCS 5/2-103.1(c), which includes preliminary and final notices, when a disqualifying offense listed in 105 ILCS 5/21B-80 is found in a conviction record; **consult the board attorney for guidance on this issue**. See sample administrative procedure 5:30-AP2, *Investigations*, and its footnotes for more detail regarding the IHRA notice provisions and the need for districts to also comply with the seven-day notification requirement in the Ill. Uniform Conviction Information Act, 20 ILCS 2635/7. **Note:** The protections of 775 ILCS 5/2-103.1 do not cover *unpaid interns*, which may include student teachers in the K-12 context. The definition of *employee* in the IHRA only extends to include unpaid interns for civil rights violations involving sexual harassment. 775 ILCS 5/2-101(A)(1)(c) and 5/2-102(D).

105 ILCS 5/10-21.9(c); 105 ILCS 5/21B-80, ~~amended by P.A. 102-552,~~ allows individuals with criminal histories involving certain drug convictions to apply for or to reinstate their educator licenses seven years after their sentence for the criminal offense is completed. Consult the board attorney about whether the board wants to continue prohibiting employment for any individual who has a criminal history involving these exempted drug offenses.

For more discussion regarding criminal history records checks and screenings required by 105 ILCS 5/10-21.9, ~~amended by P.A.s 102-552 and 102-702,~~ see f/ns 5 and 6 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

6 Any person who applies for employment as a teacher, principal, superintendent, or other certificated employee who willfully makes a false statement on his or her application for employment, material to his or her qualifications for employment, which he or she does not believe to be true, is guilty of a Class A misdemeanor. 105 ILCS 5/22-6.5. District employment applications must contain a statement to this effect. Id. Each employment application for these positions must state the following (Id.):

> Failure to provide requested employment or employer history which is material to the applicant's qualifications for employment or the provision of statements which the applicant does not believe to be true may be a Class A misdemeanor.

Many districts ask applicants about disqualifying criminal convictions on their employment applications or at another point before a job offer is made. State law does not expressly prohibit this practice; however, guidance issued by IDHR regarding implementation of 775 ILCS 5/1-103(G-5) and 5/2-103.1 states "[u]nless authorized by law, an employer is prohibited from inquiring about an applicant's conviction record prior to making a job offer to the applicant." See *Conviction Record Protection – Frequently Asked Questions* guidance issued by IDHR (March 2021), at:

https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

While the School Code and Job Opportunities for Qualified Applicant Act do not prohibit districts from asking about disqualifying convictions before a job offer is made, it is unclear whether they affirmatively *authorize* such inquiries. The IDHR's guidance does not carry the force of law, but it may impact its handling of a discrimination charge based on a conviction record. It is also unclear if an applicant's mere disclosure of a disqualifying conviction on an application, absent results of a fingerprint-based criminal history records check, Ill. Sex Offender Registry check, or Violent Offender Against Youth Registry check, triggers the district's obligation to provide notice to the applicant under 775 ILCS 5/2-103.1(C); see also f/n 5, above. Consult the board attorney for advice on these issues and how they may affect application processes.

Any employer that asks applicants to record video interviews and uses an artificial intelligence (AI) analysis of the applicant-submitted videos must comply with the Artificial Intelligence Video Interview Act, 820 ILCS 42/. Employers should also be careful that use of AI, software, and algorithms to assess applicants does not violate the Americans with Disabilities Act (ADA) (42 U.S.C. §12101 et seq.) or the Ill. Human Rights Act (IHRA), 775 ILCS 5/2-101(N) and (O), added by P.A.s 103-804 and 104-417. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, and its f/n 2 for discussion of the IHRA requirements regarding use of artificial intelligence in the hiring process. See the ~~EEOC~~ U.S. Department of Justice~~technical assistance~~ guidance document~~s~~, *Algorithms, Artificial Intelligence, and Disability Discrimination in Hiring~~The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees~~* (May 2022), at: www.ada.gov/assets/pdfs/ai-guidance.pdf~~www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence~~ and *~~Select Issues: Assessing Adverse Impact in Software, Algorithms, and Artificial Intelligence Use in Employment Selection Procedures Under Title VII of the Civil Rights Act of 1964~~* (May 2023), at: ~~www.eeoc.gov/select-issues-assessing-adverse-impact-software-algorithms-and-artificial-intelligence-used~~. Given the rapidly changing technologies in this area, please consult the board attorney.

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Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration. [7]

The Superintendent shall develop and maintain a current comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict. [8]

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law.[9] When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall

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[7] 105 ILCS 5/10-16.7. The foundation for a productive employment relationship begins with ~~a board's policy~~adherence to written board policy, a thoughtfully crafted employment contract and job description, and procedures for communications and ongoing assessment. See IASB's *Foundational Principles of Effective Governance*, **Principle 3. The board employs a superintendent**, at:

www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

See also sample exhibit 3:40-E, *Checklist for the Superintendent Employment Contract Negotiation Process*, for best practice discussions about establishing the board-superintendent employment relationship and contract.

[8] Job descriptions will become the basis for categorizing a teacher into one or more positions that the teacher is qualified to hold for reduction in force (RIF) dismissal and recall purposes. 105 ILCS 5/24-12(b). A board should consult with its attorney to review its current list of job descriptions and discuss the district's specific responsibilities.

A job description is evidence of a position's essential functions. 29 C.F.R. §1630.2(n). The ADA protects individuals who have a disability and are qualified, with reasonable accommodation, to perform the *essential functions* of the job. 42 U.S.C. §12101 et seq., amended by the ADA Amendments Act (ADAAA), Pub. L. 110-325. Determining which functions are essential may be critical to determining if an individual with a disability is qualified. An individual is qualified to perform a job even though he or she is unable, due to a disability, to perform tasks which are incidental to the job. Only when an individual is unable to perform the *essential functions* of a job may a district deny the individual employment opportunities. 29 C.F.R. §1630.2(m). For a definition of *essential functions* see Id. at 1630.2(n). Whether a particular function is essential is a factual determination.

Important: The ADAAA made significant changes to the ADA's definition of disability that broadened the scope of coverage and overturned a series of U.S. Supreme Court decisions that made it difficult to prove that an impairment was a qualifying disability. There is information about the regulations and a link to them at: www.eeoc.gov/laws/guidance/fact-sheet-eeocs-final-regulations-implementing-adaaa. Consult the board attorney regarding how these amendments impact the district's hiring processes.

[9] The policy's requirements on criminal records checks for applicants for employment are mandated by 105 ILCS 5/10-21.9~~, amended by P.A.s 102-552 and 102-702~~. See sample administrative procedure 5:30-AP2, *Investigations*, for the process, timing, and positions requiring criminal background investigation and what steps a district must take if it wants to disqualify an applicant based on a conviction record. The Statewide Sex Offender Database (a/k/a Sex Offender Registry) is available at: https://sor.isp.illinois.gov/sorpublic/~~https://isp.illinois.gov/Sor/Disclaimer~~. The Statewide Murderer and Violent Offender Against Youth Database is available at: https://sor.isp.illinois.gov/sorpublic/~~https://isp.illinois.gov/MVOAY/Disclaimer~~. For more discussion regarding criminal history records checks and screenings required by 105 ILCS 5/10-21.9,~~ amended by P.A. 102-702,~~ see f/n 5 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*. See sample policy 4:60, *Purchases and Contracts*, for requirements concerning (1) criminal background checks of employees of contractors who have *direct, daily contact* with students and (2) sexual misconduct related employment history reviews (EHRs) of employees of contractors who have *direct contact with children or students*.

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ensure that these checks are completed.[10] The Superintendent or designee, or if the applicant is a successful superintendent candidate, then the Board President shall notify an applicant if the applicant is identified in either database.[11] The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, the Ill. State Police and/or Statewide Sex Offender Database for purposes of clarifying the information, and/or the Teachers' Retirement System of the State of Illinois when required by law.[12] The Board reserves its right to authorize additional background inquiries beyond a fingerprint-based criminal history records check when it deems it appropriate to do so, in accordance with applicable laws.

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[10] Id. If a board wants to require additional background inquiries beyond the fingerprint-based criminal history records information check required by 105 ILCS 5/10-21.9~~, amended by P.A.s 102-552 and 102-702,~~ and the EHR required by 105 ILCS 5/22-94,~~ added by P.A. 102-702,~~ including the federal *Rap Back Service* (20 ILCS 2630/3.3) and/or checks through consumer reporting agencies regulated by the Fair Credit Reporting Act (15 U.S.C. §1681 et seq.), consult the board attorney. For more detailed information, see the laws listed in sample exhibit 3:40-E, *Checklist for the Superintendent Employment Contract Negotiation Process*, under the checklist item entitled **Conditions of Employment**, in the **Other Background Check Laws** row.

[11] 105 ILCS 5/10-21.9(b) and 105 ILCS 5/21B-10. The School Code requires the board president to keep a conviction record confidential. It is impossible to know whether a fingerprint-based criminal history records check and a check of the Statewide Sex Offender and Violent Offender Against Youth Databases on a successful superintendent candidate will come back with a conviction record.

Therefore, in accordance with best practice (ensuring compliance and aligning with good governance principles), this policy does not assign a designee for the board president to complete this task. However, to balance the requirement to keep conviction records confidential with the practical implementation of ensuring a fingerprint-based criminal history records check and a check of the Statewide Sex Offender and Violent Offender Against Youth Databases are performed on each successful superintendent applicant, a board president may want to designate the duty to order these checks to the individuals otherwise listed in 105 ILCS 5/10-21.9(b). Those individuals include the board president, the superintendent or designee, regional superintendent (if the check was requested by the district), state superintendent of education, state Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for clarification purposes, the Ill. State Police and/or Statewide Sex Offender Registry.

[12] Id. at 5/10-21.9(b) and 105 ILCS 5/21B-85, amended by P.A.~~s 102-552 and~~ 103-51. The School Code continues to define the board president's role in conducting criminal background investigations and receiving the results of these investigations, including the results for employees of district contractors. 105 ILCS 5/10-21.9. Many districts delegate this task in the hiring process to a human resources department.

105 ILCS 5/21B-85, amended by P.A.~~s 102-552 and~~ 103-51, requires a board to provide prompt written notice to the board of trustees of the Teachers' Retirement System of the State of Illinois (TRS) when it learns that any teacher has been convicted of a felony offense (which provides for a sentence of death or imprisonment for one year or more). The notice to TRS is limited to (1) the name of the license holder, (2) fact of conviction, (3) name and location of the court in which the conviction occurred, and (4) the assigned case number from the court. Id.

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

For more discussion regarding responses to results obtained by criminal history records checks and screenings as required by 105 ILCS 5/10-21.9(e),~~ amended by P.A. 102-702,~~ see f/n 6 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

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Each newly hired employee must complete a U.S. Citizenship and Immigration Services Form as required by federal law. [13]

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in 105 ILCS 5/21B-80[14] or who falsifies, or omits facts from, his or her employment application or other employment documents. If an indicated finding of abuse or neglect of a child has been issued by the Ill. Department of Children and Family Services or by a child welfare agency of another jurisdiction for any applicant for student teaching, applicant for employment, or any District employee, then the Board must consider that person's status as a condition of employment. [15]

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following: [16]

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[13] Immigration Reform and Control Act, 8 U.S.C. §1324a et seq. Consult with the board attorney regarding the district's rights and responsibilities under Illinois law if the district uses any electronic employment verification system, including *E-Verify* ~~and/or the *Basic Pilot Program*~~. 820 ILCS 55/~~12, amended by P.A. 103-879, eff. 1-1-25~~. T~~his statute states that nothing in t~~he Right to Privacy in the Workplace Act ~~(820 ILCS 55/)~~ (RPWA) at~~requires employers to enroll in any electronic employment verification system but also urges employers who use *E-Verify* (formerly known as the *Basic Pilot/Employment Eligibility Verification Program*) to consult the Ill. Dept. of Labor's website for current information on the accuracy of *E-Verify* and to review and understand their legal responsibilities relating to the use of any electronic employment verification systems. See https://labor.illinois.gov/laws-rules/conmed/privacy-workplace.html.~~ 820 ILCS ~~55/13, added by P.A. 103-879, eff. 1-1-25, restricts employers from imposing work authorization verification or re-verification requirements greater than what is required by federal law, and it requires employers to follow certain procedures in the event it contends there is a discrepancy in the employee's employment verification information.~~55/14, added by P.A. 104-455, prohibits employers from taking adverse action against an employee based only on the receipt of a notice of discrepancy (a *no-match letter*) between an employee's individual taxpayer identification number or other identifying documents from a federal agency or outside vendor not responsible for immigration law enforcement, such as the Social Security Administration, Internal Revenue Service, or an insurance company. The RPWA also requires employers to provide notice to the employee upon receipt of a no-match letter. Id., at 55/15-55/17 added by P.A. 104-455. Employers are subject to civil, monetary penalties for violations of the RPWA. Id. However, a safe harbor from penalties for employers and prospective employers is available for violations made in good faith while relying on guidance issued by the Ill. Dept. of Labor or the federal Dept. of Homeland Security, or if a bona fide administrative error occurs that does not affect an employee or prospective employee's employment or pay. Id., at 55/25, added by P.A. 104-455. See also https://labor.illinois.gov/laws-rules/conmed/privacy-workplace.html.

[14] See f/n 5, above.

[15] 105 ILCS 5/10-21.9(c) and (g). See f/n 6 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, for further discussion.

[16] As an alternative to describing the prohibited investigations, a board may substitute this sentence:

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law, including without limitation, investigation into or inquiry concerning: (1) credit history or report unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; (2) claim(s) made or benefit(s) received under Workers' Compensation Act; and (3) access to an employee's or applicant's social networking website, including a request for passwords to such sites.

The default policy provision and the alternative stated above – whichever is selected – may be made a prohibition rather than a duty of the superintendent; to do this, delete the stricken text as follows: "The ~~Superintendent shall ensure that the~~ District does not engage"

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1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position. [17]
2. The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria. [18]
3. The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation. [19]
4. The District does not request or require an applicant to disclose wage or salary history as a condition of employment. [20]
5. The District does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation. [21]
6. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act. [22]
7. The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts. [23]

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[17] Employee Credit Privacy Act, 820 ILCS 70/10. This Act allows inquiries into an applicant's credit history or credit report or ordering or obtaining an applicant's credit report from a consumer reporting agency when a satisfactory credit history is an *established bona fide occupational requirement* of a particular position. 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.

[18] 820 ILCS 112/10(b-5). If an employer violates this subsection, the employee may recover in a civil action any damages incurred, special damages up to $10,000, injunctive relief, and costs and reasonable attorney's fees. 820 ILCS 112/30(a-5).

[19] Id. at 112/10(b-5).

[20] Id.

[21] 820 ILCS 112/10(b-10). **Note:** Attorneys caution that using the exceptions in 820 ILCS 112/10(b-10)(1) and (2) may trigger litigation. Violating this subsection entitles an employee to recover in a civil action any damages incurred, special damages up to $10,000, injunctive relief, and costs and reasonable attorney's fees. 820 ILCS 112/30(a-5).

A school board that wishes to preserve these exceptions should consult its board attorney; then they may supplement number 5 by adding the following after "compensation":

> unless the applicant's wage or salary history is a matter of public record, or is contained in a document completed by the applicant's current or former employer and then made available to the public by the employer, or then submitted or posted by the employer to comply with State or federal law; or the applicant is a current employee applying for a position with the same current employer.

[22] Right to Privacy in the Workplace Act, 820 ILCS 55/10(a).

[23] Id. at 55/10(b) (commonly known as the *Facebook Password Law*). A *personal online account* is defined as an online account used primarily by a person for personal purposes. *Personal online account* does not include an account created, maintained, used, or accessed for the business purpose of a person's employer or prospective employer. Id. at 55/10(b)(6). Bracketed explanations follow the statutory language in 820 ILCS 55/10(b)(5):

"Nothing in this subsection shall prohibit or restrict an employer from complying with a duty to screen employees or applicants prior to hiring…provided that the password, account information, or access sought by the employer only relates to an online account that:

(A) an employer supplies or pays; or

(B) an employee creates or maintains on behalf of under the direction of an employer in connection with that employee's employment."

[Based on this explanation, it is implausible that an applicant would have an account, service, or profile for business purposes of a school employer.]

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8. The District provides equal employment opportunities to all persons. See Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Sexual Misconduct Related Employment History Review (EHR) [24]

Prior to hiring an applicant for a position involving *direct contact with children or students*, the Superintendent shall ensure that an EHR is performed as required by State law. When the applicant is a superintendent candidate, the Board President shall ensure that the EHR is initiated before a successful superintendent candidate is offered employment by the Board.

Physical Examinations [25]

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the District.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising

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The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's (district's) electronic equipment and electronic mail. The statute also states that it does *not prohibit* an employer from obtaining information about an applicant or an employee that is in the public domain or that is otherwise obtained in compliance with the statute. Finally, the statute does not apply to all types of personal technology that employees may use to communicate with students or other individuals, such as text messages on a personal phone. Consult the board attorney about these issues.

24 105 ILCS 5/22-94, ~~amended by P.A. 104-417, added by P.A. 102-702~~. See sample administrative procedure 5:30-AP3, *Sexual Misconduct Related Employment History Review (EHR)*, for the process, timing, and positions requiring an EHR. See sample policy 4:60, *Purchases and Contracts*, and sample administrative procedure 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, for EHR requirements for employees of contractors who have *direct contact with children or students*.

25 105 ILCS 5/24-5. According to this statute, a new or existing employee or substitute teacher employee may be subject to additional health examinations, including tuberculosis screening, as required by rules adopted by the Ill. Dept. of Public Health (IDPH) or by order of a local public health official. The IDPH 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).

The last sentence of the first paragraph exceeds State law requirements and may be deleted.

Note that while examination by a spiritual leader/practitioner is sufficient for purposes of leaves, the statute does not permit an examination by a spiritual leader/practitioner for initial employment exams. This difference may present a constitutional issue; contact the board attorney for an opinion if an applicant wants to use an examination by a spiritual leader/practitioner.

Federal law limits pre-employment medical inquiries to whether the applicant is able to perform job-related functions; required medical examinations of applicants is forbidden. ADA, 42 U.S.C. §12112(d)(2); see also f/n 8 for an explanation regarding the ADAAA. Districts may condition an employment offer on taking and passing medical inquiries or physical exams, provided that all entering employees in the same classification receive the same conditional offer.

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physician to perform health examinations, if the examination is job-related and consistent with business necessity.[26] The Board will pay the expenses of ~~any~~ such examination. [27]

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status* form as provided in Board policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
15 U.S.C. §1681 et seq., Fair Credit Reporting Act.
42 U.S.C. §12112, Americans with Disabilities Act; 29 C.F.R. Part 1630.
105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/21B-10, 5/21B-80, 5/21B-85, 5/22-6.5, 5/22-94, and 5/24-5.
20 ILCS 2630/3.3, Criminal Identification Act.
820 ILCS 55/, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 112/, Equal Pay Act of 2003.
Duldulao v. St. Mary of Nazareth Hospital, 136 Ill. App. 3d 763 (1st Dist. 1985), aff'd in part and remanded 115 Ill.2d 482 (Ill. 1987).
Kaiser v. Dixon, 127 Ill. App. 3d 251 (2nd Dist. 1984).
Molitor v. Chicago Title & Trust Co., 325 Ill. App. 124 (1st Dist. 1945).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Superintendent), 4:60 (Purchases and Contracts), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Duties and Qualifications)

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[26] The State law (105 ILCS 5/24-5) allowing boards to require physicals of current employees "from time to time," is superseded by the ADA. 42 U.S.C. §12112(d)(4). The ADA allows medical inquiries of current employees only when they are job-related and consistent with business necessity or part of a voluntary employee wellness program. Id. Districts may deny jobs to individuals with disabilities who pose a direct threat to the health or safety of others in the workplace, provided that a reasonable accommodation would not either eliminate the risk or reduce it to an acceptable level. 42 U.S.C. §12113; 29 C.F.R. §1630.2(r). See f/n 8 for an explanation regarding the ADAAA.

See f/n 25 for a discussion of examinations by spiritual leaders/practitioners.

[27] Consult the board attorney if a staff member requests more than one physical examination to obtain a second opinion.

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General Personnel

Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition [1]

All District workplaces are drug- and alcohol-free workplaces. [2]

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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. The Right to Privacy in the Workplace Act (RPWA) allows employers to regulate employees' use of lawful products that impair an employee's ability to perform his or her assigned duties. 820 ILCS 55/5(b). The Cannabis Regulation and Tax Act (CRTA), 410 ILCS 705/10-35(a)(8), allows penalties issued by employers of law enforcement officers for consumption, possession, sale, purchase, or delivery of cannabis or cannabis-infused substances while on or off -duty to be collectively bargained; districts that employ school resource officers should consult their board attorneys about this provision of the CRTA.

The federal Drug-Free Workplace Act applies only to the specific programs receiving federal funds. 41 U.S.C. §8101 et seq. For ease of administration, this policy makes its requirements applicable to all employees to avoid confusion during implementation and to avoid complications when obtaining and maintaining federal funds. The CRTA, 410 ILCS 705/, legalized cannabis, but it remains a *Schedule I* (c)(17) controlled substance under federal law, meaning that it has no currently accepted medical use in addition to a high potential for abuse. 21 U.S.C.A. §812 (exempting hemp as defined at 7 U.S.C.A.§1639o). 41 U.S.C. §§8101, 8102 and 8103. While not law, in June 2019, the U.S. House of Representatives, in a voice vote, voted in favor of an amendment to H.R. 3055, which was introduced by Reps. Earl Blumenauer (D-OR), Tom McClintock (R-CA), and Eleanor Holmes Norton (D-D.C.), prohibiting the U.S. Dept. of Justice (DOJ) from interfering with a state's decision to implement laws governing the legalization of cannabis (recreational and medicinal). This marked the first time that either branch of the U.S. Congress has voted to protect state recreational cannabis laws from federal enforcement actions. If the amendment becomes law, it would block the DOJ from using funds to intervene in state and territory cannabis legalization laws. This policy continues to prohibit employees from using cannabis as allowed by the CRTA. See f/n 9, below.

The federal Safe and Drug-Free Schools and Communities Act provides funds, upon application, for drug and violence prevention programs; it does not contain policy mandates. Illinois also has a Drug Free Workplace Act (30 ILCS 580/) that applies to districts with 25 or more employees working under a state contract or a grant of $5,000 or more.

[2] Replace this sentence with the district's drug- and alcohol- free policy goal(s), if any.

With the passage of the CRTA, 410 ILCS 705/, each board and superintendent may wish to engage in a risk-management conversation about the district's drug- and alcohol-free policy enforcement and discipline goals. Enforcement and discipline goals depend upon a board's risk-level tolerance and community expectations. Risk-level-tolerance decisions will depend upon many factors, including, but not limited to: (1) the board attorney's recommendations, (2) the district's budget parameters, if any, for reasonable suspicion training on identification of symptoms of impairment and/or being under the influence, (3) drug testing, and (4) the community's expectations. Answers to the following questions might structure this risk-management conversation:

1. Does the board want to implement a reasonable suspicion program (or any other type of *just cause* provisions in an applicable collective bargaining agreement) to identify employees suspected of being impaired and/or under the influence to enhance its ability to discipline?
2. Does the board want the superintendent to secure training for designated district employees to educate them to identify symptoms of impairment or being under the influence of the substances prohibited in this policy?
3. How does the board want to address employees in positions of leadership, e.g., the superintendent and/or building principal(s), who are perpetually on call due to the nature of their positions and responsibilities (see f/n 3, below)?
4. How will the district manage its duty to educate students about the dangers of drugs and alcohol against the reality that employees are allowed to use lawful products off -duty and off the district's premises (820 ILCS 55/5(a))?
5. Will licensed educators be held to a higher standard than non-licensed employees due to their professional code of conduct expectations?
6. Will employees working directly with students be held to a higher standard than employees not working directly with students?

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An employee is *on call* when the District schedules the employee with at least 24 hours' notice to be on standby or otherwise responsible for performing employment-related tasks either at the District or another location previously designated by the District.[3] All employees are prohibited from engaging in any of the following activities while on District premises or while performing work or being on call[4] for the District: [5]

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance. [6]
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectible, regardless of when and/or where the use occurred. [7]
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator

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[3] 820 ILCS 55/5. Consult the board attorney regarding how the board wants to treat employees who may be considered *on call*, e.g., superintendents, principals, coaches, and/or maintenance workers, etc.

For boards that do not want to refer to employees on call, delete this sentence and the following phrase from the sentence that immediately follows it: ~~or being *on call*~~.

[4] ~~An employee is *on call* when the employer schedules him or her with at least 24 hours' notice to be on standby or otherwise responsible for performing employment-related tasks either at the employer's location or another previously-designated location. 820 ILCS 55/5. Consult the board attorney regarding how the board wants to treat employees who may be considered *on call*, e.g., superintendents, principals, coaches, and/or maintenance workers, etc.~~

~~For boards that do not want this text, delete or being *on call*.~~

[5] To align with best practices for identifying and subsequently initiating discipline of employees for violating this policy (especially with the passage of the CRTA) and any possible collective bargaining agreement provisions, the superintendent may want to convene the **Employee Substance Abuse Prevention Committee** (see sample administrative procedure 2:150-AP, *Superintendent Committees*).

[6] These actions are prohibited by both federal (41 U.S.C.A. §§8101, 8102 and 8103) and State Workplace Acts. See f/n 13, below. These laws do not address *under the influence* but a board may add: ", or being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred." This option is limited to *illegal* substances to avoid prohibiting employees from using lawfully prescribed controlled substances. See f/n 13. Contact the board attorney for advice concerning this provision and whenever the district wants to discipline or dismiss an employee using it. If a hearing is required before the district may discipline or discharge an employee under this provision, the district must put forth evidence that the employee violated it. A district would also have this burden if a grievance is filed under a *just cause* provision in a collective bargaining agreement. This policy's third paragraph addresses prescribed medications other than cannabis.

[7] Optional; alcohol is not addressed in either the federal or State Drug-Free Workplace Acts. Contact the board attorney for advice concerning this provision and whenever the district wants to discipline or dismiss an employee using it. If a hearing is required before the district may discipline or discharge an employee under this provision, the district must put forth evidence that the employee violated it. A district would also have this burden if a grievance is filed under a *just cause* provision in a collective bargaining agreement. The Ill. Court of Appeals held that when the policy defines *under the influence* as any "mental, emotional, sensory or physical **impairment** due to the use of drugs or alcohol," the school district must prove that the teacher showed signs of impairment even though she registered 0.056 blood-alcohol level on a Breathalyzer. Kinsella v. Bd. of Ed. of the City of Chicago, 27 N.E.3d 226 (Ill. App. Ct. 1st Dist. 2015).

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pursuant to *Ashley's Law*, 105 ILCS 5/22-33.[8] The District considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests specific articulable symptoms[9] while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position. [10]

Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. State law protects the District from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not

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8 "[R]egardless of when and/or where the use occurred" is intended to mean that an employer may reach an employee's conduct on- or off -duty depending upon the facts of the disciplinary situation; however, the CRTA contains a specific requirement that law enforcement employers adopt a policy outlining penalties for discipline of law enforcement employees for their on or off-duty conduct involving consumption, possession, sale, purchase, or delivery of cannabis or cannabis-infused substances. Id. at 10-35(a)(8). See also f/ns 1, above, and 9, below. Consult the board attorney if the district employs a school resource officer(s) (SRO(s)) as opposed to contracting with a local law enforcement agency for SRO services.

410 ILCS 130/25(b) prohibits discipline or arrest of school nurses and/or administrators for acting in accordance with *Ashley's Law*, 105 ILCS 5/22-33. Employers may enforce drug-free workplace policies when they are applied in a nondiscriminatory manner. 410 ILCS 705/10-50(a) includes disciplining employees – even those who are *registered qualifying patients* – for violating drug-free workplace policies (410 ILCS 130/50 and 705/10-35(a)(1)). Contact the board attorney for advice concerning the Compassionate Use of Medical Cannabis Program Act (Medical Cannabis Program Act (MCPA)).

9 Specific articulable symptoms listed in 410 ILCS 705/10-50(d) include: 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. In contrast to the CRTA, the MCPA, while listing the same specific, articulable, symptoms, does not require an employer to have a *good faith belief* that a *registered qualifying patient* is under the influence of cannabis. 410 ILCS 130/50(f).

10 410 ILCS 705/10-35 and 10-50(a) allow reasonable, nondiscriminatory, zero-tolerance policies. If the district seeks to discipline an employee on the basis that he or she is under the influence of or impaired by cannabis, it must afford the employee a reasonable opportunity to contest the basis of the determination. Id. at 10-50(d). See also f/n 7, above. **Contact the board attorney for advice concerning this provision and whenever the district seeks disciplinary action or dismissal of an employee on the basis of the cannabis prohibitions in the policy**.

See also the Ill. Vehicle Code 625 ILCS 5/11-501.2(b-5) number one: when an individual's tetrahydrocannabinol concentration (THC) is five nanograms or more in whole blood or 10 nanograms or more in another bodily substance, e.g., saliva, urine, etc., as defined in 625 ILCS 5/11-501.2(a), a presumption under Illinois law exits that the individual is under the influence of cannabis. Under 625 ILCS 5/11-501.2(b-5) number two: when an individual's {THC} is less than five nanograms in whole blood or less than 10 nanograms or more in another bodily substance, e.g., saliva, urine, etc., as defined in 625 ILCS 5/11-501.2(a), the individual may still be considered impaired.

In addition to a zero-tolerance policy, the CRTA also allows civil, criminal, or other penalties for:

1. Engaging in tasks under the influence of cannabis when doing so would constitute negligence, professional malpractice, or professional misconduct (410 ILCS 705/10-35(a)(1));
2. Possessing cannabis on a school bus or on school grounds (Id. at 10-35(a)(2)(A)-(B) unless permitted under the MCPA);
3. Using cannabis on a school bus or on school grounds (Id. at 10-35(a)(3)(A)-(B) unless permitted under the MCPA);
4. {Using cannabis} in a public place {while impaired or under the influence of cannabis}(Id. at 10-35(a)(3)(F));
5. Knowingly being {impaired by or under the influences of cannabis} in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the MCPA (Id. at 10-35(a)(3)(G));
6. Smoking [and/or *vaping* (see f/n 19, below for a definition of vaping)] it in any place where smoking is prohibited under the Smoke Free Illinois Act (Id. at 10-35(a)(4));
7. Using {cannabis} as an on-duty law enforcement officer, corrections officer, probation officer, or firefighter (Id. at 10-35(a)(8)), or consuming, possessing, selling, purchasing, or delivering cannabis or a cannabis-infused substance(s) while on or off -duty [only if a policy has been adopted] Id. at 10-35(a)(8); or
8. {Using cannabis while {b}}eing on duty as an individual holding a school bus permit or Commercial Driver's License (Id. at 10-35(a)(9)).

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limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test. [11]

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable,
2. Being used in a manner different than prescribed,
3. Legally obtainable, but has not been legally obtained, or
4. Referenced in federal or State controlled substance acts.

For purposes of this policy, *District premises*[12] means workplace as defined in the Cannabis Regulation and Tax Act (CRTA) in addition to District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. School grounds means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. "Vehicles used for school purposes" means school buses or other school vehicles.

As a condition of employment, each employee shall: [13]

1. Abide by the terms of this Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five calendar days after such a conviction.

Unless otherwise prohibited by this policy, prescription and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee's licensed health care provider, provided that an employee's work performance is not impaired. [14]

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[11] 410 ILCS 705/10-50(d). For boards that will not communicate to employees what will happen when reasonable suspicion exists, delete the first sentence of this paragraph: ~~Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation.~~

410 ILCS 705/10-50(e)(1), protects the district from liability for actions described in the last sentence of this paragraph. Delete it if the board will not communicate this information to its employees.

[12] 410 ILCS 705/10-35 and 10-50(a) allows employers to prohibit cannabis in the *workplace*. Many attorneys agree it is a best practice for employers to define workplace in policies that prohibit cannabis. 410 ILCS 705/10-50(h) defines *workplace* as the employer's premises, including any building, real property, and parking area under the control of the employer or area used by an employee while in performance of the employee's job duties, and vehicles, whether leased, rented, or owned – and may be further defined by the employer's written policy when it is consistent with this definition.

This policy's definition of workplace expands the above CRTA definition to areas that board policy and/or the School Code impose duties upon districts to keep students safe, including:

1. The *school property* definition from sample policy 8:30, *Visitors to and Conduct on School Property*;
2. The *school grounds* definition at 105 ILCS 5/10-27.1A(d); and
3. Places that school districts must prevent and respond to bullying, including vehicles used for school purposes. 105 ILCS 5/22-110, renumbered by P.A. 104-3917 ~~23.7(a)~~.

[13] Required by the State and federal Drug-Free Workplace Acts.

[14] This optional paragraph is not addressed in State or federal drug-free workplace acts. An employer should generally not ask an employee about his or her use of medication. See rules implementing the Americans with Disabilities Act, 29 C.F.R. §1630.14. Consult the board attorney if an employee is suspected of working while impaired or under the influence.

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To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee shall perform each of the following: [15]

1. Provide each employee with a copy of this policy.
2. Post notice of this policy in a place where other information for employees is posted. [16]
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations. [17]
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees.
5. Establish a drug-free awareness program to inform employees about: [18]
    a. The dangers of drug abuse in the workplace,
    b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
    c. The penalties that the District may impose upon employees for violations of this policy.
6. Remind employees that Board policy 6:60, *Curriculum Content*, requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence. [19]

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[15] Numbers one through five in this paragraph are required by the State and federal Drug-Free Workplace Acts. 30 ILCS 580/3.

[16] As an alternative, replace the phrase "in a place where other information for employees is posted" with the district's local method, e.g., staff intranet, Internet, etc.

[17] ~~Grants may be available from the Ill. State Board of Education for developing a drug-free awareness program. 105 ILCS 5/2-3.93.~~ 105 ILCS 5/22-81, added by P.A. 103-399 (a/k/a *Louie's Law*), required the Ill. State Board of Education (ISBE) and the Ill. Dept. of Human Services to develop and regularly update a comprehensive *Substance Use Prevention and Recovery Instruction Resource Guide* for public elementary and secondary schools across the state of Illinois. It is available at: www.isbe.net/Pages/Substance-Use-Prevention-and-Recovery-Instruction-Resource-Guide.aspx. ~~The drug-free awareness program requirement can be met by developing a brochure on drug abuse or by contacting local, State, or national anti-drug abuse organizations for materials. The materials should be distributed to employees along with a list of places employees may call for assistance.~~

[18] The drug-free awareness program requirement can be met by developing a brochure on drug abuse or by contacting local, State, or national anti-drug abuse organizations for materials. The materials should be distributed to employees along with a list of places employees may call for assistance.

[19] Optional. This statement serves as a display of good judgement and a reminder to employees that 105 ILCS 5/27-~~13.2, amended by P.A.s 102-195 and 103-365~~255, added by P.A. 104-391, and 5/27-~~23.4~~115 renumbered by P.A. 104-391 (provided it can be funded by private grants or the federal government) require districts to educate students about the prevention and avoidance of drugs abuse, the dangers of opioid and substance abuse, and the dangers of fentanyl.

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E-Cigarette, Tobacco, and Cannabis Prohibition [20]

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of e-cigarettes,[21] tobacco, and cannabis products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event's location.

Tobacco has the meaning provided in 105 ILCS 5/10-20.5b.

Cannabis has the meaning provided in the CRTA, 410 ILCS 705/1-10.

E-Cigarette is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device. [22]

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[20] 105 ILCS 5/10-20.5b, The Smoke Free Illinois Act, 410 ILCS 82/, and the CRTA, 410 ILCS 705/10-35(a)(4)(smoking anyplace where smoking is prohibited under the Smoke Free Illinois Act). Federal law prohibits smoking inside schools. 20 U.S.C. §6083(a).

The prohibition in sample policy 8:30, *Visitors to and Conduct on School Property*, referred to here, applies "on school property or at a school event." Here, "at a school event" is clarified with the phrase "while … performing work for the District" in order to align with this policy's other prohibitions.

[21] While 720 ILCS 675/1, excludes e-cigarettes from its definition of tobacco, it does not address vaporization. Prohibiting *e-cigarettes* aligns with the district's obligation to maintain a safe, smoke-free environment and is a logical extension of 105 ILCS 5/10-20.5b, The Smoke Free Illinois Act (410 ILCS 82/), and The Prevention of Tobacco Use by ~~Minors~~ Persons Under 21 Years of Age and Sale and Distribution of Tobacco Products Act, 720 ILCS 675 (provides the legal age to buy tobacco and e-cigarette products to 21 years of age). In addition, the U.S. Food and Drug Administration now regulates e-cigarettes. 21 C.F.R. Parts 1100, 1140, and 1143.

E-Cigarettes may resemble cigarettes but contain a battery-operated heating element that turns a liquid into an aerosol (or vapor) that sometimes includes nicotine, flavorings, and other chemicals. The act of inhaling and exhaling the aerosol is known as *vaping*. See https://nida.nih.gov/publications/drugfacts/vaping-devices-electronic-cigarettes. For ease of administration, this sample policy treats *vaping*, whether tobacco products or not, and smoking tobacco the same due to the outbreaks of lung disease associated with the use of e-cigarettes and vaping. Some e-cigarettes do not look like tobacco products; they are designed to resemble other objects, such as USB flash drives, to be more easily concealed. Like smoking tobacco, vaporization products may include nicotine, which is derived from and is the addictive drug in tobacco, and other potentially harmful chemicals. See *Tobacco/Nicotine and Vaping* at: https://nida.nih.gov/research-topics/tobacconicotine-vaping. Unlike smoking tobacco, vaping does not produce smoke, but rather the aerosol, often mistaken for water vapor and consisting of fine particles. Many of these particles contain varying amounts of toxic chemicals, which have been linked to cancer and respiratory and heart disease. For resources, see ~~www.cdc.gov/tobacco/basic_information/e-cigarettes/index.htm and~~ https://digitalmedia.hhs.gov/tobacco/educator_hub.

[22] Optional. If a district does not want to include the statutory example that includes the term *vape pen*, which provides notice that vaping products are also prohibited through the term e-cigarette, replace ~~, includes but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device~~ with "shall have the meaning provided in the Prevention of Tobacco Use by ~~Minors~~ Persons Under 21 Years of Age and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/1(a-9)."

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District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination.[23] In addition or alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction. [24]

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of $5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction. [25]

Disclaimer [26]

The Board reserves the right to interpret, revise or discontinue any provision of this policy pursuant to the **Suspension of Policies** subhead in Board policy 2:240, *Board Policy Development*.

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[23] An employee who currently uses *illegal* drugs is not protected under the Americans With Disabilities Act (ADA) when the district acts on the basis of such use. 42 U.S.C. §12114. Legal drug abusers and alcoholics may still be protected as *handicapped* under the Rehabilitation Act of 1973 (29 U.S.C. §706 et seq.) or the Ill. Human Rights Act (IHRA). 775 ILCS 5/1-101 et seq. and 56 Ill.Admin.Code §2500.20. The Rehabilitation Act, however, excludes from protection "an alcohol or drug abuser whose current use of alcohol or drugs prevents such individual from performing the duties of the job in question or whose employment …would constitute a direct threat to the property or the safety of others." 28 C.F.R. §42.540(k)(1).

The ADA neither authorizes nor prohibits drug testing; it 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. Drug tests may also be a subject of collective bargaining. See paragraph one of f/n 1, above. Consult the board attorney before implementing a drug--testing program to enforce this policy.

[24] Required by both the federal and State Drug-Free Workplace Acts.

[25] Id.

[26] Optional best practice text.

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LEGAL REF.: 20 U.S.C. §7101 et seq., Safe and Drug-Free School and Communities Act of 1994.
21 U.S.C. §812, Controlled Substances Act; 21 C.F.R. §1308.11-1308.15.
41 U.S.C. §8101 et seq., Drug-Free Workplace Act of 1988.
42 U.S.C. §12114, Americans With Disabilities Act.
21 C.F.R. Parts 1100, 1140, and 1143.
30 ILCS 580/, Drug-Free Workplace Act.
105 ILCS 5/10-20.5b.
410 ILCS 82/, Smoke Free Illinois Act.
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 705/1-1 et seq., Cannabis Regulation and Tax Act.
720 ILCS 675, Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act.
820 ILCS 55/, Right to Privacy in the Workplace Act.
23 Ill.Admin.Code §22.20.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 8:30 (Visitors to and Conduct on School Property)

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Professional Personnel

Leaves of Absence [1]

Each of the provisions in this policy applies to all professional personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave [2]

Each full-time professional staff member is granted 10 days sick leave each school year at full pay. Unused days are allowed to accumulate to 180 days. Sick leave is defined in State law as personal illness, mental or behavioral health complications, quarantine at home, serious illness or death in the

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[1] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. The introductory paragraph recognizes that an applicable collective bargaining agreement or individual employment contract will supersede a conflicting provision of the policy. It also provides policy coverage for those professional personnel who are not included in a bargaining unit or have employment contracts with conflicting provisions. Alternatively, if the policy's subject matter is superseded by a bargaining agreement, the board policy may state, "Please refer to the applicable collective bargaining agreement(s)."

Districts must coordinate leaves provided by State law and the local bargaining agreement with the leave granted by the Family and Medical Leave Act (FMLA) (29 U.S.C. §2612), amended by Sec. 565 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-84). The FMLA grants eligible employees 12 weeks unpaid leave each year for: (1) the birth and first-year care of a child; (2) the adoption or foster placement of a child; (3) the serious health condition of an employee's spouse, parent, or child; (4) the employee's own serious health condition; (5) the existence of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on *covered active duty*; and (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. Districts are permitted to count paid leave (granted by State law or board policy) taken for an FMLA purpose against an employee's FMLA entitlement. 29 C.F.R. §825.207. See sample policy 5:185, *Family and Medical Leave*.

Many~~A plethora of~~ State laws grant leaves to employees of the State and municipalities but are not applicable to school districts, including the Employee Blood and Organ Donation Leave Act (820 ILCS 149/), Local Government Disaster Service Volunteer Act (50 ILCS 122/), Organ Donor Leave Act (5 ILCS 327/), Civil Air Patrol Leave Act (820 ILCS 148/), and Paid Leave for All Workers Act (820 ILCS 192/). See sample policy 5:185, *Family and Medical Leave*, for a discussion of the Military Leave Act (820 ILCS 151/) and its applicability to school districts.

[2] The provisions in this section are required by 105 ILCS 5/24-6~~, amended by P.A.s 102-275, 102-697, and 102-866~~. Each specified number of days in this section is the statutory minimum. Before adopting this policy or applying its provisions, the district should examine any applicable bargaining agreements.

Consult the board attorney about the Employee Sick Leave Act (ESLA). 820 ILCS 191/~~, amended by P.A. 102-4~~. It prohibits employers from limiting the use of sick time to an employee's own illnesses and allows employees to use employer-provided sick leave due to illness, injury, medical appointment, or *personal care* of a *covered family member*. Id. at 191/10(a)~~, amended by P.A. 102-4~~. *Personal care* means: (1) activities to ensure a covered family member's basic medical, hygiene, nutritional, or safety needs are met, or to provide transportation to medical appointments, for a covered family member unable to meet those needs himself or herself; and (2) being physically present to provide emotional support to a covered family member with a serious health condition who is receiving inpatient or home care. Id. at 191/5~~, amended by P.A. 102-4~~. The ESLA defines *covered family members* as an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent. Id. Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

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immediate family or household, or birth, adoption, placement for adoption, or the acceptance of a child in need of foster care.

As a condition for paying sick leave after three days absence for personal illness or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a mental health professional licensed in Illinois providing ongoing care or treatment to the staff member, (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (6) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee.

Staff members are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or Superintendent may require medical certification. [3]

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need of foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway. [4]

Family Bereavement Leave [5]

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 et seq.) to take family bereavement leave. The purpose, requirements,

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[3] 105 ILCS 5/24-6~~, amended by P.A. 102-275,~~ overturned the Illinois Supreme Court's decision in Dynak v. Bd. of Educ. of Wood Dale Sch. Dist. 7, 444 Ill.Dec. 651 (Ill. 2020) (finding that a teacher was not entitled to use 30 days of sick leave for birth consecutively before and after an intervening summer break). It is unclear from the language of the statute if an employee can be prohibited from *intermittent* use of 30 working sick days for birth, e.g., such as taking leave once a week. Consult the board attorney for guidance on this issue.

[4] 105 ILCS 5/24-6~~, amended by P.A.s 102-275, 102-697, and 102-866~~.

[5] Family Bereavement Leave Act, 820 ILCS 154/~~, amended by P.A. 102-1050~~; 56 Ill.Admin.Code Part 252. These paragraphs discuss family bereavement leave. 820 ILCS 154/5~~,~~ defines an *eligible employee* under the same terms as an employee under FMLA (29 U.S.C. §2601 et seq.). See f/n 1 above. The employer may require reasonable documentation as specified in 820 ILCS 154/10(d)~~, amended by P.A. 102-1050~~ but may not require that an employee identify which specific category under item (4) in the first paragraph of this subhead pertains to the leave. Note the term *Significant Event* does not appear in the statute; it is included in this sample policy as a shorthand term to refer to those events listed in 820 ILCS 154/10(a)(4).

Domestic partner, when used to refer to an unmarried employee, includes: (1) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a state or political subdivision of a state, or (2) an unmarried adult who is in a committed, personal relationship with the employee, who is not a domestic partner as described in item (1) and who the employee designates as that employee's domestic partner. 820 ILCS 154/5~~, amended by P.A. 102-1050~~.

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scheduling, and all other terms of the leave are governed by the Family Bereavement Leave Act. Eligible employees may use family bereavement leave, without any adverse employment action, for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of a covered family member, which includes an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent (2) making arrangements necessitated by the death of the covered family member, (3) grieving the death of the covered family member, or (4) absence from work due to a Significant Event, which includes: (i) miscarriage, (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party, (iv) a failed surrogacy agreement, (v) a diagnosis that negatively impacts pregnancy or fertility, or (vi) a still birth. An employee qualifying for leave due to a Significant Event will not be required to identify which specific reason applies to the employee's request.

The leave must be completed within 60 days after the date on which the employee received notice of the death of the covered family member or the date on which an event under item (4) above occurs. However, in the event of the death of more than one covered family member in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Family Bereavement Leave Act. This policy does not create any right for an employee to take family bereavement leave that is inconsistent with the Family Bereavement Leave Act.

Child Extended Bereavement Leave [6]

Unpaid leave from work is available to employees who experience the loss of a child by suicide or homicide. The Child Extended Bereavement Leave Act governs the duration, scheduling, continuity of benefits, and all other terms of the leave. Accordingly, if the District employs 250 or more employees on a full-time basis, an employee is entitled to a total of 12 weeks of unpaid leave within one year after the employee notifies the District of the loss.[7] An employee may elect to substitute other forms of leave to which the employee is entitled for the leave provided under the Child Extended Bereavement Leave Act.

Sabbatical Leave [8]

Sabbatical leave may be granted in accordance with the School Code.

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The Act also provides that the leave must be completed within 60 days of the employee learning of the death of his or her *covered family member*, as defined by 820 ILCS 154/5. However, that 60-day limitation does not apply when more than one covered family member dies in a 12-month period. There may be times when an employer may want to grant more than 10 unpaid work days, e.g., when a deceased covered family member lived in a foreign country, etc. Consult the board attorney to resolve the complexities of determining whether an employee is an eligible employee under the FMLA that would trigger this Act.

[6] 820 ILCS 156/, added by P.A. 103-466. Delete this subhead and the Legal Reference to 820 ILCS 156/, Child Extended Bereavement Leave Act, if the district has fewer than 50 full-time employees.

[7] If the district employs at least 50 but fewer than 250 employees on a full-time basis, substitute the following sentence: "Accordingly, if the District employs at least 50 but not more than 249 employees on a full-time basis, an employee is entitled to a total of six weeks of unpaid leave within one year after the employee notifies the District of the loss." 820 ILCS 156/10, added by P.A. 103-466.

[8] State law provides guidelines for sabbatical leaves but does not require boards to offer them. 105 ILCS 5/24-6.1.

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Personal Leave [9]

Professional staff members are granted one personal leave day per year. A personal leave day is defined as a day to allow professional personnel time to conduct personal business (but not vacation, travel, or work stoppage), which is impossible to schedule at a time other than during a school day. Any unused personal leave day in a school year will be credited to the cumulative sick leave.

The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, personal leave requests should be submitted to the Building Principal three days in advance of the requested date,
2. No personal leave days may be used immediately before or immediately after a holiday unless the Superintendent grants prior approval,
3. Personal leave may not be used in increments of less than one-half day,
4. Personal leave days are subject to a substitute's availability,
5. Personal leave days may not be used during the first and/or last five days of the school year,
6. Personal leave days may not be used on in-service and/or institute training days, and
7. Personal leave may not be used by more than 10% of the teaching staff in each building at the same time.

Leave of Absence Without Pay [10]

The Board may grant a leave of absence without pay to tenured professional staff members who have rendered satisfactory service and desire to return to employment in a similar capacity at a time determined by the Board.

Each leave of absence shall be of the shortest possible duration required to meet the leave's purpose consistent with a reasonable continuity of instruction for students.

Leave to Serve as an Election Judge [11]

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same Election Day.

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[9] State law does not address personal leave. It is not uncommon for professional staff to be granted more than one day of personal leave per year.

[10] State law does not address leaves of absence without pay other than stating that a mutually agreed leave will not affect a teacher's contractual continued service. 105 ILCS 5/24-13.

[11] This paragraph restates 10 ILCS 5/13-2.5. The statute does not state whether the notice requirement is *calendar* days or *business* days. Support for it being *calendar* days is found in 10 ILCS 5/1-6; support for it being *business* days is found in 10 ILCS 5/1-3.

Rather than duplicate the statute's requirements in separate policies, sample policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, grants the leave to support personnel on the terms applicable to professional staff.

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Child-Rearing Leave [12]

The Board shall grant a professional staff member's request for a non-paid, child-rearing leave, not to exceed the balance of the school year plus one additional school year (but in no event shall such leave exceed three semesters), provided the request complies with this policy. Nothing in this section shall prohibit a professional staff member from using paid sick days as provided in this policy. [13]

A teacher should request, if possible, a child-rearing leave by notifying the Superintendent in writing no later than 90 days before the requested leave's beginning date.[14] The request should include the proposed leave dates. The leave shall end before a new school year begins or before the first day of school after winter recess. [15]

Subject to the insurance carrier's approval, the teacher may maintain insurance benefits at his or her own expense during a child-rearing leave.

A professional staff member desiring to return before the leave's expiration will be assigned to an available vacancy for which the teacher is qualified, subject to scheduling efficiency and instruction continuity.

Leaves for Service in the Military [16]

Leaves for service in the U.S. Armed Services or any of its reserve components and the National Guard, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in military service does not acquire tenure.

General Assembly Leave [17]

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in the General Assembly does not acquire tenure.

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[12] The School Code does not address child-rearing. FMLA grants eligible employees a combined total of 12 weeks each year, with exceptions for teachers at the end of the school year, for, among other things, a child's: (1) birth and first-year care, and (2) adoption or foster placement (see sample policy 5:185, *Family and Medical Leave*). Districts not covered by the FMLA must treat a request for child-care leave to care for an adopted infant on terms comparable to those given biological mothers. McWright v. Alexander, 982 F.2d 222 (7th Cir. 1992).

[13] Districts offering a child-rearing or maternity leave must be very careful not to violate anti-discrimination laws. Districts can prohibit pregnant teachers from combining paid disability leave with an unpaid maternity leave, provided that non-pregnant teachers are likewise prohibited from combining a paid disability leave with an unpaid general leave of absence. Maganuco v. Leyden Comm. High Sch. Dist. 212, 939 F.2d 440 (7th Cir. 1991); U.S. v. Consol. High Sch. Dist. 230, 983 F.2d 790 (7th Cir. 1993); E.E.O.C. v. Elgin Teachers' Ass'n., 780 F.Supp. 1195 (N.D.Ill. 1991). A sick leave bank exclusion of maternity benefits violates Title VII. U.S. v. Consol. High Sch. Dist. 230, supra.

[14] The length of the notice - here 90 days - is *not* covered by State or federal law. If an employee fails to provide this notice, the employee still has the right to request a family and medical leave which has a much shorter notice requirement (see sample policy 5:185, *Family and Medical Leave*), and could be followed by a child-rearing leave.

[15] For a high school, omit "the first day of school after winter recess" and insert "at the semester break." Alternatively, the board may want to be more flexible by stating:

> Every effort shall be made to have the leave minimally interrupt instructional continuity by ending . . .

[16] Required by the School Code (105 ILCS 5/10-20.7b, 5/24-13, and 5/24-13.1); the Service Member Employment and Reemployment Rights Act (330 ILCS 61/, streamlining several job-related protection laws into one statute, mandating leave for *active service*, and requiring the public employer to make up the difference between military pay and regular compensation); and the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §4301 et seq.).

[17] Required by 105 ILCS 5/24-13.

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Leave for Employment in Department of Defense [18]

The Board may grant teachers a leave of absence to accept employment in a Dept. of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the teacher's child, if the conference or meeting cannot be scheduled during non-work hours.[19] Professional staff members must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the professional staff member, except sick, and disability leave. [20]

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act. [21]

Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence [22]

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence or (2) has a family or household member who is a victim of such violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, gender violence, or any other crime of violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance, and to grieve and attend to matters necessitated by the death of a family or household member who is killed in a crime of violence, without suffering adverse employment action.

The Victims' Economic Security and Safety Act (VESSA) governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the District employs at least 50 employees, and subject to any exceptions in VESSA, an employee is entitled to a

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[18] State law provides guidelines for Dept. of Defense leaves but does not require boards to offer them. 105 ILCS 5/24-13.1.

[19] 820 ILCS 147/15.

[20] Id. The school visitation leave entitlement applies to both professional and educational support personnel. Rather than duplicate its requirements in separate policies, sample policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, grants the leave on the same terms applicable to professional staff.

[21] 820 ILCS 147/. Parents of children with *serious health conditions* may also be eligible to use FMLA leave for individualized education program (IEP) meetings. See U.S. Dept. of Labor *Wage and Hour Division Opinion Letter*, FMLA 2019-2-A (8-8-19), available at: www.dol.gov/sites/dolgov/files/WHD/legacy/files/2019_08_08_2A_FMLA.pdf.

[22] Required by the Victims' Economic Security and Safety Act, (VESSA) (820 ILCS 180/~~, amended by P.A.s 102-487, 102-890, and 103-314, eff. 1-1-24,~~ and 56 Ill.Admin.Code Part 280). *Gender violence* means: (1) one or more acts of violence or aggression that is 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). *Other crime of violence* 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 provisions of the Criminal Code of 1961. 820 ILCS 180/10(2.5)~~, added by P.A. 102-487~~. *Sexual violence* is not specifically defined in VESSA. While the law applies to all school districts (820 ILCS 180/10(10)), the number of employees determines the number of total workweeks of leave available during any 12-month period (820 ILCS 180/20(a)(2)). The term *employee* includes part-time workers. The Ill. Dept. of Labor must furnish to all employers a notice summarizing the law's requirements (*Your Rights Under Illinois Employment Laws* at: https://labor.illinois.gov/employers/posters.html. All districts must post this notice in a conspicuous place where notices to employees are customarily posted.

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total of 12 work weeks of unpaid leave during any 12-month period.[23] Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 et seq.). [24]

Leaves to Serve as an Officer, Trustee, or Representative of a Specific Organization

Upon request, the Board will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations,[25] (2) up to 20~~twenty~~ days of paid leave of absence per year to a trustee of the Teachers' Retirement System in accordance with 105 ILCS 5/24-6.3,[26] (3) a paid leave of absence for the local association president of a State teacher association that is an exclusive bargaining agent in the District, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2,[27] and (4) up to 10 days of paid leave per school term for teachers elected to represent a statewide teacher association in federal advocacy work in accordance with 105 ILCS 5/24-3.5. [28]

COVID-19 Paid Administrative Leave [29]

When applicable, paid administrative leave related to COVID-19 will be granted to eligible employees in accordance with State law.

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[23] If the district employs fewer than 50 employees, it may substitute the following sentence: "Accordingly, if the District employs at least 15 but not more than 49 employees, and subject to any exceptions in VESSA, an employee is entitled to a total of eight work weeks of unpaid leave during any 12-month period." 820 ILCS 180/20(a)(2), amended by P.A. 103-314~~, eff. 1-1-24~~.

If the district employs at least one but not more than 14 employees, it may substitute the following sentence: "Accordingly, if the District employs at least one but not more than 14 employees, and subject to any exceptions in VESSA, an employee is entitled to a total four (4) work weeks of leave during any 12-month period." Id.

Under 820 ILCS 180/20(a)(4)~~, added by P.A. 103-314, eff. 1-1-24,~~ an employee is not entitled to more than two work weeks (10 work days) if the leave is to attend a wake or funeral (or an alternative event), make end-of-life arrangements, or grieve due to the death of a family or household member killed in a crime of violence. In these circumstances, the leave must be completed within 60 days after the date on which the employee receives notice of the death. Employees may qualify for unpaid leave under both VESSA and the Family Bereavement Leave Act; leave taken under one act does not diminish the availability of leave under the other. Id.

[24] VESSA states that an employee does not have a right to take unpaid leave that exceeds the unpaid leave time allowed under the FMLA. 820 ILCS 180/20(a)(2). Section 25 creates an ambiguity by stating, "[t]he employer may not require the employee to substitute available paid or unpaid leave for [leave available to victims of domestic violence, sexual violence, or gender violence]," 820 ILCS 180/25~~, amended by P.A. 102-487~~. Contact the board attorney for advice about resolving this ambiguity.

[25] Required by 105 ILCS 5/24-13.

[26] Required by 105 ILCS 5/24-6.3(a). See sample policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, for the leave for an elected trustee for the Ill. Municipal Retirement Fund.

[27] Required by 105 ILCS 5/24-6.2.

[28] 105 ILCS 5/24-3.5, added by P.A. 103-308~~, eff. 1-1-24~~. The statewide teacher association is required to reimburse a district for substitute teaching costs incurred due to the teacher's absence. Id.

[29] 105 ILCS 5/10-20.83~~, added by P.A. 102-697~~. Whether some or all of the COVID-19 related reasons listed in 105 ILCS 5/10-20.83(b) and (c) apply will depend upon current health guidance and/or rules. The law prohibits districts from rescinding the paid leave if the definition of "fully vaccinated against COVID-19" is later updated by the CDC or IDPH to include recommended booster doses. Id.

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Family Neonatal Intensive Care Leave [30]

An unpaid leave from work is available to any staff member whose child[31] is a patient in a neonatal intensive care unit (NICU) in accordance with the requirements of the Family Neonatal Intensive Care Leave Act. If the District employs at least 51 employees, an employee is entitled to a total of 20 days of unpaid leave while a child of the employee is a patient in a NICU.[32] The District may require reasonable verification of the employee's child's length of stay in a NICU. [33]

LEGAL REF.: 105 ILCS 5/10-20.83, 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.
10 ILCS 5/13-2.5, Election Code.
330 ILCS 61/, Service Member Employment and Reemployment Rights Act.
820 ILCS 147/, School Visitation Rights Act.
820 ILCS 154/, Family Bereavement Leave Act.
820 ILCS 156/, Child Extended Bereavement Leave Act.
820 ILCS 157/, Family Neonatal Intensive Care Leave Act.
820 ILCS 180/, Victims' Economic Security and Safety Act.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

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Consult the board attorney for guidance about whether the board must accommodate an employee's religion or disability by exempting the employee from the COVID-19 vaccination prerequisite in 105 ILCS 5/10-20.83~~, added by P.A. 102-697~~, and/or if the board and union may agree that this leave will extend to all unvaccinated employees. Title VII of the Civil Rights Act of 1964 requires employers to accommodate an employee's sincere religious objection to an employer vaccination requirement unless doing so would be an "undue hardship" on the employer. 42 U.S.C §2000e(j). Similarly, the Americans with Disabilities Act requires an employer to exempt an employee with a disability (including pregnancy-related disability) from a safety-related standard, such as a vaccination requirement, unless the employee poses a *direct threat* to the health or safety of the employee or others while on the job. 29 C.F.R. §1630.2(r). See also the U.S. Equal Employment Opportunity Commission guidance document, *What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws*, at: www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws.

[30] 820 ILCS 157/, added by P.A. 104-259, eff. 6-1-26. This leave is separate from FMLA leave, and an employer must allow the employee to take the leave in addition to FMLA leave. The term *employee* includes part-time workers.

[31] *Child* means an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.

[32] A district that employs 15 or fewer employees is not subject to the requirements of 820 ILCS 157/. A district that employs 50 or fewer employees may substitute the following sentence: "If the District employs at least 16 but not more than 50 employees, an employee is entitled to a total 10 days of unpaid leave while a child of the employee is a patient in a NICU." 820 ILCS 157/10, added by P.A. 104-259, eff. 6-1-26.

[33] An employer may not request confidential information protected by the Health Insurance Portability and Accountability Act or other law when asking for reasonable verification. Consult the board attorney for guidance on acceptable forms of verification.

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Educational Support Personnel

Sick Days, Vacation, Holidays, and Leaves [1]

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave [2]

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular

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[1] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. The introductory paragraph recognizes that an applicable collective bargaining agreement or individual employment contract will supersede a conflicting provision of the policy. Alternatively, if the policy's subject matter is superseded by a bargaining agreement, the board policy may state, "Please refer to the applicable collective bargaining agreement."

Districts must coordinate leaves provided by State law and the local bargaining agreement with the leave granted by the Family and Medical Leave Act (FMLA) (29 U.S.C. §2612), amended by Sec. 565 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-84). The FMLA grants eligible employees 12 weeks unpaid leave each year for: (1) the birth and first-year care of a child; (2) the adoption or foster placement of a child; (3) the serious health condition of an employee's spouse, parent, or child; (4) the employee's own serious health condition; (5) the existence of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on (or has been notified of an impending call to) *covered active duty* in the Armed Forces; and (6) to care for the employee's spouse, child, parent, or next of kin who is a covered service member with a serious injury or illness. The definition of *covered servicemember* includes a veteran "who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness" if the veteran was a member of the Armed Forces "at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy." 29 U.S.C. §2611(15). Districts are permitted to count paid leave (granted by State law or board policy) taken for an FMLA purpose against an employee's FMLA entitlement. 29 C.F.R. §825.207. See sample policy 5:185, *Family and Medical Leave*.

~~A plethora of~~Many State laws grant leaves to employees of the State and municipalities, but are not applicable to school districts, including the Employee Blood and Organ Donation Leave Act (820 ILCS 149/), Local Government Disaster Service Volunteer Act (50 ILCS 122/), Organ Donor Leave Act (5 ILCS 327/), Civil Air Patrol Leave Act (820 ILCS 148/), and Paid Leave for All Workers Act (820 ILCS 192/). See sample policy 5:185, *Family and Medical Leave*, for a discussion of the Military Leave Act (820 ILCS 151/) and its applicability to school districts.

[2] This section contains the minimum benefits provided by 105 ILCS 5/24-6~~, amended by P.A. 102-275, 102-697, and 102-866~~. Each specified number of days in this section is the statutory minimum. The School Code does not address whether an employee's 10 paid sick leave days are available upon employment, accrued over months, or after working for a certain period of time, e.g., one year. Also be aware that the Employee Sick Leave Act (ESLA) (820 ILCS 191/~~, amended by P.A 102-4~~) allows employees to use employer-provided sick leave due to illness, injury, medical appointment, or *personal care* of a *covered family member*. See sample policy 5:250, *Leaves of Absence*, at f/n 2 for more information about the scope and application of the ESLA. Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

Before adopting this policy or applying its provisions, the district should examine any applicable bargaining agreements. Strict accounting of unused sick days is important to avoid:

1. Employees accumulating sick time on a full-time basis when they are truly working part-time hours;

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workday. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year. [3]

Sick leave is defined in State law as personal illness, mental or behavioral complications, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, placement for adoption, or the acceptance of a child in need of foster care. The Superintendent or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a mental health professional licensed in Illinois providing ongoing care or treatment to the staff member (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (6) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee.

Employees are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a

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2. Inconsistent treatment; and
3. Inaccurate reporting to IMRF (credit is given for full day unused sick days upon retirement). 40 ILCS 5/7-139(a)(8).

105 ILCS 5/24-6, amended by P.A.s 102-275, 102-697, and 102-866, required districts to return any sick leave days used by educational support personnel for a qualifying COVID-19 related reason during the 2021-2022 school year, provided the employee was "fully vaccinated against COVID-19" by 5-10-22. See sample policy 5:250, *Leaves of Absence*, at f/n 2, for more information.

[3] As this policy is consistent with the minimum requirements of State law, this provision on the maximum number of sick days that may be accumulated is based on the minimum number required as stated in 105 ILCS 5/24-6, amended by P.A.s 102-275, 102-697, and 102-866. The number may be increased to meet or exceed the number IMRF will recognize for retirement credit purposes. The following alternative does this: "Unused sick leave shall accumulate to the maximum number of days that IMRF will recognize for retirement credit purposes."

The following optional provisions apply to boards that want to address the IMRF's requirement that public bodies must have a written plan allowing eligible employees to convert their eligible accumulated sick leave to service credit upon their retirement. See 40 ILCS 5/7-139(a)(8). See also IMRF General Memorandum #555 at: www.imrf.org/en/publications-and-archive/general-memos/2007-general-memos/general-memo-555.

Option 1: No collective bargaining agreement applies and the board wants to publicize its written plan. Insert the following sentence: This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Ill. Municipal Retirement Fund.

Option 2: A local collective bargaining agreement contains the written plan and the board wants to publicize it. Insert the following sentence: Please refer to the applicable collective bargaining agreement(s) for the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon an employee's retirement under the Ill. Municipal Retirement Fund.

Option 3: A district maintains two separate sick leave plans, one for employees under a collective bargaining agreement, and one for non-unionized employees. Insert the text for both Option 1 and Option 2.

Note: If Options 1, 2, or 3 are chosen, add 40 ILCS 5/7-139 to the Legal References. If the board does not have a written sick leave plan for purposes of IMRF sick leave to service credit conversion or does not wish to include it in the policy, do not include any of the options above or add the citation to the Legal References.

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condition of paying sick leave beyond the 30 working school days, the Board or the Superintendent may require medical certification. [4]

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need to foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway. [5]

Vacation [6]

Twelve-month employees shall be eligible for paid vacation days according to the following schedule:

Length of Employment		Earned Per Month~~ly~~ Accumulation	Maximum Vacation Leave Earned Per Year
From:	To:		
Beginning of year 2	End of year 5	0.83 Days	10 Days per year
Beginning of year 6	End of year 15	1.25 Days	15 Days per year
Beginning of year 16	End of year	1.67 Days	20 Days per year

Part-time employees who work at least half-time are entitled to vacation days on the same basis as full-time employees, but the pay will be based on the employee's average number of part-time hours per week during the last vacation accrual year. The Superintendent will determine the procedure for requesting vacation.

Vacation days earned in one fiscal year must be used by the end of the following fiscal year; they do not accumulate. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation. [7]

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[4] 105 ILCS 5/24-6~~, amended by P.A.s 102-275, 102-697, and 102-866~~.

[5] 105 ILCS 5/24-6~~, amended by P.A.s 102-275, 102-697, and 102-866~~.

[6] State law does not require districts to give employees vacations. This subhead should be customized based on local needs and conditions and in consultation with the board attorney. For example, some districts may wish to attract or retain employees by offering vacation during the first year of employment and/or by making vacation days available for use on the first day of employment, earned evenly throughout the year.

[7] Required by 820 ILCS 115/5 and 56 Ill.Admin.Code §300.520 (Earned Vacations).

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Holidays [8]

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a legal school holiday listed below, District employees will not be required to work on:

New Year's Day
Martin Luther King Jr.'s Birthday
Abraham Lincoln's Birthday
Casimir Pulaski's Birthday
Memorial Day
Juneteenth National Freedom Day
Independence Day
Labor Day
Columbus Day
Veterans Day
~~2024~~ General Election Day, when required by law
Thanksgiving Day
Christmas Day

A holiday will not cause a deduction from an employee's time or compensation.[9] The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

Personal Leave [10]

Full-time educational support personnel have one paid personal leave day per year. The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal three days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last five days of the school year, unless the Superintendent grants prior approval.

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[8] Holidays are listed in 105 ILCS 5/24-2(a), (e), amended by P.A.~~s 102-14, 102-15, 102-334, 103-395, eff. 1-1-24, and~~ 103-467~~; 10 ILCS 5/1-24, added by P.A. 103-467 and scheduled to be repealed on 1-1-25~~. For information on the waiver process allowed by 105 ILCS 5/24-2(b), see sample exhibit 2:20-E, *Waiver and Modification Request Resource Guide*. The General Assembly passed legislation adding General Election Day as a school holiday for 2020, 2022, and 2024. Language referring to a General Election holiday when required by law is maintained in this policy should this practice continue. Holidays not specified in the School or Election Codes may be added to the policy; however, boards adding additional holidays should monitor and review to ensure the list remains current.

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 be permissible for those districts able to demonstrate that remaining open would be a waste of educational resources because of 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 their options, including the collective bargaining implications, with their board attorney.

~~For more information about 2024 Election Day, see the discussion in f/n 4 in sample policy 5:200, *Terms and Conditions of Employment and Dismissal*. 2020 Election Day and 2022 Election Day remain holidays listed in 105 ILCS 5/24-2(e), amended by P.A.s 102-15 and 103-467, but no longer appear in this policy.~~

[9] 105 ILCS 5/24-2(a), amended by P.A. 103-395, states that "[n]o deduction shall be made from the time or compensation of a school employee, including an educational support personnel employee, on account of any legal or special holiday in which that employee would have otherwise been scheduled to work but for the legal or special holiday." This language has caused confusion and disputes in the field. Some unions have claimed this language means educational school personnel must be paid for holidays, in addition to the days worked in the regular work year. Consult the board attorney for guidance.

[10] State law does not address personal leave. It is not uncommon for boards to grant educational support personnel the same number of personal leave days as are granted to professional staff.

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3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day and/or institute training days.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

Leave to Serve as a Trustee of the Ill. Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Ill. Municipal Retirement Fund in accordance with State law. [11]

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leave for Service in the Military. [12]
2. Leave for Service in the General Assembly. [13]
3. School Visitation Leave. [14]
4. Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence. [15]
5. Family Bereavement Leave. [16]
6. Child Extended Bereavement Leave. [17]
7. Leave to serve as an election judge. [18]
8. COVID-19 Paid Administrative Leave. [19]
~~8.~~9. Family Neonatal Intensive Care Leave. [20]

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[11] Required by 105 ILCS 5/24-6.3(b) and 40 ILCS 5/7-174.5~~, added by P.A. 102-943~~. A similar leave exists for an elected trustee for the Ill. Teachers' Retirement System. See sample policy 5:250, *Leaves of Absence*.

[12] Military leave is governed by the School Code (105 ILCS 5/10-20.7b, 5/24-13, and 13.1); the Service Member Employment and Reemployment Rights Act (330 ILCS 61/, streamlining several job-related protection laws into one statute, mandating leave for *active service* and requiring the public employer to make up the difference between military pay and regular compensation); and the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §4301 et seq.).

[13] Granting General Assembly leave to ESPs is optional.

[14] 820 ILCS 147/. See sample policy 5:250, *Leaves of Absence*, and 5:250-AP, *School Visitation Leave*.

[15] Required by Victims' Economic Security and Safety Act (820 ILCS 180/, amended by P.A.~~s 102-487, 102-890, and~~ 103-314) and 56 Ill.Admin.Code Part 280. Important information about this leave is discussed in f/ns 22, 23 and 24 of sample policy 5:250, *Leaves of Absence*.

[16] 820 ILCS 154/~~, amended by P.A. 102-1050~~; 56 Ill.Admin.Code Part 252. Important information about this leave is discussed in f/n 5 of sample policy 5:250, *Leaves of Absence*.

[17] 820 ILCS 156/, added by P.A. 103-466. Delete this item and the Legal Reference to 820 ILCS 156/, Child Extended Bereavement Leave Act, if the district has fewer than 50 full-time employees. ~~If the district has fewer than 50 full-time employees.~~ See sample policy 5:250, *Leaves of Absence*, and its f/ns 6 and 7 for important information about this leave.

[18] 10 ILCS 5/13-2.5.

[19] 105 ILCS 5/10-20.83~~, added by P.A. 102-697~~. See sample policy 5:250, *Leaves of Absence*, and its f/n 2~~9~~6 for important information about this leave.

[20] 820 ILCS 157/, added by P.A. 104-259, eff. 6-1-26. See sample policy 5:250, *Leaves of Absence*, and its f/ns 30-33 for important information about this leave.

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LEGAL REF.: 105 ILCS 5/10-20.7b, 5/10-20.83, 5/24-2, 5/24-6, and 5/24-6.3.
10 ILCS 5/13-2.5, Election Code.
330 ILCS 61/, Service Member Employment and Reemployment Rights Act.
820 ILCS 147/, School Visitation Rights Act.
820 ILCS 154/, Family Bereavement Leave Act.
820 ILCS 156/, Child Extended Bereavement Leave Act.
820 ILCS 157/, Family Neonatal Intensive Care Leave Act.
820 ILCS 180/, Victims' Economic Security and Safety Act.
School Dist. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); Elder v. Sch. Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence)

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Instruction

School Wellness [1]

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school-based activities, and meal programs.[2] This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy Hunger-Free Kids Act of 2010 (HHFKA). [3]

The Superintendent will ensure: [4]

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[1] State or federal law requires this subject matter to be covered in policy and controls its content. The federal Child Nutrition and WIC Reauthorization Act of 2004 (Child Nutrition Act) (Pub. L. 108-265) requires school districts participating in a program authorized by the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. §1751 et seq.) or the Child Nutrition Act to have a school wellness policy. Pub. L. 108-265, Sec. 204. State law required the Ill. State Board of Education (ISBE) to "establish a State goal that all school districts have a wellness policy." 105 ILCS 5/2-3.139(a). ISBE complied in October 2007 by "instruct[ing] all public school districts to establish a School Wellness Policy." The federal and State laws list mandatory topics for the policy. The second sentence of this policy should be deleted if the district does not participate in the NSLA or the Child Nutrition Act.

See ISBE's numerous resources at: www.isbe.net/Pages/Nutrition-and-Wellness.aspx and www.isbe.net/Pages/Local-School-Nutrition-Wellness-Policy.aspx. Action for Healthy Kids is a national organization dedicated to overcoming the "epidemic of overweight, undernourished and sedentary youth by focusing on changes in schools;" see its resources at: www.actionforhealthykids.org/.

This sample policy seeks to be both legally compliant and consistent with good governance principles. Both federal and State laws allow each school district to determine how the required topics are addressed. Good governance principles suggest that the board should establish goals with community and stakeholder input. The administration should determine how to achieve the goals. The board should monitor this policy by requesting and reviewing periodic implementation data.

~~The Ill. Dept. of Agriculture and ISBE are directed to create the Farm Fresh Schools Program. 105 ILCS 124/, Farm Fresh Schools Program Act; 30 ILCS 105/5.728, Farm Fresh Schools Program Fund. They are also directed to administer a grant program to further the Program's intent of "reduc[ing] obesity and improve[ing] nutrition and public health, as well as strengthen[ing] local agricultural economies by increasing access to and promoting the consumption of locally grown fruits and vegetables in schools and increasing physical activities and programs that promote pupil wellness." 105 ILCS 124/10.~~

[2] 7 C.F.R. §210.31(a) and (c)(1). The law requires that local school wellness policies include specific goals for nutrition promotion and education, physical activity, and school-based activities. Federal law requires consideration of evidence-based strategies and techniques when implementing school-based activities. See ISBE's *Local Wellness Policy ~~Content Checklist~~Fact Sheet* at: ~~www.isbe.net/Documents/Local-Wellness-Policy-Content-Checklist.pdf~~www.isbe.net/Pages/Local-School-Nutrition-Wellness-Policy.aspx.

For boards that need technical assistance, see:

1. The U.S. Dept. of Agriculture (USDA) at: www.fns.usda.gov/tn/local-school-wellness-policy; and
2. The Alliance for a Healthier Generation (AHG) at: www.healthiergeneration.org/.

[3] Pub. L. 111-296, Healthy Hunger-Free Kids Act of 2010 (HHFKA); 42 U.S.C. §1758b (local school wellness policy); 7 C.F.R. §§210.10 (meal requirements for lunches and requirements for after-school snacks) and 210.31(a) (local school wellness policy).

[4] Id.; 7 C.F.R. §210.31(c)(4) (identification of school official responsible for implementation of the policy), §210.31 (d)(2) (informing the public about the policy and making it available on an annual basis), §210.31 (d)(3) (informing the public of the progress toward meeting the goals of the policy by making triennial assessments available), and §210.31(e) (policy implementation, assessments, and updates). See also f/n 20, below.

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1. Each school building complies with this policy;
2. The policy is available to the community on an annual basis through copies of or online access to the Board Policy Manual[5]; and
3. The community is informed about the progress of this policy's implementation.

Goals for Nutrition Education and Nutrition Promotion [6]

The goals for addressing nutrition education and nutrition promotion include the following:

- Schools will support and promote sound nutrition for students.
- Schools will foster the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the District's comprehensive health education curriculum. See Board policy 6:60, *Curriculum Content*. [7]

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

This sample policy identifies the superintendent as the school official responsible to ensure compliance and oversee the policy. When the rules require specific identification of a school official, the policy does not include the delegation language *or designee*. **[School boards] must identify the [school official(s)] responsible for oversight of [its wellness policy] to ensure compliance. [Boards] have discretion and are the most qualified to identify the best candidate for [their wellness] policy leadership as size, resources, and needs vary greatly among [school districts].** See Federal Register Vol. 81, No. 146 at 50155 at: www.gpo.gov/fdsys/pkg/FR-2016-07-29/pdf/2016-17230.pdf.

For boards that wish to identify a school official other than the superintendent, delete ~~Superintendent~~ and replace it with the responsible school official's title.

The intent of the rule is that schools "notify households on an annual basis of the availability of the local school wellness policy information and provide information that would enable *interested households* to obtain additional details." Fed. Reg. Vol. 81, No. 146 at 50160. However, the rule states, "[i]nform the *public* about the content and implementation of the local school wellness policy, and make the policy and any updates to the policy available to the public on an annual basis."

To achieve the intent of this requirement, the regulations suggest several methods for districts, which include a common method many districts likely already use: post the policy on the websites for the *public*, and use the student handbook to distribute important information to *interested households*.

[5] For boards that distribute their wellness policies via student handbooks and want to list that in the text of their policies, insert "and distributed to students and their parents/guardians through student handbooks". For sample handbook language, see the Illinois Principals Association *Online Model Student Handbook (MSH)* at: www.ilprincipals.org/msh/.

[6] Goals for nutrition education and nutrition promotion are required topics, but the local board may determine what goals are appropriate. Pub. L. 108-265, Sec. 204(a)(1) and Pub. L. 111-296; 42 USC §1758b(b)(1); 105 ILCS 5/2-3.139(a)(2); and 7 C.F.R. §210.31(c)(1). Replace this policy's text with a board's own locally developed nutritional education and promotion goals.

Nutrition promotion, required by Pub. L. 111-296, is not well-described or defined. The Food Nutrition Service (FNS) describes *nutrition promotion* more clearly in its technical assistance materials and the proposed 7 C.F.R. Part 210 rules (Fed. Reg. Vol. 79, No. 38 at 10695), dated Feb. 26, 2014, which state, "… evidence based techniques and scientifically-based nutrition messages targeted to a specific audience to inspire and motivate them to take action and use these techniques and messages to create environments and food service venues (classroom, cafeteria, à~~a~~ la carte, vending machines, school stores, snack bars, fundraisers, home, etc.) that encourage healthy nutrition choices, as well as enhance and encourage participation in school meal programs."

More specific materials about nutrition education and promotion, including songs, games, posters, videos, event-planning booklets, wellness communication toolkits, school garden activities, and a graphics library, have also been developed by the FNS' Team Nutrition at: www.fns.usda.gov/tn/team-nutrition ~~www.fns.usda.gov/tn/resource-library~~.

Technical assistance for:

Nutritional promotion at: www.fns.usda.gov/tn/local-school-wellness-policy.

Goals development for and implementation of nutrition education and promotion are available from AHG at: www.healthiergeneration.org/.

[7] 105 ILCS 5/27-215(a)(1)~~10/3~~, added by P.A. 104-391, and 23 Ill.Admin.Code §1.420(n).

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Goals for Physical Activity [8]

The goals for addressing physical activity include the following:

- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. See Board policies 6:60, *Curriculum Content* and 7:260, *Exemption from Physical Education*. [9]
- During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted. See Board policies 6:60, *Curriculum Content* and 7:260, *Exemption from Physical Education*. [10]
- The curriculum will be consistent with and incorporate relevant *Illinois Learning Standards for Physical Development and Health* as established by the Ill. State Board of Education (ISBE). [11]

Goals for Other School-Based Activities [12]

The goals for school-based activities include the following:

- Schools will support and promote a healthy eating environment for students.
- Schools will promote and participate in wellness activities.
- Schools will offer other school-based activities to support student health and wellness, including coordinated events and clubs.

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[8] This is a required topic, but the local board may determine what goals are appropriate. 105 ILCS 5/2-3.139(a)(2); 42 USC §1758b(b)(1); and 7 C.F.R. §210.31(a) and (c)(1).

[9] 105 ILCS 5/27-705 and 27-7106, ~~amended by P.A. 102-405~~amended and renumbered by P.A. 104-391; 23 Ill.Admin.Code §1.425. See also f/n 32~~1~~ in sample policy 6:60, *Curriculum Content*. For standards-based lesson plans and curricula for pre-kindergarten through grade 8, classroom-based lesson plans, recipes, guidance to improve the quality of school meals, and other materials for nutrition education and promotion, including songs, games, posters, videos, event-planning booklets, wellness communication toolkits, school garden activities, and a graphics library, see the resources developed by the FNS' Team Nutrition at: www.fns.usda.gov/tn/team-nutrition~~www.fns.usda.gov/tn/resource-library~~.

[10] Id. This policy's sample text is based upon federal and State goals while sample policy 6:60, Curriculum Content's text is based only upon State curriculum requirements that require a minimum of three days of physical education per five-day week. Ensure the text in this policy's goal aligns with the district's practice stated in policy 6:60, *Curriculum Content*, for meeting the minimum requirements of 23 Ill.Admin.Code §1.425(b).

[11] Schools must "set student learning objectives which meet or exceed goals established by the State." 105 ILCS 5/2-3.63. The *Learning Standards* can be found on ISBE's website at: www.isbe.net/Pages/Standards-Courses.aspx. See State goals 19-24 for physical education and health at: www.isbe.net/Documents/Goals-19-24-and-Perf-Descrip.pdf.

105 ILCS 5/27-7206.5, renumbered by P.A. 104-391, describes physical fitness assessments required~~, beginning with the 2016-17 school year and every school year thereafter,~~ for grades 3-12 in an effort to meet State Goal 20 of the *Illinois Learning Standards for Physical Development and Health*. See also 23 Ill.Admin.Code §1.425(f) and (h); ISBE's *IL Fitness Assessments and Data Reporting Requirements Questions and Answers (Rev. ~~Sept~~Nov. 2025~~1~~)* at: www.isbe.net/Documents/Physical_Fitness_Assessment_FAQ.pdf.

[12] This is a required topic, but the local board may determine what goals are appropriate. 42 USC §1758b(b)(1); 7 C.F.R. §210.31(c)(1). The third sample goal comes from ISBE's *Local Wellness Policy Template for Schools*, which was formerly available ~~at: www.isbe.net/Pages/Local-School-Nutrition-Wellness-Policy.aspx~~on ISBE's website.

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Nutrition Guidelines for Foods Available During the School Day; Marketing Prohibited [13]

Students will be offered and schools will promote nutritious food and beverage choices during the school day that are consistent with Board policy 4:120, *Food Services* (requiring compliance with the nutrition standards specified in the U.S. Dept. of Agriculture's (USDA) *Smart Snacks* rules). [14]

In addition, in order to promote student health and reduce childhood obesity,[15] the Superintendent or designee shall:

1. Restrict the sale of *competitive foods*, as defined by the USDA, in the food service areas during meal periods;
2. Comply with all ISBE rules; and
3. Prohibit marketing during the school day of foods and beverages that do not meet the standards listed in Board policy 4:120, *Food Services*, i.e., in-school marketing of food and beverage items must meet *competitive foods* standards. [16]

Competitive foods standards do not apply to foods and beverages available, but not sold in school during the school day; e.g., brown bag lunches, foods for classroom parties, school celebrations, and reward incentives. [17]

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[13] The policy must include the nutrition guidelines selected by the board for "all foods available during the school day with the objective of promoting student health and reducing childhood obesity." Pub. L. 108-265, Sec. 204(a)(2); 105 ILCS 5/2-3.139(a)(1); and 7 C.F.R. §§210.10 and 210.31(a), (c)(2), and (c)(3)(i)-(iv). 42 U.S.C. 1758b(b)(2)(A) requires that each local school wellness policy include nutrition guidelines for all foods and beverages available for sale on the school campus during the school day to ensure they are consistent with the statutory and regulatory provisions governing school meals (7 C.F.R. §§210.10, 220.8 and 220.10) and competitive foods (7 C.F.R. §210.11) as applicable.

Prior to July 2016 when 7 C.F.R. § 210.10 and 7 C.F.R § 210.31(c) (respectively) became effective, the current *Dietary Guidelines for Americans* published jointly by the U.S. Depts. of Health and Human Services and Agriculture (USDA) were used as nutrition guidelines.

[14] 7 C.F.R. §§210.10 (meal requirements for lunches and requirements for afterschool snacks); 210.11(c) (general nutrition standards for competitive food, i.e., *Smart Snacks*); and 210.31(a) and (c) (encompassing all other nutrition requirements, including foods not sold to students during the school day (classroom parties)).

[15] 7 C.F.R.§210.31(c)(3)(iv).

[16] 7 C.F.R. §§210.11(a)(2) and 210.31(c)(3)(iii); 23 Ill. Admin. Code §305.5. For a definition of *competitive foods*, see sample administrative procedure 4:120-AP, *Food Services; Competitive Foods; Exemptions*.

[17] 7 C.F.R. §210.31(c)(2). This sample policy does not apply competitive food standards to foods not sold in schools; i.e., foods that students bring into the school from home, etc.

The final [federal] rule does not require that local school wellness policy standards for *foods provided in schools during the school day but not available for sale* conform to the school meal requirements or the competitive foods standards. In fact, the preamble to the final rule reiterates this saying, "[a]gain, it should be noted that with regard to foods provided, but not sold, in schools, local jurisdictions have the discretion to adopt standards that conform to [the competitive food standards] or to adopt more or less stringent standards." Similarly, the preamble to the final rule clearly states the rule does not require school boards to address standards for food brought from home for individual consumption. See Federal Register Vol. 81, No. 146 at 50158 at: www.gpo.gov/fdsys/pkg/FR-2016-07-29/pdf/2016-17230.pdf. Emphasis added.

This sample policy adopts less stringent standards for foods not sold in schools. For boards that wish to adopt standards that conform to the competitive food standards or apply even more stringent standards to foods available, but not sold during the school day, delete the last sentence of this **Nutrition Guidelines for Foods Available During the School Day; Marketing Prohibited** subhead: ~~*Competitive foods* standards do not apply to foods and beverages available, but not sold in school during the school day; e.g., foods for classroom parties, school celebrations, and reward incentives.~~ and choose one of the following sentences to replace it:

Option 1: The District applies competitive foods standards listed in Board policy 4:120, *Food Services*, to foods available, but not sold, in schools.

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Exempted Fundraising Day (EFD) Requests [18]

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the "general nutrition standards for competitive foods" specified in federal law.

ISBE rules prohibit EFDs for grades 8 and below in participating schools.

The Superintendent or designee in a participating school may grant an EFD for grades 9 through 12 in participating schools. To request an EFD and learn more about the District's related procedure(s), contact the Superintendent or designee. The District's procedures are subject to change. The number of EFDs for grades 9 through 12 in participating schools is set by ISBE rule.

Guidelines for Reimbursable School Meals [19]

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program. [20]

Unused Food Sharing Plan [21]

In collaboration with the District's local health department, the Superintendent or designee will:

1. Develop and support a food sharing plan (Plan) for unused food that is focused on needy students. [22]
2. Implement the Plan throughout the District.

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Option 2: The District applies more stringent standards than the competitive foods standards to foods available, but not sold, in schools. These include [list the chosen standards to foods available, but not sold, in schools].

The AHG encourages school officials to consider prohibiting foods as a reward and using the *Smart Snacks* standards for foods available, but not sold during the school day. However, enforcing such standards against students who are sent to school with snacks from their parents/guardians is difficult and may be considered overreach. Further, such a standard may open the district to challenges. Consult the board attorney about enforcement of standards that meet the *competitive foods* standards – or even more stringent standards – upon foods available, but not sold during the school day, i.e., choosing Options 1 or 2, above.

[18] Required by 23 Ill.Admin.Code §305.15(c)(2), 7 C.F.R. §§210.11(b)(4)~~,~~ and (c)(2) and 210.3~~10~~(c)(~~32~~) for participating schools that want to grant EFDs.

For elementary districts, delete these sentences: ~~The Superintendent or designee in a participating school may grant an EFD for grades 9 through 12 in participating schools. To request an EFD and learn more about the District's related procedure(s), contact the Superintendent or designee. The District's procedures are subject to change. The number of EFDs for grades 9 through 12 in participating schools is set by ISBE rule.~~

For high school districts, delete this sentence: ~~EFDs are prohibited for grades eight and below in participating schools.~~

Detailed procedures are subject to change and are too complicated for policy text. This policy seeks to balance the requirement to include procedures in the policy for requesting an EFD by providing information about the initial steps and directing the superintendent or designee to inform the requestor of the current procedure. For a list of the number of available EFDs and a more detailed sample step-by-step procedure to request them, see sample administrative procedure 4:120-AP, *Food Services; Competitive Foods; Exemptions*.

[19] Inclusion in the policy is required for only those districts that participate in a program authorized by the NSLA or the Child Nutrition Act.

[20] Child Nutrition Act of 1966 (42 U.S.C. §1771 et seq.) and NSLA (42 U.S.C. §1758).

[21] 105 ILCS 5/2-3.189~~, added by P.A. 102-359 and renumbered by P.A. 102-813~~.

[22] *Needy students* is not defined by 105 ILCS 5/2-3.189~~, added by P.A. 102-359 and renumbered by P.A. 102-813~~.

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3. Ensure the Plan complies with the Richard B. Russell National School Lunch Act, as well as accompanying guidance from the U.S. Department of Agriculture on the Food Donation Program. [23]
4. Ensure that any leftover food items are properly donated to combat potential food insecurity in the District's community. *Properly* means in accordance with all federal regulations and State and local health and sanitation codes.

Monitoring [24]

At least every three years, the Superintendent shall provide implementation data and/or reports to the Board concerning this policy's implementation sufficient to allow the Board to monitor and adjust the policy (a triennial report).[25] This triennial report must include without limitation each of the following:

- An assessment of the District's implementation of the policy
- The extent to which schools in the District are in compliance with the policy
- The extent to which the policy compares to model local school wellness policies
- A description of the progress made in attaining the goals of the policy
- How the District will make the results of the assessment available to the public
- Where the District will retain records of the assessment [26]

The Board will monitor and adjust the policy pursuant to Board policy 2:240, *Board Policy Development*.

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[23] Required for districts that participate in child nutrition programs, the National School Lunch Program and National School Breakfast Program, the Child and Adult Care Food Program (CACFP), and the Summer Food Service Program (SFSP). See 105 ILCS 5/2-3.189~~, added by P.A. 102-359 and renumbered by P.A. 102-813~~.

Delete number 3 *only if* the district participates in none of the programs listed.

Food sharing plans will depend on many local factors and require local health department involvement, so because of that, a sample **PRESS** administrative procedure is not practical and does not exist.

[24] The policy must establish a plan for measuring implementation of the local wellness policy, including designation of one or more persons within the local educational agency at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy. Pub. L. 108-265, Sec. 204(a)(4); 105 ILCS 5/2-3.139(a)(4); and 7 C.F.R. §210.31(c)(5), (6), and (e)(1). 105 ILCS ~~110/3.5(a)~~5/27-235(a), renumbered by P.A. 104-391, requires ISBE to develop and maintain a nutrition and physical activity best practices database. Materials may be found at: www.isbe.net/Pages/Nutrition-and-Wellness.aspx.

42 U.S.C. §1758b(b)(5)(A) (Pub. L. 111-296) requires the public to receive periodic measures with the listed items. The accepted practice is annual reports. There is very little guidance to assist school districts in complying with this requirement~~, and school districts were expected to be working toward developing a reasonable method to implement this requirement by the end of the 2011-2012 school year~~. Without guidance, to ensure compliance, superintendents should contact their Regional Office of Education or Intermediate Service Center regarding their school districts' efforts to comply with this requirement. ~~A guide~~Guidance to help school districts conduct a triennial~~n~~ evaluation of local wellness policies is available~~, along with more guidance~~ at: https://www.isbe.net/Pages/Local-School-Nutrition-Wellness-Policy.aspx ~~www.fns.usda.gov/tn/local-school-wellness-policy~~.

[25] 7 C.F.R. §210.31(e)(2)(i)-(iii) and (3).

[26] Id. and §210.31(f); see also the Local Records Act, 50 ILCS 205/. It governs retention of district records; its definition of *public record* is narrower than the definition in the Freedom of Information Act. These communications must be retained only when they contain: (1) evidence of the district's organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. Consult the board attorney for a more thorough analysis and a legal opinion about how to meet both of the federal records retention requirements discussed in f/n 2~~9~~8, below, and the Local Records Act.

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Community Involvement [27]

The Board and Superintendent will actively invite suggestions and comments concerning the development, implementation, periodic reviews, and updates of the school wellness policy from parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the community. Community involvement methods shall align their suggestions and comments to Board policy 2:140, *Communications To and From the Board* and/or the **Community Engagement** subhead in Board policy 8:10, *Connection with the Community*. [28]

Recordkeeping [29]

The Superintendent shall retain records to document compliance with this policy, the District's records retention protocols, and the Local Records Act.

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

[27] A board must establish a plan in its wellness policy for involving parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public in the development of the school wellness policy. Pub.L. 108-265, Sec. 204(a)(5); 42 U.S.C. §1758b(b)(3) (Pub.L. 111-296); 105 ILCS 5/2-3.139(a)(3); 7 C.F.R. §210.31(c)(5) (requirement to describe involvement plan in policy), and 7 C.F.R. §210.31(d)(1) (requirement to allow certain stakeholders to participate in policy development, etc.).

School districts have discretion in exactly how they implement this requirement, and [e]ach [school district] is best suited to determine the distinctive needs of the community it serves. See Federal Register Vol. 81, No. 146 at 50155 at: www.gpo.gov/fdsys/pkg/FR-2016-07-29/pdf/2016-17230.pdf.

This requirement's awkward wording notwithstanding, a board may take compliance steps by:

Seeking community input or involvement during this policy's adoption and monitoring phases, and inviting suggestions and comments during the public comment portion of board meetings from time to time. This method aligns with sample policies 2:140, *Communications To and From the Board*, and 2:240, *Board Policy Development*.

Establishing a "local school wellness committee." This method is discussed in the preamble to 7 C.F.R. §210.31(d)(1), which suggests "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 policy above] to participate …."** See also the citation to the Federal Register, in the second paragraph of this f/n, above, discussing policy implementation discretion.

The default text of this policy ~~follows item #1 above and~~ does not establish a local school wellness committee. For a district that wants to appoint or approve a local school wellness committee, add the following optional sentence as the last sentence of this subhead: "As necessary, the Superintendent or designee will convene a Wellness Committee with at least one representative from each of the listed groups." Also list the Wellness Committee in sample administrative procedure 2:150-AP, *Superintendent Committees*. As much of the work of developing a plan to involve local stakeholders is administrative/staff work rather than governance work, best practice is for a Wellness Committee be an administrative committee, but consult the board attorney for guidance. See f/n 3 in sample policy 2:150, *Committees,* for a discussion of Open Meetings Act implications of the Wellness Committee being a board committee.

If a board wants to comply with the USDA's *encouragement* to include Supplemental Nutrition Assistance Program Education (SNAP-ED) coordinators or educators in the group to provide input about the policy, add:

", Supplemental Nutrition Assistance Program Education (SNAP-ED) coordinators, educators" to the end of the first sentence in this subhead, immediately before: ", and community."

[28] If a board has not adopted the **Community Engagement** subhead in policy 8:10, *Connection with the Community*, delete the phrase at the end of the second sentence: "Individuals shall align their suggestions and comments to policy 2:140, *Communications To and From the Board* ~~and/or the **Community Engagement** subhead in policy 8:10, *Connection with the Community*~~."

A board may also choose to post this policy on its website and include it in the student handbook.

[29] 7 C.F.R. §210.31(f). Records must include: (1) the policy; (2) documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public; and (3) documentation of the triennial assessment of the local school wellness policy for each school under its jurisdiction.

See f/n 2~~6~~5, above regarding the Local Records Act and sample administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*.

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LEGAL REF.: Pub. L. 108-265, Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004.
42 U.S.C. §1751 et seq., Richard B. Russell National School Lunch Act.
42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010.
42 U.S.C. §1771 et seq., Child Nutrition Act of 1966.
42 U.S.C. §1779~~, as implemented by;~~ 7 C.F.R. §§210.11 and 210.31.
50 ILCS 205/, Local Records Act.
105 ILCS 5/2-3.139 and 5/2-3.189.
23 Ill.Admin.Code Part 305, Food Program.
ISBE's *School Wellness Policy* Goal, adopted Oct. 2007.

CROSS REF.: 2:140 (Communications To and From the Board), 2:150 (Committees), 2:240 (Board Policy Development), 4:120 (Food Services), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 7:260 (Exemption from Physical Education), 8:10 (Connection with the Community)

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While 7 C.F.R. §210.31(f) does not require the policy text to state what records must be kept, a board that wants to include that information may insert the following text: "Records must include: (1) this policy; (2) documentation demonstrating compliance with community involvement, including requirements to make the policy and triennial assessments available to the public; and (3) documentation of the triennial assessment of this policy for each school under its jurisdiction."

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Instruction

Student Social and Emotional Development [1]

Social and ~~e~~Emotional ~~l~~Learning (SEL) is defined as the process through which students enhance their ability to integrate thinking, feeling, and behaving to achieve important life tasks. Students competent in SEL are able to recognize and manage their emotions, establish healthy relationships, set positive goals, meet personal and social needs, and make responsible and ethical decisions. [2]

The Superintendent shall incorporate SEL into the District's curriculum and other educational programs consistent with the District's mission and the goals and benchmarks of the Ill. Learning Standards.[3] The Ill. Learning Standards include three goals for students: [4]

1. Develop self-awareness and self-management skills to achieve school and life success.
2. Use social~~-~~ awareness and interpersonal skills to establish and maintain positive relationships.
3. Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

The incorporation of SEL objectives into the District's curriculum and other educational programs may include but is not limited to: [5]

1. Classroom and school-wide programming to foster a safe, supportive learning environment where students feel respected and valued. This may include incorporating scientifically based, age-~~-~~ and~~-~~ culturally appropriate classroom instruction, and District-wide~~,~~ and school-wide strategies that teach SEL skills, promote optimal mental health, and prevent risk behaviors for all students. [6]

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[1] State law requires this subject matter be covered by policy~~, and it required districts to submit it to the Ill. State Board of Education (ISBE) once by 8-31-04~~. 405 ILCS 49/15(b).

[2] This text paraphrases the definition in the Ill. Children's Mental Health Partnership's 2005 Strategic Plan for Building a Comprehensive Children's Mental Health System in Illinois, pg. 73, Appendix C, starting at pg. 69. The ~~2023 *Illinois*~~ Children's Mental Health Partnership's ~~A~~annual ~~R~~reports ~~to the Governor is~~ are available at: https://dph.illinois.gov/topics-services/life-stages-populations/maternal-child-family-health-services/child-health/icmhp.html~~www.ilga.gov/reports/ReportsSubmitted/4592RSGAEmail9699RSGAAttachICMHP%202023%20Annual%20Report.pdf~~.

[3] Required by the Children's Mental Health Act, 405 ILCS 49/1 et seq~~, amended by P.A.s 102-899 and 102-1034~~. ISBE incorporated social and emotional development standards into the Ill. Learning Standards. For more information see: www.isbe.net/sel. School social workers may implement a continuum of social and emotional education programs and services in accordance with students' needs. 405 ILCS 49/15(b).

[4] The goals, along with their benchmarks, performance descriptors and indicators are available at the link in f/n 3, above.

[5] The objectives are a matter of local school board discretion. A board may replace the sample objectives with its own local objectives. This sample policy lists the ISBE's SEL goals found on ISBE's website, cited in f/n 3, above.

[6] 20 ILCS 1705/76 requires the Ill. Dept. of Human Services (IDHS) to create and maintain an online ~~*Mental Health Database and Resource*~~ mental health database and resource page on its website with mental health resources to: (1) assist school social workers, school counselors, parents, teachers, and school support personnel with the goal of connecting them with mental health resources related to bullying and school shootings; and (2) encourage information sharing among educational administrators, school security personnel, and school resource officers. See the IDHS *School Based Mental Health ~~d~~Database* at: www.dhs.state.il.us/page.aspx?item=118331.

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2. Ongoing Sstaff professional development and trainingsupport to promote students' SEL development. This may include providing all personnel with age-appropriate academic and SEL and how to promote it. [7]
3. Parent/Guardian and family involvement to promote students' SEL development. This may include providing parents/guardians and families with learning opportunities related to the importance of their children's optimal SEL development and ways to enhance it. [8]
4. Community partnerships to promote students' SEL development. This may include establishing partnerships with diverse community agencies and organizations to assure a coordinated approach to addressing children's mental health and SEL development.
5. Early identification and intervention to enhance students' school readiness, academic success, and use of good citizenship skills. This may include development of a system and procedures for periodic and universal screening, assessment, and early intervention for students who have significant risk factors for social, emotional, or mental health conditions that impact learning.[9]
6. Treatment to prevent or minimize mental health conditions in students. This may include building and strengthening referral and follow-up procedures for providing effective clinical services for students with social, emotional, and mental health conditions[10] that impact learning. This may include student and family support services, school-based behavioral health services, and school-community linked services and supports.
7. Assessment and accountability for teaching SEL skills to all students. This may include implementation of a process to assess and report baseline information and ongoing progress about school climate, students' social and emotional development, and academic performance.[11]

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20 ILCS 1705/76.2, added by P.A. 103-222, requires IDHS to partner with ISBE to provide technical assistance for the provision of mental health care for students during school days.

105 ILCS 5/27-10823.17, added by P.A. 103-764 and renumbered by P.A. 104-391, eff. 1-1-25, allows districts to provide students with at least 20 minutes per week of *relaxation activities* to enhance students' mental and physical health as part of the school day. *Relaxation activities* may include mindful-based movements, yoga, stretching, meditation, breathing exercises, guided relaxation techniques, quiet time, walking, in-person conversation, and other stress-relieving activities. *Relaxation activities* may take place during a P.E. class, social emotional learning class, or student-support or advisory class or as a part of another similar class.

[7] See SEL resources to support instruction of the Ill. Learning Standards at: https://ilclassroomtech.weebly.com/social-emotional-learning.html. See professional development resources at: https://casel.org/state-resource-center/professional-development/#state-resource-center-professional-development.

[8] The Ill. Children's Mental Health Partnership provides resources for youth, caregivers, and professionals. See f/n 2, above.

20 ILCS 1705/11.4, added by P.A. 103-546, requires IDHS to create and maintain an online Ccare Pportal to serve as a central resource for families with children who have significant and complex behavioral health needs. See the care portal, Behavioral Health Care and Ongoing Navigation (BEACON), at: https://beacon.illinois.gov/. IDHS, in coordination with various state agencies, is to develop training and communication for school districts, hospital social workers, and system partners to demonstrate how individuals can assist a family seeking youth behavioral health services.

[9] Information about Early Childhood Mental Health Consultation is available at: www.iecmhc.org/.

[10] 305 ILCS 5/5-5.23(g) created the *Family Support Program* (FSP) in the Ill. Dept. of Healthcare and Family Services. FSP is a restructure of the former Individual Care Grant program. Its purpose is to enable early treatment of youth, emerging adults, and transition-age adults with a serious mental illness or serious emotional disturbance. Eligibility criterion for FSPs are established at 89 Ill. Adm. Code Part 139.

[11] For information on this objective, see ISBE's Comprehensive System of Learning Supports at: www.isbe.net/Pages/Learning-Supports.aspx. Information about school climate is available from ISBE at: www.isbe.net/Pages/School-Climate.aspx.

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LEGAL REF.: ~~Children's Mental Health Act,~~ 405 ILCS 49/, Children's Mental Health Act.

CROSS REF.: 1:30 (School District Philosophy), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

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Instruction

Using Animals in the Educational Program [1]

Animals may be brought into school facilities for educational purposes according to procedures developed by the Superintendent assuring: (a) the animal is appropriately housed, humanely cared for, and properly handled, and (b) students will not be exposed to a dangerous animal or an unhealthy environment. [2]

Animal Experiments

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal's health or safety are permissible. [3]

Animal Dissection

The dissection of dead animals or parts of dead animals shall be allowed in the classroom only when the dissection exercise contributes to or is a part of an illustration of pertinent study materials. All dissection of animals shall be confined to the classroom and must comply with the School Code.

Students who object to performing, participating in, or observing the dissection of animals are excused from classroom attendance without penalty during times when such activities are taking place.[4] No student will be penalized or disciplined for refusing to perform, participate in, or observe a dissection. The Superintendent or designee shall inform students of: (1) their right to refrain from performing, participating in, or observing dissection, and (2) which courses contain a dissection unit and which of those courses offers an alternative project. [5]

LEGAL REF.: 105 ILCS 5/2-3.122 ~~and~~, 5/27-265~~14, and 112~~/.
105 ILCS 5/112, Dissection Alternatives Act.

CROSS REF.: 6:40 (Curriculum Development)

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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] This paragraph is optional and is not controlled by State or federal statute or rule.

[3] This sentence's first clause is required by 105 ILCS 5/27-265~~14~~, renumbered by P.A. 104-391; the clause after the semi-colon is a reasonable interpretation that will allow the use of mouse-mazes.

[4] 105 ILCS 112/25 prohibits schools from penalizing a student who refuses to perform, participate in, or observe dissection.

[5] ISBE's guidelines for helping schools give notice to students, parents, teachers, and administrators are available ~~under the RESOURCES heading~~ at: www.isbe.net/Documents/alternatives_dissection_2000.pdf#search=dissection~~www.isbe.net/Pages/Science-Mandates.aspx~~. State law does not require that objecting students receive an alternative project. Instead, it says that the student may be given an alternative project that provides the student, through means other than dissection, with knowledge similar to that expected to be gained during the dissection project.

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Instruction

Migrant Students [1]

The Superintendent will develop and implement a program to address the needs of migrant children in the District in accordance with federal law.

This program will:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students through appropriate local, State, and federal educational programs,[2] including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant ~~children~~ students with full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet. [3]
4. Provide, to the extent feasible: [4]
    a. Advocacy and outreach programs to migrant children and their families, including helping such children and families gain access to other education, health, nutrition, and social services,
    b. Professional development programs, including mentoring, for District staff,
    c. Family literacy programs,
    d. The integration of information technology into educational and related programs, and
    e. Programs to facilitate the transition of secondary school students to postsecondary education or employment. [5]

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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 f~~Federal law controls this policy's content. The first sentence of this policy allows a school board to consider the goals for its migrant education program and to amend the sample policy accordingly. The *Migrant Education Program* is a federally funded program authorized under Title I, Part C, of the Elementary and Secondary Education Act (ESEA). 20 U.S.C. §6391 et seq.; 34 C.F.R. §200.81 et seq. This policy may be deleted if the district does not receive Title I funds under the ESEA.

To qualify for the program, a migrant child must: (1) be younger than the age of 22, (2) have not earned a high school diploma or an equivalent degree, (3) have moved on his/her own as a migratory worker or with/to join/to precede a parent, spouse or guardian who is a migratory worker; and (4) have moved within the preceding 36 months due to economic necessity, from one school district to another, and from one residence to another. 20 U.S.C. §6399; see also www.isbe.net/Pages/Migrant-Education-Program.aspx. Although most of the requirements are directed to State agencies, local school districts that receive State money for these programs will be held to many of the same requirements by the State. For additional information, see ISBE's collection of material about the Migrant Education Program in Illinois at www.isbe.net/Pages/Migrant-Education-Program.aspx.

105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288, requires that schools in the State, "[p]rotect the integrity of school learning environments for all children, so that no parent is discouraged from sending and no child is discouraged from attending school, including from the threat of immigration enforcement or other law enforcement activity on a school campus." Consult the board attorney for guidance on the intersection of federal and State law related to migrant students. See also sample policy 7:150, *Agency and Law Enforcement Requests*.

[2] 20 U.S.C. §§ 6394(b)(1)(A), 6396(a)(1)(E).

[3] 20 U.S.C. §§ 6391(3), 6394(b)(2), 6396(a)(1)(C).

[4] 20 U.S.C. §6394(c)(7).

[5] For an elementary school district that wants to delete subsection e, amend 4(c)-4(e) as follows:

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f. P~~rovide p~~rograms, activities, and procedures for the engagement of parents/guardians and family members of migrant students in an understandable format and language. [6]

Migrant Education Program for Parent/Guardian and Family Member Engagement

Parents/guardians and family members of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parents/guardians and family members of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

LEGAL REF.: 20 U.S.C. §6318.
20 U.S.C. §6391 et seq., Education of Migratory Children.
34 C.F.R. §200.81 et seq.

CROSS REF.: 6:170 (Title I Programs), 7:150 (Agency and Law Enforcement Requests)

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c. Family literacy programs, and
d. The integration of information technology into educational and related programs.~~, and~~
~~e. Programs to facilitate the transition of secondary school students to postsecondary education or employment.~~

[6] 20 U.S.C. §6394(c)(3).

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Instruction

Title I Programs [1]

The Superintendent or designee shall pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools. [2]

Title I Parent and Family Engagement

The District maintains programs, activities, and procedures for the engagement of parents/guardians and families of students receiving services, or enrolled in programs, under Title I. These programs, activities, and procedures are described in District-level and School-level ~~compacts~~plans.

District-Level Parent and Family Engagement Plan~~Compact~~ [3]

The Superintendent or designee shall develop a District-Level Parent and Family Engagement Plan~~Compact~~ (District Plan) according to Title I requirements. Thise District Plan~~-Level Parent and Family Engagement Compact~~ shall contain: (1) the District's expectations for parent and family engagement, (2) specific strategies for effective parent and family engagement activities to improve student academic achievement and school performance, and (3) other provisions as required by federal law. The Superintendent or designee shall ensure that the District Plan~~Compact~~

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[1] State or federal law controls this policy's content. **This policy is mandatory for any district that receives or ~~desires~~plans to receive Title I funds.** Title I is part of the Elementary and Secondary Education Act (ESEA). 20 U.S.C. §6301 et seq. It was amended by the Every Student Succeeds Act. Pub. L. 114-95. To comply with ESEA, a board must also incorporate by reference the district's exhibits 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan*, and 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan*. These exhibits contain all legally required components and are compatible with sample templates contained in the U.S. Dept. of Education's non-regulatory guidance titled *Parent and Family Engagement* (2025), at: www.ed.gov/media/document/parent-and-family-engagement-guidance-2025-109202.pdf.

Note: On December 15, 2015, the Every Student Succeeds Act (ESSA) amended multiple laws, including ESEA. If a source cites to ESEA through ESSA (as *Parent and Family Engagement* does), it uses ESSA's phrasing and states "Section 1116 of the ESEA." In contrast, materials that cite directly to ESEA, as **PRESS** does, cite to 20 U.S.C. §6318. These citations both reference the same law.

[2] This paragraph, or similar language, is mandatory for each district receiving Title I funds. 20 U.S.C. §6321(c)(2)(A)(iii).

[3] 20 U.S.C. §6318(a)(2) requires each district receiving Title I funds to "develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy." This requirement is accomplished in this sample policy by mandating the superintendent or designee to develop a District-Level Parent and Family Engagement Plan~~Compact~~, according to Title I requirements. A sample District-Level Parent and Family Engagement Plan~~Compact~~ is contained in 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan~~Compact~~*. A sample process for developing a parent and family engagement compact is contained in 6:170-AP1, *Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs*.

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is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

School-Level Parent and Family Engagement Plan~~Compact~~ [4]
Each Building Principal or designee shall develop a School-Level Parent and Family Engagement Plan~~Compact~~ (School Plan) according to Title I requirements. This School Plan ~~Level Parent and Family Engagement Compact~~ shall contain: (1) a process for continually involving parents/guardians in its development and implementation, (2) how parents/guardians, the entire school staff, and students share the responsibility for improved student academic achievement, (3) the means by which the school and parents/guardians build and develop a partnership to help children achieve the State's high standards, and (4) other provisions as required by federal law. Each Building Principal or designee shall ensure that the School Plan~~Compact~~ is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

Incorporated by Reference: 6:170-AP1, E1 (District-Level Parent and Family Engagement Plan~~Compact~~) and 6:170-AP1, E2 (School-Level Parent and Family Engagement Plan~~Compact~~)

LEGAL REF.: ~~Title I of the Elementary and Secondary Education Act,~~ 20 U.S.C. §§6301-6514, Title I of the Elementary and Secondary Education Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190 (Teacher Qualifications), 5:280 (Duties and Qualifications), 6:15 (School Accountability), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 8:95 (Parental Involvement)

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Commented [MB1]: Note to Subscribers: Districts receiving a Title I, Part A allocation that are required to submit proof of parent and family engagement (PFE) compliance to ISBE as part of their FY 2027 Consolidated District Plan (CDP) will need to submit customized versions of this policy and both exhibits 6:170-AP1, E1 and 6:170-AP1, E2.

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[4] 20 U.S.C. §6318(b)(1) requires each school served under Title I to "jointly develop with, and distribute to, parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of subsections (c) through (f)." This requirement is accomplished in this sample policy by mandating the building principal or designee to develop a School-Level Parent and Family Engagement Plan~~Compact~~, according to Title I requirements. A sample School-Level Parent and Family Engagement Plan~~Compact~~ is contained in 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan~~Compact~~*. A sample process for developing a parental involvement compact is contained in 6:170-AP1, *Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs.*

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Instruction

Extended Instructional Programs [1]

The District may offer the following programs in accordance with State law and the District's educational philosophy:

1. Nursery schools for children between the ages of two2 and six6 years. [2]
2. Before-and after-school programs for students in grades K-6. [3]
3. Child care and training center for pre-school children and for students whose parents work. [4]
4. Model day care services program in cooperation with the Ill. State Board of Education. [5]
5. Tutorial program. [6]
6. Adult education program. [7]
7. Outdoor education program. [8]
8. Summer school, whether for credit or not. [9]
9. Independent study, whether for credit or not. [10]
10. Support services and instruction for students who are, or whose parents/guardians are, chemically dependent. [11]

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[1] State or federal law controls this policy's content. However, all programs listed in this policy are optional. The district may charge a fee for programs numbered 1-4, 6, 8, 9, and 14. Delete the sentences that the board does not offer.

[2] 105 ILCS 5/10-23.2.

[3] 105 ILCS 5/10-22.18b. A school district may offer a course on hunting safety as part of its curriculum during the school day or as part of an *after-school program*. 105 ILCS 5/27-1060, renumbered by P.A. 104-39123.14, added by P.A. 101-152 and renumbered by P.A. 102-558. Unlike the before-and-after-school programs authorized by 105 ILCS 5/10-23.222.18b, no grade levels are specified for the hunting safety course or the after-school program in which it may be offered. Id.

[4] 105 ILCS 5/10-22.18a.

[5] 105 ILCS 5/10-22.18c. Student parents cannot be charged a fee for such day care services, however school personnel who use the services may be charged a fee. Id.

[6] 105 ILCS 5/10-22.20c.

[7] 105 ILCS 5/10-22.20, amended by P.A. 101-289. A school board may appoint a director of adult education. 105 ILCS 5/10-22.20b.

[8] 105 ILCS 5/10-22.29.

[9] 105 ILCS 5/10-22.33A and 5/10-22.33B. Each course offered for high school graduation must provide at least 60 hours of classroom instruction for the equivalent of one semester of high school course credit. 105 ILCS 5/27-90522.1. 105 ILCS 5/10-22.33B authorizes districts to conduct a *high-quality* summer school program. Students at risk in language arts or mathematics may be required to attend such programs. Section 105 ILCS 5/10-22.33A permits districts "to fix and collect a charge for attendance at such courses in an amount not to exceed the per capita cost of the operation" or to waive such charges if the family of a pupil is indigent or if the pupil is required to attend such courses.

[10] Independent study allows students to expand their knowledge in curricular areas not offered as part of the district's basic program.

[11] 105 ILCS 110/35/27-255, added by P.A. 104-391. Such services and instruction may be offered as part of existing curricula during the school day or as part of an after-school program. Id.

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11. Anti-bias education and activities to address intergroup conflict resolution. [12]
12. Volunteer service credit program. [13]
13. Vocational academy. [14]
14. Advanced vocational training and/or career education program. [15]

LEGAL REF.: 105 ILCS 5/10-22.18a, 5/10-22.18b, 5/10-22.18c, 5/10-22.20, 5/10-22.20a, 5/10-22.20b, 5/10-22.20c, 5/10-22.29, 5/10-22.33A, 5/10-22.33B, 5/10-23.2, 5/27-255, 5/27-905~~22.1~~, 5/27-1035~~22.3~~, and 5/27-1050~~23.6~~.
~~105 ILCS 110/3, Comprehensive Health Education Program.~~
105 ILCS 433/, Vocational Academies Act.

CROSS REF.: 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:320 (High School Credit for Proficiency)

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

[12] 105 ILCS 5/27-1050~~23.6~~, renumbered by P.A. 104-391. The statutory objectives of such a program are to "improve intergroup relations on and beyond the school campus, defusing intergroup tensions, and promoting peaceful resolution of conflict." A board that adopts a policy to incorporate activities to address anti-bias education and intergroup conflict resolution shall make certain information available to the public and include it on the district's website, if any, and make it available 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: https://ilprincipals.org/msh/~~www.ilprincipals.org/resources/model-student-handbook~~.

See also f/n 23 in sample policy 6:60, *Curriculum Content*, and ensure that these policies align. Consult the board attorney if the district wishes to offer intergroup conflict resolution separately from anti-bias education; it is unclear whether these topics may be offered separately because the law lists them together.

[13] 105 ILCS 5/27-1035~~22.3~~. For secondary school students only. Id.

[14] 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 community colleges, local employers, and community-based organizations to establish a vocational academy that functions as a 2-year school within a school for grades 10 through 12. Grant funds may be available from ISBE at: www.isbe.net/Pages/Grants.aspx.

[15] 105 ILCS 5/10-22.20a, permits districts to enter joint agreements with community college districts and other school districts to provide career education or advanced vocational training to students in grade 11 and higher to prepare for a trade. The duration of such program may not exceed two years for any district pupil. Participating community colleges may bill participating districts, but payments may not exceed actual operating costs. Participating high schools may use State aid monies to pay the charges. Id.

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Students

Harassment of Students Prohibited [1]

No person, including a ~~School~~ District employee, agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity[2]; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; physical appearance; socioeconomic status; academic status; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened

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[1] State or federal law requires this subject matter be covered by policy, controls this policy's content, and 105 ILCS 5/10-20.71 requires that every two years, each district within an Illinois county served by an accredited Children's Advocacy Center review all its existing sexual abuse investigation policies and procedures to ensure consistency with 105 ILCS 5/22-85. Each district must also have a policy on bullying. 105 ILCS 5/~~27-23.7~~22-110, amended by P.A. 103-47 and renumbered by P.A. 104-391; see sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

This policy's list of protected classifications aligns with the list in sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The protected classifications are found in 105 ILCS 5/~~27-23.7~~22-110(a), amended by P.A. 103-47 and renumbered by P.A. 104-391; 775 ILCS 5/1-103; 23 Ill.Admin.Code §1.240.

The list of protected classifications in sample policy 7:10, *Equal Educational Opportunities*, is different – it does not contain the classifications that are exclusively identified in the bullying statute. Id.~~105 ILCS 5/27-23.7, amended by P.A. 103-47.~~

The Ill. Human Rights Act (IHRA) and an Ill. State Board of Education (ISBE) rule prohibit schools from discriminating against students on the basis of *sexual orientation* and *gender identity.* 775 ILCS 5/5-101(A)(11); 23 Ill.Admin.Code §1.240. *Sexual orientation* is defined as the "actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person's designated sex at birth." 775 ILCS 5/1-103(O-1). *Gender identity* is included in the definition of sexual orientation in the Act. The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103. Additionally, *race* is defined to include traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists. 775 ILCS 5/1-103(M-5). 775 ILCS 5/1-102(A)~~,~~ added *order of protection status* to its list of protected categories. IHRA's jurisdiction regarding schools as a public accommodation is specifically limited to: (1) failing to enroll an individual, (2) denying access to facilities, goods, or services, or (3) failing to take corrective action to stop severe or pervasive harassment of an individual. 775 ILCS 5/5-102.2. It is also a violation of IHRA if a district is aware of an employee or agent's harassment towards a student but fails to take appropriate action to stop the harassment. 775 ILCS 5/5A-101 and 102, amended by P.A. 103-472.

[2] See f/n 4 in sample policy 7:10, *Equal Educational Opportunities*, for a discussion about Executive Order (EO) 2019-11 establishing the Affirming and Inclusive Schools Task Force (Task Force) that made policy and administrative procedure recommendations to ISBE that are discussed in ~~a~~ its publication *Sample District Policy and Administrative Procedures* at www.isbe.net/supportallstudents.

For boards that want to incorporate ISBE's sample policy recommendation, insert the following in place of "gender identity;": gender; gender identity (whether or not traditionally associated with the student's sex assigned at birth);

If the board inserts this option, it must also insert the options in f/ns 4 and 9 of policy 7:10, *Equal Educational Opportunities*, but note the protected statuses list in this policy is different and should not be copied from here into 7:10, *Equal Educational Opportunities*.

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or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above. [3]

Sexual Harassment Prohibited

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.[4] See Board policies 2:265, *Title IX Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidents of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the student is comfortable speaking. [5]

Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX Grievance Procedure*. The Nondiscrimination

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[3] This list of examples of prohibited conduct is optional. While hate speech is not specifically mentioned in this paragraph, any hate speech used to harass or intimidate is banned. Hate speech without accompanying misconduct may be prohibited in response to actual incidents when hate speech interfered with the educational environment. West v. Derby Unified Sch. Dist., 206 F.3d 1358 (10th Cir. 2000).

[4] Two laws apply to sexual harassment of students in Illinois. Title IX of the Education Amendments of 1972 (Title IX) prohibits sexual harassment in any educational program or activity receiving federal financial assistance. 20 U.S.C. §1681. Title IX defines sexual harassment as conduct on the basis of sex that meets one or more of the following: (1) a district employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal access to the District's education program or activity; or (3) *sexual assault*, *dating violence*, *domestic violence*, or *stalking* as defined in federal law. 34 C.F.R. §106.30. See sample policy 2:265, *Title IX Grievance Procedure*, and sample exhibit 2:265-E, *Title IX Glossary of Terms*. Consult the board attorney to ensure the nondiscrimination coordinator and complaint managers are trained to appropriately respond to allegations of Title IX sexual harassment. See sample procedures 2:265-AP1, *Title IX Response*, and 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

IHRA prohibits any district employee or agent from sexually harassing a student, and defines sexual harassment as any unwelcome sexual advances or requests for sexual favors made to a student, or any conduct of a sexual nature toward a student, when: (1) such conduct has the purpose of substantially interfering with the student's educational performance or creating an intimidating, hostile or offensive educational environment; or (2) the district employee or agent either explicitly or implicitly makes the student's submission to or rejection of such conduct as a basis for making various enumerated education-related determinations. 775 ILCS 5/5A-101(E).

School districts are liable for damage awards for an employee's sexual harassment of a student in limited situations. Liability occurs only when a district official who, at a minimum, has authority to institute corrective action, has actual notice of and is deliberately indifferent to the employee's misconduct. Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998). Schools are liable in student-to-student sexual harassment cases when school agents are deliberately indifferent to sexual harassment, of which they have actual knowledge that is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school. Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999). The Ill. Dept. of Human Rights investigates charges of sexual harassment in violation of the IHRA, and it is a civil rights violation when a district fails to take remedial or disciplinary action against an employee the district knows engaged in sexual harassment. 775 ILCS 5/5A-102, amended by P.A. 103-472.

[5] Using "or any employee with whom the student is comfortable speaking" ensures compliance with Title IX regulations providing that "any employee" of an elementary or secondary school who has notice of sexual harassment or allegations of sexual harassment is deemed to have *actual knowledge* which triggers a district's duty to respond. 34 C.F.R. §106.30. By including "any employee" in this list, this policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

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Coordinator, Title IX Coordinator, and/or Complaint Manager or designee shall process and review the report according to the appropriate grievance procedure. The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers. [6] [7]

Nondiscrimination Coordinator:	**Title IX Coordinator:**
Name	Name
Address	Address
Email	Email
Telephone	Telephone

Complaint Managers:

Name	Name
Address	Address
Email	Email
Telephone	Telephone

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

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[6] While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

Each district must communicate its bullying policy to students and their parents/guardians. 105 ILCS 5/~~27-23.7~~22-110, amended by P.A. 103-47 and renumbered by P.A. 104-391; see sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

[7] Title IX regulations require districts to identify the name, office address, email address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. 34 C.F.R. §106.8(a). For further discussion of the Title IX Coordinator, see f/n 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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1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school. [8]
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

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

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the 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 student harassment that does not require action under Board policies 2:265, *Title IX Grievance Procedure*, or 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited,* the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under Board policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

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[8] In addition to notifying students of Board policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Grievance Procedure*, a district must notify them of the name, office address, email address, and telephone number of district's Title IX Coordinator. 34 C.F.R. §106.8(a). 105 ILCS 5/10-20.69 requires districts to maintain and implement an *age-appropriate* policy on sexual harassment that is included in the school district's student handbook, as well as on a district's website and, if applicable, other areas where such information is posted in each school. The law does not expressly state that the age-appropriate policy is for students; however, that is the most logical interpretation. In practice, most districts maintain a student handbook for each building. Because the law only requires one policy, this policy manages the age-appropriate requirement by directing age-appropriate explanations of the policy be included in the building-level student handbook(s). Student handbooks can be developed by the building principals, but should be reviewed and approved by the superintendent and school board. The Ill. Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh.

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Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in[9] 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to Board policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under Board policy 2:265, *Title IX Grievance Procedure*, or Board policy 2:260, *Uniform Grievance Procedure*.

Enforcement

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent/guardian, invitee, etc. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see Board policies 2:260, *Uniform Grievance Procedure*, 2:265, *Title IX Grievance* Procedure, and 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*).

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

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[9] Required for districts located within a county served by an accredited Children's Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited CAC. 105 ILCS 5/22-85 (governing the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For a map of accredited CACs, and to identify a CAC that may serve your district, see www.childrensadvocacycentersofillinois.org/about/map. For further discussion see f/ns 14-16 in sample policy 5:90, *Abused and Neglected Child Reporting*.

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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.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 34 C.F.R. Part 104.
42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
105 ILCS 5/10-20.12, 5/10-22.5, 5/10-23.13, 5/22-110, 5/26A, and 5/27-1~~, and 5/27-23.7~~.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).
West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:255 (Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence)

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Students

School Admissions and Student Transfers To and From Non-District Schools [1]

Age [*Elementary or Unit Districts only*]

To be eligible for admission, a child must be five years old on or before September 1 of that school term.[2] A child entering first grade must be six years of age on or before September 1 of that school term.[3] Based upon an assessment of a child's readiness to attend school, the District may permit him or her to attend school prior to these dates.[4] A child will also be allowed to attend first grade based upon an assessment of his or her readiness if he or she attended a non-public preschool, continued his or her education at that school through kindergarten, was taught in kindergarten by an appropriately licensed teacher, and will be six years old on or before December 31.[5] A child with exceptional needs who qualifies for special education services is eligible for admission at three years of age.[6] Early

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[1] State law requires some of the subject matter contained in this sample policy to be covered by policy and controls this policy's content. Boards must adopt a policy on school admissions (105 ILCS 5/10-21.2) and restricting a student from transferring from another school while under a suspension or expulsion from that school (105 ILCS 5/10-22.6). A *registration guidance document*, updated annually, is available from the Ill. State Board of Education (ISBE) at: www.isbe.net/Documents/guidance_reg.pdf.

[2] 105 ILCS 5/10-20.12. The district may, however, establish a kindergarten for children between the ages of 4 and 6 years old. 105 ILCS 5/10-22.18. Any child between the ages of 7 and 17 (unless the child has already graduated from high school) must attend public or private school, with certain exceptions allowed for physical and mental disability, lawful employment, or other reasons as specified by statute. 105 ILCS 5/26-1. The phrase "a child between the ages of 7 and 17" is liberally construed to fully carry out the true intent and meaning of the General Assembly (5 ILCS 70/1.01), which is to ensure that students graduate from high school (105 ILCS 5/26-1). Therefore, "the ages of 7-17" means a child is 17 until his or her 18th birthday.

[3] Optional sentence.

[4] 105 ILCS 5/10-20.12.

[5] Id. Delete the first four sentences in this paragraph if the district operates a year-round school and use the following alternative:

> To be eligible for admission, a child must be at least five years old within 30 days after the commencement of that school term. Based upon an assessment of the child's readiness to attend school, the District may permit him or her to attend school prior to this date. A child may also attend first grade based upon an assessment of his or her readiness if he or she attended a non-public preschool and continued his or her education at that school through kindergarten, was taught in kindergarten by an appropriately licensed teacher, and will attain age six within four months after the commencement of the term.

[6] 105 ILCS 5/14-1.02 and 5/14-1.03a. An ISBE rule states: "Each school district shall be responsible for actively seeking out and identifying all children from birth through age 21 within the district (and those parentally-placed private school children for whom the district is responsible under 34 C.F.R. §300.131) who may be eligible for special education and related services." 23 Ill.Admin.Code §226.100. Note that after a child is determined to be eligible for special education services, the child must be placed in the appropriate program no later than the beginning of the next school semester. 105 ILCS 5/14-8.02.

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entrance to kindergarten or first grade may also be available through Board policy 6:135, *Accelerated Placement Program*.[7] [8]

Admission Procedure

All students must register for school each year on the dates and at the place designated by the Superintendent. Parents/guardians of students enrolling in the District for the first time must present:

1. A certified copy of the student's birth certificate. If a birth certificate is not presented, the Superintendent or designee shall notify in writing the person enrolling the student that within 30 days he or she must provide a certified copy of the student's birth certificate. A student will be enrolled without a birth certificate.[9] When a certified copy of the birth certificate is presented, the school shall promptly make a copy for its records, place the copy in the student's permanent[10] record, and return the certified copy to the person enrolling the child. If a person enrolling a student fails to provide a certified copy of the student's birth certificate, the Superintendent or designee shall immediately notify the local law enforcement agency, and shall also notify the person enrolling the student in writing that, unless he or she complies within ~~ten~~10 days, the case will be referred to the local law enforcement authority for investigation. If compliance is not obtained within that ~~ten~~10-day period, the Superintendent or designee shall so refer the case. The Superintendent or designee shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content. [11]

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[7] 105 ILCS 5/14A-17, Accelerated Placement Act (APA). For high school districts, delete this sentence and the cross reference to 6:135, *Accelerated Placement Program*. See sample policy 6:135, *Accelerated Placement Program*, and sample administrative procedure 6:135-AP, *Accelerated Placement Program Procedures*, for further detail.

Attorneys disagree whether the APA conflicts with 105 ILCS 5/10-20.12 (*School year – School age.)*. See f/n 4 in sample policy 6:135, *Accelerated Placement Program* for a discussion about reconciling the APA and 105 ILCS 5/10-20.12. **Consult the board attorney for guidance.**

[8] Districts should consider implementing specific and objective criteria for early admissions and address such issues as who pays the costs for assessments, etc. Using this exception defeats the age requirement rules because it only relies upon a child's readiness, regardless of his or her age.

[9] Presenting a certified copy of a student's birth certificate is a missing children's law enforcement issue that may not be used for denying enrollment. See Guidance Documents subhead in sample administrative procedure 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*, for more information about enrollment and residency issues. Consult the board attorney if a student cannot produce a certified copy of his or her birth certificate and wishes to provide a passport, visa, or other governmental documentation of identity. To balance the tension between the missing children's laws reporting requirements, ~~and~~ Plyler v. Doe (457 U.S. 202 (1982)), and 105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288, many attorneys advise not to report a student's failure to produce a birth certificate; however always consult the board attorney for assistance based upon the specific facts of the enrollment situation (see f/n 11 below). See also f/n 6 in sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*, for discussion of place of birth as directory information.

[10] 23 Ill.Admin.Code §375.10 states that the *student permanent record* shall include basic identifying information, including the student's name, birth date and place, and gender, and evidence required under 325 ILCS 50/5(b)(1).

[11] Two almost identical laws govern this requirement: Missing Children Records Act (325 ILCS 50/) and Missing Children Registration Law (325 ILCS 55/). We reconciled their differences as much as possible but chiefly used the language from the Registration Law because it has the clearest explanation. The statutory enforcement requirements, as nonsensical as they may seem, are quoted in the policy. **Important:** Schools cannot deny admission based upon immigration ~~(illegal)~~ status alone. Note that singling out foreign-looking students for visa requests is probably illegal discrimination. See Plyler v. Doe and 105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288. See also f/n 18 below.

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2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*. [12]

The individual enrolling a student shall be given the opportunity to voluntarily state whether the student has a parent or guardian who is a member of a branch of the U.S. Armed Forces and who is either deployed to active duty or expects to be deployed to active duty during the school year.[13] Students who are children of active duty military personnel transferring will be allowed to enter: (a) the same grade level in which they studied at the school from which they transferred, if the transfer occurs during the District's school year, or (b) the grade level following the last grade completed. [14]

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required for enrollment.[15] Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Foster Care Students

The Superintendent will appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services (DCFS) when enrolling in or changing schools. The District's liaison ensures that DCFS' Office of

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According to the Ill. State Police, a certified copy of the student's birth certificate is the only acceptable proof of the child's identity and age. 20 Ill.Admin.Code §1290.60(a). For more discussion about acceptable proof of identity, see f/n 1 in sample administrative procedure 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*. The Missing Children Records Act requires schools to make prompt copies of these certified copies. 325 ILCS 50/5(b)(1). Once made, schools need not request another certified copy with respect to that child for any other year in which the child is enrolled in that school or other entity. Id. While the Act does not mandate where the copy should be kept, it is appropriate for placement in the student's permanent record. See 23 Ill.Admin.Code §375.10 and f/n 10, above. The school person who receives the copy of the certified birth certificate should initial and date the document. That way, if there is a question or an investigation (which can happen even years after enrollment) there will not be an issue as to who received the document and the date it was processed.

A district must also *flag* a student's record on notification by the State police of the student's disappearance and report to the State police any request for a *flagged* student record. 325 ILCS 50/3, 50/5.

[12] Each school must maintain records for each student that reflect compliance with the examinations and immunizations required by 105 ILCS 5/~~27-8.1~~22-105, renumbered by P.A. 104-391, and 23 Ill.Admin.Code §1.530(a). A ~~T~~tuberculosis skin test is required if the student lives in an area designated by the Ill. Dept. of Public Health as having a high incidence of ~~T~~tuberculosis. 105 ILCS 5/~~27-8.1~~22-105(1), renumbered by P.A. 104-391.

[13] 105 ILCS 5/22-70. Districts must report this enrollment information as aggregate data to ISBE. Id.

[14] The Educational Opportunity for Military Children Act (105 ILCS 70/) further details enrollment and entrance requirements for children of active military personnel. 105 ILCS 70/33. After enrollment, the law allows a district to perform evaluations to ensure appropriate placement of the student. Course, program, graduation, extracurricular(s), and other placement options for this student population are further discussed in sample administrative procedure 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*.

[15] Required by Education for Homeless Children Act (105 ILCS 45/) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11431 et seq.). See §11432(g)(3)(C)(i).

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Education and Transition Services receives all written notices and records pertaining to students in the legal custody of DCFS as required by State law. [16]

Student Transfers To and From Non-District Schools [17]

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent or designee. A student seeking to transfer into the District must serve the entire term

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[16] Required by 105 ILCS 5/10-20.59. These DCFS liaisons must be licensed under Article 21B of the School Code. 105 ILCS 5/10-20.59 directs how employees are prioritized for DCFS liaison appointment. DCFS ~~l~~liaisons are "encouraged to build capacity and infrastructure within their school district to support students in the legal custody of the Department of Children and Family Services." Schools are required to give DCFS liaisons certain notices, records, and meeting invitations. See 105 ILCS 5/10-20.77 (notice and invitation to attend parent-teacher conferences and other meetings); 105 ILCS 5/10-21.8 (copies of correspondence and reports upon request of DCFS); 105 ILCS 5/13B-60.10 (notice and invitation to attend alternative learning opportunities program conference); 105 ILCS 5/14-8.02 (notices related to special education); 105 ILCS 10/ (student records). See sample administrative procedure 7:340-AP1, *School Student Records*, for more information regarding DCFS access to the student records of children in its legal custody. The law does not specifically require that a district's DCFS liaison perform these duties; this policy assigns them to the DCFS liaison because they logically fit within the responsibilities outlined in 105 ILCS 5/10-20.59, which may include:

1. Streamlining the enrollment process for students in foster care;
2. Implementing student data tracking and monitoring mechanisms;
3. Ensuring that students in DCFS custody receive all school nutrition and meal programs available;
4. Coordinating student withdrawal from a school, record transfers, and credit recovery;
5. Becoming experts on the foster care system and State laws and policies in place that support students in DCFS custody;
6. Coordinating with child welfare partners;
7. Providing foster care-related information and training to the district;
8. Working with DCFS to help students maintain their school placement, if appropriate;
9. Reviewing student schedules to ensure students are on track to graduate;
10. Encouraging a successful transition into adulthood and post-secondary opportunities;
11. Encouraging involvement in extracurricular activities; and
12. Knowing what support is available within the district and community for students in DCFS custody.

[17] 105 ILCS 5/2-3.13a requires each transferor (original) school to keep documentation of transfers in the student's record. It also requires "notification [by the transferee (recipient) school] of the transfer on or before July 31 following the school year during which the student withdraws from the transferor school or school district or the student shall be counted in the calculation of the transferor school's or school district's annual student dropout rate." ISBE rule, 23 Ill.Admin.Code §375.75(e), is consistent with this requirement. The rule also requires the transferring school or district to 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. Id.

Out-of-state transfer students, including children of military personnel, may use unofficial transcripts for admission to a school until official transcripts are obtained from the student's last school district. 105 ILCS 10/8.1(d) and 70/32. See also sample administrative procedure 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*.

A board has two basic options for students transferring into the district who are serving a suspension or expulsion. Under option one, it may comply with the minimum requirements of 105 ILCS 5/2-3.13a by refusing to allow a student transferring from any public school to attend classes until the period of any suspension or expulsion has expired when the penalty was for: (1) knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act; (2) knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or (3) battering a staff member of the school. Under option two, a board may require a student who was suspended or expelled for *any* reason from any public or private school in this or any other state to complete the entire term of the suspension or expulsion before being admitted to the school district. The sample policy uses the second, more simple, more comprehensive alternative.

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of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

Foreign Students [*High School or Unit Districts only*] [18]

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

A board may adopt a policy providing that if a student is suspended or expelled for any reason from any school, anywhere, the student must complete the suspension's or expulsion's entire term in an alternative school program under Article 13A (105 ILCS 5/13A, amended by P.A. 103-473) or an alternative learning opportunities program under Article 13B (105 ILCS 5/13B) before being admitted into the school district if there is no threat to the safety of students or staff in the alternative program. 105 ILCS 5/2-3.13a and 5/10-22.6(g), amended by P.A. 102-466, a/k/a *Ensuring Success in School (ESS) Law*~~, eff. 7-1-25~~. If a board adopts such a policy, it must allow for the consideration of any mitigating factors (including the student's status as a parent, expectant parent, or victim of domestic or sexual violence as defined in 105 ILCS 5/26A). 105 ILCS 5/10-22.6(g), amended by P.A. 102-466, a/k/a *ESS Law*~~, eff. 7-1-25~~. If a board wants to provide for this alternative, it may add the following to either of the above options and add 105 ILCS 5/26A to the Legal References:

> The Superintendent is authorized to allow a student who was suspended or expelled from any public or private school to be placed in an alternative school program established under Article 13A of the School Code or an alternative learning opportunities program established under Article 13B of the School Code for the remainder of the suspension or expulsion. When determining whether to authorize such placement, the Superintendent shall consider any mitigating factors relating to the suspension or expulsion, including the student's status as a parent, expectant parent, or victim of domestic or sexual violence as defined in 105 ILCS 5/26A.

[18] Generally, a citizen of a foreign country who wishes to enter the U.S. must first obtain either: (1) a nonimmigrant visa (for temporary stay for tourism, medical treatment, business, temporary work, or study), or (2) an immigrant visa for permanent residence. Common visas presented by foreign students are:

1. J-1 nonimmigrant visas for participants in educational and cultural exchange programs designated by the U.S. Dept. of State (DOS), Exchange Visitor Program, and Designation Staff. These students are enrolled provided they otherwise qualify for admission. For information about J-1 visas and the Exchange Visitor Program, see j1visa.state.gov/programs.
2. F-1 nonimmigrant student visa. F-1 visas are not issued for attendance at an elementary or middle school (K-8). Before obtaining an F-1 student visa, the individual must submit evidence that the school district has been reimbursed for the unsubsidized per capita cost of the education. These students are enrolled provided they otherwise qualify for admission. However, attendance at U.S. public high schools cannot exceed a total of 12 months.
3. B-2 visitor nonimmigrant visas. There is disagreement over whether these students must be enrolled tuition~~-~~free. Their *visitor* visa is evidence of nonresident status. Call the district's attorney for guidance.
4. The qualified school-age child of an alien who holds another type of visa, i.e., A, E, H, I, L, etc., other than a visitor visa. These students are enrolled provided they otherwise qualify for admission. Likewise, dependents of foreign nationals on long-term visas are enrolled provided they otherwise qualify for admission.
5. No immigration documentation. Plyler v. Doe and 105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288. A school cannot deny admission based upon immigration ~~(illegal)~~ status alone. Note that singling out foreign-looking students for visa requests is probably illegal discrimination. Thus, undocumented aliens are enrolled, provided they otherwise qualify for admission. See sample policy 7:150, *Agency and Law Enforcement Requests*, and sample administrative procedure 7:150-AP, *Managing Agency and Law Enforcement Requests*.
6. Immigrant visa. These students are enrolled provided they otherwise qualify for admission.

The Student and Exchange Visitor Information System (SEVIS) is an Internet-based system that provides tracking and monitoring, with access to accurate and current information on nonimmigrant students (F and M visas) and exchange visitors (J visa), and their dependents (F-2, M-2, and J-2). 8. U.S.C. §1372(c)(2), implemented by 8 C.F.R. §214.1(h), is an exception to the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) authorizing and requiring districts to report information concerning an F, J, or M nonimmigrant to the extent necessary to comply with 8. U.S.C. §1372 and 8 C.F.R. §214.3(g) to certify these students for enrollment. SEVIS enables schools and program sponsors to transmit electronic information and event notifications, via the Internet, to the U.S. Dept. of Homeland Security (DHS) and DOS throughout a student's or exchange visitor's stay. SEVIS will provide system alerts, event notifications, and reports to the end-user schools and programs, as well as for DHS and DOS offices.

According to federal regulations, students who apply for F-1, M-1, F-3, J-1, or M-3 visas must pay a fee to the DHS. The regulations describe when and how the fee is to be paid, who is exempt from the fee, and the consequences for failure to pay, 8 C.F.R. Parts 103, 214, and 299.

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The District accepts foreign exchange students with a J-1 visa and who reside within the District as participants in an exchange program sponsored by organizations screened by administration. Exchange students on a J-1 visa are not required to pay tuition. [19]

Privately sponsored exchange students on an F-1 visa may be enrolled if an adult resident of the District has temporary guardianship, and the student lives in the home of that guardian. Exchange students on an F-1 visa are required to pay tuition at the established District rate.[20] F-1 visa student admission is limited to high schools, and attendance may not exceed 12 months.

The Board may limit the number of exchange students admitted in any given year. Exchange students must comply with District immunization requirements. Once admitted, exchange students become subject to all District policies and regulations governing students.

Re-enrollment [21] [*High School or Unit Districts only*]

Re-enrollment shall be denied to any individual 19 years of age or above who has dropped out of school and who could not earn sufficient credits during the normal school year(s) to graduate before his or her 21st birthday. However, at the Superintendent's or designee's discretion and depending on program availability, the individual may be enrolled in a graduation incentives program established under 105 ILCS 5/26-16 or an alternative learning opportunities program established under 105 ILCS 5/13B-1 (see 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*). Before being denied re-enrollment, the District will offer the individual due process as required in cases of expulsion under policy 7:210, *Expulsion Procedures*. A person denied re-enrollment will be offered counseling and be directed to alternative educational programs, including adult education programs that lead to graduation or receipt of a GED diploma. This section does not apply to students eligible for special education under the Individuals with Disabilities Education Improvement Act or accommodation plans under the Rehabilitation Act, Section 504.

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[19] Optional. State law allows, but does not require, boards to waive nonresident tuition for these students. 105 ILCS 5/10-22.5a.

[20] Exchange students on F-1 visas must pay the full-unsubsidized public education costs before entering the U.S. 8 U.S.C. §1101(a)(15)(F); 8 U.S.C. §1184(m). Boards may not waive the fee.

[21] 105 ILCS 5/26-2(b). The requirements in this section are provided in State law, that is: (1) it is mandatory that a district deny re-enrollment as provided in this section; (2) it is permissive whether to enroll the individual in a district graduation incentives program or alternative learning opportunities program (although depending on circumstances, a student below the age of 20 may be entitled to enroll in a graduation incentives program); (3) it is mandatory to provide due process before denying re-enrollment; (4) it is mandatory to offer the individual who is denied re-enrollment counseling and to direct that person to alternative educational programs; and (5) it is mandatory that this section not apply to students eligible for special education.

105 ILCS 5/26-2(c) allows a district to deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum academic or attendance standards if certain conditions are met. See sample policy 7:70, *Attendance and Truancy*.

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LEGAL REF.: 8 U.S.C. §1101 et seq., Illegal Immigrant and Immigrant Responsibility Act of 1996.
20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act.
29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-20.59, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/22-105, 5/26-1, and 5/26-2~~, and 5/27-8.1~~.
105 ILCS 10/8.1, Ill. School Student Records Act.
105 ILCS 45/, Education for Homeless Children Act.
105 ILCS 70/, Educational Opportunity for Military Children Act.
325 ILCS 50/, Missing Children Records Act.
325 ILCS 55/, Missing Children Registration Law.
410 ILCS 315/2, Communicable Disease Prevention Act.
20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School Registration.
23 Ill.Admin.Code Part 226, Special Education.
23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 4:110 (Transportation), 6:30 (Organization of Instruction), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:150 (Agency and Law Enforcement Requests), 7:340 (Student Records)

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Students

Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students [1]

Required Health Examinations and Immunizations

A student's parents/guardians shall present proof that the student received a health examination, with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health (IDPH), within one year prior to:

1. Entering kindergarten or the first grade; [2]
2. Entering the sixth and ninth grades;[3] and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country). [4]

Proof of immunization against meningococcal disease is required for students in grades 6 and 12. [5]

As required by State law:

1. Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice registered nurse, or a physician assistant who has been delegated the performance of health examinations by a supervising physician. [6]
2. A diabetes screening is a required part of each health examination; diabetes testing is not required. [7]
3. An age-appropriate developmental screening and an age-appropriate social and emotional screening are required parts of each health examination.[8] A student will not be excluded from

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[1] State or federal law controls this policy's content. The policy restates 105 ILCS 5/~~27-8.1~~22-105, renumbered by P.A. 104-391. Immunization requirements are found in 77 Ill.Admin.Code §665.240. A ~~T~~tuberculosis skin test is required if the student lives in an area designated by the Ill. Dept. of Public Health (IDPH) as having a high incidence of ~~T~~tuberculosis. See also *Questions & Answers Regarding School Health Requirements*, revised May 2013, and available at: www.dhs.state.il.us/onenetlibrary/27897/documents/schoolhealth/faq_2013.pdf.

[2] 105 ILCS 5/~~27-8.1~~22-105(1), renumbered by P.A. 104-391; 77 Ill.Admin.Code §§665.140 and 665.240 et seq.

[3] Id.

[4] Id. If grade levels are not assigned, examinations must be completed within one year prior to the school year in which the child reaches the ages of five, 11, and 15. 77 Ill.Admin.Code §665.140(b).

[5] 410 ILCS 315/1.10; 77 Ill.Admin.Code §665.240(l). For students attending school programs where grade levels (kindergarten through 12) are not assigned, including special education programs, students must show proof that they have received one dose of meningococcal conjugate vaccine in the school year in which the child reaches age 11 and a second dose in the school year in which the child reaches age 16 (but if the first dose is administered when the child is 16 years of age or older, only one dose is required). Students eligible to remain in public school beyond grade 12 (special education) shall meet the requirements for 12th grade.

[6] 105 ILCS 5/~~27-8.1~~22-105(2), renumbered by P.A. 104-391; 77 Ill.Admin.Code §665.130.

[7] 105 ILCS 5/~~27-8.1~~22-105(2), renumbered by P.A. 104-391; 77 Ill.Admin.Code §665.700.

[8] 105 ILCS 5/~~27-8.1~~22-105(2), renumbered by P.A. 104-391; 77 Ill.Admin.Code Part 664. The health care provider must only record whether or not the social and emotional screening was completed.

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school due to his or her parent/guardian's failure to obtain a developmental screening or a social and emotional screening. [9]

4. Before admission and in conjunction with required physical examinations, parents/guardians of children between the ages of one and seven years must provide a statement from a physician that their child was *risk-assessed* or screened for lead poisoning. [10]
5. The IDPH will provide all students entering sixth grade and their parents/guardians information about the link between human papillomavirus (HPV) and HPV-related cancers and the availability of the HPV vaccine. [11]
6. The District will provide informational materials regarding influenza and influenza vaccinations developed, provided, or approved by the IDPH when it provides information on immunizations, infectious diseases, medications, or other school health issues to students' parents/guardians. [12]

Unless an exemption or extension applies, the failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the District.[13] New students who register after October 15 of the current school

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[9] 105 ILCS 5/~~27-8.1~~22-105(2.5), renumbered by P.A. 104-391; 77 Ill.Admin.Code §664.140. Item #3 may be supplemented with any of the following options:

Option 1: If proof of the developmental screening or the social and emotional screening portions of the health examination are not presented by October 15 of the current school year, qualified school support personnel may, with a parent/guardian's consent, offer the screenings to the child.

Option 2: Once a student presents proof that he or she received a developmental screening or a social and emotional screening, the school may, with a parent/guardian's consent, make available appropriate school personnel to work with the parent/guardian, child, and provider who signed the screening form to obtain any appropriate evaluations and services.

Option 3:(The use of both Option 1 and 2.)

a. If proof of the developmental screening or the social and emotional screening portions of the health examination are not presented by October 15 of the current school year, qualified school support personnel may, with a parent/guardian's consent, offer the screenings to the child.
b. Once a student presents proof that he or she received a developmental screening or a social and emotional screening, the school may, with a parent/guardian's consent, make available appropriate school personnel to work with the parent/guardian, child, and provider who signed the screening form to obtain any appropriate evaluations and services.

Note: Even if the district does not offer the above optional services, consult the board attorney about whether the presence of developmental or social and emotional screening information on the Child Health Examination form triggers ~~e~~Child ~~f~~Find obligations under the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act of 1973.

[10] Required by 410 ILCS 45/7.1. Physicians are required to screen children over 7 years of age for lead poisoning when, in the physician's judgment, a child is at risk. 410 ILCS 45/6.2.

[11] This sentence restates the requirement in the Communicable Disease Prevention Act regarding HPV-related cancer prevention. 410 ILCS 315/2e.

[12] 105 ILCS 5/~~27-8.1~~22-105(8.5), amended by P.A. 103-985 and renumbered by P.A. 104-391~~, eff. 1-1-25~~.

[13] 105 ILCS 5/~~27-8.1~~22-105(5), renumbered by P.A. 104-391, requires compliance by October 15 unless a district establishes an earlier date with 60 days' notice. If an earlier date is established, replace "October 15" in this paragraph with the earlier locally established date. During any student's exclusion from school for non-compliance with this policy, the student's parents/guardians shall be considered in violation of 105 ILCS 5/26-1 and subject to any penalty imposed by 105 ILCS 5/26-10, as provided in 105 ILCS 5/~~27-8.1~~22-105(5), renumbered by P.A. 104-391. 105 ILCS 5/~~27-8.1~~22-105(2.5), renumbered by P.A. 104-391, exempts developmental or social and emotional screenings from the exclusion from school requirement.

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year shall have 30 days following registration to comply with the health examination and immunization regulations.[14] If a medical reason prevents a student from receiving a required immunization by October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay.[15] The schedule and statement of medical reasons must be signed by the physician, advanced practice registered nurse, physician assistant, or local health department responsible for administering the immunizations.

A student transferring from out-of-state who does not have the required proof of immunizations by October 15 may attend classes only if he or she has proof that an appointment for the required vaccinations is scheduled with a party authorized to submit proof of the required vaccinations.[16] If the required proof of vaccination is not submitted within 30 days after the student is permitted to attend classes, the student may no longer attend classes until proof of the vaccinations is properly submitted.[17]

Eye Examination [18]

Parents/guardians are encouraged to have their children undergo an eye examination whenever health examinations are required. [19]

Parents/guardians of students entering kindergarten or an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within

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Note: 77 Ill.Admin.Code §665.240(n) states "It is not the intent of this Part that any child whose parents comply with the intent of this Part, the Act or the School Code should be excluded from a child care facility or school. A child or student shall be considered in compliance with the law if there is evidence of the intent to comply. Evidence may be: 1) a signed statement from a health care provider that he or she has begun, or will begin, the necessary immunization procedures; or 2) the parent's or legal guardian's written consent for the child's participation in a school or other community immunization program." Consult with the board attorney about the impact this regulation may have on the district's ability to and procedures for excluding students for non-compliance with this policy.

[14] This sentence is optional. The timeframe of 30 days is a matter of local discretion except that out-of-state transfer students who fail to provide proof of the required vaccinations after 30 days must be excluded until such proof is properly submitted. 105 ILCS 5/~~27-8.1~~22-105(5), renumbered by P.A. 104-391. Consult the board attorney about establishing timeframes other than 30 days.

[15] This sentence and the following sentence restate 105 ILCS 5/~~27-8.1~~22-105(5), renumbered by P.A. 104-391.

[16] Id. The special treatment of out-of-state transfer students resulted from the enactment of the Educational Opportunity for Military Children Act, 105 ILCS 70/. There are no more sunset dates in this law, which eliminates its constituents' need to continually revisit the law and extend its effective dates.

[17] 105 ILCS 5/~~27-8.1~~22-105, renumbered by P.A. 104-391.

[18] Required by 105 ILCS 5/~~27-8.1~~22-105(1.10) and 5/~~27-8.1~~22-105(2), both renumbered by P.A. 104-391. The IDPH's rules are published at 77 Ill.Admin.Code §665.610 et seq. §§665.150 and 665.630 prescribe the statewide eye examination report form, available at: www.idph.state.il.us/HealthWellness/EyeExamReport.pdf or 77 Ill.Admin.Code §665, Appendix A.

[19] While 105 ILCS 5/~~27-8.1~~22-105, renumbered by P.A. 104-391, requires eye examinations for students entering kindergarten or an Illinois school for the first time, it still encourages parents/guardians to have their children undergo eye examinations at the same points in time as their required health examinations. The IDPH must require that individuals conducting vision screenings give a child's parent/guardian a written notification stating (105 ILCS 5/~~27-8.1~~22-105(2), renumbered by P.A. 104-391):

> Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months.

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one year prior to entry of kindergarten or the school. A physician licensed to practice medicine in all of its branches, or a licensed optometrist, must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Superintendent or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the IDPH. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

Dental Examination [20]

All children in kindergarten and the second, sixth, and ninth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the IDPH.

If a child in the second, sixth, or ninth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

Exemptions [21]

In accordance with rules adopted by the IDPH, a student will be exempted from this policy's requirements for:

1. Religious grounds, if the student's parents/guardians present the IDPH's Certificate of Religious Exemption form to the Superintendent or designee. When a Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parents/guardians of exclusion procedures pursuant to Board policy 7:280, *Communicable and Chronic Infectious Disease*, and State rules if there is an outbreak of one or more diseases from which the student is not protected. [22]
2. Health examination or immunization requirements on medical grounds, if the examining physician, advanced practice registered nurse, or physician assistant provides written verification.

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[20] Required by 105 ILCS 5/~~27-8.1~~22-105(1.5), renumbered by P.A. 104-391. The IDPH's rules are published at 77 Ill.Admin.Code §665.410 et seq. §§665.150 and 665.430 prescribe the statewide dental examination report form, available at: ~~www.idph.state.il.us/HealthWellness/oralhlth/DentalExamProof10.pdf~~https://dph.illinois.gov/content/dam/soi/en/web/idph/forms/topics-services/prevention-wellness/oral-health/proof-school-dental-exam-042025.pdf or 77 Ill.Admin.Code §665, Appendix D.

[21] Id.; 105 ILCS 5/~~27-8.1~~22-105(1.10) and 5/~~27-8.1~~22-105(8), both renumbered by P.A. 104-391.

[22] Id.; 77 Ill.Admin.Code §665.510. The Certificate of Religious Exemption form is available on IDPH's website at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/forms/religious-exemption-form-081815-040816.pdf. To direct parents/guardians to the detailed exclusionary requirements pursuant to 77 Ill.Admin.Code Part 690, see sample exhibit 7:280-E2, *Reporting and Exclusion Requirements for Common Communicable Diseases*. The IDPH maintains communicable disease guidance for school nurses, which includes a chart detailing mode of transmission, symptoms, incubation period, period of communicability, criteria for exclusion from school, reporting requirements, and prevention and control measures at: https://dph.illinois.gov/topics-services/diseases-and-conditions/infectious-diseases/cd-school-nurse-guidance.html.

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3. Eye examination requirement, if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist.
4. Dental examination requirement, if the student's parents/guardians show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment.[23] Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/~~27-8.1~~22-105.~~ and~~
~~105 ILCS~~ 45/1-20, Education for Homeless Children Act.
410 ILCS 45/7.1, Lead Poisoning Prevention Act.
410 ILCS 315/2e, Communicable Disease Prevention Act.
23 Ill.Admin.Code §1.530.
77 Ill.~~-~~Admin.Code Part 664, Socio-Emotional and Developmental Screening.
77 Ill.Admin.Code Part 665, Child and Student Health Examination and Immunization.
77 Ill.Admin.Code Part 690, Control of Notifiable Diseases and Conditions Code.

CROSS REF.: 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children), 6:180 (Extended Instructional Programs), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:280 (Communicable and Chronic Infectious Disease)

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[23] Required by 105 ILCS 45/1-20 (Education for Homeless Children Act). Also required by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11432(g)(3)(C)(i).

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Students

Teen Dating Violence Prohibited [1]

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited.[2] For purposes of this policy, ~~the term~~ *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship. [3]

The Superintendent or designee shall develop and maintain a program to respond to incidents of teen dating violence that: [4]

1. Fully implements and enforces each of the following Board policies: [5]
   a. 2:260, *Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the School Board, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
   b. 2:265, *Title IX Grievance Procedure*. This policy prohibits a District employee, agent, or student from engaging in sexual harassment in violation of Title IX of the Education

DRAFT

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

[1] All school boards must have a policy on teen dating violence. 105 ILCS ~~110/3.10~~5/27-240, renumbered by P.A. 104-391. This sample policy is designed to align with a district's already-existing procedures for reporting bullying and school violence. See f/n 7. The curriculum components for teen dating violence education, which apply to districts with students enrolled in grades 7 through 12, are listed in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.

[2] 105 ILCS ~~110/3.10~~5/27-240(b)(1), renumbered by P.A. 104-391. School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus conduct is much more limited than incidents that occur on school grounds. However, school officials may generally: (1) remove a student from extracurricular activities when the conduct code for participation requires students to conduct themselves at all times as good citizens and exemplars of the school (see sample policy 7:240, *Conduct Code for Participants in Extracurricular Activities*); and (2) suspend or expel a student from school attendance when the student's expression causes substantial disruption to school operations.

[3] 105 ILCS ~~110/3.10~~5/27-240(a), renumbered by P.A. 104-391. For districts that wish to broaden the ages (e.g., perhaps include 11-12 year olds in a middle school setting), delete the following phrase from the first sentence: "~~who is 13 to 19 years of age~~". The law defines *dating* or *dating relationship* as an "ongoing social relationship of a romantic or intimate nature between two persons." The terms do not include "a casual relationship or ordinary fraternization between two persons in a business or social context."

[4] Required by 105 ILCS ~~110/3.10~~5/27-240(b)(3), renumbered by P.A. 104-391.

[5] Be sure the referenced board policies, as adopted locally, contain the language paraphrased in this policy. If not, either substitute similar language from the locally adopted board policies on the same topics, or just insert the titles from relevant locally adopted policies.

The statutory content requirements for a teen dating policy include "establish[ing] procedures for the manner in which employees of a school are to respond to incidents of teen dating violence." This policy fulfills this requirement by incorporating by reference the following administrative procedure: 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*. This means that 7:180-AP1 should be considered to be part of this policy.

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Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.

c. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person, including a District employee, agent, or student, from harassing intimidating, or bullying a student based on the student's actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).

d. 7:180*, Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals: [6]

   a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the District's established procedures for the prevention, identification, investigation, and response to bullying and school violence. [7]

   b. The Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager identified in Board policy 7:20, *Harassment of Students Prohibited*. [8]

3. Incorporates age-appropriate instruction in grades 7 through 12, in accordance with the District's comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*. [9]

4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. [10]

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[6] 105 ILCS ~~110/3.10~~5/27-240(b)(4), renumbered by P.A. 104-391, requires the policy to identify by job title which school officials are responsible for receiving reports related to teen dating violence.

[7] Id. at f/ns 5 and 6. Sexual violence is one listed component of teen dating violence. 105 ILCS ~~110/3.10~~5/27-240(a), renumbered by P.A. 104-391. Sexual violence has also been found by the Ill. Gen. Assembly to be a component of bullying and school violence. 105 ILCS 5/~~27-23.7~~22-110, renumbered by P.A. 104-391. Thus, identifying *any school staff member* is consistent with sample administrative procedure 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*, which uses the student-friendly reporting system outlined in sample exhibit 7:180-AP1, E2, *Be a Hero by Reporting Bullying*.

[8] Id. Under any reporting system, a report involving bullying and school violence that is based upon a protected status (often teen dating violence will involve conduct based upon the target's sex) must be referred to the district's Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager (7:20, *Harassment of Students Prohibited*). Customize this list to reflect local conditions. These individuals may also take reports directly from students.

[9] Required by 105 ILCS ~~110/3.10~~5/27-240(b)(2), renumbered by P.A. 104-391. The curriculum-specific components for teen dating violence education are listed in 6:60-AP1, *Comprehensive Health Education Program*.

[10] Id. For boards that add the optional paragraphs in policy 5:100, *Staff Development Program*, add the phrase "and Board policy 5:100, *Staff Development Program*."

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5. Notifies students and parents/guardians of this policy. [11]

Incorporated by Reference: 7:180-AP1 (Prevention, Identification, Investigation, and Response to Bullying)

LEGAL REF.: 105 ILCS 5/27-240~~110/3.10~~.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities)

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[11] Required by 105 ILCS ~~110/3.10~~5/27-240(b)(5), renumbered by P.A. 104-391. Boards must communicate this policy to students and their parents/guardians. This may be accomplished, in part, by (1) sending exhibit 7:185-E, *Memo to Parents/Guardians Regarding Teen Dating Violence*, and (2) amending the district's anti-bullying campaign statement(s), such as the following, in the student handbook and school website:

Bullying, teen dating violence, intimidation, and harassment are not acceptable in any form and will not be tolerated at school or any school-related activity. The School District will take disciplinary action against any student who participates in such conduct or who retaliates against someone for reporting incidents of bullying, teen dating violence, intimidation, or harassment.

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Students

Bus Conduct [1]

All students must follow the District's School Bus Safety Rules.

School Bus Suspensions

The Superintendent, or any designee as permitted in the School Code, is authorized to suspend a student from riding the school bus for up to 10 consecutive school days for engaging in gross disobedience or misconduct, including but not limited to, the following:

1. Prohibited student conduct as defined in School Board policy 7:190, *Student Behavior*.
2. Willful injury or threat of injury to a bus driver or to another rider.
3. Willful and/or repeated defacement of the bus.
4. Repeated use of profanity.
5. Repeated willful disobedience of a directive from a bus driver or other supervisor.
6. Such other behavior as the Superintendent or designee deems to threaten the safe operation of the bus and/or its occupants.

If a student is suspended from riding the bus for gross disobedience or misconduct on a bus, the ~~School~~ Board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The District's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus. [2]

Academic Credit for Missed Classes During School Bus Suspension [3]

A student suspended from riding the bus who does not have alternate transportation to school shall have the opportunity to complete or make up work for equivalent academic credit. It shall be the responsibility of the student's parent or guardian to notify the school that the student does not have alternate transportation.

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[1] All districts must have a policy on student discipline. 105 ILCS 5/10-20, amended by P.A.s 104-391 and 104-430.14; 23 Ill.Admin.Code §1.280. Ill. State Board of Education (ISBE) is available at: www.isbe.net/Documents/Bus-Safety-Guidance-June-2025.pdf. State law requires the parent-teacher advisory committee, in cooperation with school bus personnel, to develop with the board, school bus safety procedures. 105 ILCS 5/10-20.14(c). See sample administrative procedure 4:110-AP3, *School Bus Safety Rules*.

[2] Attorneys disagree whether 105 ILCS 5/10-22.6(b) applies to school bus suspensions; this sentence applies the law to school bus suspensions. Sample policy 7:200, *Suspension Procedures*, satisfies the procedural requirements in 105 ILCS 5/10-22.6(b). Delete this sentence only at the direction of the board attorney.

[3] The first sentence of this subhead is required by 105 ILCS 5/10-22.6(b-30).

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Electronic Recordings on School Buses [4]

Electronic visual and audio recordings may be used on school buses to monitor conduct and to promote and maintain a safe environment for students and employees when transportation is provided for any school related activity. Notice of electronic recordings shall be displayed on the exterior of the vehicle's entrance door and front interior bulkhead in compliance with State law and the rules of the Illinois Department of Transportation, Division of Traffic Safety.

Students are prohibited from tampering with electronic recording devices. Students who violate this policy shall be disciplined in accordance with the Board's discipline policy and shall reimburse the School District for any necessary repairs or replacement.

LEGAL REF.: ~~Family Educational Rights and Privacy Act,~~ 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
105 ILCS 5/10-20.14~~,~~ and 5/10-22.6~~, and 10/~~.
105 ILCS 10/, Ill. School Student Records Act~~.~~
720 ILCS 5/14-3(m).
23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:170 (Vandalism), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities), 7:340 (Student Records)

ADMIN. PROC.: 4:110-AP3 (School Bus Safety Rules)

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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] This section is optional; it contains the statutory prerequisites for districts that want to use electronic audio and visual recording devices on school buses. 720 ILCS 5/14-3(m). These required prerequisites reside in an exception to the criminal eavesdropping statute. The criminal eavesdropping statute prohibits recording a conversation in which someone has a reasonable expectation of privacy without the consent of all parties but allows citizens to record public conversations without obtaining consent. While the criminal eavesdropping statute was legislatively corrected as of 12-30-2014, 720 ILCS 5/14-3(m) remains the same. Districts should consult with their board attorney regarding the requirements of the statute.

In addition, consult with the board attorney concerning the status of video and/or audio recordings that were made on school buses. Confusion surrounds whether or not videotapes are education records for purposes of the federal Family Education Rights and Privacy Act (20 U.S.C.§1232g) and/or school student records as defined in the Ill. School Student Records Act (ISSRA) (105 ILCS 10/). ~~The Ill. State Board of Education (~~ISBE~~)~~ considerably reduced the confusion by stating in its rule that school student records do not include video or other electronic recordings "created at least in part for law enforcement or security or safety reasons or purposes." 23 Ill.Admin.Code §375.10. ISBE rules also specify that: (1) electronic recordings made on school buses, as defined in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3(m), are not school student records, and (2) no image on a school security recording may be designated as directory information. 23 Ill.Admin.Code §§ 375.10, 375.80(a)(2)(B). This treatment exempts school bus videos from the multiple requirements in ISSRA. However, when responding to a request under the Freedom of Information Act (5 ILCS 140/) for recordings on school buses, a district will need to find an exemption other than the recording is a school student record.

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Students

Misconduct by Students with Disabilities [1]

Behavioral Interventions [2]

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The School Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

Discipline of Special Education Students [3]

The District shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Ill.~~inois~~ State Board of Education's *Special Education* rules when disciplining special education students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

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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. State law requires each district to have a policy on student behavior (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280) plus "policies and procedures" on behavioral interventions (105 ILCS 5/14-8.05). In its continuing commitment to help school districts and special education cooperatives comply with ~~ISBE~~the Ill. State Board of Education's requirements for policy and procedure, the Ill. Council of School Attorneys, special education committee, reviewed this policy and prepared extensive procedures, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*. These procedures, plus other material, are available gratis on the IASB website at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/special-education/special-education-procedures-and-sample-policies/ ~~iasb.com/law/iesaspeced.cfm~~.

[2] State law specifies what must be covered in the mandatory "policies and procedures" on behavioral interventions. 105 ILCS 5/14-8.05(c). They must "be developed with the advice of parents with students with disabilities and other parents, teachers, administrators, advocates for persons with disabilities, and individuals with knowledge or expertise in the development and implementation of behavioral interventions for persons with disabilities." Id. A board that wants to highlight the components of the procedures may add the following:

> The committee shall review the Ill. State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. This policy and the behavioral intervention procedures shall be furnished to the parents/guardians of all students with individual education plans (IEPs) within 15 days after their adoption or amendment by, or presentation to, the School Board or at the time an individual education plan is first implemented for a student; all students shall be informed annually of this policy and the procedures. At the annual ~~individualized education plan~~IEP review, this policy shall be given to the parents/guardians and the behavioral interventions procedures explained and made available to them on request.

[3] A special education student may not be expelled for behavior or a condition that is a manifestation of the student's disability. 34 C.F.R. §300.530.

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LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.
Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
34 C.F.R. §§300.101, 300.530 - 300.536.
105 ILCS 5/10-22.6 and 5/14-8.05.
23 Ill.Admin.Code §226.400.
Honig v. Doe, ~~108 S.Ct. 592~~484 U.S. 305 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct)

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Students

Conduct Code for Participants in Extracurricular Activities [1]

The Superintendent or designee, using input from coaches and sponsors of extracurricular activities, shall develop a conduct code for all participants in extracurricular activities consistent with School Board policy.[2] The conduct code shall: (1) require participants in extracurricular activities to conduct themselves as good citizens and exemplars of their school at all times, including after school, on days when school is not in session, and whether on or off school property; (2) emphasize that hazing and bullying activities are strictly prohibited; and (3) notify participants that failure to abide by it could result in discipline, up to and including removal from the activity. Participants who violate the conduct code will be allowed to give an explanation before being progressively disciplined.[3] The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the Board.

Participants in extracurricular activities must abide by the conduct code for the activity and Board policy 7:190, *Student Behavior*. All coaches and sponsors of extracurricular activities shall annually review the conduct code with participants and provide participants with a copy. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students in grades 7 through 12 participating in these programs. [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 this policy's content.

[2] Optional:

…and the rules adopted by any association in which the School District maintains a membership.

[3] In most cases involving a student's removal from an extracurricular activity, courts have ruled that participation in extracurricular programs is a privilege rather than a right. Clements v. Bd. of Educ. of Decatur Public Sch. Dist. No. 61, 133 Ill.App.3d 531 (4th Dist. 1985). The deprivation of a privilege does not trigger the Constitution's due process provision. Consequently, unlike school attendance, students generally have no constitutional right to participate in extracurricular programs. See also Kevin Jordan v. O'Fallon THSD 203, 302 Ill.App.3d 1070 (5th Dist. 1999). This case involved a type of *good citizen* rule in which all student-participants in extracurricular activities agreed to abide by the school's ban on alcohol and drug use. Pursuant to this rule, the school suspended a star football player who police had found intoxicated at a convenience store around 3:00 A.M. The suspension was upheld.

Compare with Mahanoy Area Sch. Dist. v. B.L., ~~141 S.Ct. 2038~~594 U.S. 180 (2021), which involved a student suspended from the cheerleading squad for one year after she posted two vulgar *snaps* on Snapchat while off campus during the weekend. The U.S. Supreme Court held that while schools may have a special interest in regulating some off-campus student speech, e.g., teaching good manners and preventing disruption, here the school's interests were insufficient to overcome the student's interest in free expression, and the one-year suspension violated the student's First Amendment rights. The Court noted that the school's interest in regulation was diminished by the fact that the student's speech did not identify the school, did not target any member of the school community, and was transmitted through a personal cell phone to an audience consisting of her private circle of Snapchat friends. Comments during oral argument suggest the Court was particularly struck by the severity of the discipline issued as well. Careful factual analysis, in consultation with the board attorney, should occur when considering discipline of participants for off-campus activity. See sample administrative procedure 7:240-AP1, *Code of Conduct for Extracurricular Activities*.

[4] 105 ILCS 5/27-255(d)~~23.3~~, renumbered by P.A. 104-391.

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Extracurricular Drug and Alcohol Testing Program [5]

The District maintains an extracurricular drug and alcohol testing program in order to foster the health, safety, and welfare of its students. Participation in extracurricular activities is a privilege and participants need to be exemplars. The program promotes healthy and drug-free participation.

Each student and his or her parents/guardians must consent to having the student submit to random drug and alcohol testing in order to participate in any extracurricular activity. Failure to sign the District's *Consent to Participate in Extracurricular Drug and Alcohol Testing Program* form will result in non-participation.

If a test is *positive*, the student will not participate in extracurricular activities until after a *follow-up* test is requested by the Building Principal or designee and the results are reported. The Building Principal or designee will request a *follow-up* test after such an interval of time that the substance previously found would normally be eliminated from the body. If this *follow-up* test is negative, the student will be allowed to resume extracurricular activities. If a *positive* result is obtained from the *follow-up* test, or any later test, the same previous procedure shall be followed.

The Superintendent or designee shall develop procedures to implement this policy. No student shall be expelled or suspended from school as a result of any verified positive test conducted under this program other than when independent reasonable suspicion of drug and/or alcohol usage exists. This program does not affect the District policies, practices, or rights to search or test any student who at the time exhibits cause for reasonable suspicion of drug and/or alcohol use.

Performance Enhancing Drug Testing of High School Student Athletes [6]

The Illinois High School Association (IHSA) prohibits participants in an athletic activity sponsored or sanctioned by IHSA from ingesting or otherwise using any performance enhancing substance on its banned substance list, without a written prescription and medical documentation provided by a licensed physician who evaluated the student-athlete for a legitimate medical condition. IHSA administers a performance-enhancing substance testing program. Under this program, student athletes are subject to random drug testing for the presence in their bodies of performance-enhancing substances on the IHSA's banned substance list. In addition to being penalized by IHSA, a student may be disciplined according to Board policy 7:190, *Student Behavior*.

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[5] This program is optional. The U.S. Supreme Court upheld the constitutionality of a student activities drug testing policy that required all middle and high school students to consent to random urinalysis testing for drugs in order to participate in any extracurricular activity. Bd. of Educ. of Independent Sch. Dist. No. 92 v. Earls et al., 536 U.S. 822 (2002). This sample policy, as well as the procedures and forms implementing it, are based on the policy approved by the Seventh Circuit in Todd v. Rush County Schs., 133 F.3d 984 (7th Cir. 1998). Alternatively, this program may be limited to extracurricular athletic participants; if so, add the Drug and Alcohol Testing Program to policy 7:300, *Extracurricular Athletics*, and delete it from here.

[6] For a list of classes of banned substances, the testing program, and other related resources, see the IHSA Performance-Enhancing Drug Testing Policy in the *IHSA Handbook*, available online at: www.ihsa.org/about/constitution-by-laws-policies. ~~Sports Medicine website, www.ihsa.org/Resources/Sports-Medicine/Performance-Enhancing-Drugs-Steroid-Education.~~

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LEGAL REF.: Mahanoy Area Sch. Dist. v. B.L., ~~141 S.Ct. 2038~~594 U.S. 180 (2021).
Bd. of Educ. of Independent Sch. Dist. No. 92 v. Earls, 536 U.S. 822 (2002).
Vernonia Sch. Dist. 475 v. Acton, 515 U.S. 646 (1995).
Clements v. Bd. of Educ. of Decatur, 133 Ill.App.3d 531 (4th Dist. 1985).
Kevin Jordan v. O'Fallon THSD 203, 302 Ill.App.3d 1070 (5th Dist. 1999).
Todd v. Rush County Schs., 133 F.3d 984 (7th Cir. 1998).
105 ILCS 5/24-24~~,~~ and 5/27-255(d)~~23.3, and 25/2~~.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Extracurricular and Co-Curricular Activities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:300 (Extracurricular Athletics)

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Students

Exemption from Physical Education [1]

In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act.[2] The excuse may be based on medical or religious prohibitions. An excuse because of medical reasons must include a signed statement from a person licensed under the Medical Practice Act that corroborates the medical reason for the request. An excuse based on religious reasons must include a signed statement from a member of the clergy that corroborates the religious reason for the request.[3] Upon written notice from a student's parent/guardian, a student will be excused from engaging in the physical activity components of physical education during a period of religious fasting. [4]

Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical education course. [5]

State law prohibits the Board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the School District. [6]

A student who is eligible for special education may be excused from physical education courses in either of the following situations: [7]

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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 boards to have a policy defining the types of parental excuses that will be accepted in order for a student to be exempted from P.E. 23 Ill.Admin.Code §1.425(e), amended at 42 Ill.Reg. 11542-43. State or federal law controls this policy's content.

For elementary districts, delete ~~6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*~~ from the cross references of this sample policy.

[2] Medical Practice Act is found in 225 ILCS 60/; 23 Ill.Admin.Code §1.425(d).

[3] Required by 23 Ill.Admin.Code §1.425(d)(1) and (2)~~.~~. School boards must identify any evidence/support they will require for excuses they will deem appropriate. Before the board adopts this sample policy, it should have a conversation with the superintendent to discuss and review and/or amend the sample reasons for excusal offered in this sample policy. Topics for discussion include determining whether (a) the sample reasons are sufficient, (b) more reasons are needed, and/or (c) the sample reasons should be amended. These conversations should be based upon the community's needs.

[4] 105 ILCS 5/27-710~~6~~(b-5), renumbered~~added~~ by P.A. 104-3912-405; 23 Ill.Admin.Code §1.425(f). A note from clergy or a religious leader is unnecessary to excuse a student from the physical education components of physical education class during a period of religious fasting, and should not be requested by a district. Only a note from a student's parent/guardian is required.

[5] Required by 105 ILCS 5/27-710, renumbered by P.A. 104-391~~6~~ and 23 Ill.Admin.Code §1.425(d)(3).

[6] 105 ILCS 5/27-710(b), renumbered by P.A. 104-3916~~(b)~~; 23 Ill.Admin.Code §1.425(e)(6). See sample policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*, for a list of categories of students in grades 9-12 who may be excused from P.E. due to participation in school district athletic training, activities, or competitions.

[7] 105 ILCS 5/27-710(b), renumbered by P.A. 104-391 ~~6(b)~~ and 23 Ill.Admin.Code §1.425(e)(5)(A) and (B).

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1. He or she (a) is in grades 3-12, (b) his or her Individualized Educational Program/Plan (IEP) requires that special education support and services be provided during physical education time, and (c) the parent/guardian agrees or the IEP team makes the determination; or
2. He or she (a) has an IEP, (b) is participating in an adaptive athletic program outside of the school setting, and (c) the parent/guardian documents the student's participation as required by the Superintendent or designee.

A student requiring adapted physical education must receive that service in accordance with his or her ~~Individualized Educational Program/Plan (~~IEP~~)~~. [8]

A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated in Board policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*. [9]

Students in grades 7 and 8 may submit a written request to the Building Principal to be excused from physical education courses because of his or her ongoing participation in an interscholastic or extracurricular athletic program.[10] The Building Principal will evaluate requests on a case-by-case basis.

The Superintendent or designee shall maintain records showing that the criteria set forth in this Board policy were applied to the student's individual circumstances, as appropriate. [11]

Students who have been excused from physical education shall return to the course as soon as practical.[12] The following considerations will be used to determine when a student shall return to a physical education course: [13]

1. The time of year when the student's participation ceases;
2. The student's class schedule; and
3. The student's future or planned additional participation in activities qualifying for substitutions for physical education as outlined in Board policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*. [14]

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[8] 105 ILCS 5/27-710(b), renumbered by P.A. 104-3916~~(b)~~.

[9] 105 ILCS 5/27-710, renumbered by P.A. 104-3916; 23 Ill.Admin.Code §1.425(e). Delete this sentence for elementary school districts.

[10] Optional. Id. See f/n 19 in sample policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*, for discussion of what constitutes an *interscholastic* or *extracurricular athletic program*. Delete this paragraph for high school districts.

For elementary or unit school boards that want to explain the meaning of *interscholastic or extracurricular athletic program*, insert the following option:

> Interscholastic or extracurricular athletic programs are 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.

[11] 23 Ill.Admin.Code §1.425(e). Districts must maintain records showing that the criteria set forth in 105 ILCS 5/27-710, renumbered by P.A. 104-3916~~, amended by P.A. 100-465~~, was applied to the student's individual circumstances.

[12] 23 Ill.Admin.Code §1.425(e)(1)(A)-(C).

[13] Insert any additional criteria the board may want to use.

[14] Delete item #3 for elementary districts, move "and" to the end of sentence number 1, delete the semicolon at the end of number 2 and insert a period.

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LEGAL REF.: 105 ILCS 5/27-7106.
225 ILCS 60/, Medical Practice Act.
23 Ill.Admin.Code §1.420(p) and §1.425(d), (e).

CROSS REF.: 6:60 (Curriculum Content), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students)

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Students

Communicable and Chronic Infectious Disease [1]

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the School Board's policies.[2] The Superintendent will develop procedures to safeguard these rights while managing health and safety concerns.

LEGAL REF.: 105 ILCS 5/10-21.11.
23 Ill.Admin.Code §§-1.610 and 226.300.
77 Ill.Admin.Code Part 690, Control of Notifiable Diseases and Conditions Code.
20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.
29 U.S.C. §794(a), Rehabilitation Act of 1973, Section 504.

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[1] 105 ILCS 5/10-21.11 requires all boards to adopt a policy on the appropriate manner of managing children with chronic infectious diseases. State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled in that competing interests (balancing the protection of the afflicted student's rights against the protection of the health and safety of the student body) have not been completely resolved.

[2] A student with a contagious disease is probably an ~~*handicapped*~~ *individual with a disability* under Section 504 of the Rehabilitation Act of 1973. 29 U.S.C. §794(a). See Sch. Bd. of Nassau Co. v. Arline, 480 U.S. 273 (1987) (teacher with tuberculosis was ~~handicapped~~ covered under Section 504); Thomas v. Atascadero Unified Sch. Dist., 662 F.Supp. 376 (C.D. Ca. 1986) (a child with AIDS was ~~a *handicapped person*~~covered under Section 504); Dist. 27 Cmty. Sch. Bd. v. Bd. of Educ. of the City of New York, 502 N.Y.S.2d 325 (1986).

Students with contagious diseases may also qualify for special education under the Individuals With Disabilities Education Improvement Act of 2004. 20 U.S.C. §1400 et seq. Each school district, independently or in cooperation with other districts, must provide a comprehensive program of special education that meets the needs of children from ages 3 through~~to~~ 21 with exceptional characteristics as identified in State law, specifically including physical or health impairments. 105 ILCS 5/~~Art.~~ 14.

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. Cmty. High Sch. Dist. 155 v. Denz, 124 Ill.App.3d 129 (2nd Dist. 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, the board attorney should be consulted.

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Students

Extracurricular Athletics

Student participation in school-sponsored extracurricular athletic activities is contingent upon the following:

1. The student must meet the academic criteria set forth in Board policy 6:190, *Extracurricular and Co-Curricular Activities*. [1]
2. A parent/guardian of the student must provide written permission for the student's participation, giving the District full waiver of responsibility of the risks involved. [2]
3. The student must present a current certificate of physical fitness issued by a licensed physician, an advanced practice registered nurse, or a physician assistant. The ***Pre-Participation Physical Examination Form***, offered by the Illinois High School Association and the Illinois Elementary School Association, is the preferred certificate of physical fitness. [3]
4. The student must show proof of accident insurance coverage either by an insurance policy purchased through the District-approved insurance plan or a parent/guardian written statement that the student is covered under a family insurance ~~plan~~policy. [4]

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

A comprehensive Student Handbook can provide notice to parents and students of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The building principal usually develops the Handbook, subject to review and approval by the superintendent and board.

Each board in a district that maintains any of grades 9 through 12 must have a *no pass-no play* policy. 105 ILCS 5/10-20.30. See sample policy 6:190, *Extracurricular and Co-Curricular Activities*, for complete details.

For purposes of clarity, the IASB uses a curricular-extracurricular dichotomy. All classes are included in the category *curricular* as well as what was formally known as *co-curricular*, e.g., band and choral performances that are a required part of the class. The category *extracurricular* includes all school-sponsored activities that are not a part of a student's educational program as reflected in the student's class schedule. Examples include football, cheerleading, French club, Key Club, and student government. Note that extracurricular activities may be curriculum-related or non-curriculum-related for purposes of determining access to school facilities under the federal Equal Access Act. See sample policy 7:330, *Student Use of Buildings - Equal Access.*

[2] At a minimum, schools should: (1) fully inform and warn students and their parents/guardians of risks inherent in a sport, (2) assist their understanding and appreciation of these risks, and (3) document the school's efforts. See sample exhibit 7:300-E1, *Agreement to Participate.* This form's provision concerning waiver of liability and hold harmless should be reviewed with the board attorney. The district may not be able to waive gross negligence or recklessness on its part, but the waiver language in the form serves to alert the student and his/her parents/guardians to the seriousness of potential injuries.

[3] Students participating in interscholastic athletics must have an annual physical exam. 23 Ill.Admin.Code §1.530(b)(2). Ill. High School Association (IHSA) by-law 2.150 requires schools to have on file for each student participating in interscholastic athletics a certificate of physical fitness issued by a licensed physician, physician assistant, or nurse practitioner not more than 395 days preceding any date of participation; a form is available on the IHSA website at: www.ihsa.org/resources/download-center~~ihsa.org/Resources/DownloadCenter.aspx~~.

[4] This item ensures that students are covered by insurance for medical expenses up to $50,000 (before the district's catastrophic accident insurance kicks in) and that students who are not covered by the district's catastrophic insurance are otherwise covered by insurance.

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5. The student must agree to follow all conduct rules and the coaches' instructions.
6. The student and his or her parents/guardians must provide written consent to random drug and alcohol testing pursuant to the Extracurricular Drug and Alcohol Testing Program. [5]
7. The student and his or her parents/guardians must: (a) comply with the eligibility rules of, and complete any forms required by, any sponsoring association (such as, the Illinois Elementary School Association, the Illinois High School Association, or the Southern Illinois Junior High School Athletic Association),[6] and (b) complete all forms required by the District including, without limitation, signing an acknowledgment of receiving information about ~~the~~ Board ~~'s concussion~~ policy 7:305, *Student Athlete Concussions and Head Injuries*. [7]

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105 ILCS 5/22-15 requires (with limited exceptions) each school district having grades 9-12 to maintain catastrophic insurance coverage for student athletes who sustain an accidental injury while participating in interscholastic athletic events sanctioned by IHSA that results in medical expenses in excess of $50,000. A district maintaining grades K-8 may, but is not required to, provide accident and/or health insurance on a group or individual basis for students injured while participating in any school-sponsored athletic activity. For more information see sample policy 4:100, *Insurance Management*.

[5] Optional; delete if the district does not have such a program. Be sure this provision is consistent with sample policy 7:240, *Conduct Code for Participants in Extracurricular Activities*, and sample administrative procedure 7:240-AP2, *Extracurricular Drug and Alcohol Testing Program*. The Seventh Circuit upheld the constitutionality of a high school's random drug testing program for students involved in extracurricular activities in Todd v. Rush County Schs., 133 F.3d 984 (7th Cir. 1998).

[6] Participants in an IHSA-sponsored or sanctioned athletic event are subject to testing for banned substances. For a list of banned substance classes~~,~~ the testing program, and other related resources, see the IHSA Handbook ~~Sports Medicine website,~~ at: www.ihsa.org/about/constitution-by-laws-policies and www.ihsa.org/resources/download-center~~www.ihsa.org/Resources/SportsMedicine/PerformanceEnhancingDrugsSteroidEducation.aspx~~.

The sponsoring organization's rules/bylaws/policies ~~control~~ govern decisions related to transgender student participation in extracurricular athletic activities. See:

1. IESA Handbook: *Policy and School Recommendations for Transgender Participation* at: www.iesa.org/documents/handbook/IESA-Policies.pdf;
2. IHSA Handbook: Ppolicy #34, *Policy and School Recommendations for Transgender Participation*, at: www.ihsa.org/about/constitution-by-laws-policies~~www.ihsa.org/About-the-IHSA/Constitution-By-laws-Policies~~; and
3. SIJHSAA *Transgender Participation Policy* at: www.sijhsaa.com/images/stories/pdf/TRANSGENDER_PARICIPATION_POLICY_Revised_10-17-18.pdf.

For further information on accommodating transgender students, see sample administrative procedure 7:10-AP1, *Accommodating Transgender, Nonbinary, or Gender Nonconforming Students*. See also two Ill. State Board of Education non-regulatory guidance documents entitled *Supporting Transgender, Nonbinary and Gender Nonconforming Students* and *Sample District Policy and Administrative Procedures*, at: www.isbe.net/supportallstudents. Federal administrations have taken varying positions on whether transgender students can compete consistent with their gender identity; consult the board attorney for guidance on this evolving area of law.

[7] IHSA eligibility information and required forms are available at: www.ihsa.org/resources/download-center~~www.ihsa.org/Resources/Download-Center~~.

A district must include information concerning the board's concussion policy in any agreement, contract, code, or other written instrument that the district requires a student athlete and his or her parent(s) or guardian(s) to sign before participating in practice or interscholastic competition. 23 Ill.Admin.Code §1.530(b)(1). Sample exhibit 7:300-E1, *Agreement to Participate*, contains the requirements in this policy. In addition, the student and student's parent/guardian must sign a form approved by IHSA acknowledging receiving and reading written information on concussions. 105 ILCS 5/22-80(e).

The IHSA website contains many helpful resources, available at: www.ihsa.org/resources.~~e.g.: www.ihsa.org/Resources/Download-Center (see consent form under subhead Sports Medicine Forms) www.ihsa.org/Resources/SportsMedicine/PerformanceEnhancingDrugsSteroidEducation/IHSAPerformanceEnhancingSubstancePolicy.aspx (performance-enhancing drugs) www.ihsa.org/Resources/SportsMedicine/ConcussionManagement/ConcussionResources.aspx (concussions)~~

Concussion information is available from the Ill. Elementary School Assoc. at: www.iesa.org/activities/concussion.asp.

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The Superintendent or designee (1) is authorized to impose additional requirements for a student to participate in extracurricular athletics, provided the requirement(s) comply with Board policy 7:10, *Equal Educational Opportunities*, and (2) shall maintain the necessary records to ensure student compliance with this policy.

LEGAL REF.: 105 ILCS 5/10-20.30~~,~~ and 5/22-80~~, and 25/2~~.
23 Ill.Admin.Code §1.530(b).

CROSS REF.: 4:100 (Insurance Management), 4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:305 (Student Athlete Concussions and Head Injuries), 7:340 (Student Records)

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Community Relations

Parent Organizations and Booster Clubs

Parent organizations and booster clubs are invaluable resources to the District's schools. While parent organizations and booster clubs have no administrative authority and cannot determine ~~District~~ Board policy, the School Board welcomes their suggestions and assistance.

Parent organizations and booster clubs may be recognized by the Board and permitted to use the District's name, a District school's name, ~~or~~ a District school's team name, or any logo attributable to the District provided they first receive the Superintendent or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club has by-laws containing the following: [1]

1. The organization's or club's name and purpose, such as, to enhance students' educational experiences, to help meet educational needs of students, to provide extra athletic benefits to students, to assist specific sports teams or academic clubs through financial support, or to enrich extracurricular activities.
2. The rules and procedures under which it operates.
3. An agreement to adhere to all Board policies and administrative procedures.
4. A statement that membership is open and unrestricted, meaning that membership is open to all parents/guardians of students enrolled in the school, District staff, and community members.
5. A statement that the District is not, and will not be, responsible for the organization's or club's business or the conduct of its members, including on any organization or club websites or social media accounts.
6. An agreement to maintain and protect its own finances.
7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster clubs may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion. The Board's legal obligation to comply with Title

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[1] For boards that want to require all parent organizations and booster clubs to have 501(c)(3) status, use the following paragraph:

> Parent organizations and booster clubs may be recognized by the Board and permitted to use the District's name, a District school's name, ~~or~~ a District school's team name, or any logo attributable to the District provided they first receive the Superintendent or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club is a 501(c)(3) that has submitted proof of its status and has by-laws containing the following:
>
> > A 501(c)(3) organization is an organization that qualifies for exemption from federal income tax because it is organized and operated exclusively for one or more of the following purposes: religious; charitable; scientific; testing for public safety; literary; educational; fostering national or international amateur sports competition (but only if none of its activities involve providing athletic facilities or equipment); or the prevention of cruelty to children or animals. For more information, see www.irs.gov/charities-and-nonprofits.

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IX by providing equal athletic opportunity for members of both genders will supersede an organization's or club's recommendation. [2]

Permission to use one of the above-mentioned names or logos may be rescinded at any time and does not constitute permission to act as the District's representative. At no time does the District accept responsibility for the actions of any parent organization or booster club regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos.[3] The Superintendent shall designate an administrative staff member to serve as the recognized liaison to parent organizations or booster clubs. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff will be encouraged to participate in the organizations.

CROSS REF.: 8:80 (Gifts to the District)

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[2] Booster clubs are ~~understandably~~ selective in their support. However, by accepting booster club assistance that creates vast gender differences, a board may face claims that it has violated Title IX. Title IX's focus is on equal funding opportunities, equal facility availability, similar travel and transportation treatment, comparable coaching, and comparable publicity. See 34 C.F.R. Part 106.

[3] Booster clubs present potential liabilities to a school district beyond loss of funds because they seldom are properly organized (they generally are not incorporated or otherwise legally recognized), carry no insurance, raise and handle large sums, and club members hold themselves out as agents of the school (after all, no funds could be raised but for the school connection). 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 a requirement to item 6 above that the club: (1) operate under the school's authority (activity accounts); or (2) be properly organized and demonstrate fiscal responsibility by being a 501(c)(3) organization, obtaining a bond, and/or arranging regular audits. Ultimately, the best way to minimize liability is to be sure that the district's errors and omissions insurance covers parent organizations and booster clubs.

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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~~ following 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 assists with the implementation of the chronic and infectious disease program developed by the Communicable and Chronic Infectious Disease Program Task Force. It 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~~ share it ~~to~~ with 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~~ on identifying 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*;

The footnotes should be removed before the material is used.

[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. Additional federal guidance on planning teams for infectious diseases is available at: https://rems.ed.gov/docs/PandemicFactSheet_508C.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. [5]
e. Holding employees working directly with students to a higher standard than employees not working directly with students.
f. Recommending~~s~~ a method to explicitly inform employees of the consequences of violating the ~~District's~~ Board's policy.

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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 VII 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] If a district holds all its employees to the same standard of professional conduct regardless of licensure status or whether an employee works directly with students (see item e.), delete item e. in the list and replace item d. with the following:

Holding all employees to the same high standard of conduct expectations, regardless of their licensure status or whether they work directly with students.

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g. Recommendings best practices for discipline of employees who are suspected of violating or are violating the ~~District's~~ Board's policy. [6]

Committee members may include the Superintendent or designee, the District's medical advisor/medical review officer, and employee representatives from both professional and educational support personnel. The committee is guided by Board policies, administrative procedures, and relevant State and federal statutes. See 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.[7] 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

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[6] 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.

[7] 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.

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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 [8]

This committee is required when the District has a Transitional Bilingual Education (TBE) Program. The committee maximizes the practical involvement of parents/guardians of students in the District's TBE program(s). Its purpose is to:

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

~~All Building Principals or their designees serve on this team.~~[9] ~~Other~~ Ccommittee 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).[10] All Building Principals or their designees attend committee meetings.[11] The District must provide annual training to the committee.[12]

This committee must elect officers~~,~~ and ~~establish~~ bylaws (internal rules, guidelines, and procedures).[13] It meets at least four times per year. ~~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 Plan~~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

Commented [DJ1]: Note to Subscribers: ISBE guidance provides that the "BPAC shall operate independently without control or influence from the school district," and it recommends that a district representative attend each BPAC meeting.

Commented [DJ2]: Note to Subscribers: This training requirement is not new but is added to provide more detail about this committee.

Commented [DJ3]: Note to Subscribers: The requirement to meet four times per year is not new but is added to provide more detail about this committee.

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[8] 105 ILCS 5/14C-10; 23 Ill.Admin.Code §228.30(c)(4). A district must establish a program in transitional bilingual education when, at the beginning of a school year, it has 20 or more English learners in a (home) language classification within an attendance center of the district (private school students are excluded from the attendance center count). 105 ILCS 5/14C-3. See www.isbe.net/Pages/BPAC.aspx for additional guidance. This committee carries out its duties autonomously, but a district may intervene to ensure compliance after consultation with ISBE's Multilingual/Language Development Department. 23 Ill.Admin.Code §228.30(c)(4)(C).

[9] ~~Optional. ISBE recommends that a district representative attend meetings of this committee. See the *Bilingual Parent Advisory Committee FAQ* at: www.isbe.net/Pages/BPAC.aspx. 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 cCommittee members must include …".~~

[10] 105 ILCS 5/14C-10.

[11] Optional. ISBE recommends that a district representative attend (rather than serve on) meetings of this committee. See the *Bilingual Parent Advisory FAQ* at: www.isbe.net/Pages/BPAC.aspx.

[12] The training must be conducted in a language that parent/guardian members can understand. It must include but need not be limited to: (1) information related to instructional approaches and methods in bilingual education; (2) the provisions of State and federal law related to students' participation and parents' rights; and (3) accountability measures relevant to students in bilingual programs. 23 Ill.Admin.Code §228.30(c)(4)(B).

[13] 105 ILCS 5/14C-10; 23 Ill.Admin.Code §228.30(c)(4)~~d~~. This committee must file its bylaws and records of the election of officers with the school district.

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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. [14] ~~It reports directly to the Superintendent or designee.~~

PERA (Performance Educational Reform Act) Joint Committee and the RIF (Reduction in Force) Joint Committee [15]

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

1. **PERA joint committee**. This mandatory~~e 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:
   a. ~~M~~May, but is not required to, incorporate data and indicators on student growth as a factor in rating teaching performance in the teacher evaluation plan. Id. The amendment of an evaluation plan continues to be a mandatory subject of bargaining.
   b. ~~This committee also A~~agrees to the panel of qualified evaluators that reviews appeals of *unsatisfactory* performance ratings and determines the criteria for successful appeals.[16] 105 ILCS 5/24A-5.5. ~~This committee must also: (a) e~~
   c. Establishes 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) i~~
   d. Implements an informal teacher observation plan established by ISBE rule and by agreement of this committee to ensure that each tenured teacher ~~in this category~~whose performance is rated as excellent or proficient is 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.
   ~~a.~~e. Meets at least once a year to assess and review the effectiveness of the District's evaluation plan for the purposes of continuous improvement of instruction and evaluation practices. 105 ILCS 5/24A-~~4~~.
2. ~~5.~~ **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).

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[14] 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.

[15] These committees are not subject to OMA. 105 ILCS 5/24A-4(b-5) and 105 ILCS 5/24-12(c).

[16] 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.

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Concussion Oversight Team [17]

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 [18]

The Wellness Committee includes at least one representative from each of the following groups: parents, students, representatives of the school food authority, teachers of physical education, school health professionals, a member of the Board,[19] school administrators,[20] 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 (CAC) Communication Committee [21]

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,

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[17] 105 ILCS 5/22-80(d).

[18] 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 … ." .

[19] 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.

[20] 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."

[21] 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 1~~4~~3 in sample policy 5:90, *Abused and Neglected Child Reporting*, and sample administrative procedure 5:90-AP1, *Coordination with Children's Advocacy Center*.

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Abused and Neglected Child Reporting, and administrative procedure 5:90-AP1, *Coordination with Children's Advocacy Center*.

Educational Technology Committee [22]

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. [23]
3. Developing, monitoring, and updating the District's Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines ~~for the use of AI~~. [24]

Remote Learning Committee [25]

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.

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[22] 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*.

[23] 105 ILCS 5/10-20.74. See www.isbe.net/Pages/Educational-Technology.aspx. ~~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*.~~

[24] 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*.

[25] 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.

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Time Out and Physical Restraint Oversight Team [26]

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~~ who develop:

1. The District's plan, including school-specific considerations,[27] 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;[28] 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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26 105 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.

27 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 P~~plans were~~is~~ required to be submitted to ISBE from 2022-2024 unless a district could~~an~~ show that it: (1) did~~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) enforce~~ds~~ 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 was~~is~~ required.

The plan ~~must~~ had to include, but was~~is~~ not limited to, specific actions ~~being taken by~~ the school took 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).

28 ~~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 - Types of School Board Meetings

Meeting Type	Notice	Agenda	Notice to News Media	District's Website [1]
Regular	Given once a year when the Board adopts its regular meeting schedule. 105 ILCS 5/10-6, 5/10-16. The notice and agenda must be continuously available for public review during the entire 48-hour period before the meeting. Posting on the District's website satisfies the requirement for continuous posting. However, to comply with the legislative intent, posting on the District's website does not replace the posting described in the **Agenda** column. 5 ILCS 120/2.02.	Post at the District's main office and at the meeting site, at least 48 hours before the meeting. 5 ILCS 120/2.02.	Give to any news media that filed an annual request for such notices. 5 ILCS 120/2.02.	Post the annual schedule of regular meetings and post a public notice of each meeting along with the meeting agenda. 5 ILCS 120/2.02. Post regular Board meeting minutes within 10 days after approval; the minutes remain there for at least 60 days. 5 ILCS 120/2.06.
Special	Post a notice at the District's main office or, if no main office exists, at the meeting site, at	Include with the public notice. 5 ILCS 120/2.02.	Give to any news media that files an annual request. Must also give the same notice as that given Board members if the	Post a public notice of each meeting along with the meeting agenda at least 48 hours before the

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[1] Required *only if* the district has a website that is maintained by a full-time staff member; if not, this column may be omitted. 5 ILCS 120/2.02(b).

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Meeting Type	Notice	Agenda	Notice to News Media	District's Website [1]
	least 48 hours before the meeting. [2] 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the **Regular** meeting row. Notice to Board members must be served by mail 48 hours before the meeting or by personal service 24 hours before the meeting. 105 ILCS 5/10-16.		news media provides an address or telephone number within the District's jurisdiction. 5 ILCS 120/2.02.	meeting. The notice and agenda must remain posted on the website until the meeting is concluded. 5 ILCS 120/2.02.
Emergency	Post the notice at the District's main office or, if no main office exists, at the meeting site, as soon as practicable before the meeting. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the **Regular** meeting row. No specific notice to Board members is specified, but it is advisable to provide the notice as soon as possible.	No State law requirements.	Same as for special meetings.	Post a public notice. 5 ILCS 120/2.02.

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[2] See sample policy 2:200, *Types of School Board Meetings*, at f/n 19. If the board posts notice of its special meetings at both the district main office and at the meeting location, revise this sentence and the identical sentence in the Rescheduled or Reconvened row as follows: Post a notice at the District's main office ~~or, if no main office exists, at~~ and the meeting site~~,~~ at least 48 hours before the meeting.

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Meeting Type	Notice	Agenda	Notice to News Media	District's Website [1]
Closed	May hold a closed meeting, or close a portion of an open meeting, upon a majority roll call vote of a quorum present, taken at a properly noticed open meeting. 5 ILCS 120/2a.	None required, but only topics covered by the specific exception(s) cited in the vote to hold the closed meeting may be considered. 5 ILCS 120/2a.	No additional notice required.	Post a public notice. 5 ILCS 120/2.02.
Rescheduled or Reconvened	Post a notice at the District's main office or, if no main office exists, at the meeting site, at least 48 hours before the meeting. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the **Regular** meeting row. No notice is needed when an open meeting is reconvened within 24 hours, or when the time and place of a reconvened meeting was announced at the original meeting and the agenda is not changed. 5 ILCS 120/2.02.	Included with any public notice.	Same as for a special meeting.	Post a public notice. 5 ILCS 120/2.02.

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School Board

Administrative Procedure - Access to and Copying of District Public Records

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

A. Legal Citations and Definitions

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

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

B. FOIA Compliance

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

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

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

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

   c. Upon receiving a request for a public record, (a) notes the date the District received the written request; (b) computes the day on which the period for response will expire and makes a notation of that date on the written request; (c) maintains an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and (d) creates a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.

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2. Identifies other staff members to assist with FOIA compliance and delegates specific responsibilities to them. These individuals may include the information technology specialist and department heads.

3. Informs and/or trains staff members concerning their respective responsibilities regarding FOIA. This includes explaining the requirement that all FOIA requests must be immediately forwarded to the FOIA Officer, including those that are received via email.

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

C. Availability and Posting Requirements

Full access to the District's *public records* is available to any person as provided in FOIA. The FOIA Officer approves all requests for public records unless:

1. ~~(1) t~~The requested material does not exist~~;~~

2. ~~(2) t~~The requested material is exempt from inspection and copying by FOIA~~; or~~

3. ~~(3)~~ C~~c~~omplying with the request will be unduly burdensome after extending an opportunity to the requester to reduce the request to manageable proportions;

4. The request would require the District to open electronically attached files or hyperlinks to view or access details of a request, in which case the requester shall be notified within five business days that the entirety of the electronic request must appear within the body of the electronic submission; or

~~1.~~5. The District has a reasonable belief that the request was not submitted by a person, and the requester fails to verify orally or in writing that they are a person within 30 days of the District's request for such verification.

The FOIA Officer shall:

1. Prominently display ~~at each administrative office and school, and post~~ on the District website, make available for inspection and copying, and send through the mail if requested ~~if any~~, the following: [1]

   a. A brief description of the District, and

   b. The methods for requesting information and District public records, directory information listing the FOIA Officer and where requests for public records should be directed, and any fees. 5 ILCS 140/4. This information must be copied and mailed if requested.

2. Maintain and make available for inspection and copying a reasonably current list of all types or categories of records under the District's control. 5 ILCS 140/5. The list below contains the categories of records kept by the District; some of the records within these categories are exempt and, therefore, will not be disclosed in response to a FOIA request.

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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] If a district does not maintain a website, amend this phrase to read as follows:
Prominently display at each administrative office and school, make available for inspection and copying, and send through the mail if requested, the following:

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

b. Fiscal and business management, including without limitation, levy resolution and certificate of tax levy, audit, line-item budget, grant documents, account statements, accounts payable list, contracts, legal notices, bidding specifications, requests for proposals

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

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

D. Fee Schedule

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

1. The fees, except when otherwise fixed by statute, must: (a) be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records, and (b) not exceed that maximum fee amount set by FOIA.
2. Statutory fees applicable to copies of public records when furnished in a paper format are not applicable to those records when furnished in an electronic format.
3. No fee is charged for the first 50 pages of black and white, letter, or legal sized copies furnished to a requester.
4. The fee for black and white, letter, or legal sized copies shall not exceed 15 cents per page.
5. If the District provides copies in color or in a size other than letter or legal, the fee may not be more than its actual cost for reproducing the records.
6. A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. In setting the reduction's amount, the FOIA Officer considers the amount of materials requested and the cost of copying them.
7. In accordance with 5 ILCS 140/6(a-5), if a *voluminous request* is for electronic records and the responsive records are:

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

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

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

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8. Unless the request is for a *commercial purpose* or a *voluminous request*, the costs of any search for and review of the records or other personnel costs associated with reproducing the records are not included in the fee calculation. 5 ILCS 140/6(a).

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

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

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

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

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

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

E. Response to FOIA Requests

The FOIA Officer must:

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

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

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

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

      1) If the responsive record is more than four years old and is not related to an incident or an attempted incident of sexual abuse, severe physical abuse, or *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c), the request must be denied unless

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the release is ordered in a legal action or arbitration. 5 ILCS 140/7.5(q)~~, amended by P.A. 101-620~~; 820 ILCS 40/8~~, amended by P.A.s 101-531 and 102-702~~.

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

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

- The employee specifically waived written notice as part of a written, signed employment application with another employer;
- The disclosure is ordered to a party in a legal action or arbitration; or
- Information is requested by a government agency as a result of a claim or complaint by an employee, or as a result of a criminal investigation by such agency.

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

F. Extensions of Time to Respond

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

(i) The requested records are stored in whole or in part at other locations than the office having charge of the requested records;

(ii) The request requires the collection of a substantial number of specified records;

(iii) The request is couched in categorical terms and requires an extensive search for the records responsive to it;

(iv) The requested records have not been located in the course of routine search and additional efforts are being made to locate them;

(v) The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under 5 ILCS 140/7 or should be revealed only with appropriate deletions;

(vi) The request for records cannot be complied with by the public body within the time limits prescribed by 5 ILCS 140/3(d) without unduly burdening or interfering with the operations of the public body; or

(vii) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

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

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

G. Unduly Burdensome Requests

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

H. Requests for Commercial Purposes

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

> [T]he use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a commercial purpose when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

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

1. Asking the requester to identify if the record is for a commercial purpose. See exhibit 2:250-E1, *Written Request for District Public Records*. It is unlawful for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the District. 5 ILCS 140/3.1(c).
2. Responding to a request for records to be used for a commercial purpose within 21 working days after receipt. The response must be one of the following: (a) provide an estimate of the time required by the District to provide the records and an estimate of the fees, which the requester may be required to pay in full before copying the requested documents; (b) deny the request pursuant to one or more of the exemptions; (c) notify the requester that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions; or (d) provide the records requested.
3. Complying with a request, unless the records are exempt from disclosure, within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes.
4. Collecting a fee as described in subsection **D**. above.

I. Managing Requests from a Recurrent Requester

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

> [A] person that, in the 12 months immediately preceding the request, has submitted to the same public body (i) a minimum of 50 requests for records, (ii) a minimum of 15 requests for records within a 30-day period, or (iii) a minimum of seven requests for records within a seven-day

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period. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time period in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning new and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

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

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

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

1. Notifying the requester within five business days after receiving a request from a recurrent requester (5 ILCS 140/3.2(b)) that:
    a. The request is being treated as coming from a recurrent requester under 5 ILCS 140/2(g);
    b. The reasons the request is being treated as coming from a recurrent requester;
    c. The District will send an initial response within 21 business days after receipt of the request; and
    d. The proposed FOIA responses that may be asserted pursuant to 5 ILCS 140/3.2(a). These are the same responses that the District can provide within 21 business days after receipt of a request.
2. Responding within 21 business days after receipt of a recurrent request with one of the following (5 ILCS 140/3.2(a)):
    a. An estimate of the time required by the District to provide the records and an estimate of the fees, which the requester is required to pay in full before the District copies the requested documents;
    b. A denial pursuant to one or more of the exemptions;
    c. Notification that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions; or
    d. The records as requested.

J. Managing Voluminous Requests

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

[A] request that:

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

ii. Requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages. *Single requested record* may include, but is not limited to, one report, form, email, letter, memorandum, book, map, microfilm, tape, or recording.

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

The FOIA Officer responds to a voluminous request by:

1. Notifying the requester within five business days after receiving a voluminous request that:
    a. The District is treating the request as a voluminous request under 5 ILCS 140/3.6.
    b. The District is treating the request as voluminous for one of the following reasons:
        1) Includes more than five individual requests for more than five different categories of records or a combination of individual requests that total requests for more than five different categories of records in a period of 20 business days; or
        2) Requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages.
    c. The requester must respond to the District within 10~~ten~~ business days after this response is sent. The requester must specify whether the requester would like to amend the request in such a way that the District will no longer treat the request as a voluminous request.
    d. If the requester does not respond within 10~~ten~~ business days or if the request continues to be a voluminous request following the requester response, the District will respond to the request and assess any fees the District charges pursuant to 5 ILCS 140/6.
    e. The District has five business days after receipt of the requester's response or five business days from the last day for the requester to amend the request, whichever is sooner, to respond to the request.
    f. The District may request an additional 10~~ten~~ business days to comply with the request.
    g. The requester has the right to review the District's determination by the public access counselor whose address and phone number follows:

        Public Access Counselor

        Office of the Attorney General

        500 S. 2nd Street

        Springfield, Illinois 62706

        Phone: 1-877-299-3642
    h. If the requester fails to accept or collect the responsive records, the District will still charge the requester for its response pursuant to 5 ILCS 140/6 and the requester's failure to pay will be considered a debt due and owing to the District and may be collected in accordance with applicable law.
2. Providing the requester 10~~ten~~ business days from the date the District responded to amend the request in such a way that the District will no longer treat it as a voluminous request.

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

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

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

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

    d. Provide the records as requested.

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

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

K. Denials

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

1. Providing the requester with a written response containing: (a) the reasons for the denial, including a detailed factual basis for the application of any exemption claimed; (b) the names and titles or positions of each person responsible for the denial; and (c) information about his or her right to review by the Public Access Counselor (include the address and phone number for the Public Access Counselor), and to judicial review under 5 ILCS 140/11.
2. Specifying the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority when the denial is based on the grounds that the records are exempt under 5 ILCS 140/7.
3. Retaining copies of all denial notices in a single central office file that is open to the public and indexed according to the type of exemption asserted and, to the extent feasible, according to the types of records requested. 5 ILCS 140/9(b).

L. Consultation with the Board Attorney

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

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

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

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School Board

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

Legal Citations

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

Actor	Action
All Staff Members and School Board Members	Maintain all records, as defined and required in the Ill. Local Records Act (LRA). No *public record* shall be destroyed except as allowed by the LRA. *"Public record* means any book, paper, map, photograph, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein." 50 ILCS 205/3, amended by P.A. 104-438. Do not destroy any District record, no matter its form, if it is subject to a *litigation hold*. F.R.C.P. 37(e). In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding to not destroy any electronic records that might be relevant. The receipt of a *litigation hold* or preservation letter from the Board's attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all email, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere. Whenever disposing of materials containing *personal information*, render the personal information unreadable, unusable, and undecipherable. 815 ILCS 530/40; 44 Ill.Admin.Code §4000.40(b). The Personal Information Protection Act (815 ILCS 530/) contains mandates for disposing of materials containing personal information (*personal information* is defined in 815 ILCS 530/5 as either of the

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Actor	Action
	following: (1) an individual's first name or first initial and last name combined with any of the following data elements, when either the name or data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the name or data elements have been acquired without authorization through a security breach: Ssocial Ssecurity number, driver's license number or State identification card number, financial account information, medical information, health insurance information, or unique biometric data; or (2) user name or email address, combined with a password or security question and answer that would permit access to an online account, when any of these data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the data elements have been acquired without authorization through a security breach). The Ill. Attorney General is authorized to impose a fine and bring court action for noncompliance. 815 ILCS 530/40. Whenever disposing of materials containing Ssocial Ssecurity numbers that do not otherwise qualify as personal information under 815 ILCS 530/40, follow administrative procedure 4:15-AP1, *Protecting the Privacy of Social Security Numbers*. The Superintendent, Human Resources Administrator, and their respective designees must follow administrative procedure 5:30-AP4, *Fingerprint-Based Criminal History Record Information Security*, when disposing of criminal history record information (CHRI).
Superintendent	Assign the following activities to the Records Custodian and Head of Information Technology (IT): **1. Develop and maintain a protocol for preserving and categorizing District records;** **2. Develop and maintain a record retention and destruction schedule; and** **3. Develop protocols to implement a litigation hold.**
Records Custodian and Head of IT	**1. Develop and maintain a protocol for preserving and categorizing District records.** Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to business, students, personnel, board meetings, etc. Align this list with the list of District records required by the Freedom of Information Act. 5 ILCS 140/5. Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available clouds, servers, tapes, hard drives, computers, and similar types of electronic devices (e.g., laptops, tablets, smart phones, voicemail, etc.).

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Actor	Action
	Prepare a description of how District records stored by means of electronic data processing may be obtained in a form understandable to persons lacking computer knowledge. 5 ILCS 140/5; 44 Ill.Admin.Code §4000.70, *Digital Reproduction;* 44 Ill.Admin.Code §4000.80, *Management of Electronic Records*. Such a description may include contact information for a person who can aid in obtaining records stored electronically. Provide for keeping only records and destroying non-records. Avoid filing non-record material with records. Determine what is a non-record, e.g., identical copies of documents maintained in the same file; extra copies of printed or processed materials (official copies of which are retained by the office); blank forms; *junk mail;*[1] and personal communications. 50 ILCS 205/3, amended by P.A. 104-438. The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9. Absent a litigation hold, email must be retained only when it contains: (1) evidence of the District's organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. 50 ILCS 205/3. Email that is conversational, personal, or contains brainstorming may generally be deleted. A consistent email retention process for use across the District ensures that the necessary emails are being retained and emails that are not required to be preserved are purged on a regular basis. Determine whether each sub-category of documents should be reproduced by photography (44 Ill.Admin.Code §4000.60), microphotographic and electronic microimaging processes (44 Ill.Admin.Code §4000.50), or digitized electronic format (44 Ill.Admin.Code §4000.70). Any public record may be reproduced in a microfilm or digitized electronic format and the analog/paper version destroyed, provided: (a) the records are reproduced on "a durable medium that accurately and legibly reproduces the original record in all details," and "that does not permit additions, deletions, or changes to the original document images," and "if electronic, that are retained in a trustworthy manner so that the records…are accessible and usable for subsequent reference at all times when the information must be retained," (b) the reproduction is retained for the prescribed retention

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The footnotes should be removed before the material is used.

[1] *Public record* does not include *junk mail*. *Junk mail* means any unsolicited commercial mail or commercial electronic communication sent to a district that is not responded to by a district. 50 ILCS 205/3, amended by P.A. 104-438.

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

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	Archives Department on the Secretary of State's website: www.ilsos.gov/departments/archives/records-management.html~~www.ilsos.gov/departments/archives/home.html~~ and use the Ill. Secretary of State publication *Managing Your Records & the Local Records Act: A Quick Guide for Disposing of Local Records.* 44 Ill.Admin.Code ~~Part~~ §4000.30 details the procedures for compiling and submitting lists and schedules of records for disposal. The School Code and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board Attorney should be consulted. The e-discovery rules provide a safe harbor for parties during a lawsuit that cannot provide information because it was destroyed as a result of routine practices. F.R.C.P. 37(e). **3. Develop protocols to implement a litigation hold.** Understand what a litigation hold is. A *litigation hold* refers to the notification made by the Board Attorney telling the District to preserve all information that may be relevant to current or anticipated litigation. While it may occur anytime in the legal process, it will usually occur during discovery, the pretrial phase of a lawsuit designed to compel the exchange of information between parties. A litigation hold triggers the need to immediately suspend destruction of electronic and other records relevant to the current or potential claim. F.R.C.P. 37(e). Specify how to implement a litigation hold, i.e.: • Who can trigger a litigation hold? • How is a litigation hold communicated? • Who should gather the records? • What records are subject to a litigation hold and who determines this? • In what format should records be gathered? • Where should records be gathered? Identify how to implement a litigation hold for all IT systems, including backup tapes, to ensure they are not deleted or overwritten as part of the normal tape rotation process. Prepare a map of potentially relevant data and otherwise assist the Board Attorney in locating all potentially relevant information.
Superintendent	Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval.

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	Disseminate the record retention schedule, along with instructions, to all affected staff members and Board members. Immediately inform the Records Custodian and Head of IT whenever a record must be preserved because: (1) it may be relevant to present or future litigation, or (2) the Board Attorney has notified the District to preserve a record, including electronic information (litigation hold). Authorize and/or order the destruction of District records after ensuring that the following steps have been performed: 1. The Local Records Commission approved a schedule for continuing authority to destroy District records after the expiration of the applicable period. 2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a *litigation hold*. 3. Thirty days prior to disposal or destruction of any records, regardless of physical format or characteristics, submit a Local Records Disposal Certificate to the Commission and dispose only after a copy of that certificate has been reviewed and approved by the Chairman and returned to the District. The original copy of that Local Records Disposal Certificate is kept in the files of the Commission, and the duplicate copy approved and returned by the Chairman must be retained by the District. 44 Ill.Admin.Code §§4000.40(c), 4500.40(c). 4. In the case of records with scheduled retention of less than one year, a single Local Records Disposal Certificate for more than one disposal event within a given year may be used. Local Records Disposal Certificates submitted with this intent must include a schedule of proposed records disposal in addition to the normally required information. The District must wait to dispose of records until receipt of approval from the Commission, as required in number 3, above. 44 Ill.Admin.Code §§4000.40(d), 4500.40(d). 5. For records that have been damaged by water, fire, smoke, insects or vermin, mold or some other natural disaster that poses a health or safety risk to employees, the District may apply to the Commission for permission to dispose of those records ahead of their scheduled disposal date. The request must include a Local Records Disposal Certificate accompanied by the District's explanation of why the records need early disposal. The Commission may grant the request only after physically reviewing the damaged records. 44 Ill.Admin.Code §§4000.40(e), 4500.40(e).
Links to Web-based Record Management Resources:	

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Cook County Local Records Commission Meetings Cook County Local Records Commission Rules (44 Ill.Admin.Code Part 4500) Downstate Local Records Commission Meetings Rules of the Downstate Local Records Commission (44 Ill.Admin.Code Part 4000) Ill. School Student Records Act (105 ILCS 10/) Local Records Act (50 ILCS 205/) Local Records Disposal Certificate *Managing Social Media & the State and Local Records Acts: A Quick Guide for Social Media Policy and Management* (Ill. Secretary of State)	

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

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Operational Services

Exhibit - Notification to Staff and Parents/Guardians of CPR and AED Video

On District letterhead, website, in student handbook, newsletters, bulletins, and/or calendars

Date:

To: Parents/Guardians and Staff

Re: CPR and AED Video

State law requires the Ill. High School Association to post a hands-only cardiopulmonary resuscitation (CPR) and automated external defibrillators (AED) training video on its website. The law also requires the District to notify staff members and parents/guardians about the video. You are encouraged to view the brief video~~, which will take less than 15 minutes of your time,~~ at:

~~www.ihsa.org/Resources/SportsMedicine/CPRTraining.aspx~~www.ihsa.org/health-safety/cpr-training.

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General Personnel

Administrative Procedure - Interview Questions

Anti-discrimination laws affect all steps of the employee hiring process. Knowledge of the characteristics on which these laws prohibit inquiry is especially critical when conducting interviews. Any employer that asks applicants to record video interviews and uses an artificial intelligence analysis of the applicant-submitted videos must comply with the Artificial Intelligence Video Interview Act, 820 ILCS 42/~~, added by P.A. 101-260~~. Sloppy interview practices can result in the appearance of illegal discrimination or actual discrimination.

Interviewers should avoid seeking information that will not be used to make an employment decision. Assume that a rejected applicant may believe that all information acquired was used. The District, if challenged, must explain why it asked for the information – a very difficult task when the information involves race, sex, religion, age, disability, etc. Information needed for insurance, tax, S~~s~~ocial S~~s~~ecurity, or similar purposes should be obtained after employment. The following list of protected characteristics may not be complete because of the rapidly changing nature of discrimination laws.

Protected Status	Do not ask	Permissible to ask
Race and color	What race are your parents?	
Alienage, ancestry, national origin, nationality, and citizenship status (provided the individual is authorized to work in the U.S.), work authorization status	In what country were you born? In what country were your parents born? Are you a naturalized citizen? Do you have proof that you are authorized to work in the U.S.?	Are you legally authorized to work in the United States? What languages do you read, speak, or write fluently?
Marital status or family responsibilities	Are you married? Single? Divorced? Engaged? Are you living with someone? Would your spouse move with you if you got this position? What is your maiden name? Are you a caregiver for a family member?	

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Protected Status	Do not ask	Permissible to ask
Gender, including parent and pregnancy status, and reproductive health decisions	What are your future family plans? Are you pregnant or planning to become pregnant? Are you receiving fertility treatment? Do you have children? What are their ages? Do you have child care?	Is there anything that would interfere with regular work attendance? Are you available to work overtime?
Sexual orientation, including actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity	Do you have a spouse or partner – which?	How do you feel about supervising a diverse workplace?
Religion or creed	What religious holidays do you celebrate?	We need you to work on [*insert days*]. Are you available to work those days?
Age	When do you plan to retire? When do you plan to collect your pension?	What are your long-term career goals?
Military status	Will you miss work because you are a member of a U.S. Reserve unit, such as, Army Reserve or Marine Corps Reserve, or a member of a National Guard unit?	How does your military training or experience prepare you for this job?
Unfavorable discharge from military service	Under what circumstances were you discharged from the service?	
Use of lawful products during non-working hours	Do you smoke or use tobacco or cannabis products during non-working hours? Do you consume alcoholic beverages during non-working hours?	Have you been disciplined by an employer for violating its rules forbidding the use of alcohol or tobacco or cannabis products?

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Protected Status	Do not ask	Permissible to ask
Arrest record Conviction that is not on the School Code's list of disqualifying convictions	Have you ever been arrested? Spent time in jail?	Have you ever been convicted of attempting to commit, conspiring to commit, soliciting, or committing any crime in the following list? (1) any ~~sex offense or drug~~ offense listed~~, as defined~~ in Sec. 21B-80(a) of the School Code, (2) first degree murder or any Class X felony, or (3) any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as one or more of the foregoing offenses. 105 ILCS 5/21B-80~~, amended by P.A.s 101-531 and 101-552~~. Consult with the Board A~~a~~ttorney if the District wants to ask candidates about disqualifying convictions before the job offer stage, due to Ill. Dept. of Human Rights guidance on 775 ILCS 5/2-103.1~~, added by P.A.101-656,~~ at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html ~~www2.illinois.gov/dhr/Pages/Conviction_Record_Protection_Frequently_Asked_Questions.aspx.~~ See sample Board policy 5:30, *Hiring Process and Criteria*, at f/n 6 for additional explanation.
The Job Opportunities for Qualified Applicants Act, 820 ILCS 75/, amended by P.A. 104-2, prohibits an employer from asking about a criminal record until the employer determines that the applicant is qualified for the position; however, this does not apply when employers are required to exclude applicants with certain criminal convictions from employment. Thus, school employers should limit their requests for criminal convictions to job-disqualifying convictions.		
Genetic information	What were the results of any diagnostic, predictive, or pre-symptomatic genetic testing that you've had?	See section on *disability* below.
Whether applicant has ever filed a claim or received benefits under the Illinois Workers' Compensation Act or Workers' Occupational Diseases Act	Have you ever filed a claim or received benefits under the Illinois Worker's Compensation Act or Workers' Occupational Disease Act?	

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Protected Status	Do not ask	Permissible to ask
Credit history/report, unless the Employee Credit Privacy Act permits a satisfactory credit history to be a job requirement, such as, the position's duties include custody of or unsupervised access to cash or marketable assets valued at $2,500 or more. 820 ILCS 70/10(b).	Unless specifically permitted, do not ask: Do you have a good credit score? Have you been denied a credit card within last 5 years? Have you ever filed bankruptcy?	How long have you lived at your current address?
Wage or salary history, including benefits or other compensation, unless: the applicant's wage or salary history is a matter of public record, or is contained in a document completed by the applicant's current or former employer and then made available to the public by the employer, or then submitted or posted by the employer to comply with State or federal law; or the applicant is a current employee applying for a position with the same current employer. 820 ILCS 112/10, amended by P.A. 103-539, ~~amended by P.A. 101-177~~. For further discussion, see f/n 19 in sample policy 5:30, *Hiring Process and Criteria*.	What is your current wage/salary? What was your previous wage/salary? What benefits or other compensation do you currently receive? What benefits or other compensation did you previously receive? What was your highest paid position? This position pays $X; is that more or less than what you are making now? Have you ever filed a complaint with the Ill. Dept. of Labor regarding a job posting?	This position provides the following wage/salary, benefits, and compensation: [*insert details*]. Does that meet your expectations? What are you looking for in terms of wage/salary, benefits, and other compensation for this position?
Victim of domestic violence or being protected under an order of protection	Have you ever requested a restraining order or order of protection against your spouse or another person?	

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Disability

Inquiries that are likely to elicit information about a disability, before a bona fide job offer is made, are prohibited. Inquiries about the ability to perform job functions that do not ask about disabilities are permissible.

Protected Status	Do not ask	Permissible to ask, provided all applicants are asked
Disability	Have you had any recent illnesses or operations? Do you have AIDS? Do you have asthma? Do you have a disability which would interfere with your ability to perform the job? How many days were you sick last year? Have you ever filed for Workers' Compensation? Have you ever been injured on the job? How much alcohol do you drink each week? Have you ever been treated for alcohol problems? Have you ever been treated for mental health needs? What prescription drugs are you currently taking?	Can you perform the functions of this job (essential and/or marginal), with or without reasonable accommodation? Please describe/demonstrate how you would perform these functions (essential and/or marginal). Have you ever been disciplined (oral or written reprimand, suspension or termination) for attendance violations or problems? Are you a current user of illegal drugs? Do you have the required licenses to perform this job?

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General Personnel

Administrative Procedure - Investigations

Immigration Investigation

All newly hired employees must complete section one of the U.S. Citizenship and Immigration Services Form I-9 (Form I-9) no later than three business days following their first working day (Immigration Reform and Control Act, 8 U.S.C. §1324a, 8 C.F.R. §274a.2). See~~:~~ www.uscis.gov/i-9. If an individual is unable to provide the required documents to complete it, the individual may present a receipt for the application of the required documents within three days of the hire. The individual must then present the required documents within 90 days of the hire. The Superintendent or designee completes section two of the Form I-9 and confirms the employee's information.

If the Employment Eligibility Verification System (E-Verify) is used to complete Form I-9, the Superintendent or designee will review the Ill. Dept. of Labor's website and its E-Verify factsheet, available at: https://labor.illinois.gov/content/dam/soi/en/web/idol/laws-rules/legal/documents/e-verification-facts-poster.pdf. If the District contends that there is a discrepancy in an employee's employment verification information, follow the procedures required by ~~The~~the Right to Privacy in the Workplace Act, 820 ILCS 55/1~~412~~, ~~amended~~ added by P.A. ~~103-879~~104-455~~, and 820 ILCS 55/13, added by P.A. 103-879, eff. 1-1-25~~.

The completed Form I-9 shall be maintained in a file separate from other personnel records in order to prevent unauthorized review of personnel files. The Form I-9 shall be retained for a period of three years after the date of hire or one year after individual employment is terminated, whichever is later.

Fingerprint-based Criminal History Records Information (CHRI) Check (105 ILCS 5/10-21.9, amended by P.A. 10~~3-1542 702~~)

A fingerprint-based criminal history records information check must be initiated prior to employment, but the District may permit the individual to be hired and begin employment pending its outcome. ~~See *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf.~~ See administrative procedure 5:30-AP4, *Fingerprint-Based Criminal History Record Information*, for procedures regarding the handling of sensitive CHRI provided through the Federal Bureau of Investigation's national databases.

A *complete criminal history records check* pursuant to 105 ILCS 5/10-21.9, amended by P.A. 103-154, consists of:

1. Fingerprint-based checks through (a) the Ill. State Police (ISP) for ~~criminal history records information (~~CHRI~~)~~ pursuant to the Ill. Uniform Conviction Information Act (20 ILCS 2635/), and (b) the Federal Bureau of Investigation (FBI) national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (Pub. L. 109-248),
2. *A check of the Ill. Sex Offender Registry (see the Sex Offender Community Notification Law, 730 ILCS 152/ et seq.), and
3. *A check of the Murderer and Violent Offender Against Youth Registry (see the Murderer and Violent Offender Against Youth Registration Act, 730 ILCS 154/75 - 154/105).

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*These checks must be conducted by the District or the Regional Superintendent[1] once every five years that an individual remains employed by the District. 105 ILCS 5/10-21.9(a-5), (a-6)~~, amended by P.A. 102-552~~.

See also Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*. **Important:** 20 ILCS 2630/5.2 outlines how an individual may petition to have an arrest record expunged by the arresting authority and the records of the arrest sealed by the circuit court clerk. It also details offenses for which an individual cannot have his or her conviction sealed.

Note: The following criminal history records check guide~~s~~ is~~are~~ also available:

Guide to Understanding Criminal History Record Check Information is available at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/forms/background-check-guide-071817.pdf.

~~Ill. State Board of Education non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, at: www.isbe.net/Documents/guidance_chr.pdf.~~

The following individuals are responsible for the actions listed:

Applicant - Each applicant for employment in any position (except bus drivers employed by a private student transportation contractor) must provide a written authorization for a complete criminal history records check at the time he or she submits the application.

Individual Student Teaching or beginning a required internship - Each individual student teaching or beginning a required internship must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor's fees) prior to participating in any field experiences in the District. See 105 ILCS 5/10-21.9(g).

Applicant for Bus Driver - Each applicant for a bus driver position must complete the application required by the Secretary of State for a school bus driver permit (obtained from the District) and submit it to the District along with the necessary fingerprint submission as required by the ISP to conduct a fingerprint-based criminal history records check. The Superintendent or designee will conduct a pre-employment interview[2] with prospective school bus driver candidates, distribute school bus driver applications and medical forms, and submit the applicant's fingerprint cards to the ISP. The Superintendent or designee will certify in writing to the Secretary of State that all pre-employment conditions have been successfully completed, including the successful completion of a criminal history records check as required by State law. The applicant must present the certification to the Secretary of State at the time of submitting the school bus driver permit application. See 625 ILCS 5/6-106.1, amended by P.A.s 104-260 and 104-256~~s 102-168 and 102-299~~; 92 Ill.Admin.Code §1035.25.

Superintendent or designee - Note: Add any additional steps to efficiently receive a complete criminal history records check.

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1. Fingerprint-Based Criminal History Records Check:

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[1] Alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center Executive Director" throughout this procedure.

[2] Any employer that asks applicants to record video interviews and uses an artificial intelligence analysis of the applicant-submitted videos must comply with the Artificial Intelligence Video Interview Act, 820 ILCS 42/.

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a. For all applicants, the Superintendent or designee completes the required forms to request the criminal history records checks from an appropriate ISP or LiveScan vendor. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the School Board President shall ensure that these checks are completed. This may include submitting the applicant's name, sex, race, date of birth, Ss~~o~~cial Ss~~e~~curity number, fingerprint images, and other identifiers to the ISP and FBI on the forms prescribed by each agency.

b. The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, will provide the applicant with a copy of the ISP and FBI reports. Required by 105 ILCS 5/10-21.9(b) and 20 ILCS 2635/7. The applicant has the obligation and responsibility to notify the District within seven (7) working days if information in the report furnished by the ISP is inaccurate or incomplete. Id.

c. The Superintendent or designee, or the Regional Superintendent, notifies the State Superintendent of Education in writing within 15 business days when a CHRI returns a *conviction* of a crime set forth in 105 ILCS 5/21B-80. 105 ILCS 5/10-21.9(e)~~, and~~ The Superintendent or designee, or the Regional Superintendent, also:

   i. Makes a preliminary determination that the applicant will be disqualified based on a conviction record when: (1) the District is prohibited by 105 ILCS 5/10-21.9, amended by P.A. 103-154, from employing the individual because the conviction is an offense listed in 105 ILCS 5/21B-80~~, amended by P.A. 102-552~~;[3] (2) there is a *substantial relationship* between one or more of the previous criminal offenses and the employment sought or held; or (3) the employment would involve an *unreasonable risk* to property or to the safety or welfare of specific individuals or the general public.

      Conviction record means information indicating that a person has been convicted of a felony, misdemeanor or other criminal offense, placed on probation, fined, imprisoned, or paroled pursuant to any law enforcement or military authority. 775 ILCS 5/1-103(G-5). It includes the results of a *complete criminal history records check* conducted pursuant to 105 ILCS 5/10-21.9, amended by P.A. 103-154.

      Substantial relationship means a consideration of whether a job position offers the opportunity for the same or a similar offense to occur and whether the circumstances leading to the conduct for which the person was convicted will recur in the position. 775 ILCS 5/2-103.1(A).

      To determine whether an applicant is disqualified based on a *substantial relationship* or *unreasonable risk*, considers the following factors: (1) length of time since the conviction; (2) number of convictions that appear on the conviction record; (3) nature and severity of the conviction and its relationship to the safety and security of others; (4) the facts or circumstances surrounding the conviction; (5) the age of the employee at the time of the conviction; and (6)

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[3] Attorneys have different opinions as to whether the IHRA requires the *interactive assessment* outlined in 775 ILCS 5/2-103.1(c), which includes preliminary and final notices, when a disqualifying offense listed in 105 ILCS 5/21B-80 is found in a conviction record; **consult the board attorney for guidance on this issue**.

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evidence of rehabilitation efforts. 775 ILCS 5/2-103.1(B). See also Ill. Dept. of Human Rights (IDHR) *Conviction Record Protection – Frequently Asked Questions* (March 2021), at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

ii. When the applicant's conviction record disqualifies him/her/them, notifies the applicant of the preliminary decision in writing. The written notice shall contain: (1) the disqualifying convictions that are the basis for the preliminary decision and the District's reasoning for the disqualification; (2) a copy of the *complete criminal history records check* conducted pursuant to 105 ILCS 5/10-21.9, amended by P.A. 103-154; and (3) an explanation of the applicant's right to submit evidence challenging the accuracy of the conviction record that is the basis for the disqualification within seven (7) working days of the applicant's receipt of the copy of the conviction record[4] if the applicant wishes to dispute the accuracy of the conviction record and/or submit evidence in mitigation, such as rehabilitation. 775 ILCS 5/2-103.1(C)(1) and (2). See exhibit 5:30-AP2, E1, *Notice of Preliminary Hiring Decision Based on Conviction Record*, for a sample letter template.

Note: Evidence of rehabilitation may include education, training, stable employment, family and community involvement, and recovery from substance abuse. For more information, see *EEOC Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decision under Title VII of the Civil Rights Act*, at: www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-decisions.

iii. When the final decision disqualifies the applicant based on the conviction record, provides a second written notice to the applicant that contains: (1) notice of the disqualifying conviction(s) that are the basis for the final decision and the District's reasoning for the disqualification; (2) any existing procedure the employer has for the applicant to challenge the decision or request reconsideration (this is not required)[5]; and (3) the right to file a charge with the IDHR. 775 ILCS 5/2-103.1(C)(3). See exhibit 5:30-AP2, E2, *Notice of Final Hiring Decision Based on Conviction Record*, for a sample letter template.

d. The Superintendent or designee, or the Regional Superintendent, or as applicable the entity that provides background checks for public schools, notifies the State

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[4] The IHRA requires at least five business days for the applicant to dispute the accuracy of the conviction record, but the Ill. Uniform Conviction Information Act (UCIA) provides the applicant seven working days from of receipt of the copy of the conviction information to notify the district if the information is inaccurate or incomplete. 20 ILCS 2635/7(A)(2). This procedure accommodates the longer timeline of the UCIA.

[5] Consult the board attorney for advice about whether policy 2:260, *Uniform Grievance Procedure*, should be included in the final decision letter for new applicants and/or existing employees. That policy is limited to students, parents/guardians, employees, or community members that want to file a complaint regarding the district's alleged violation of a constitutional right, statute, or board policy.

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Superintendent of education in writing[6] within 10 business days[7] after receiving information of a *pending* criminal charge for an offense set forth in 105 ILCS 5/21B-80. Required by 105 ILCS 5/10-21.9(e).

Note: For substitute teachers, the Superintendent will need to ensure that the District performs these checks. Contact the Board Attorney and/or ISBE regarding the validity of a *certificate of authorization*, if a substitute teacher presents one. ~~From 1-1-11 through 7-1-11, the Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever was appropriate, was allowed to issue *certificates of authorization* to substitute teachers. Issuance of a *certificate of authorization* was proof that the substitute teacher applicant had met all of the requirements to substitute teach in the educational service region; i.e., a fingerprint-based criminal history records check, a physical examination, and a negative tuberculin test. Because P.A. 97-607 deleted *certificates of authorization*, substitute teachers no longer receive them because they no longer exist.~~

e. For individuals student teaching or beginning a required internship, the Superintendent or designee ensures that the individual completes the required forms, authorizations, and provides payment to the District for the costs of completing a complete criminal history records check prior to student teaching or beginning a required internship (105 ILCS 5/10-21.9(g) and Board policy 5:260, *Student Teachers*). ~~For more information, see also ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/Documents/guidance_chr.pdf.~~

2. Screen of the Statewide offender databases upon hire and every five years thereafter that an individual remains employed by the District. 105 ILCS 5/10-21.9(a-5), (a-6)~~, amended by P.A. 102-552~~. The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, performs a screen for each applicant of:
   a. The Statewide Sex Offender Registry, https://sor.isp.illinois.gov/sorpublic/~~https://isp.illinois.gov/Sor/Disclaimer~~, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/ et seq.), and
   b. The Statewide Murderer and Violent Offender Against Youth Registry https://sor.isp.illinois.gov/sorpublic/~~https://isp.illinois.gov/MVOAY/Disclaimer~~, as authorized by the Murderer and Violent Offender Against Youth Registration Act (730 ILCS 154/75-154/105).

The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, notifies the individual if he or she is identified in the database as a sex offender. Required by 105 ILCS 5/10-21.9(a-5), (a-6), and (b). The Superintendent or designee, or the Regional Superintendent, notifies the State Superintendent of

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The footnotes should be removed before the material is used.

[6] 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.

[7] 105 ILCS 5/10-21.9(e) 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.

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Education in writing within 15 business days, when a database screen finds a *registration* for an individual licensed by ISBE. 105 ILCS 5/10-21.9(e).

ISP and FBI - The ISP and FBI furnish records of convictions (until expunged), pursuant to the District's request, to the Board President. **Note**: The ISP and FBI must "furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board…". See 105 ILCS 5/10-21.9(a) and (g). 20 ILCS 2630/3.3 establishes authority for the ISP to collect fees from the District if the Board wishes to participate in a Federal *Rap Back Service*. Rap Back Service is a capability of the FBI's Next Generation Identification (NGI) system that provides authorized agencies notification of criminal activity and, in limited cases, of civil activity, that occurs after the initial processing and retention of criminal or civil transactions, e.g., an initial fingerprint-based criminal history records check. The Board may determine that it wants to participate. Participation includes ISP submitting fingerprints that the District orders to the FBI Rap Back Service to be retained for the purpose of being searched by future submissions to the FBI Rap Back Service. For a student teacher, the report shall be returned to the Superintendent or designee ~~(see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf)~~.

Board President - The School Code requires the Board President to keep a conviction record confidential. The information may only be shared between the Board President, the Superintendent or designee, Regional Superintendent (if the check was requested by the District), State Superintendent of Education, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, the ISP and/or Statewide Sex Offender Registry for clarification purposes, or the Teachers' Retirement System of the State of Illinois (TRS) when the board learns that a teacher has been convicted of a felony. See 105 ILCS 5/10-21.9(b), 105 ILCS 5/21B-10, amended by P.A. 104-128, and 105 ILCS 5/21B-85, amended by P.A. 103-512 ~~552~~. For further discussion about the practical implementation issues for the Board President to ensure that a fingerprint-based criminal history records information check and other database screens are initiated and completed prior to employment, see f/n 11 in ~~Board~~ sample policy 5:30, *Hiring Process and Criteria*.

Regional Superintendent/Suburban Cook County Intermediate Service Center Executive Director - The Superintendent or designee may require the applicant to authorize the Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, to conduct the check when an applicant is (1) seeking employment in more than one District simultaneously as (a) a substitute teacher, (b) a concurrent part-time employee, and/or (c) educational support personnel, or (2) the employee works for a contractor holding contracts with more than one district. The Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, also performs a check of the Statewide Sex Offender Registry, https://sor.isp.illinois.gov/sorpublic/~~https://isp.illinois.gov/Sor/Disclaimer~~r, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/115), and the Violent Offender Against Youth Registry, https://sor.isp.illinois.gov/sorpublic/~~https://isp.illinois.gov/MVOAY/Disclaimer~~, as authorized by the Murderer and Violent Offender Against Youth Registration Act (730 ILCS 154/75-154/105). See 105 ILCS 5/10-21.9 (a-5), (a-6), and (b)~~, amended by P.A. 102-552~~.

Contractors - The above requirements for a *complete criminal history records check* apply to all employees and agents of contractors who have direct, daily contact with students. 105 ILCS 5/10-21.9(f). Every contractor with the District shall: (1) make every employee or agent who will have direct, daily contact with students submit to a complete criminal history records check, (2) confirm that it will make those employees available to the District for the criminal history records check, and (3) submit payment for the costs of the check(s) to the District.

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Note: The provisions in 105 ILCS 5/10-21.9(f) and (g) apply to employees of contractors who have "direct, daily contact" with students. To be comprehensive and to eliminate uncertainty, this procedure and Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, may require a criminal history records check on *all* employees of contractors who may work in any school building or on school property. Whether the District uses the comprehensive language or the direct language from the School Code, the District, not the contractor, must perform the background checks. Contractors are not authorized under any State or federal law to: (1) conduct the required criminal history background checks; or (2) see the employee's criminal history furnished by the ISP and the FBI.[8] All contracts should also require the contractor to purchase insurance to cover misconduct by their employees and/or an indemnification clause. Additionally, the Superintendent or designee should check insurance coverage to determine whether employees of contractors are covered. See also Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and administrative procedure 4:60-AP3, *Criminal History Records Check of Contractor Employees*, for the responsibilities of contractors. Last, if the District has received, within the last year, information that concerns the record of conviction and identification as a sex offender of any contractors' employees, the District must provide the information to another school or school district that requests it. 105 ILCS 5/10-21.9(f-5). ~~For more information, see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/Documents/guidance_chr.pdf.~~ Unless notified by the individual named in a criminal history records information (CHRI) request or by the ISP that the information furnished in a CHRI report is inaccurate or incomplete, the District cannot be liable for damages to any person to whom the CHRI pertains for actions it reasonably took in reliance on the accuracy and completeness of CHRI report. 20 ILCS 2635/7(A)(3).

District - The District complies with 105 ILCS 5/10-21.9, amended by P.A. 103-154~~s 102-552 and 102-702~~, and 5/21B-80~~, amended by P.A. 102-552~~. It will not knowingly employ a person, or allow a person to work or student teach/complete a required internship (105 ILCS 5/10-21.9(g)) on school grounds, who:

1. Has been convicted of any one or more of the following offenses, until seven years following the end of the sentence[9] for the criminal offense:
    a. Those defined in the Cannabis Control Act, 720 ILCS 550/, except: 720 ILCS 550/4(a), 550/4(b), 550/4(c), 550/5(a), 550/5(b), and any offense for which the holder of a license is placed on probation under the provisions of 550/10 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.
    b. Those defined in the Ill. Controlled Substances Act, 720 ILCS 570/100 et seq., amended by P.A. 103-881, except: any offense for which the holder of a license is placed on probation under the provisions of 570/410, amended by P.A.s 103-702, 103-881, and 104-417, provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.
    c. Those defined in the Methamphetamine Control and Community Protection Act, 720 ILCS 646/, except: any offense for which the holder of a license is placed on probation

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[8] See sample administrative procedure 4:60-AP3, *Criminal History Records Check of Contractor Employees*, at f/n 1, for discussion of the impact of 775 ILCS 5/2-103.1 on contractor employees.

[9] *Sentence* includes any period of supervision or probation that was imposed either alone or in combination with a period of incarceration. 105 ILCS 5/21B-80(a)~~, amended by P.A. 102-552~~.

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under the provisions of 646/70, amended by P.A. 103-702, provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.

d. Any attempt to commit any of the offenses listed in (a)-(c) of this section.

e. Any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in Illinois, would have been punishable as one or more of the offenses listed in (a)-(d) of this section.

2. Has been convicted of committing or attempting to commit any one or more of the following offenses:

~~a.~~ Attempting to commit, conspiring to commit, soliciting, or committing ~~first degree murder or any Class X felony.~~

~~b. Attempting to commit, conspiring to commit, soliciting, or committing any offense defined in Article 9 (Homicide) of the Criminal Code of 1961 or the Criminal Code of 2012.~~

~~c. Attempting to commit, conspiring to commit, soliciting, or committing any *sex offense*. Sex offense means any offense defined in:~~

~~i. Sections 11-6 and 11-9 through 11-9.5, inclusive, and 11-30 (if punished as a Class 4 felony) of the Criminal Code of 1961 or the Criminal Code of 2012;~~

~~ii. Sections 11-14.1 through 11-21, inclusive, of the Criminal Code of 1961 or the Criminal Code of 2012;~~

~~iii. Sections 11-23 (if punished as a Class 3 felony), 11-24, 11-25, and 11-26 of the Criminal Code of 1961 or the Criminal Code of 2012; and~~

~~d.~~a. ~~Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-4.9, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-32, 12-33, 12C-45, and 26-4 (if punished pursuant to 26-4(d)(4) or (5)) of the Criminal Code of 1961 or the Criminal Code of 2012~~any offense listed at 105 ILCS 5/21B-80.

~~e.~~b. Any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in Illinois, would have been punishable as one or more of the foregoing offenses.

3. Has been found to be the perpetrator of sexual or physical abuse of any minor less than 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

Reporting New Hires

The Superintendent or designee shall timely file an IRS Form W-4 or IDES *New Hire Reporting Form* for each newly hired employee with the Ill. Dept. of Employment Security. See 820 ILCS 405/1801.1, amended by P.A. 103-343. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure either the retiring Superintendent or designee performs this task.

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General Personnel

Exhibit – Notice of Preliminary Hiring Decision Based on Conviction Record

Use this letter when the District must notify an applicant that it made a preliminary determination that the applicant is disqualified from employment based on a conviction record. 775 ILCS 5/2-103.1(C).

On District Letterhead

Re: Your Employment Application – Preliminary Decision Notice

Dear [*insert name of applicant*]:

The District has reviewed the results of your complete criminal history records check conducted pursuant to 105 ILCS 5/10-21.9 in connection with your application for the position of [*insert job title*]. A copy of those results is enclosed with this letter.

After review, the District is not considering you further for employment in the District based at least in part on [*insert date and description of disqualifying offense relied upon*].

Use the following paragraph if the disqualification is based on conviction of a prohibited offense included in 105 ILCS 5/21B-80 (see administrative procedure 5:30-AP2, Investigations, at p. 7-8 for a listing of prohibited offenses):

105 ILCS 5/10-21.9 prohibits the District from employing anyone convicted of [*insert disqualifying offense*], and therefore, the District is prohibited by law from offering you employment.

Use the applicable paragraph(s) below if the disqualification is not based on a prohibited offense included in 105 ILCS 5/21B-80:

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District finds that employing you would involve an unreasonable risk to the property or to the safety or welfare of others.

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Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District finds a substantial relationship between your conviction record(s) and the employment position for which you have applied, and that your hiring would provide an opportunity for you to engage in the same or a similar offense.

Pursuant to the Illinois Human Rights Act, you have the right to respond to this Decision, after which time the District will make a final determination. Your response may include, but need not be limited to, evidence challenging the accuracy of the conviction record that the District relied upon to disqualify you [and/or evidence in mitigation, such as rehabilitation efforts]. You have until [*insert date at least seven working days from the date of the letter*] to respond to this letter. Please send your response to: [*insert contact information*].

Sincerely,

[*insert title, such as Superintendent or Director of Human Resources*]

Enclosure: results of complete criminal history records check

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General Personnel

Exhibit – Notice of Final Hiring Decision Based on Conviction Record

Use this letter when the District must notify an applicant that it made a final determination that the applicant is disqualified based on a conviction record. 775 ILCS 5/2-103.1(C).

On District Letterhead

Re: Your Employment Application – Final Decision Notice

Dear [*insert name of applicant*]:

~~I am writing to inform you that t~~The District has made the final decision not to consider you further for employment. This decision is based in whole or in part on the information in your conviction record that was enclosed with the preliminary decision letter that ~~I~~was sent to you on [*insert date*], as well as any information submitted by you in response to my letter.

Use the following paragraph if the disqualification is based on conviction of a prohibited offense included in 105 ILCS 5/21B-80 (see administrative procedure 5:30-AP2, Investigations at p. 7-8 for a listing of prohibited offenses):

105 ILCS 5/10-21.9 prohibits the District from employing anyone convicted of [*insert disqualifying offense*], and therefore, the District is prohibited by law from offering you employment.

Use the applicable paragraph(s) below if the disqualification is not based on a prohibited offense included in 105 ILCS 5/21B-80:

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts*], the District has determined that employing you would involve an unreasonable risk to the property or to the safety or welfare of others.

Given the [*include a description of all factors that apply: length of time since the conviction, the number of convictions that appear on the conviction record, the nature and severity of the conviction and its*

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relationship to the safety and security of others, the facts and circumstances surrounding the conviction, the age of the employee at the time of the conviction, and the evidence of rehabilitation efforts], the District has determined that there is a substantial relationship between your conviction record and the employment position for which you have applied, and that your hiring would provide an opportunity for you to engage in the same or a similar offense.

[*Insert the existing procedure, if any, that the District will use for the applicant to challenge the decision or request reconsideration*]

Finally, please note that you have the right to file a charge with the Illinois Department of Human Rights.

Sincerely,

[*insert title, such as Superintendent or Director of Human Resources*]

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General Personnel

Administrative Procedure - Coordination with Children's Advocacy Center [1]

Children's Advocacy Centers (CACs) are child-focused, trauma-informed, facility-based programs that provide a multi-disciplinary, comprehensive response to child abuse. Illinois CACs are organized and operate under the Children's Advocacy Center Act. 55 ILCS 80/. CACs are accredited based on standards set by the National Children's Alliance. 55 ILCS 80/2.5. See www.nationalchildrensalliance.org/.

If the District is located within a county that is served by an accredited CAC, it must coordinate with the CAC to implement the **Alleged Incidents of Sexual Abuse; Investigations** subhead of Board policy 5:90, *Abused and Neglected Child Reporting*. 105 ILCS 5/22-85. For a map of accredited CACs, and to identify a CAC that may serve the District, see www.childrensadvocacycentersofillinois.org/about/map. Use this procedure to coordinate with the District's local CAC.

Glossary of Terms

Alleged incident of sexual abuse – An incident of sexual abuse of a child (as defined in the Ill. Criminal Code of 2012, 720 ILCS 5/11-1.50~~9.1A~~) that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred either: on school grounds during a school activity, outside of school grounds, or not during a school activity. 105 ILCS 5/22-85(b). [2]

Alleged victim – A student who is alleged to be the victim of an alleged incident of sexual abuse.

Appropriate law enforcement agency – A law enforcement agency whose employees have been involved, in some capacity, with an investigation of a particular alleged incident of sexual abuse. 105 ILCS 5/22-85(b).

Child advocate – May be a school social worker, a school or equally-qualified psychologist, or a person in a position the Ill. State Board of Education (ISBE) has identified as an appropriate advocate for a student during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(i).

Forensic interview – An interview between a trained forensic interviewer, as defined by National Children's Alliance standards, and a child in which the interviewer obtains information from children in an unbiased and fact finding manner that is developmentally appropriate and culturally sensitive to support accurate and fair decision making by the multidisciplinary team in the criminal justice and child protection systems. 55 ILCS 80/2.5.

School personnel – School employees, vendors, and volunteers.

Sexual Abuse and Sexual Assault – See Ill. Criminal Code of 2012 definitions at:

720 ILCS 5/11-9.1A. Permitting sexual abuse of a child.

The footnotes should be removed before the material is used.

[1] This procedure cites the minimum requirements of State law. Modify this procedure based upon the District's specific implementation needs and any additional needs of the CAC that serves the District.

[2] See the f/n 15 analysis in sample policy 5:90, *Abused and Neglected Child Reporting*. To provide boards with clarity, this procedure uses the definition of *sexual abuse* from the Ill. Criminal Code of 2012.

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720 ILCS 5/11-1.20. Criminal sexual assault.
720 ILCS 5/11-1.30. Aggravated criminal sexual assault.
720 ILCS 5/11-1.40. Predatory criminal sexual assault of a child.
720 ILCS 5/11-1.50. Criminal sexual abuse.
720 ILCS 5/11-1.60. Aggravated criminal sexual abuse.

Coordination with CAC

Actor	Action
ISBE	Identifies persons in positions who may be appropriate child advocates for students during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(c). As of the publication of **PRESS** Issue 121 (March 2026~~3~~), ISBE has not identified any persons.
Superintendent or designee	Establishes a CAC Communication Committee (Committee) to operate as a Superintendent committee. See administrative procedure 2:150-AP, *Superintendent Committees.* Consider including: • District Nondiscrimination Coordinator (see Board policies 2:260, *Uniform Grievance Procedure*; and 2:265, *Title IX Grievance Procedure*) • District Safety Coordinator (see administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan,* **Part C, District Safety Coordinator and Safety Team; Responsibilities**) • District-level administrators • Building Principals (Building Principals are mandatory for successful implementation of the **Alleged Incidents of Sexual Abuse; Investigations** subhead of Board policy 5:90, *Abused and Neglected Child Reporting*) • School personnel • Employees from the accredited CAC that serves the District Chairs and convenes Committee meetings for the purpose of implementing the **Alleged Incidents of Sexual Abuse; Investigations** subhead of policy 5:90, *Abused and Neglected Child Reporting*. **Note:** To achieve the minimum requirement of State law that the District coordinate with its local CAC, this procedure establishes an administrative committee. Establishing a committee provides a best practice for aligning with governance principles and examining implementation issues specific to each individual school district and the CACs that serve each district. While smaller school districts, e.g., one-building districts, may be able to implement a program through one meeting, larger school districts will likely require the uniform coordination this Committee provides. Informs the School Board of the Committee's progress and needs by adding information items to the Board's agendas as needed. Ensures that at least every two years, school personnel are trained to understand, provide information and referrals to, and address issues pertaining to students who are parents, expectant parents, or victims of domestic or sexual violence. **Note:** 105 ILCS 5/10-22.39(b-25), added by

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Actor	Action
	P.A. 103-542 and amended by P.A. 104-391, ~~eff. 1-1-24 and operative 7-1-24,~~ requires this training to be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting students and must include training concerning each of the following: 1. Communicating with and listening to student victims of domestic or sexual violence and expectant and parenting students. 2. Connecting student victims of domestic or sexual violence and expectant and parenting students to appropriate in-school services and other agencies, programs, and services as needed. 3. Implementing the school district's policies, procedures, and protocols with regard to such students, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to such students. 4. 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 5/27-240~~10/3.10~~.
School Personnel	Upon suspecting or receiving knowledge of an alleged incident of sexual abuse, shall perform each of the following (105 ILCS 5/22-85(c)): 1. Immediately report to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873 (within Illinois); 1-217-524-2606 (outside Illinois); or 1-800-358-5117 (TTY). 2. ~~Follow directions given by DCFS concerning filing~~Prepare an internal written report documenting your report to DCFS ~~within 48 hours with the nearest DCFS field office. 25 ILCS 5/7~~. The written report shall include, if known, each of the following: a. The name and address of the child, his or her parents/guardians, or other persons having custody; b. The child's age; c. The child's condition, including any evidence of previous injuries or disabilities; and d. Any other information that the reporter believes may be helpful to DCFS for its investigation. 3. Promptly notify the Superintendent or Building Principal that a report to DCFS has been made.
Superintendent or Building Principal	Immediately coordinates any necessary notifications to the student's parents/guardians with DCFS, the applicable school resource officer (SRO), and/or local law enforcement which includes the local State's Attorney's Office. [3]

Commented [MB1]: Note to Subscribers: 325 ILCS 5/7, amended by P.A. 103-624, no longer requires reporters to file a written report with DCFS within 48 hours of any initial report.

The footnotes should be removed before the material is used.

[3] This sentence implements optional language from sample policy 5:90, *Abused and Neglected Child Reporting*, and should be deleted if the board's adopted policy does not contain it.

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Actor	Action
	Notifies the District's Nondiscrimination Coordinator of the reported alleged incident of sexual abuse.
DCFS and/or Appropriate Law Enforcement Agency	Determines whether to accept a reported alleged incident of sexual abuse for investigation. If a reported alleged incident is accepted, refers the matter to the CAC serving the District. 105 ILCS 5/22-85(d). **Note:** If neither DCFS nor law enforcement investigate the alleged incident of sexual abuse, the District can move forward with its own investigation without CAC involvement.
CAC	Coordinates the investigation of the alleged incident of sexual abuse in accordance with its existing multidisciplinary team protocol and National Children's Alliance accreditation standards. 105 ILCS 5/22-85(e)(1). Facilitates communication between the DCFS/law enforcement multidisciplinary team investigating the alleged incident of sexual abuse and the District's Nondiscrimination Coordinator.[4] At a minimum: 1. Ensures that all applicable parties have each other's contact information; and 2. Shares the CAC's protocol regarding the process of approving the viewing of a forensic interview by appropriate school personnel or Board members, and a contact person for questions regarding the protocol. 105 ILCS 5/22-85(e)(2).
Nondiscrimination Coordinator	Upon being notified of the reported alleged incident of sexual abuse by the Superintendent or Building Principal, shall: Open and conduct the District's investigation into the alleged incident of sexual abuse in accordance with Board policy 7:20, *Harassment of Students Prohibited*. Schedule regular follow-up calls to the CAC to inquire whether DCFS/law enforcement has opened an investigation into the alleged incident of sexual abuse. **If DCFS/law enforcement investigation is not opened, stops using this procedure and continues the District's investigation in accordance with Board policy 7:20, *Harassment of Students Prohibited*.** **If DCFS/law enforcement investigation is opened, continues with the following steps.** Notes the date DCFS/law enforcement opened its investigation and sets a reminder for 15 calendar days after it.

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[4] Throughout this procedure "Nondiscrimination Coordinator" may be replaced with Title IX Coordinator or designee, Complaint Manager, School Resource Officer, or the title of any other school personnel leading the school's investigation into the alleged incident of sexual abuse.

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Actor	Action
	Note: This time period is important because the CAC has 15 calendar days to conduct a forensic interview of the alleged victim. During this time, the District ~~is~~ cannot interview the alleged victim regarding the alleged incident. While the child abuse and/or criminal investigations related to the alleged incident of sexual abuse are being conducted by DCFS/law enforcement, the Nondiscrimination Coordinator: 1. Continues the District's investigation, which may include interviewing the alleged witnesses and/or the alleged perpetrator. 2. May request information from the alleged victim or his or her parent/guardian to ensure his or her safety and well-being at school during the investigations. 105 ILCS 5/22-85(f). 3. Refrains from interviewing the alleged victim until after the CAC completes its forensic interview. 105 ILCS 5/22-85(f). [5] 4. Upon request, must inform DCFS/law enforcement investigators of any evidence it has gathered, ~~as~~to the extent permitted by federal or State law. 105 ILCS 5/22-85(f). **Note:** Evidence gathered by the Nondiscrimination Coordinator during the District's investigation may be confidential under the Ill~~inois~~ School Student Records Act (105 ILCS 10/) and the Family Rights and Educational Privacy Act (20 U.S.C. §1232g). **Consult the Board Attorney regarding what disclosures, if any, are allowed in response to a request from DCFS and/or law enforcement and conditions that must be met prior to disclosure**. Schedule regular follow-up calls with the CAC to inquire about the status of the forensic interview of the alleged victim.
CAC	Informs the Nondiscrimination Coordinator that: 1. The forensic interview of the alleged victim is complete, and the electronic recording of the forensic interview may be viewed; or 2. The CAC determined a forensic interview will not be conducted. 105 ILCS 5/22-85(g), (h).
Nondiscrimination Coordinator	If the electronic recording of the forensic interview of the alleged victim is available for viewing: 1. Verifies the CAC has obtained informed consent from an alleged victim over the age of 13 or the alleged victim's parent/guardian

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[5] The purpose of waiting to interview and coordinating with CACs is to minimize trauma of an alleged victim by preventing multiple interviews of him/her regarding the alleged incident of sexual abuse. When a DCFS/law enforcement investigation is pending, then the CAC's forensic interview serves as the interview that other entities, e.g., school districts, may use by viewing or listening to it for their investigations. If a DCFS/law enforcement investigation is pending but the CAC does not conduct a forensic interview, then the school may conduct its own interview of the alleged victim after following the procedures outlined in this procedure.

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Actor	Action
	for appropriate school personnel or Board members to view the forensic interview (105 ILCS 5/22-85(h); and **Note:** Each CAC may have its own consent form. Contact your local CAC to confirm that it will obtain written consent from the alleged victim over the age of 13 or the alleged victim's parent/guardian (if under the age of 13). 2. Views the electronic recording of the forensic interview. If the CAC has not performed a forensic interview of the alleged victim within 15 calendar days after DCFS/law enforcement opens an investigation, notifies the CAC that the District intends to interview the alleged victim.
CAC	After receiving notification that the District intends to interview the alleged victim, has 10 additional calendar days to conduct a forensic interview. 105 ILCS 5/22-85(g).
Nondiscrimination Coordinator	If the CAC does not conduct a forensic interview of the alleged victim within the 10 additional calendar days, proceeds with the District's interview of the alleged victim. Id. If the alleged victim is under 18 years old, makes a child advocate available to the alleged victim and allows the child advocate to be present during the interview. A child advocate may be a school social worker, a school or equally qualified psychologist, or a person in a position that ISBE has identified as an appropriate advocate for a student during a school's investigation into an alleged incident of sexual abuse. 105 ILCS 5/22-85(i). Schedules regular follow-up calls to DCFS/law enforcement to inquire if the investigation of an incident has been suspended and/or is complete, including the outcome of the investigation. 105 ILCS 5/22-85(j), (k).

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Instruction

Administrative Procedure – Remote and/or Blended Remote Learning Day Plan(s)

Use this procedure in conjunction with the subhead ***Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)*** *in Board policy 4:180, Pandemic Preparedness; Management; and Recovery.*

When the District must implement a Remote and/or Blended Remote Learning Day Plan (Plan) that designates *remote learning days* (RLDs) and/or *blended remote learning days* (BRLDs) for instruction in grades pre-kindergarten through 12, the Superintendent must approve[1] a Plan, present the Plan to the Board for adoption[2] prior to its implementation, implement the Plan after Board approval, and post it on the District's website.

The Superintendent will begin the process of developing a Plan in one of the two following ways:

1. Adapting the District's e-learning program (adopted by the Board pursuant to 105 ILCS 5/10-20.56) into a Plan[3] and ensuring that it is posted on the District's website and communicated to the community in accordance with this procedure.[4] See *E-learning Program; Days*, in the **Definitions** subhead below for more information about an e-learning program.
2. Using this procedure if the District has not implemented an e-learning program. [5]

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[1] 105 ILCS 5/10-30(3) states "the district shall adopt a remote and blended remote learning day plan approved by the district superintendent." This presents a governance best practice conundrum. For ease of administration, to avoid confusion during implementation and to align with the IASB *Foundational Principles of Effective Governance* (https://www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/~~www.iasb.com/principles_popup.cfm~~), this administrative procedure requires the superintendent to present the approved plan to the board for adoption prior to district-wide implementation and posting on the district's website. See f/n 13 in sample policy 4:180, *Pandemic Preparedness; Management; and Recovery* for further discussion.

[2] Id.

[3] Id. at 5/10-30(2). If the board has implemented an e-learning program in the district, it should adapt the program into a Plan by ensuring that the requirements for communicating the Plan are met. See f/n 4 below. Consult the board attorney regarding the impact, if any, of 105 ILCS 5/10-20.56(d-10), (d-15), and (d-20)~~, added by P.A. 102-697~~, which requires boards to pay educational support personnel and contractors their regular rate of pay on e-learning days, unless they are rescheduled. The law limits the number of e-learning days to the minimum number of emergency days in the approved school calendar; it is unclear if those days would still need to be paid in the event an e-learning program is adapted into a Plan. Id.

[4] Id. at 5/10-30(6).

[5] Id. at 5/10-30(3) and (6). See f/n 1, above.

See f/n 3 in sample policy 2:150, *Committees* for a discussion of Open Meetings Act implications of the Remote Learning Committee being a board committee. See IASB's *Foundational Principles of Effective Governance* at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/~~www.iasb.com/principles_popup.cfm~~.

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Definitions

Blended Remote Learning Days (BRLDs) – School attendance days during which the District provides hybrid days of in-person and remote instruction to students.[6] Once the State Superintendent of Education declares that the District must use ~~remote learning days~~RLDs or ~~blended remote learning days~~BRLDs, the Superintendent implements these days in grades pre-kindergarten through 12. These days are counted as days of attendance and are pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19 and 5/10-19.05. If the District has implemented an *e-learning program*, these school attendance days may be met through it. See 105 ILCS 5/10-30.

E-learning Program; Days – E-learning is short for electronic learning. As an optional instructional tool for school districts, e-learning days are part of an implemented e-learning program in the District that:

1. Uses the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners; and
2. Addresses a district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program.

An e-learning program is implemented after a school board:

1. Adopts a resolution to implement research-based program(s) for district-wide e-learning days that permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by 105 ILCS 5/10-19 (105 ILCS 5/10-20.56(b), amended by P.A.103-780);
2. Conducts a public hearing on the District's initial e-learning program proposal or renewal with at least 10 days' advanced notice (Id. at 5/10-20.56(c)); and
3. Before the implementation of any e-learning days in that school year, to ensure access for all students, receives verifications by the regional office of education (ROE) or intermediate service center (ISC) that the board's proposal for an e-learning program has: (a) met the requirements specified in 105 ILCS 5/10-20.56, amended by P.A.~~s 102-584, 102-697, and~~ 103-780; (b) the components designed to reasonably and practicably accomplish the requirements outlined in the enabling statute; and (c) not exceeded the minimum number of emergency days in a district's approved school calendar. In its verification process, the ROE/ISC ensures that the specific needs of all students are met, including special education students and English Learners, and that all mandates are still met using the proposed research-based program. See 105 ILCS 5/10-20.56(b), amended by P.A.~~s 102-584 and~~ 103-780.

While the ROE/ISC must annually verify a district's e-learning program, the Board's approval of an e-learning program is for a term of three school years. 105 ILCS 5/10-20.56(d)(10), amended by P.A. 103-780.

Plan – The District's formal implementation of remote instruction that includes RLDs and BRLDs. If the District already has an e-learning program in place, it should adapt the program into a Plan by

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[6] The law is silent regarding whether BRLDs must be in-person and remote on the same day or whether they may include in-person instruction on one day and remote learning on different day. BRLDs is a term commonly used in higher education, and in higher education, in-person and remote instruction may take place on the same day or on different days.

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ensuring that the requirements for communicating the Plan, e.g., website posting, etc. are met.[7] When finalized, it is provided to students and faculty, posted on the District's website where other policies, rules, and standards of conduct are posted, and listed in exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Plans should be periodically reviewed and amended to ensure the needs of all students continue to be met throughout the suspension of in-person learning. If a plan is amended, post the amended plan to the District website. [8]

Remote Learning Days (RLDs) – Remote learning is learning that happens outside of the traditional classroom because the student and teacher are separated by distance and/or time. Remote learning can be real-time or flexibility-timed, and it may or may not involve technology. School attendance days are days that the District provides remote instruction to students. Once the State Superintendent of Education declares that the District must use ~~remote learning days~~RLDs or ~~blended remote learning days~~BLRDs, the Superintendent implements these days in grades pre-kindergarten through 12 on days of attendance. These days are counted as pupil attendance days for calculation of the length of the District's official calendar under 105 ILCS 5/10-19 and 5/10-19.05. If a district has implemented an e-learning program, these school attendance days may be met through it. Five RLDs, taken consecutively or in separate increments, may be used to develop, review, or amend the District's Plan or provide professional development to staff about remote education; i.e., *Remote Learning Planning Days*. See 105 ILCS 5/10-30. [9]

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Remote Learning Planning Days – If the district does not implement an e-learning program, then a district may use u~~U~~p to five consecutive or separate increment days ~~that a district may use~~ to develop, review, or amend its Plan or to provide professional development to staff about remote education. These days are counted as days of attendance and are pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19 and 5/10-19.05. See 105 ILCS 5/10-30. [10]

Plan Development and Implementation

Use this Plan before, during, and after implementing 105 ILCS 5/10-30.

Consult the Board Attorney for guidance on this procedure.

Actor	Action
Board	If permitted by local resources and conditions, implement an e-learning program pursuant to 105 ILCS 5/10-20.56, amended by P.A.~~s 102-584, 102-697, and~~ 103-780.

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[7] See ~~question "How do Remote Learning Plans and E-Learning Plans differ?" in~~ the Ill. State Board of Education (ISBE) Guidance Document, *Current Remote Learning Options Under Illinois Law Guidance for Schools and Districts~~Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts~~*, and its most recent updates at: www.isbe.net/Documents/Remote-Learning-Guidance-Chart.pdf~~www.isbe.net~~.

[8] ~~See question "Can Remote Learning Plans be revised periodically to align with changing circumstances?" in the ISBE Guidance Document, Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts, and its most recent updates at: www.isbe.net.~~Id.

[9] ~~See questions "What is a Remote Learning Day on the school calendar?" and "How do Remote Learning Plans and E-Learning Plans differ?" in the archived ISBE Guidance Document, *Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts*, at: I~~dwww.isbe.net/Pages/covid19.aspx.

[10] See question "What are Remote Learning Planning Days?" in the archived ISBE Guidance Document, *Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts*, at: www.isbe.net~~www.isbe.net/Pages/covid19.aspx~~.

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Actor	Action
	If the Board decides not to implement an e-learning program in the District, provides the Superintendent with the resources necessary to implement a Remote and/or Blended Remote Learning Day Plan (Plan) that meets the needs of all students. 105 ILCS 5/10-30. Directs, through policy, the Superintendent to recommend any suspensions or amendments to policies to reduce any Board-required graduation or other instructional requirements in addition to the minimum requirements specified in School Code that the District was not able to complete due to a pandemic. 105 ILCS 5/10-16.7. Monitors Board policies 2:20, *Powers and Duties of the School Board; Indemnification*, 4:180, *Pandemic Preparedness; Management; and Recovery*, and 6:20, *School Year Calendar and Day*, 6:60, *Curriculum Content*, and 6:300, *Graduation Requirements* (if applicable), and makes changes recommended by the Superintendent. See Board policy 2:240, *Board Policy Development*. Considers all policy changes recommended by the Superintendent pursuant to Board policy 2:240, *Board Policy Development*, and included as a topic for discussion in the annual report required by Board policy 6:10, *Educational Philosophy and Objectives*. Adopts the Superintendent-approved Plan for District-wide implementation. [11] Provides appropriate, additional resources requested by the Superintendent to successfully implement the Plan.
Board and Superintendent	Identify, discuss, modify, and monitor relevant Board policies that remote learning may possibly affect, including but not limited to: 4:130, *Free and Reduced-Price Food Services* 4:180, *Pandemic Preparedness; Management; and Recovery* 5:35, *Compliance with the Fair Labor Standards Act* 5:40, *Communicable and Chronic Infectious Disease* 5:180, *Temporary Illness or Temporary Incapacity* 5:185, *Family and Medical Leave* 5:200, *Terms and Conditions of Employment and Dismissal* 5:270, *Employment At-will, Compensation, and Assignment* 5:300, *Schedules and Employment Year* 5:330, *Sick Days, Vacation, Holidays and Leaves*

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[11] See f/n 1, above.

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Actor	Action
	6:10, *Educational Philosophy and Objectives* 6:15, *School Accountability* 6:20, *School Year Calendar and Day* 6:30, *Organization of Instruction* 6:60, *Curriculum Content* 6:120, *Education of Children with Disabilities* 6:150, *Home and Hospital Instruction* 6:190, *Extracurricular and Co-Curricular Activities* 6:300, *Graduation Requirements* 7:70, *Attendance and Truancy* 7:280, *Communicable and Chronic Infectious Disease* 8:30, *Visitors to and Conduct on School Property* 8:100, *Relations with Other Organizations and Agencies*
Superintendent or Designee	When the District is required by the State Superintendent of Education to implement RLDs and/or BRLDs: 1. If an e-learning program is in place: a. Adapts it into a Plan by ensuring that the requirements for communicating the Plan, e.g., website posting, ~~etc.~~ are met; [12] b. Approves the Plan;[13] and c. Presents the Plan to the Board for adoption. [14] 2. If an e-learning program is not in place: a. Establishes a District-wide Remote Learning Committee[15] to design a Plan for implementation of RLDs and BRLDs. Committee members should include: District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Plan) Pandemic Planning Team member(s)

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[12] See f/n 3, above.

[13] See f/n 1, above.

[14] See f/ns 1 and 2, above.

[15] If a committee is not feasible in the district, the superintendent or designee must perform this function. See f/n 16, below.

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Actor	Action
	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 Board policy 6:120, *Education of Children with Disabilities*, and exhibit 6:120, AP1, E1 *Notice to Parents/Guardians Regarding Section 504 Rights*) Staff members [16] Parents/Guardians Students b. Chairs and convenes Committee[17] meetings. Manages virtual attendance by some or all Committee members when necessary. 3. Designates RLDs and/or BRLDs in grades pre-kindergarten through 12. 4. Approves the Plan and presents it to the Board for adoption. [18] 5. Implements the Plan. 6. Ensures that the Plan is provided to students and faculty, posted on the District's website where other policies, rules, and standards of conduct are posted, and listed in exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. 7. Provides periodic reports to the Board about the Committee's progress and needs, along with any amendments to the Plan for the purposes of ensuring that it meets the needs of all students by adding information items to the Board's agendas as needed.

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[16] 105 ILCS 5/10-30(7) states that it does not increase or diminish any collective bargaining rights under existing law, and that aspects of the plan that impact the wages or other terms or conditions of employment will need to be bargained with the exclusive bargaining representative(s).

[17] This committee is optional. Establishing it is a best practice for aligning with governance principles and examining the many implementation issues specific to each individual school district. While smaller school districts, i.e., one-building districts, may be able to implement a Plan through one meeting, larger school districts will likely require the uniform coordination that this committee provides.

[18] See f/n 1, above.

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Actor	Action
Remote Learning Committee [19]	Designs a Plan for the Superintendent's approval and Board's adoption to implement remote instruction through the District in a manner that: [20] 1. Explores what may work best for the school community using any remote learning guidance issued by the Ill. State Board of Education (ISBE), at: www.isbe.net/Documents/Remote-Learning-Guidance-Chart.pdf~~www.isbe.net/Pages/covid19.aspx~~. 2. Potentially uses Remote Learning Planning Days consecutively or in separate increments to develop, review, or amend this Plan or provide professional development to staff about remote education; [21] If the District does not have an e-learning program, includes design in the Plan for implementation of remote instruction that also provides: 1. Accessibility of remote instruction to all students enrolled in the District; 2. Hybrid RLDs and BRLDs, as directed or allowed by the ISBE; 3. Activities for both RLDs and BRLDs that align with State learning standards and Board policies[22] 6:10, *Educational Philosophy and Objectives*, 6:15, *School Accountability*, 6:30, *Organization of Instruction*, 6:60, *Curriculum Content*, and 6:300, *Graduation Requirements*~~,~~ (if applicable); 4. Communication between students and teacher(s),[23] as necessary to align with the requirements of Board policy 7:340, *Student Records*; [24] 5. Methods to address the unique needs of students in special populations, including, but not limited to, students eligible for special education under 105 ILCS 5/14-1.01 et seq., students who are English learners as defined in 105 ILCS 5/14C-2, and students experiencing homelessness under the Education for Homeless Children Act (105 ILCS 45/), or vulnerable student populations;

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[19] As much of the work of developing a plan is administrative/staff work rather than governance work, best practice is for the remote learning committee to operate as an administrative committee. Consult the board attorney for guidance, and see also f/n 1 in sample policy 2:150, *Committees* for a discussion of Open Meetings Act implications of a remote learning committee being a board committee.

[20] 105 ILCS 5/10-30(4) and see f/n 1, above.

[21] While remote learning planning days do not need to be accounted for in the plan itself, the committee may want to address the fact that the district may use up to five RLDs and/or BRLDs may be counted as pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19. 105 ILCS 5/10-30(3).

[22] 105 ILCS 5/10-30(8), amended by P.A. 104-391, does not excuse districts from completing all statutory and regulatory curricular mandates and offerings when RLD/BRLD are required. All statutory and regulatory curricular mandates and offerings may be administered through a district's RLD/BRLD plan(s), except that a district may not offer individual behind-the-wheel instruction 105 ILCS 5/27-815, renumbered by P.A. 104-391, ~~27-24.2~~ in its plan(s). Id.

While 105 ILCS 5/10-30(8), amended by P.A. 104-391, explicitly prohibits behind-the-wheel instruction for RLDs/BRLDs, during the COVID-19 pandemic, joint ISBE and Ill. Dept. of Public Health (IDPH) guidance focused on allowable in-person instruction activities, one of which included behind-the-wheel instruction.

[23] 105 ILCS 5/10-30(4)(iii).

[24] The second part of this sentence is not in 105 ILCS 5/10-30, but is still required by State and federal law.

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Actor	Action
	6. Guidance for how the District will take attendance and monitor and verify each student's remote participation; and 7. Resources for transitions from remote learning to in-person instruction when the State Superintendent declares that RLDs and/or BRLDs are no longer deemed necessary. Delivers the Plan to the Superintendent for approval[25] in a format that is easily posted on the District's website. Periodically reviews and amends the Plan, with the Superintendent as needed, to ensure it meets the needs of all students. 105 ILCS 5/10-30(5). Recommends to the Board, through the Superintendent, any policy changes for consideration. See Board policy 2:240, *Board Policy Development*. Reports reviews and amendments to the Plan to the Superintendent or designee.
All Staff [26]	Implements the Plan.

LEGAL REF.: 105 ILCS 5/10-30.

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[25] See f/n 1, above.

[26] See f/n 16, above.

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Instruction

Administrative Procedure - Dissection of Animals

Actor	Action	Time
Curriculum Director	Identifies: (1) which, if any, courses contain a dissection project, and (2) the available alternative projects. Reports this information to the Building Principal. "Dissection" includes cutting, killing, preserving, or mounting of living or dead animals or animal parts for scientific study; but~~it~~ does not include the cutting, preserving, or mounting of: (1) meat or other animal products that have been processed for use as food or in the preparation of food, or (2) wool, silk, glue, or other commercial or artistic products derived from animals. 105 ILCS 112/10. Students who object to performing, participating in, or observing a dissection must be excused from classroom attendance without penalty. 105 ILCS 112/25.	Throughout the curriculum development process
Building Principal	Ensures that course descriptions indicate which courses contain a dissection unit. For such courses, indicates that objecting students have the right to refrain, and the availability, if any, of an alternative. ISBE guidelines for notifying students, parents, administrators, and teachers are available at: www.isbe.net/Documents/alternatives_dissection_2000.pdf#search=dissection.	Annually when course offerings and descriptions are distributed to students
School Counselors[1] and Teachers	Remind~~s~~ objecting students to check the expectations and requirements of the post-secondary schools that they may be interested in attending. 105 ILCS 112/20(b).	Whenever a student may choose between dissection and an alternative program
Students	If dissection is objectionable, asks the teacher to be excused from the dissection project and requests an alternative project.	Within the first 10 days of the course, if possible

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[1] ~~105 ILCS 5/10-22.39, 5/10-27.1A, 5/18-8.15, 5/27-23.7, amended by P.A. 102-197.~~

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All Staff Members	Do not penalize or discriminate against a student in any way for refusing to perform, participate in, or observe dissection. 105 ILCS 112/25.	Continuously

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Instruction

Administrative Procedure - Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs [1]

The development, implementation, and maintenance of school-level parent~~/guardian~~ and family engagement compacts must be ~~accomplished with~~carried out through meaningful consultation with parents/guardians of children participating in Title I programs. The Superintendent must designate~~s~~ a person ~~to~~who will be responsible for the process of obtaining meaningful consultation. This checklist includes some measures designed to encourage meaningful consultation.

This is an annual checklist. *Check steps as completed*.

☐ Plan regular meetings throughout the school year with parents/guardians to discuss ~~the District and/or~~ school compacts; identify dates and convenient times, places, and persons whose attendance is desired. Offer meetings in the morning or evening, and, if funds are available under Title I for this purpose, provide transportation, childcare, or home visits, as such services relate to parent/guardian involvement.

☐ Plan an agenda for meetings to ~~be held to~~ discuss ~~District and/or~~ school-level parent and family engagement compacts.

- Always begin with "~~introducing~~ where we are now?" and end with "next steps."
- Agendas should provide for two-way communication between the District and parents/guardians of children participating in Title I programs.
- Agendas can be built around the federal compliance requirements as stated in ~~the IASB sample district and school level compacts~~exhibits 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan,* and 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan*.
- Agendas should also include a section to inform parents/guardians of their school's participation ~~under~~ in Title I and to explain Title I's requirements regarding parent/guardian involvement, including the right of ~~the~~ parents/guardians to be involved.
- Agendas should also include a section to describe and explain the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of challenging State academic standards.
- If requested by a parent/guardian, agendas should also include a section for parents/guardians to formulate suggestions and to participate, as appropriate, in decisions relating to their children's education.
- Agendas should also include a section to involve parents/guardians in the planning, review, and improvement of Title I programs, including the joint development of the School-Level Parent and Family Engagement Plan (School Plan)~~schoolwide program plan~~ under 20 U.S.C. §6314(b)(2).
- Another agenda topic is how funds are allotted for parent/guardian involvement in activities; parents/guardians of children receiving services must be involved in these decisions.

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The footnotes should be removed before the material is used.

[1] Elementary and Secondary Education Act, 20 U.S.C. §6318. This administrative procedure should be used along with 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan~~Compact~~*, and 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan~~Compact~~*, but only by those districts receiving Title I funds.

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☐ Notify interested persons of meeting dates to discuss ~~District and/or~~ school compacts, including:

- ☐ Parents/guardians of students~~[2]~~ participating in Title I programs
- ☐ Staff members
- ☐ Students participating in Title I programs
- ☐ School Board members
- ☐ Media
- ☐ Coordinators for other school programs, e.g., Head Start and preschool programs
- ☐ Other _____

☐ Publicize the meeting dates, times, and locations to discuss ~~District and/or~~ school-level parent and family engagement compacts.

☐ Make all Open Meetings Act notifications and postings for meetings to ~~be held to~~ discuss ~~District and/or~~ school-level parent and family engagement compacts. **Note:** it is wise to assume these meetings will be in open session if Board members are expected to attend or if the meetings are conducted by a Board-appointed committee.

☐ Appoint a recording secretary to keep meeting minutes.

☐ Provide copies of working drafts to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand.

☐ Determine success indicators to measure the effectiveness of the school-level parent and family engagement compacts in improving ~~the~~students' academic achievement.

☐ Review the success indicators in order to evaluate the effectiveness of the school-level parent and family engagement compacts in improving ~~the~~students' academic achievement.

☐ Conduct an annual evaluation to ~~i~~dentify: [2]

- ☐ Barriers to greater participation by parents/guardians, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
- ☐ The needs of parents/guardians and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
- ☐ Strategies to support successful school and family interactions.

Use the findings of such an evaluation to design evidence-based strategies for more effective parent/guardian involvement.

☐ If the ~~schoolwide program plan~~School Plan under 20 U.S.C. §6314(b)(2) is not satisfactory to the parents/guardians of participating children, submit any parent~~s~~/guardian~~s~~ comments on the School ~~p~~Plan when the school makes ~~the plan~~it available to the Board.

☐ Provide status reports to the Board and, periodically, submit updated parent and family engagement ~~compacts~~plans to the Board.

☐ Revise the applicable parent and family engagement ~~compacts~~plans as necessary.

The footnotes should be removed before the material is used.

[2] 20 U.S.C. §6318(a)(2)(D) and (E), as amended by the Every Student Succeeds Act. Pub. L. 114-95.

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Instruction

Exhibit - District-Level Parent and Family Engagement Plan~~Compact~~ [1]

This District-~~l~~Level Parent and Family Engagement Plan (District Plan)~~Compact~~ provides an understanding of the joint responsibility of the District and parents/guardians and family members to improve students' academic achievement and school performance. ***The District Plan must be customized to reflect the District's actual Title I parent and family engagement activities.*** ~~To that end,~~

~~t~~The District provides opportunities for parent/guardian and family engagement at the District level as follows:

1. The District involves parents/guardians and family members in the joint development of the District~~'s~~ ~~p~~Plan to help low-achieving children meet challenging achievement and academic standards (20 U.S.C. §6312), and the development of comprehensive and targeted support and improvement plans (20 U.S.C. §§6311(d)(1), (2)) by:
    - Establishing a District-level committee with parent/guardian liaisons from each building, as well as representatives from other relevant federal, State, and local programs (see **Title I Parent Advisory Committee** in administrative procedure 2:150-AP, *Superintendent Committees*).
    - Establishing meaningful, ongoing two-way communication between the District, staff, and parents/guardians.
    - Developing a District newsletter to communicate to parents/guardians about the plan and seek their input and participation.
    - Training personnel on how to collaborate effectively with families with diverse backgrounds that may impede parent/guardian participation, e.g., illiteracy or language difficulty.
2. The District provides the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent/guardian and family involvement activities to improve student academic achievement and school performance by:
    - Providing ongoing District-level workshops to assist buildings in planning and implementing improvement strategies.
    - Establishing training programs for building liaisons to bring the communication and facilitation skills to the buildings they represent.
    - Providing information to parents/guardians about the various assessment tools and instruments that will be developed to monitor progress.
    - Seeking input from parents/guardians in developing workshops.
    - Providing ongoing communication about the District-wide committee through District newsletters or other written or electronically communicated means.

The footnotes should be removed before the material is used.

[1] This exhibit should be used along with 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan~~Compact~~*, but only by those districts receiving Title I funds. The numbered paragraphs correspond to requirements in the Elementary and Secondary Education Act, 20 U.S.C. §6318(a)(2)(A)-(F). The bulleted items are merely ideas, unless otherwise noted; each district must, with parents, develop its own process for accomplishing everything listed.

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- Engaging the building parent organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions.
- Utilizing parent organizations to assist in identifying effective communication strategies based on their members' needs.
- Providing a master calendar of District meetings to discuss pertinent topics.
- Allowing meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents/guardians and family members in education. [2]

3. The District coordinates and integrates parent/guardian and family engagement strategies under this District Plan ~~*Compact*~~, to the extent feasible and appropriate, with engagement strategies under other relevant federal, State and local programs by:
    - Involving District and program representatives to assist in identifying specific population needs.
    - Sharing data from other programs to assist in developing new initiatives to improve academic achievement and school improvement.

4. The District conducts, with the meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of ~~the parent/guardian and family engagement~~ Board policy 6:170, *Title I Programs*, in improving the academic quality of the schools served under Title I, including identifying: (a) barriers to greater participation by parents/guardians in activities authorized by 20 U.S.C. §6318 (with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background); (b) the needs of parents/guardians and family members to assist with the learning of their children, including engaging with school personnel and teachers; and (c) strategies to support successful school and family interactions.

~~4.~~5. The District ~~then~~ uses the findings of ~~such~~annual evaluations to design evidence-based strategies for more effective parent/guardian involvement, and to revise, if necessary, Board policy 6:170, *Title I Programs*~~its District-level parents/guardians and family engagement policies~~. The District does these activities by:
    - Evaluating the effectiveness of the content and communication methods through a variety of means, including: focus groups, surveys, workshops, and informal coffees with District and building administrative staff, parents/guardians, and teachers.
    - Identifying barriers to effective evaluation by language support or other assistance as needed.
    - Identifying potential policy and District Plan ~~compact~~ changes to revise and improve program(s).

~~5.~~6. The District involves parents/guardians in the activities of the schools served under Title I by:
    - Providing communication and calendar information to parents/guardians of upcoming meetings, discussions, or events and encouraging their participation.
    - Providing Building Principal and parent organizations coordination of events.
    - Establishing a parent advisory committee comprised of a sufficient number and representative group of parents/guardians or family members to adequately represent the needs of the District's population for the purposes of developing, revising, and reviewing ~~the parent and family engagement~~ Board policy 6:170, *Title I Programs*. **Note:** 20 U.S.C. §6318(a)(2)(F) uses the phrase parent-advisory board but this exhibit uses the phrase

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[2] Optional. 20 U.S.C. §6318(a)(2)(B).

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parent advisory committee to align with 2:150-AP, *Superintendent Committees*, which contains a subhead entitled **Title I Parent Advisory Committee**. [3]

Building Capacity for Involvement [4]

To ensure effective involvement of parents/guardians and to support a partnership among the schools involved, the District shall:

- Provide assistance to parents/guardians in understanding the challenging State academic standards, State and local academic assessments, and how to monitor their child's progress and work with educators to improve the achievement of their children.
- Provide materials and training, such as literacy and technology (including education about the harms of copyright piracy), to help parents/guardians work with their children to improve their children's achievement.
- With the assistance of parents/guardians, educate teachers, instructional support personnel, principals, other school leaders, and other staff in: a) the value and utility of contributions of parents/guardians; and b) how to effectively communicate and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the school.
- To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, State, and local programs, including public preschool programs, and conduct other activities, such as parent/guardian resource centers, that encourage and support parents/guardians in more fully participating in their children's education.
- Ensure that information is sent to the parents/guardians of participating children in a format and, to the extent practicable, in a language that parents/guardians can understand.
- Provide such other reasonable support for parental involvement activities under this section as parents/guardians may request.

In addition, the District may: [5]

- Involve parents/guardians in the development of training for teachers, Building Principals, and other educators to improve the effectiveness of such training.
- Provide necessary literacy training from funds provided by the relevant provision in Title I if the District has exhausted all other reasonably available sources of funding for such training.
- Pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions.
- Train parents/guardians to encourage and enhance the involvement of other parents/guardians.
- Arrange school meetings at a variety of times, or conduct in-home conferences involving teachers and other educators, in order to maximize parental involvement and participation.
- Adopt and implement model approaches to improving parental involvement.

Commented [MB1]: Note to Subscribers: The **Building Capacity for Involvement** and **Accessibility** subheadings have been moved here (from 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan*) because they apply to the district and each of its schools.

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The footnotes should be removed before the material is used.

[3] Optional. 20 U.S.C. §6318(a)(2)(F).

[4] 20 U.S.C. §6318(e). Each bulleted item corresponds to a *shall* or *may* provision contained in §6318(e)(1)-(14).

[5] Optional. 20 U.S.C. §6318(e)(12).

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- Establish a District-wide parent advisory committee to provide advice on all matters related to parental involvement in supported programs. **Note:** 20 U.S.C. §6318(e)(12) uses the phrase *parent advisory council* but this exhibit uses the phrase *parent advisory committee* to align with 2:150-AP, *Superintendent Committees*, which contains a subhead entitled **Title I Parent Advisory Committee**.
- Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities.

Accessibility [6]

In carrying out the parental involvement requirements of this compact, the District, to the extent practicable, will provide opportunities for the informed participation of parents/guardians and family members (including those with limited English proficiency, with disabilities, and with migratory children), including providing information and school reports in a format and, to the extent practicable, in a language such parents/guardians understand.

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[6] 20 U.S.C. §6318(f).

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Instruction

Exhibit - School-Level Parent and Family Engagement Plan~~Compact~~

This ~~s~~School-~~l~~Level ~~p~~Parent and ~~f~~Family ~~e~~Engagement ~~compact~~Plan (School Plan) provides an understanding of the joint responsibility of the ~~District~~ school and parents/guardians for improving student~~s~~' academic achievement and school performance. The school is also responsible for implementing the Building Capacity for Involvement and Accessibility subheadings of exhibit 6:170-AP1, E1, District-Level Parent and Family Engagement Plan. ***The School Plan must be customized to reflect the school's actual Title I parent and family engagement activities.***

The ~~District~~ school provides opportunities for parent/guardian and family engagement~~involvement~~ at the school level by:

Parent/Guardian Involvement [1]

1. Convening an annual meeting, at a convenient time, to which all parents/guardians of participating children are invited and encouraged to attend, to inform parents/guardians of their school's participation under Title I and to explain the requirements of Title I, and the right of the parents/guardians to be involved. The Building Principal or designee shall:
   - Invite all parents/guardians of participating children to the annual meeting at school.
   - Explain the rights of parents/guardians to be involved in establishing this School Plan~~compact~~.
   - Introduce and involve the building representatives on the District-level committee.
   - Provide an overview of Title I and give parents/guardians an opportunity to express questions and concerns.
   - Indicate the mechanisms by which the committee work will be communicated.
   - Seek the involvement and input of parents/guardians.
   - Provide child care so that all parents/guardians who would otherwise be unable to attend may attend.
2. Offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided by the relevant provision in Title I, transportation, child care, or home visits, as such services relate to parental involvement. The Building Principal or designee shall:
   - Provide parents/guardians with opportunities to ask questions and dialogue informally about student academic achievement and school performance.
   - Engage building-based parent organizations to assist with communication and implementation needs.
   - Develop and use outreach programs to involve community groups and organizations.
3. Involving parents/guardians in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under Title I, including the planning, review, and improvement of ~~the school parent and family engagement~~ Board policy 6:170, *Title I Programs*, and the joint development of ~~the school-wide program plan~~this School Plan (under 20 U.S.C. §6314(b)(2),

The footnotes should be removed before the material is used.

[1] The numbered paragraphs correspond to mandatory requirements in the Elementary and Secondary Education Act ~~(ESEA)~~, 20 U.S.C. §6318(c). Bulleted items are ideas that each district must, with parents/guardians and family, develop through its own process for accomplishing the respective numbered paragraph. Districts receiving Title I funds should use this exhibit with 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan~~Compact~~*.

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except that if a school has in place a process for involving parents/guardians in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents/guardians of participating children. The Building Principal or designee shall:

- Identify and establish a process by which an adequate representation of parents/guardians of participating children can occur.
- Establish a schedule for the building-based committee to plan, review, and recommend improvements to ~~the District parent involvement~~ Board policy 6:170, *Title I Programs*.

4. The Building Principal or designee shall:
   - Provide parents/guardians of participating children timely information about programs.
   - Communicate updates through use of school newsletters, the District website, email and telephone contact, and home visits if needed.
5. The Building Principal or designee ~~will~~shall provide to parents/guardians a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of challenging State academic standards.
6. The Building Principal or designee shall:
   - Provide parents/guardians, upon request, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any suggestions as soon as practicably possible.
   - Develop a feedback loop for parents/guardians to ask questions and receive follow-up.
7. If ~~the school-wide plan~~this School Plan under 20 U.S.C. §6314(b) is not satisfactory to the parents/guardians of participating children, the Building Principal or designee shall:
   - Submit any parent/guardian comments on the School Plan~~plan~~ when the school makes ~~the plan~~it available to the School Board.
   - Provide a process for parents/guardians to express concerns and complaints.

Shared Responsibilities for High Student Academic Achievement [2]

1. The School is responsible for providing a high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under Title I to meet the State's challenging academic standards. Each parent/guardian is responsible for supporting their children's learning by:
   - Volunteering in their child's classroom.
   - Participating, as appropriate, in decisions relating to their children's education and positive use of extracurricular time.
2. Communication between teachers and parents/guardians occurs on an ongoing basis through:
   - Parent-teacher conferences in elementary schools, at least annually, during which the School Plan~~compact~~ shall be discussed as ~~the compact~~it relates to the individual child's achievements.
   - Frequent reports to parents/guardians on their child's progress.
   - Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.
   - Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

The footnotes should be removed before the material is used.

[2] The numbered paragraphs correspond to mandatory requirements in ~~ESEA,~~ 20 U.S.C. §6318(d). Bulleted items are ideas that each district must, with parents/guardians and family members, develop through its own process for accomplishing the respective numbered paragraph. Districts receiving Title I funds should use this exhibit with 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan~~Compact~~*.

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Building Capacity for Involvement [3]

See exhibit 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan.* ~~*To ensure effective involvement of parents/guardians and to support a partnership among the school's involved, each school shall:*~~

~~*Provide assistance to parents/guardians in understanding the challenging State academic standards, State and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children.*~~

~~*Provide materials and training, such as, literacy and technology (including education about the harms of copyright piracy), to help parents/guardians work with their children to improve their children's achievement.*~~

~~*Educate teachers, instructional support personnel, principals, other school leaders, and other staff, with the assistance of parents/guardians, in: a) the value and utility of contributions of parents/guardians; and b) how to effectively communicate and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the school.*~~

~~*To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, State and local programs, including public preschool programs, and conduct other activities, such as parent/guardian resource centers, that encourage and support parents/guardians in more fully participating in their children's education.*~~

~~*Ensure that information is sent to the parents/guardians of participating children in a format and, to the extent practicable, in a language that parents/guardians can understand.*~~

~~*Provide such other reasonable support for parental involvement activities under this section as parents/guardians may request.*~~

~~*In addition, each school may:*~~

~~*Involve parents/guardians in the development of training for teachers, Building Principals, and other educators to improve the effectiveness of such training.*~~

~~*Provide necessary literacy training from funds provided by the relevant provision in Title I if the District has exhausted all other reasonably available sources of funding for such training.*~~

~~*Pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs to enable parents/guardians to participate in school related meetings and training sessions.*~~

~~*Train parents/guardians to encourage and enhance the involvement of other parents/guardians.*~~

~~*Arrange school meetings at a variety of times, or conduct in-home conferences between teachers and other educators, in order to maximize parental involvement and participation.*~~

~~*Adopt and implement model approaches to improving parental involvement.*~~

~~*Establish a District-wide parent advisory committee to provide advice on all matters related to parental involvement in supported programs. Note: 20 U.S.C. §6318(e)(12) uses the phrase parent advisory*~~

Commented [MB1]: Note to Subscribers: The contents of the **Building Capacity for Involvement** and **Accessibility** subheadings have been moved to 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan*, because they apply to the district and each of its schools.

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The footnotes should be removed before the material is used.

[3] ~~ESEA,~~ 20 U.S.C. §6318(e). ~~Each bulleted item corresponds to a *shall* or *may* provision contained in §6318(e)(1)-(14).~~

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~~*council but this exhibit uses the phrase parent advisory committee to align with 2:150-AP, Superintendent Committees, which contains a subhead entitled Title I Parent Advisory Committee.*~~ [4]

~~*Develop appropriate roles for community based organizations and businesses in parent/guardian involvement activities.*~~

Accessibility [5]

See exhibit 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan.* ~~In carrying out the parental involvement requirements of this compact, the school, to the extent practicable, will provide opportunities for the informed participation of parents/guardians and family members (including those with limited English proficiency, with disabilities, and migratory children), including providing information and school reports in a format and, to the extent practicable, in a language such parents/guardians understand.~~

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[4] ~~Optional. 20 U.S.C. §6318(e)(12).~~

[5] ~~ESEA.~~ 20 U.S.C. §6318(f).

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Instruction

Administrative Procedure - Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws

The Elementary and Secondary Education Act (ESEA), McKinney-Vento Homeless Assistance Act (McKinney-Vento), and Protection of Pupil Rights Amendment (PPRA) mandate that schools receiving federal funds provide parents/guardians with information and notices in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand. This procedure contains the key notifications that districts and schools must provide to ~~the~~ their students' parents/guardians ~~of students~~. ~~The legal references are provided at the end of the procedure.~~ The only notices applying to districts that do not receive Title I funds are those regarding student privacy. In addition, see:

- ISBE's *Frequently Asked Questions regarding the Every Student Succeeds Act (ESSA)*, published 8-12-16, at: www.isbe.net/Documents/ESSA-faq.pdf.
- U.S. Department of Education's *Frequently Asked Questions regarding Transitioning to the Every Student Succeeds Act (ESSA)*, updated 1-18-17, at: https://oese.ed.gov/files/2020/02/essatransitionfaqs11817.pdf.

1. Improving Basic Programs Operated by Local Educational Agencies

   The following information must be provided to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. [1]

   a. **Annual report cards**. Districts must disseminate an annual report card that includes information on the District as a whole and each school served by the District, with aggregate and disaggregated information for each required subgroup of students including: (a) student achievement on academic assessments (designated by category), (b) graduation rates, district performance, teacher qualifications, and (c) other information required by 20 U.S.C. §6311(h)(2)(C). See 6:170-AP2, E1, *District Annual Report Card Required by Every Student Succeeds Act (ESSA)*.
   The District's annual report card shall be: (a) concise, (b) presented in an understandable and uniform format, and to the extent practicable, in a language that parents/guardians can understand, and (c) accessible to the public, which includes placing it on the District's website or, if the District does not operate a website, providing it in another manner determined by the District. [2]

   b. **Teacher and paraprofessional qualifications**. At the beginning of each school year, a school district that receives funds under this part shall notify the parents/guardians of each student attending any school receiving funds under this part that the parents/guardians may request,

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[1] ~~Required by~~ 20 U.S.C. §6312(e)(4); 20 U.S.C. §6311(h)(2)(B)(ii).

[2] ~~Required by~~ 20 U.S.C. §6311(h)(2)(B)(i), (iii).

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and the ~~d~~District will provide the parents/guardians on request in a timely manner, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, whether:

i. The teacher has met the State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
ii. The teacher is teaching under emergency or other provisional status.
iii. The teacher is teaching in the field of discipline of the certification of the teacher. [3]
iv. Paraprofessionals provide services to the student and, if so, their qualifications.

c. **Student achievement**. Districts must provide ~~to~~ parents/guardians with information on the level of academic achievement and growth of their ~~parent's~~ child in each of the State academic assessments. [4]

d. **Non-certificated/licensed teachers**. The District~~s~~ must provide parents/guardians timely notice that their ~~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.

e. **Testing transparency**.[5] At the beginning of each school year, a school that receives funds under this part shall notify the parents/guardians of each student attending any school receiving funds under this part that the parents/guardians may request, and the ~~d~~District will provide ~~the parents~~to them on request in a timely manner, information regarding any State or District agency policy regarding student participation in any assessments mandated by 20 U.S.C. §6311(b)(2) and by the State or District, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.
In addition, the District shall make widely available through public means (including by posting in a clear and easily accessible manner on the District's website and, where practicable, on each school's website), information on each assessment required by the State to comply with 20 U.S.C. §6311, other assessments required by the State, and (where available and feasible to report) assessments required districtwide, including:

i. The subject matter assessed;
ii. The purpose for which the assessment is designed and used;
iii. The source of the requirement for the assessment; and
iv. Where such information is available:
1. The amount of time students will spend taking the assessment, and the schedule for the assessment; and
2. The time and format for disseminating results.

2. English Learners

a. **Language instruction educational programs**.[6] The District~~s~~ must inform a parent/guardian of an English learner identified for participation, or participating in, such a program of:

i. The reasons for their child being identified as an English learner;
ii. Their child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
iii. The instructional methods used in their child's program and the instructional methods used in other available programs;

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[3] ~~Required by~~ 20 U.S.C. §6312(e)(1)~~, as amended by ESSA~~.

[4] ~~Required by~~ 20 U.S.C. §6312(e)(1)(B)(i)~~, as amended by ESSA~~.

[5] ~~Required by~~ 20 U.S.C. §6312(e)(2)~~, as amended by ESSA~~.

[6] ~~Required by~~ 20 U.S.C. §6312(e)(3)(A)(i)-(viii)~~, as amended by ESSA~~.

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iv. How their child's program will meet their child's educational strengths and needs
v. How the program will help their child to learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
vi. Exit requirements for the program, including the expected rate of transition from such program into classrooms not tailored for English learners and the expected rate of high school graduation;
vii. In the case of a child with a disability, how the program meets the objectives of their child's individualized education program; and
viii. Information regarding parental rights that includes written guidance:
1. Detailing parents'/guardians' right to immediately remove their child from the program upon their request;
2. Detailing parents'/guardians' options to decline enrollment in the program or to choose another program or instructional method, if available; and
3. Assisting parents/guardians in selecting among various programs and instruction methods, if more than one program/method is offered.

Parents/guardians shall be provided this information no later than 30 days after the beginning of the school year or, for students identified as English learners during the school year, within the first two weeks of the child's placement in a language instruction educational program. [7]

b. **Outreach**.[8] ~~Each d~~The District shall implement an effective means of outreach to parents/guardians of English learners to inform the parents/guardians regarding how they can be involved in their children's education, and be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet challenging State academic standards expected of all students. In addition, the outreach shall include holding, and sending notice of opportunities for, regular meetings for formulating and responding to parent/guardian recommendations.

3. Parent and Family Engagement

a. **Parent and family engagement policies**.[9] Parents/guardians and family members shall be notified of the parent and family engagement Board policy, 6:170, *Title I Programs*, in an understandable and uniform format and, to the extent practicable, notice will be provided in a language ~~the~~ parents/guardians can understand. ~~Such~~ The policy shall be made available to the local community and updated periodically to meet the changing needs of parents/guardians and the school.

b. **Meeting and information**. Each school shall:
i. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating children shall be invited and encouraged to attend, to inform parents/guardians of their school's participation, and to explain the requirements of this part, and the right of the parents to be involved;
ii. Offer a flexible number of meetings;
iii. Involve parents/guardians, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs including the planning, review, and improvements

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[7] ~~Required by~~ 20 U.S.C. §6312(e)(3)(A), (B).

[8] ~~Required by~~ 20 U.S.C. §6312(e)(3)(C)~~, as amended by ESSA~~.

[9] ~~Required by~~ 20 U.S.C. §6318(b)(1)~~, as amended by ESSA~~.

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of the school parent and family engagement policy and the joint development of the schoolwide program plan under 20 U.S.C. §6314(b); [10]

iv. Provide parents/guardians of participating children:
- Timely information about programs under this part;
- A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards;[11] and
- If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

v. If the schoolwide program plan under 20 U.S.C. §6314(b) is not satisfactory to the parents/guardians of participating children, submit any parent/guardian comments on the plan when the school makes the plan available to the Board. [12]

4. Education of Homeless Children and Youths

a. **Notice of rights**.[13] The ~~d~~District shall provide written notice, at the time any homeless child or youth seeks enrollment in such school, and at least twice annually while the child or youth is enrolled in such school, to the parent/guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:

i. Shall be signed by the parent/guardian (or, in the case of an unaccompanied youth, the youth);

ii. Sets the general rights provided under this subtitle;

iii. Specifically states:
- The choice of schools that homeless children and youths are eligible to attend,
- That no homeless child or youth is required to attend a separate school for homeless children or youths,
- That homeless children and youths shall be provided comparable services, including transportation services, educational services, and meals through school meals programs;
- That homeless children and youths should not be stigmatized by school personnel; and
- Includes contact information for the local liaison for homeless children and youths.

b. **Assistance to unaccompanied youth**.[14] In the case of an unaccompanied homeless youth, the ~~d~~District shall ensure that the homeless liaison assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

c. **Public notice of rights**.[15] ~~Each d~~The District shall ensure that public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

5. Student Privacy

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[10] ~~Required by~~ 20 U.S.C. §6318(c)(3)~~, as amended by ESSA~~.

[11] ~~Required by~~ 20 U.S.C. §6318(c)(4)(B)~~, as amended by ESSA~~.

[12] ~~Required by~~ 20 U.S.C. §6318(c)(5)~~, as amended by ESSA~~.

[13] 42 U.S.C. §11432(e)(3)(C).

[14] 42 U.S.C. §11432(g)(3)(B)(iv).

[15] 42 U.S.C. §11432(g)(6)(A)(vi).

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a. **Notice of privacy policy**.[16] The student privacy policies developed by ~~a d~~the District shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents/guardians of students enrolled in its schools ~~served by that district~~. At a minimum, the ~~d~~District shall:
   i. Provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in such policies; and
   ii. Offer an opportunity for the parent/guardian to opt the student out of the activity.

b. **Notification of specific events**.[17] ~~Each d~~The District shall directly notify parents/guardians, at least annually at the beginning of the school year, of the specific or approximate dates when activities described in 20 U.S.C. §1232h(c)(2)(C) are scheduled.

c. **Notice of existing policy**.[18] ~~All d~~The Districts shall provide reasonable notice of such existing policies to parents/ ~~and~~ guardians of students, e.g., "The School Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request."

~~LEGAL REF.: I. 1. Elementary and Secondary Education Act (ESEA), 20 U.S.C. §6311(h)(2).~~
~~2. ESEA, 20 U.S.C. §6312(e)(1)(A).~~
~~3. ESEA, 20 U.S.C. §6312(e)(1)(B)(i).~~
~~4. ESEA, 20 U.S.C. §6312(e)(1)(B)(ii).~~
~~5. ESEA, 20 U.S.C. §6312(e)(2).~~
~~II. 1. ESEA, 20 U.S.C. §6312(e)(3)(A), (B).~~
~~2. ESEA, 20 U.S.C §6312(e)(3)(C).~~
~~III. 1. ESEA, 20 U.S.C. §6318(b).~~
~~2. ESEA, 20 U.S.C. §6318(e).~~
~~IV. 1. McKinney Vento Homeless Assistance Act (McKinney Vento), 42 U.S.C. §11432(e)(3)(C).~~
~~2. McKinney Vento, 42 U.S.C. §11432(g)(3)(B)(iii).~~
~~3. McKinney Vento, 42 U.S.C. §11432(g)(6)(A)(vi).~~
~~V. 1. Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. §1232h(c)(2)(A).~~
~~2. PPRA, 20 U.S.C. §1232h(c)(2)(B).~~
~~3. PPRA, 20 U.S.C. §1232h(c)(3).~~

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[16] 20 U.S.C. §1232h(c)(2)(A).
[17] 20 U.S.C. §1232h(c)(2)(B).
[18] 20 U.S.C. §1232h(c)(3).

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Instruction

Exhibit - Student Authorization for Access to the District's Electronic Networks

*This form accompanies ~~A~~a*dministrative *~~P~~p*rocedure 6:235-AP1, Acceptable Use of the District's Electronic Networks. It must be signed when students will have unsupervised Internet access or when supervision will be minimal. Please submit this form to the Building Principal.*

Dear Parents/Guardians:

Our ~~School~~ District has the ability to enhance your child's education through the use of its electronic networks, including the Internet. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. Students and their parents/guardians need only sign this *Authorization for Access to the District's Electronic Networks* (Authorization) once while the student is enrolled in the ~~School~~ District.

The District *filters* access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate in the school setting. If a filter has been disabled or malfunctions it is impossible to control all material and a user may discover inappropriate material. Ultimately, parents/guardians are responsible for setting and conveying the standards that their child should follow, and the ~~School~~ District respects each family's right to decide whether or not to authorize Internet access.

With this educational opportunity also comes responsibility. The use of inappropriate material or language, or violation of copyright laws, may result in the loss of the privilege to use this resource. Remember that you are legally responsible for your child's actions. If you agree to allow your child to have a network account, sign the *Authorization* ~~form~~ below and return it to your school.

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Authorization for Access to the District's Electronic Networks Form

~~**Students must have a**~~**A parent/guardian must read and agree to the following before ~~being~~ their child is granted unsupervised access:**

All use of the electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. **The failure of any user to follow the terms of the *Acceptable Use of the District's Electronic Networks* will result in the loss of privileges, disciplinary action, and/or appropriate legal action**. The signatures at the end of this document are legally binding and indicate the parties who signed have read the terms and conditions carefully and understand their significance.

I have read this *Authorization* form. I understand that access is designed for educational purposes and that the District has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the District to restrict access to all controversial and inappropriate materials. I will hold harmless the District, its employees, agents, or Board members, for any harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child's use is not in a school setting. I have discussed the *Acceptable Use of the District's Electronic Networks* with my child. I hereby request that my child be allowed access to the District's electronic networks, including the Internet.

_____
Parent/Guardian Name (*please print*)

_____ _____
Parent/Guardian Signature Date

Students must also read and agree to the following before being granted unsupervised access:

I understand and will abide by the *Acceptable Use of the District's Electronic Networks*. I understand that the District and/or its agents may access and monitor my use of the District's electronic networks, including the Internet, my email, and downloaded material, without prior notice to me. I further understand that, should I commit any violation, my access privileges may be revoked, and school disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the ~~School~~ District and its Board members, employees, and agents from any claims and damages arising from my use of, or inability to use, the District's electronic networks, including the Internet.

_____
Student Name (*please print*)

_____ _____
Student Signature Date

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Instruction

Exhibit - Staff Authorization for Access to the District's Electronic Networks

This form accompanies ~~A~~administrative ~~P~~procedure 6:235-AP1, Acceptable Use of the District's Electronic Networks. Each staff member must sign this Authorization as a condition for using the District's Electronic Networks. Please submit this form to the Building Principal.

All use of the electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. ~~A~~administrative ~~P~~procedure 6:235-AP1, *Acceptable Use of the District's Electronic Networks*, does not attempt to state all required or prohibited behavior by users. However, some specific examples are provided. **The failure of any user to follow the terms of *Acceptable Use of the District's Electronic Networks*, will result in the loss of privileges, disciplinary action, and/or legal action.** The signature at the end of this document is legally binding and indicates that the individual has read the terms and conditions carefully and understands their significance.

Staff members need only sign this *Authorization for Access to the District's Electronic Networks* once while employed by the ~~School~~ District.

I understand and will abide by the *Acceptable Use of the District's Electronic Networks*. I understand that the District and/or its agents may access and monitor my use of the District's electronic networks, including the Internet, my email, and downloaded material, without prior notice to me. I further understand that, should I commit any violation, my access privileges may be revoked, and disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the ~~School~~ District and its School Board members, employees, and agents from any claims and damages arising from my use of, or inability to use, the District's electronic networks, including the Internet.

Formatted: IASB Italic

User Name (*please print*)

User Signature Date

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Instruction

Administrative Procedure - Web Publishing Guidelines

General Requirements

All material published on the District's website must have educational value and/or support the District guidelines, goals, and policies. Material appropriate for web publishing includes information about the District and its School Board members, agendas, policies, appropriate administrative procedures, Department activities or services, schools, teachers or classes, student projects, and student extracurricular organizations.[1] Personal information~~,~~ not related to education~~,~~ will not be allowed on the District's website.

The District ~~webmaster~~ website administrator shall implement a centralized process for review and uploading of material onto the District's website to ensure that, before material is published, it complies with Board~~District~~ policy and procedures.[2] The District website administrator~~webmaster~~ shall supervise the efforts of all staff members responsible for web publishing at each level of District web publishing and, when appropriate, hold in-service opportunities for those staff members. The staff members responsible for web publishing are identified in these procedures in the section **Different Levels of Web Publication**. The District website administrator~~webmaster~~ shall provide regular feedback and suggestions to the Superintendent regarding these Guidelines.

All content published on the District's website must:

1. Comply with all State and federal law concerning copyright, intellectual property rights, accessibility,[3] and legal uses of network computers.
2. Comply with Board policies, administrative procedures, these Guidelines, and other District guidelines provided for specific levels of publishing. This specifically includes the Board's *Access to Electronic Networks* policy and the District's procedures on *Acceptable Use of the District's Electronic Networks*. [4]
3. Due to limited storage space and varying network speeds, file sizes may be limited by the District website administrator~~webmaster~~.
4. Comply with the publishing expectations listed below.

Material that fails to meet these Guidelines or is in violation of Board policy and/or procedures shall not be published on the District's website. The District reserves the right to remove any material in

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[1] IASB Policy Services provides web publishing services for board policy manuals. For information about these services and to see sample policy manuals online, visit www.iasb.com/policy. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, for a listing of items that are required by law to appear on a district's website.

[2] A centralized process for review and uploading of material on district web pages will assist compliance with law and board~~district~~ policy and administrative procedures in a consistent fashion across the district. If appropriate, replace "District website administrator~~webmaster~~" with correct title (e.g., District Network System Administrator).

[3] See sample policy 2:260, *Uniform Grievance Procedure*, at f/n 4 for discussion of website accessibility standards under State and federal law.

[4] See sample policy 6:235, *Access to Electronic Networks*, and sample administrative procedure 6:235-AP1, *Acceptable Use of the District's Electronic Networks*.

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violation of its policy or procedures. Failure to follow these Guidelines or Board policy and/or procedures may result in loss of privileges, disciplinary action, and/or appropriate legal action.

Publishing Expectations

The following are minimum expectations for all District web pages:

1. The style and presentation of web published material should be of high quality and designed for clarity and readability. Material shall not be published in violation of the District's procedures on *Acceptable Use of the District's Electronic Networks*, including material that is abusive, obscene, profane, sexual threatening, harassing, knowingly false or invades the privacy of any individual. Anonymous messages are prohibited.
2. Correct grammar and spelling are expected.
3. All information must be verifiable.
4. Publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials.
5. Publications must identify affiliation with the District, school, and/or department.
6. Widespread use of external links to non-District websites is discouraged, but if used, the external sites must contain appropriate educational materials and information as exclusively determined by the District.[5] Every effort should be made to ensure that all links are operational. Every link to an external website must open a new browser window. [6]
7. Relevant dates are required on all publications, including the date on which the publication was placed on the District's website. Each site should contain the date the page was last updated.
8. All publications must include the District email address of the staff member responsible for the page. This provides a contact person for questions or comments. If a student is the publisher, the sponsoring staff member's email must be included as the responsible person. Only District staff members may act as student sponsors.
9. Use of the District's website for personal or financial gain is prohibited. No commercial or private accounts should be listed on any District web pages.
10. All documents should be previewed on different web browsers, especially Google Chrome, Mozilla Firefox, or Microsoft Edge, before being posted on the District's website.

For more information about these expectations or other issues related to web publishing, please contact the System Administrator.

Protecting Student and Staff Privacy

Personal information concerning students or staff members, including home addresses and telephone numbers, shall not be published on District web pages.

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[5] External links have two problems: (1) schools cannot control the content of those sites but may be held responsible for directing visitors, including students, to them, and (2) widespread use may inadvertently create a public forum or raise First Amendment concerns if and when objectionable links are rejected for publication. However, with vigilant supervision and appropriate controls, these risks can be reduced. The district may replace this sentence with the following:

External links to non-District websites are limited to sites containing appropriate educational materials and information as exclusively determined by the District.

[6] The external website link must be programmed to open a new browser window. If the district believes it is too limiting to require every link to an external website to open a new browser window, remove the requirement from this procedure as well as exhibit 6:235-E3, *Online Privacy Statement.*

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A student's last name, last name initial, and grade-level shall not be published on District web pages. In addition, student records shall not be disclosed.[7] In special circumstances (e.g., where accolades are warranted), the sponsoring staff member should contact the Building Principal who may seek permission from the student's parents/guardians. Web pages shall not display student pictures with a student identified by his or her name unless written parental permission was first granted (e.g., by executing the form *Using a Photograph or Videotape of a Student*).[8] Student email addresses, whether a personal or District account, shall not be listed on any District web page.

Submitting Material to Be Published

Everyone submitting material for publication on the District's website shall have signed an *Authorization for Access to the District's Electronic Networks*. Before material is published on the District's website, the author must authorize the District in writing to publish the material, unless the District owns the copyright. All material submitted by a teacher or other staff member for publication on the District's website is deemed "work for hire," and the copyright in those works vests in the District.[9] All material submitted for the District's website is subject to treatment as a District-sponsored publication.

Different Levels of Web Publication

The following guidelines provide specific information regarding web publishing at different levels within the District. At each level, a staff member is identified as being responsible for web publishing at that level. This individual's web publishing efforts are supervised by the District website administrator~~webmaster~~.

District-Level

The District website administrator~~webmaster~~ conducts the District-level web publishing efforts and supervises other levels of web publishing. District-level publishing includes the District's homepage as well as any publishing activities representing the District as a whole, e.g., information about Board meetings, Board policy, and schedules. The District homepage shall have a link to an Online Privacy Statement. [10]

Department-Level

District departments (e.g., Transportation, Personnel, or Curriculum) may publish their own web pages as part of the District's website. The department supervisor or director is ultimately responsible for his or her respective department's web pages, but may appoint a staff member as the department's website administrator~~webmaster~~ to fulfill the maintenance, reviewing, and uploading tasks. The department supervisor or director shall keep the District website administrator ~~webmaster~~ informed of who is the department website administrator~~webmaster~~.

The web-published material should coincide with that department's printed material. The District website administrator~~webmaster~~ should be consulted before publishing potentially sensitive material, e.g., school comparisons or student data.

The footnotes should be removed before the material is used.

[7] The requirements of the Family Educational Rights and Privacy Act as well as the Ill. School Student Records Act severely limit website publication of student information. Even obtaining parental consent is problematic because, under 105 ILCS 10/6(a)(8), the consent must identify the recipients of the student records, which is impossible with web publishing.

[8] See sample exhibit 7:340-AP1, E2, *Using a Photograph or Videotape of a Student.*

[9] See sample administrative procedure 5:170-AP1, *Copyright Compliance.*

[10] See sample exhibit 6:235-E3, *Online Privacy Statement.*

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The department front pages should maintain the look and feel of the District homepage: – the connection to the District should be obvious. Links to the main website's homepage must be included at the bottom of main pages, and the District's logo must be included at the top of main front pages of each department.

School-Level

The Building Principal is ultimately responsible for his or her respective school's webpages, but may appoint a staff member as the school website administrator~~webmaster~~ to fulfill the maintenance, reviewing, and uploading tasks. The Building Principal shall keep the District website administrator~~webmaster~~ informed of who is the school website administrator~~webmaster~~. All official material originating from the school will be consistent with the District style and content guidelines. The Building Principal or school website administrator~~webmaster~~ may develop guidelines for the various sections of and contributors to the school's web pages.

Staff-Level

Any teacher or other staff member wanting to create web pages for use in class activities or to provide a resource for other teachers or staff members shall notify the school website administrator~~webmaster~~ of his or her desired publishing activities.

Student-Level [11]

A student wanting to create web pages on the District's website as part of a class or school-sponsored activity should request a teacher or staff member to sponsor the student's publishing efforts. The sponsoring teacher or staff member shall notify the school website administrator~~webmaster~~ of the desired publishing activities. The student's web page must include an introduction written by the sponsor that describes the intent of the student's web page and contains the sponsor's District email address. Student web pages will be removed at the end of the school year unless special arrangements are made.

Personal web pages are not allowed on the School District's web server. Likewise, student web pages may not contain commercial or advertising links, including links to games and advertisements for games.

CROSS REF.: 6:235 (Access to Electronic Networks), 7:315 (Restrictions on Publications; High Schools)

ADMIN. PROC.: 5:170-AP1 (Copyright Compliance), 6:235-AP1 (Acceptable Use of the District's Electronic Networks), 6:235-AP1, E1 (Student Authorization for Access to the District's Electronic Networks), 6:235-AP1, E2 (Staff Authorization for Access to the District's Electronic Networks), 6:235-E3 (Online Privacy Statement)

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[11] Student free speech rights on the Internet are not absolute. For class or school-sponsored activities, school officials may impose some limits on what appears in school-sponsored student publications. Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988). However, content written by student journalists for school-sponsored media receives additional protections under the Speech Rights of Student Journalists Act. 105 ILCS 80/. See sample policy 7:315, *Restrictions on Publications; High Schools*, for additional information about that act's requirements. For a discussion about disciplining students for off-campus conduct, which, depending upon the circumstances, may involve content posted by students online, see sample policy 7:190, *Student Behavior* at f/n 3.

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Students

Exhibit - Consent to Participate in Extracurricular Drug and Alcohol Testing Program

To be returned to the Building Principal. Please print.

Student _____ **School year**_____

To be read and signed by the student-participant and his/her parent/guardian:

We have received, read, and understand the District Extracurricular Drug and Alcohol Testing Program. We voluntarily agree that our child shall be subject to its terms for his or her entire high school extracurricular career (grades 9-12). We accept the method of obtaining breath and urine specimens, the testing and analyses of such specimens, and all other aspects of the program. The student-participant agrees to cooperate in furnishing urine specimens upon request.

We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program. This consent is given pursuant to all State and federal privacy statutes, and it is a waiver of nondisclosure rights only to the extent of the disclosures required in the program.

We understand that there is more information available in the Ill. High School Association (IHSA) Performance-Enhancing Drug Testing Policy, located in the *IHSA Handbook*, available online at: www.ihsa.org/about/constitution-by-laws-policies~~on the following websites: www.ihsa.org/documents/sportsMedicine/Resource_Exchange_Center_Flyer.pdf and www.ihsa.org/Resources/Sports-Medicine/Performance-Enhancing-Drugs-Steroid-Education~~.

_____ _____

Parent/Guardian ~~n~~Name (*please print*) Date

_____ _____

Parent/Guardian ~~s~~Signature Student ~~s~~Signature

To be read and signed by student who is not participating:

I have decided **not to participate** in any extracurricular activities sponsored by the School District for the remainder of this school year. In order for me to participate in the extracurricular activity program at a later date, I understand that I must submit to a urinalysis.

_____ _____

Student ~~s~~Signature Date

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Students

Administrative Procedure - Anaphylaxis Prevention, Response, and Management Program [1]

The following procedure implements Board policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, which is based upon the Ill. State Board of Education's (ISBE) *Anaphylaxis Response Policy for Schools* (*ISBE Model*), available at: www.isbe.net/Documents/Anaphylactic-policy.pdf (105 ILCS 5/2-3.190, amended by P.A. 104-391, ~~added by P.A. 102-413 and renumbered by P.A. 102-813~~). The District's Anaphylaxis Prevention, Response, and Management Program is developed and collectively implemented by local school officials, District staff, students and their families, and the community. This administrative procedure contains three sections as follows:

1. Glossary of Terms
2. Anaphylaxis Prevention, Response, and Management Program
3. Individual Allergy Management (Three Phases)
   - Phase One: Identification of Students with Allergies
   - Phase Two: Plan to Reduce Risk of Allergic Reactions
   - Phase Three: Response to Allergic Reactions

Glossary of Terms

The Terms Related to This Model Anaphylaxis Response Policy of the *ISBE Model* (p. 4) is incorporated here by reference. In this procedure, the term **epinephrine injector** is used in lieu of **epinephrine auto-injector** (*ISBE Model*, p. 4) because that is the term used in the School Code, but they have the same meaning.

Anaphylaxis — A severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. An anaphylactic reaction can occur up to one to two hours after exposure to the allergen. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat.

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[1] "**Note:**" messages appear throughout this procedure to highlight legal issues and available customization options. This format is a departure from ~~the~~ **PRESS**'s ~~publication's~~ general format, which usually provides finished procedures that are ready for immediate use and implementation. This procedure follows the legal requirements for what an anaphylaxis prevention, response, and management program must include, but development and implementation of the actual program is subject to a district's resources and circumstances, i.e., the size of the school district, conditions in individual buildings, and an individual student's needs.

The first paragraph's second sentence is optional. Remove it if the board removed the optional clause discussed in f/n 3 of sample policy 7:285, *Anaphylaxis Prevention, Response, and Management Program* (Program). The purpose of the sentence is to allocate responsibility for allergy management among the district, staff, and allergic students and their families and alert the community that successful implementation relies upon everyone to understand the seriousness of food and non-food allergies.

The Ill. State Board of Education (ISBE)'s *Anaphylaxis Response Policy for Schools* (*ISBE Model*) does not prescribe or suggest any particular sample forms to be used as part of a district's Program. This procedure suggests sample forms that are made available through resources cited by the *ISBE Model*. Given the expansion of State law to address not only food allergies, but other allergies that could result in anaphylaxis, districts should ensure that whatever forms they use can accommodate both food and non-food allergies.

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Anaphylaxis Prevention, Response, and Management Program (Program) — The overall process that the Superintendent and other District-level administrators use to implement Board policy 7:285, *Anaphylaxis Prevention, Response and Management Program*, which is based upon the *ISBE Model*.

Anaphylaxis Prevention, Response, and Management Committee (Committee) — A District-level team that the Superintendent creates to develop an Anaphylaxis Prevention, Response, and Management Program. It monitors the District's Anaphylaxis Prevention, Response, and Management Program for effectiveness and establishes a schedule for the Superintendent to report information back to the Board once every three years.

CDC Guidelines — The *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs*, published by the Centers for Disease Control and Prevention (2013) and available at: www.cdc.gov/school-health-conditions/media/pdfs/20_316712-A_FA_guide_508tag.pdf ~~www.cdc.gov/healthyschools/foodallergies/pdf/20_316712-A_FA_guide_508tag.pdf~~. The CDC Guidelines are referred to in the *ISBE Model* as "a full food allergy and prevention of allergen exposure plan." The CDC Guidelines are focused on the management of food allergies, but they also mention other allergens that may result in anaphylaxis (p. 21).

Individual Allergy Management — The process at the building level used to manage and prevent anaphylaxis. The process identifies: (a) students with allergies, (b) procedures to prevent exposure to known allergens, and (c) appropriate responses to allergic reactions. It is synonymous with the third section in this sample administrative procedure.

Individualized Educational Program/Plan (IEP) — A plan or program developed to ensure that a child who has a disability identified under the law and is attending a public elementary or secondary school receives specialized instruction and related services.

Individual Health Care Plan (IHCP) — A document that outlines an allergic student's needs, and at minimum, includes the precautions necessary for allergen avoidance and emergency procedures and treatments. Its function is similar to a 504 Plan (see below). **Important**: Consult the Board Attorney about whether the Program should implement a 504 Plan or IHCP. This Program's procedures implement 504 Plans only. Insert IHCP in place of or in addition to 504 Plan in this document if the District will also implement IHCPs.

504 Plan — A document that outlines an allergic student's needs, necessary accommodations, and individual staff member responsibilities. Its function is identical to an IHCP while also including procedural protections (see above). This Program's procedures implement 504 Plans only. Important: Consult the Board Attorney about whether implementing only 504 Plans is the best method. Many attorneys agree that a 504 Plan is the best (although not universal) practice for a student with a diagnosis of an allergy. [2]

504 Team — A building-level team that implements the phases of Individual Allergy Management in a student's 504 Plan. Insert "IHCP Team" in place of or in addition to "504 Team" if the district will also implement IHCPs. **Note:** If the District implements IHCPs, gathering information, identifying

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[2] Prior to the 2008 amendments to the Americans with Disabilities Act, courts frequently found that allergies were not disabilities under Section 504 (see, e.g., Smith v. Tangipahoa Parish Sch. Bd., 2006 WL 3395938 (D.Ct. LA 2006)). As a result, schools commonly drafted Individual Health Care Plans (IHCP) and Emergency Action Plans (EAP) for allergic students instead of Section 504 Plans. The ADA Amendments Act of 2008 (Pub. L. 110-325) significantly broadened the definition of *substantially limits* to include disabilities that are inactive or in remission. These amendments generally support Section 504 entitlement for students with allergies because an allergic reaction will *substantially limit* the major life activity of *breathing* when anaphylaxis occurs.

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methods to prevent exposure, and assigning staff responsibilities will rely heavily on the Nurse/Designated School Personnel (DSP)[3], not a 504 Team.

Anaphylaxis Prevention, Response and Management Program

This section relies heavily upon District-level administrators to implement the Program even if the District has no students with food or other allergies. 105 ILCS 5/2-3.190, amended by P.A. 104-391, ~~added by P.A. 102-413 and renumbered by P.A. 102-813~~. This is because identification of students at risk of anaphylaxis cannot be predicted, and it is possible that a student who has not been identified could have his or her first reaction at school. CDC Guidelines, p. 9. This section references the *ISBE Model* and aligns with governance principles so that District-level administrators can: (a) integrate the Program into the District's existing policies and procedures, (b) engage in ongoing monitoring of the Program, (c) assess the Program's effectiveness, and (d) inform the Board about the Program along with recommendations to enhance its effectiveness.

> **Note:** Modify this section based upon the District's specific implementation needs. The only mandate in 105 ILCS 5/2-3.190 was that school boards implement a policy based upon the ISBE Model by 8-17-22. Implementation methods are many; this Program provides one method.

Actor	Action
Superintendent or designee	Establish a District-wide Anaphylaxis Prevention, Response, and Management Committee (Committee) to operate as a Superintendent committee. Consider including: District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Program) District Safety Coordinator (see administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*) District 504 Coordinator (see Board policy 6:120, *Education of Children with Disabilities* and exhibit 6:120, AP1, E1 *Notice to Parents/Guardians Regarding Section 504 Rights*) Staff members, e.g., school nurse/health aide, teachers, paraprofessionals, food service staff, bus drivers, athletic coaches Parents/Guardians

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[3] The term *designated school personnel* does not appear in the *ISBE Model* or *CDC Guidelines*, but it is used in this procedure to refer to staff members who are assigned duties because some districts do not have a nurse on staff.

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Actor	Action
	Community members, e.g., individuals with expertise in allergens and anaphylaxis Students Chair and convene Committee meetings for the purpose of implementing the Program. **Note:** The Committee is not required by State law. However, establishing it provides a best practice for aligning with governance principles and examining implementation issues specific to each individual school district. While smaller school districts, i.e., one-building districts, may be able to implement a Program through one meeting, larger school districts will likely require the uniform coordination that this Committee provides. Some school districts may choose to use the *ISBE Model* document, available at: www.isbe.net/Documents/Anaphylactic-policy.pdf, or create a document that is consistent with the requirements of the *ISBE Model*, but also reflects the specific needs of the school district. Inform the School Board of the Committee's progress and needs by adding information items to the Board's agendas at least once every three years.
Anaphylaxis Prevention, Response, and Management Committee	Identify existing policies, procedures, and exhibits that affect implementation of the Program, including, but not limited to: 1:20, *District Organization, Operations, and Cooperative Agreements* 2:20, *Powers and Duties of the School Board; Indemnification* 2:240, *Board Policy Development* 4:110, *Transportation* 4:120, *Food Services* 5:100, *Staff Development Program* 5:100-AP, *Staff Development Program* 6:65, *Student Social and Emotional Development* 6:120, *Education of Children with Disabilities* 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities* 6:240, *Field Trips* 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:250, *Student Support Services* 7:270, *Administering Medicines to Students* 7:270-AP1, *Dispensing Medication* 7:270-AP2, *Checklist for District Supply of Undesignated Medication(s)* [4] 7:270-E1, *School Medication Authorization Form* 7:285-AP, E, *Allergy and Anaphylaxis Emergency Plan* 8:100, *Relations with Other Organizations and Agencies*~~.~~

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[4] Delete this procedure from the list if a board has not adopted the **School District Supply of Undesignated Epinephrine Injectors** subhead in ~~sample~~ policy 7:270, *Administering Medicines to Students* (see f/n 12). See also sample policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, at f/n 7.

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Actor	Action
	At least once every three years, recommend to the Superintendent any necessary policy changes that must be brought to the School Board for consideration. See Board policy 2:240, *Board Policy Development*. Recommend to the Superintendent any amendments to administrative procedures. **Note:** The Committee may want to utilize exhibit 7:285-AP, E, *Allergy and Anaphylaxis Emergency Plan (AAEP)*, for allergy management purposes. The sample exhibit is an adaptation of the *American Academy of Pediatrics'* sample emergency action plan form, *Allergy and Anaphylaxis Emergency Plan* available at: https://downloads.aap.org/AAP/PDF/AAP_Allergy_and_Anaphylaxis_Emergency_Plan.pdf; it includes the parent/guardian acknowledgment of district immunity and the hold harmless/indemnification agreement required by 105 ILCS 5/22-30 and 5/10-22.21b. See Board policy 7:270, *Administering Medicines to Students*, at f/n 7, for more information. The Committee should also assess the feasibility of adding staff training during a Periodic Emergency Response Drill (CDC Guidelines, p. 50) to the District's School Safety Drill Plan (see administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, paragraph F., **School Safety Drill Plan**). Adding this suggested drill is not required and exceeds the mandate contained in 105 ILCS 128/. If added, revise paragraph **E., Annual Safety Review** of administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan* to include the applicable bolded items (a)-(f) listed in the CDC Guidelines on preparation for food allergy emergencies (p. 31-34). Convene a District-wide meeting with all Building Principals, other appropriate administrative and special education staff, and the Board Attorney to discuss this Program and the *ISBE Model*, and to prepare each individual Building Principal to implement it in his or her building. **Note:** The Board Attorney will be a necessary participant in the District's efforts to manage anaphylaxis management issues. The Superintendent may want to authorize individual Building Principals to consult with the Board Attorney in some circumstances. If so, the Superintendent should outline this process during this meeting. Educate and train all staff by coordinating, through the Superintendent or Building Principals, the required annual in-service training program(s) for staff working with students. The in-service must be conducted by a person with expertise in anaphylactic reaction management and include administration of medication with an injector (105 ILCS 5/10-22.39(b-5)(2), added by P.A. 103-542~~, eff. 1-1-24 and operative 7-1-24~~). This training will also be incorporated into new school employee training. **Note:** State law requires the in-service training to be conducted within six months of employment and renewed at least once every five years, but the *ISBE Model* states that schoolwide training be conducted annually, when new employees are onboarded, and when an individual is identified as being at risk. *Person* with expertise is not defined, but the use of the word *expertise* suggests that using a lay person to provide training is not appropriate. Consider the list of training resources in the CDC Guidelines (p. 100-101). This training should include (CDC Guidelines, p. 36):

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Actor	Action
	• A review of policies and building procedures • An overview of food allergies • Definitions of key terms, including *food allergy, major allergens, epinephrine, and anaphylaxis* • The difference between a potentially life-threatening food allergy and other food-related problems • Signs and symptoms of a food allergy reaction and anaphylaxis (see *ISBE Model*, p. 5) and information on common emergency medications • General strategies for reducing and preventing exposure to allergens (in food and non-food items) • Policies on bullying and harassment and how they apply to children with food allergies • The District's emergency plans, including who will be contacted in the case of an emergency, how staff will communicate during a medical emergency, and what essential information they will communicate Consider implementing the above issues by informing staff of the goals established in each of the following Board policies: 6:65, *Student Social and Emotional Development*. This policy requires the District's educational program to incorporate student social and emotional development into its educational program and be consistent with the social and emotional development standards in the Ill. Learning Standards. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment, which diminish a student's ability to learn and a school's ability to educate. It states that preventing students from engaging in these disruptive behaviors is an important District goal. **Note:** Including bullying and sensitivity awareness in the required in-service exceeds State law requirements. Because State law requires districts to have policies addressing bullying (105 ILCS 5/22-11027-23.7) and social and emotional development (405 ILCS 49/) and the CDC Guidelines highlight that increasing awareness of these issues is a best practice consideration, the required in-service is a logical place to include this education. Be sure locally adopted board policies contain the referenced policy language. In grades K-8, provide developmentally appropriate allergy education for students as part of a curriculum topic, e.g., health, physical education, general science, consumer science, character education, so that students can: (1) identify signs and symptoms of anaphylaxis, (2) know and understand why it is wrong to tease or bully others, including people with allergies, (3) know and understand the importance of finding a staff member who can help respond to suspected anaphylaxis, and (4) understand rules on hand washing, food sharing, allergen-safe zones, and personal conduct.[5] In grades 9-12, provide instruction, study, and

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[5] Optional. Including food allergy awareness education in the curriculum for grades K-8 exceeds State law requirements; it is included in the *CDC Guidelines* as a best practice. *CDC Guidelines*, p. 38.

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Actor	Action
	discussion on the dangers of allergies. See administrative procedure 6:60-AP1, *Comprehensive Health Education Program.* [6] Provide community outreach through Building Principals by providing information to students and their parents/guardians about the Program. A successful Program needs support and participation from parents of children with and without allergies. Parents and families need to learn about the District's food allergy policy and practices through communications from administrators, school health staff, classroom teachers, and food service staff. See CDC Guidelines, p. 38 and p. 100-102 (National Nongovernmental Resources, including resources for Parent Education). Monitor the Program by assessing its effectiveness at least once every three years. Incorporate updated medical best practices into all areas of the Program. Establish a schedule for the Superintendent to report any recommendations to enhance the Program's effectiveness to the Board for consideration.
Building Principal	Inform the school community of the Program by providing the information to students and their parents/guardians. For an outline of a sample letter, see www.stlouischildrens.org/sites/legacy/files/2022-09/FAMEToolkit2022-section3-Admin.pdf, p. 14. Inform the school community of the opportunities to better understand food allergy management issues. Implement the Program in the building by meeting with the Nurse or, if a nurse is not available, other designated school personnel (DSP) and special education staff in the building to examine the *ISBE Model*. Identify and follow: All best practices that apply to the conditions in the school building, including classrooms and the cafeteria, as well as on school transportation, at school-sponsored events (including activities before and after school, and field trips), and during physical education/recess to reduce exposure to allergens. See *ISBE Model*, p.3, and CDC Guidelines, p. 43-45. All items from the actions for School Administrators and Registered School Nurses that apply to the working conditions in the school settings listed immediately above. CDC Guidance, p. 59-64. Educate staff members about the Program and their likely involvement with the daily management of food (or non-food) allergies for individual students (Individual Allergy Management). CDC Guidelines, p. 27-31. Inform staff members about healthy and active non-food rewards, see: www.actionforhealthykids.org/activity/healthy-active-non-food-rewards/ Identify at least two employees in the building, in addition to the Nurse/DSP, to be trained in the administration of epinephrine by auto-injection. Only *trained personnel* may administer epinephrine to a student believed to be having an anaphylactic reaction. (*ISBE Model*, p. 6). For training requirements, see administrative procedure 7:270-AP2, *Checklist for District Supply of*

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[6] 105 ILCS 5/27-245, added by P.A. 104-391~~105 ILCS 110/3, amended by P.A. 103-212, eff. 1-1-24~~.

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Actor	Action
	Undesignated Medication(s). **Note:** Although 105 ILCS 5/22-30 permits any "personnel authorized" under a student's specific individual plan to administer an undesignated epinephrine injector, the *ISBE Model* makes no such distinction and requires all personnel administering epinephrine (whether prescribed to a student or undesignated) to a student to complete the training required of *trained personnel*. Annually notify parents/guardians in the student handbook(s) of Board policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, and include the contact information of a staff member who parents/guardians can contact if they have questions about how the policy applies to their child. To increase awareness of the bullying issues faced by students with allergies, consider including information for students and their parents/guardians about the goals established in Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.
School Board	Monitor Board policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, at least once every three years, and consider changes recommended by the Committee. See Board policy 2:240, *Board Policy Development*. Consider all policy changes recommended by the Superintendent. Provide the appropriate resources for the Superintendent to successfully implement the Program.

Individual Allergy Management

This section's procedures are implemented each time the school identifies a student with an allergy. It follows policy 6:120, *Education of Children with Disabilities*, and references additional considerations based upon the *ISBE Model*. It relies heavily upon Building Principals and the Nurse/DSP to identify the necessary accommodations for each student and determine which staff members are responsible to provide them. Accommodations are impacted by a number of factors, e.g., the student's age, the allergen(s) involved, the facilities at each school building, etc.

Phase One: Identification of Students with Allergies

Actor	Action
Parent/ Guardian	Inform the Building Principal of the student's food allergy. Complete an Allergy History Form, (for a sample, see the *Family Food Allergy Health History Form*, available at: www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis and AAEP. Return them to the Building Principal or Nurse/DSP. If the District participates in the U.S. Dept. of Agriculture's Child Nutrition Programs and the student has a disability that requires meal modifications, complete a medical statement signed by a licensed healthcare provider. CDC Guidelines, p. 28. See www.isbe.net/Documents/2017-ACCOM-MANUAL-SP40.pdf for information and the *Medical Authority Modified Meal Request Form* at: www.isbe.net/Documents/Medical-Authority-Modified-Meal-Request-

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Actor	Action
	Form.pdf~~www.isbe.net/_layouts/Download.aspx?SourceUrl=/Documents/Medical-Authority-Modified-Meal-Request-Form.docx~~. Cooperate with school staff to provide the medical information necessary directly from the student's health care provider to develop plans for managing individual care and emergency actions. CDC Guidelines, p. 27. Participate in all meetings to assess and manage the individual student's health needs.
Building Principal and/or Nurse/DSP	Follow the District's procedural safeguards for convening a meeting to assess the individual student's allergy management needs.
IEP or 504 Team	Modify this section if the District implements IHCPs. See **Glossary** above for more information. For a student who is not already identified as a student with a disability, determine whether a referral for an evaluation is warranted using the District's evaluation procedures for determining whether a student is a student with a disability within the meaning of IDEA or Section 504 (see Board policy 6:120, *Education of Children with Disabilities*). For a student with an existing IEP or Section 504 plan, or who qualifies for one on the basis of his or her allergy, determine: 1. Whether the student's allergy requires *related services* to ensure the provision of a "free appropriate public education" (FAPE), and/or 2. Whether the student's allergy requires appropriate *reasonable accommodations* for the student's disability. If the answer to either of the above questions is negative, notify the parent/guardian in writing of the reasons for the denial and the right to appeal. Provides any required procedural safeguard notices. See 23 Ill.Admin.Code §226.510; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and exhibit 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*. **If the answer to either of the above questions is positive:** 1. Gather appropriate health information by using the completed *Allergy History Form* and AAEP. 2. Identify all necessary accommodations and complete a 504 Plan (use the District's established forms). For meal substitutions, the parent/guardian must submit a medical statement signed by a licensed healthcare provider. 3. Determine which staff provides the identified accommodations. Remember that accidental exposures are more likely to happen when an unplanned event or non-routine event occurs, and special care should be taken to address procedures for staff members who provide transportation, substitute teaching, coaching or other activities, field trips, and classroom celebrations. For staff members to consider, see CDC Guidelines, Sec. 3, *Putting Guidelines into Practice: Actions for School Administrators and Staff*, p. 59-80.

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Actor	Action
	4. Assign responsibilities to individual staff members for providing the identified accommodations. Inform staff members absent during the creation of the 504 Plan of their responsibilities. 5. Identify willing 504 Team members trained in emergency response to respond to any allergic reactions the student may have. Only *trained personnel* may administer epinephrine to a student believed to be having an anaphylactic reaction. *ISBE Model*, p. 6. **Note:** Consult the Board Attorney if options are limited or the classroom teacher is not willing to administer epinephrine. While classroom teachers are a logical choice to provide emergency response due to their continual close proximity to students, such an assignment may: (1) impact terms and conditions of employment and may trigger collective bargaining rights, and/or (2) violate 105 ILCS 5/10-22.21b, which states that under no circumstances shall teachers or other non-administrative school employees, except certified school nurses and non-certificated registered professional nurses, be required to administer medication to students. 6. Provide the required procedural safeguard notices. See 23 Ill.Admin.Code §226.510; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and exhibit 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*.

Phase Two: Plan to Reduce Risk of Allergic Reactions

Actor	Action
Building Principal and/or Nurse/DSP	Convene a meeting to educate all the staff members who will provide the identified 504 Plan accommodations about their responsibilities. Ensure individual staff members are properly trained and perform their responsibilities and provide the necessary accommodations for the student's individual health needs. Facilitate the dissemination of accurate information in the building about the student's allergy while respecting privacy rights. **Note:** Request permission from the Superintendent to consult the Board Attorney about best practices for disclosures to volunteers (e.g., field trip chaperones or room parents) of confidential medical information without parental consent. Generally Building Principals have discretion, but these situations are fact-specific. Ideally the District should attempt to get parental permission to disclose the information about the allergy, but practically this cannot always occur. Many agree that safety trumps confidentiality in these situations, especially when volunteers have a legitimate educational interest if knowledge of the information is related to their ability to perform their duties (See, *Letter to Anonymous*, 107 LRP 28330 (FPCO 2007)). Provide a medical alert to parents/guardians that does not name the student. See CDC Guidelines, p. 71, #5. The communication should inform other students and their parents/guardians about the

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Actor	Action
	importance of keeping their educational setting free of the food allergen. For a sample letter, see *Notification of a Food Allergy in the Classroom – Parent Letter*, available at: www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis. **Note:** Request permission from the Superintendent to consult the Board Attorney about disclosures and providing joint communications from the Building Principal and the parent/guardian of the food allergic student. While joint communications allow the school to exchange the information needed to protect the food allergic student and balance competing educational interests without violating federal or State laws that govern student records, they can also present other risks (i.e., re-disclosure of the confidential information). See Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and its implementing rules at 34 C.F.R. Part 99; Ill. School Student Records Act, 105 ILCS 10/, and its implementing rules at 23 Ill.Admin.Code Part 375. FERPA prohibits schools from disclosing personally identifiable information from students' education records without the consent of a parent or eligible student, unless an exception applies. See Board policy 7:340, *Student Records*. Prepare a list of answers to anticipated questions about managing the student's health needs. Check with the Nurse/DSP regarding any known competing educational interests with the student's health needs among other students attending the school (i.e., diabetes, service animals, etc.). Manage identified students' competing educational interests by: 1. Consulting the Board Attorney. 2. Creating a method to monitor identified competing educational interests between students. 3. Responding to future unidentified competing educational interests and managing them immediately. 4. Modifying any other conditions as the facts of the situation require.
IEP or 504 Team	Implement and follow all identified responsibilities in the 504 Plan. Understand that accidental exposures are more likely to occur when an unplanned event occurs, which makes is critical to follow the exact accommodations in the student's 504 Plan. Practice emergency procedures outlined in the student's AAEP and be prepared to follow them. *ISBE Model*, p. 5.
Parent/Guardian	Implement and follow the applicable items at: www.foodallergy.org/resources/getting-started-school, to assist the District in managing food allergies in the school setting.

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Actor	Action
Student	Implement and follow developmentally appropriate steps for allergy self-management, such as reading labels, asking questions about foods in the school meal and snack programs, avoiding unlabeled or unknown foods, using epinephrine injectors when needed, and recognizing and reporting an allergic reaction to an adult. CDC Guidelines, p. 31.

Phase Three: Response to Allergic Reactions

Actor	Action
IEP or 504 Team	Follow the student's 504 Plan and AAEP.
Nurse/DSP or any Staff Member trained in the District's emergency response procedures (if a Nurse is not immediately available)	If the student does not have an AAEP and there is a suspected case of anaphylaxis, and the District does not maintain an undesignated supply of epinephrine (*ISBE Model*, p. 5-6): 1. Instruct another staff member to call 911 immediately. 2. Stay with the person until emergency medical services (EMS) arrive. 3. Monitor the person's airway and breathing. 4. If school nurse or other *trained personnel* are not at the scene, implement local emergency notification to activate the nurse or *trained personnel* to respond. 5. Direct a staff member to call parent/guardian (if applicable). 6. Administer CPR, if needed. 7. EMS transports individual to the emergency room. Document the individual's name, date, time of onset of symptoms, and possible allergen. **Even if symptoms subside, EMS must still respond, and the individual must be evaluated in the emergency department or by the individual's health care provider. A delayed or secondary reaction may occur, which can be more severe than the first-phase symptoms.** 8. Do not allow a student to remain at school or return to school on the day epinephrine is administered.
Anyone implements item #1 of the first numbered list Nurse/DSP or other *Trained Personnel*	If the Nurse or *trained personnel* have a good faith belief that a person is having an anaphylactic reaction, and the District needs to use its undesignated (not student-specific) supply of epinephrine to respond (*ISBE Model*, p. 5-6): [7] 1. Call the Nurse or front office personnel and advise of the emergency situation so that trained personnel can be activated to respond with undesignated epinephrine dose(s). 2. Instruct someone to call 911 immediately.

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[7] Delete this entire row if the district does not maintain an undesignated supply of epinephrine.

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implements the remaining items	3. Implement the District's undesignated epinephrine standing protocol. See administrative procedure 7:270-AP2, *Checklist for District Supply of Undesignated Medication(s)*. 4. Select the appropriate dose according to the standing protocol and administer epinephrine. Note the time. **Act quickly. It is safer to give epinephrine than to delay treatment. This is a life-and-death decision.** 5. Stay with the person until EMS arrives. 6. Monitor the person's airway and breathing. 7. Reassure and attempt to calm the person, as needed. 8. Direct another staff member to call the parent/guardian, or emergency contact (if known). 9. If symptoms continue and EMS is not on the scene, administer a second dose of epinephrine five to 15 minutes after the initial injection. Note the time. 10. Administer CPR, if needed. 11. EMS transports the individual to the emergency room. Document the individual's name, date, and time the epinephrine was administered on the epinephrine injector that was used and give to EMS to accompany individual to the emergency room. **Even if symptoms subside, EMS must still respond, and the individual must be evaluated in the emergency department or by the individual's health care provider. A delayed or secondary reaction may occur, which can be more severe than the first-phase symptoms.** Post-Event Actions 1. Document the incident and complete all reporting requirements. See administrative procedure 7:270-AP2, *Checklist for District Supply of Undesignated Medication(s)*. 2. Replace epinephrine stock medication, according to the District's standing protocol. Reorder epinephrine stock medication, as necessary.
Nurse/DSP	If a student has no AAEP and 504 Plan, provide the parent/guardian with the AAEP and *Allergy History* forms and refer them to the process outlined in the **Identification of Students with Allergies** phase above. After each allergy emergency, review how it was handled with the Building Principal, health aides/assistants (if applicable), parents/guardians, staff members involved in the response, and the student to identify ways to prevent future emergencies and improve emergency response. CDC Guidelines, p. 63. Assist students with allergies with transitioning back to school after an emergency. CDC Guidelines, p. 63.

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Actor	Action
	Storage, Access, and Maintenance of Undesignated Supply of Epinephrine (105 ILCS 5/22-30(f); *ISBE Model*, p. 6-7) [8] 1. Store, access, and maintain the stock of undesignated epinephrine injectors as provided in the District's standing protocol. 2. Maintain the supply of undesignated epinephrine in accordance with the manufacturer's instructions. Epinephrine should be stored in a safe, unlocked, and accessible location in a dark place at room temperature (between 59-86 degrees F). Epinephrine should not be maintained in a locked cabinet or behind locked doors. Trained staff should be made aware of the storage location in each school. It should be protected from exposure to hot, cold, or freezing temperatures. Exposure to sunlight will hasten deterioration of epinephrine more rapidly than exposure to room temperatures. The expiration date of epinephrine solutions should be periodically checked; the drug should be replaced if it is approaching the expiration date. The contents should periodically be inspected through the clear window of the injector. The solution should be clear; if it is discolored or contains solid particles, replace the unit. 3. Regularly (e.g., monthly) check stock epinephrine to ensure proper storage, expiration date, and medication stability. Maintain documentation when checks are conducted. Expired injectors or those with discolored solutions or solid particles should not be used. 4. Dispose of epinephrine injectors in a sharps container.

LEGAL REF: 105 ILCS 5/2-3.190, 5/10-22.21b, 5/10-22.39, and 5/22-30.
23 Ill.Admin.Code §1.540
Anaphylaxis Response Policy for Illinois Schools, published by the Ill. State Board of Education.

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[8] Delete this section if the district does not maintain an undesignated supply of epinephrine.

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Students

Administrative Procedure - Program for Managing Student Athlete Concussions and Head Injuries

State Law

1. The Youth Sports Concussion Safety Act (YSCSA) contains concussion safety directives for School Boards and certain identified staff members. 105 ILCS 5/22-80. A School District must implement 105 ILCS 5/22-80 if it offers interscholastic athletic activities or interscholastic athletics under the direction of a coach (volunteer or school employee), athletic director, or band leader. An *interscholastic athletic activity* "means any organized school-sponsored or school-sanctioned activity for students, generally outside of school instructional hours, under the direction of a coach, athletic director, or band leader, including, but not limited to, baseball, basketball, cheerleading, cross country, track, fencing, field hockey, football, golf, gymnastics, ice hockey, lacrosse, marching band, rugby, soccer, skating, softball, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be interscholastic activities." 105 ILCS 5/22-80(b).
   A School District may need to implement its return-to-learn protocol for a student's return to the classroom after he or she is believed to have experienced a concussion, "whether or not the concussion took place while the student was participating in an interscholastic activity." 105 ILCS 5/22-80(d). For a comprehensive discussion of this Act, see the IASB publication, *Checklist for Youth Sports Concussion Safety Act*, at: www.iasb.com/iasb/media/documents/checklistconcussionsafetyact.pdf. Helpful guidance for implementing this law plus training modules are available from the Lurie Children's Hospital's *A Guide for Teachers and School Professionals*, also available using the above link.
2. 105 ILCS 25/1.15 requires: (a) all high school coaching personnel to complete online concussion awareness training, and (b) all student athletes to view the IHSA video about concussions.
3. 105 ILCS 25/1.20, requires the IHSA to require all member districts that have certified athletic trainers to have those trainers complete and submit a monthly report on student-athletes who have sustained a concussion during: (1) a school-sponsored activity overseen by the athletic trainer; or (2) a school-sponsored event of which the athletic director is made aware. **Concussion** - A complex pathophysiological process affecting the brain caused by a traumatic physical force or impact to the head or body, which may include temporary or prolonged altered brain function resulting in physical, cognitive, or emotional symptoms or altered sleep patterns and which may or may not involve a loss of consciousness. 105 ILCS 5/22-80. See also: *Returning to School After a Concussion: A Fact Sheet for School Professionals*, www.cdc.gov/heads-up/media/pdfs/schools/tbi_returning_to_school-a.pdf~~www.cdc.gov/headsup/pdfs/schools/tbi_returning_to_school-a.pdf~~.
4. 20 ILCS 2310/2310-~~32~~07 requires: (a) the Ill. Dept. of Public Health (IDPH), subject to appropriation, to develop, publish, and disseminate a brochure to educate the general public on the effects of concussions in children and discuss how to look for concussion warning signs in children, and (b) schools to distribute this brochure, free of charge, to any child or parent/guardian of a child who may have sustained a concussion, regardless of whether or not the concussion occurred while the child was participating in an interscholastic athletic activity, if available. The IDPH has adopted as its brochure the CDC's *Heads Up* campaign brochures which include concussion fact sheets for

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athletes, parents, coaches, and school professionals, see https://dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/concussion.html.

Actor	Action
School Board	Adopt a Board policy on concussions. See Board policy 7:305, *Student Athlete Concussions and Head Injuries*. Approve members of the Concussion Oversight Team. 105 ILCS 5/22-80(d). Approve school-specific emergency action plan(s) for interscholastic athletic activities to address serious injuries and acute medical conditions that may cause a student's condition to deteriorate rapidly. 105 ILCS 5/22-80(i). Monitor the effectiveness of Board policy 7:305, *Student Athlete Concussions and Head Injuries*, by discussing with the Superintendent or designee the type of data the Board needs to monitor the policy, establishing a monitoring calendar, and reviewing the data provided by the Superintendent or designee.
Superintendent or designee	Identify individuals to serve on the Concussion Oversight Team; request Board approval. 105 ILCS 5/22-80(d). A physician, to the extent possible, must be on the Team. If the school employs an athletic trainer and/or nurse, he or she must be on the Team to the extent practicable. The Team must include, at a minimum, one person who is responsible for implementing and complying with the return-to-play and return-to-learn protocols adopted by the Team. Other licensed health care professionals may be appointed to serve on the Team. The Team may be composed of only one person who need not be a licensed healthcare professional, but may not be a coach. **Note**: As this is administrative/staff work rather than governance work, the best practice is to have the Concussion Oversight Team be an *administrative* committee, but consult the Board Attorney for guidance. If it is a Board committee, it must comply with the Open Meetings Act, 5 ILCS 120/1.02. For a discussion of the Open Meetings Act's treatment of committees, see the footnotes in ~~Board sample~~ policy 2:150, *Committees*. Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain an online concussion certification in accordance with 105 ILCS 25/1.15. Coaching personnel and athletic directors hired on or after 8-19-14 must be certified before their position's starting date. Require that the following individuals complete concussion training as specified in the YSCSA: coaches or assistant coaches (whether volunteer or a District employee) of interscholastic athletic activities; nurses, physicians, other licensed health professionals and non-

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	licensed health care professionals who serve on the Concussion Oversight Team; athletic trainers; and game officials of interscholastic athletic activities. 105 ILCS 5/22-80(h), amended by P.A. 104-391. Individuals covered by this training mandate must initially have completed the training prior to serving on the Concussion Oversight Team and at least once every two years (or if not on the Team, at least once every two years). See the footnotes in policies 5:100, *Staff Development Program*, and 7:305, *Student Athlete Concussions and Head Injuries*. Identify the staff members who are responsible for student athletes, including Building Principals, and require that they comply with IHSA concussion protocols, policies, and by-laws, including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussions*, at: www.ihsa.org/health-safety/healthcare-provider-information~~www.ihsa.org/documents/sportsmedicine/ihsa_protocols_for_nfhs_concussion_playing_rule.pdf~~. Along with the Building Principal(s), develop and maintain school-specific emergency action plan(s) for interscholastic athletic activities to address serious injuries and acute medical conditions that may cause a student's condition to deteriorate rapidly; present it/them to the Board for approval. 105 ILCS 5/22-80(i). Hold the staff members responsible for implementing this procedure.
Concussion Oversight Team	Establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention (CDC). 105 ILCS 5/22-80(d). See www.cdc.gov/headsup/index.html. 1. A *return-to-play protocol* governing a student's return to interscholastic athletic practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee (not a coach) must supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol. 105 ILCS 5/22-80(g). The student's treating physician or an athletic trainer working under a physician's supervision must evaluate and find that it is safe for the student to return to play. The student's parent/guardian must sign a consent form that complies with statutory prerequisites. IHSA's website contains a form for this, *Post-concussion Consent Form (RTP/RTL)*, at: www.ihsa.org/health-safety/concussion-resources~~http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources~~. It is an open question whether the return-to-play protocol is limited to when the concussion occurred during an

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	interscholastic athletic activity, because the statute does not state "whether or not the concussion took place while the student was participating in an interscholastic athletic activity." It makes sense, however, to apply the return-to-play protocol whenever a student suffers a concussion before allowing him or her to participate in an interscholastic athletic activity. 2. A return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Superintendent or designee (not a coach) must supervise the person responsible for compliance with the return-to-learn protocol. 105 ILCS 5/22-80(g). The return-to-learn protocol governs a student's return to the classroom after a concussion, whether or not the concussion took place while the student was participating in an interscholastic athletic activity. Guidance from Lurie Children's Hospital explains that recovery from a concussion must be an individualized process, because no two concussions are the same. See *Return to Learn after a Concussion: A Guide for Teachers and School Professionals*, Lurie Children's Hospital, at: www.luriechildrens.org/globalassets/media/pages/specialties--conditions/programs/concussion-program/documents/lurie-return-to-learn-guide-2017-updated.pdf. This Guide explains that a student's full recovery depends on both cognitive and physical rest. It suggests using a multidisciplinary team to facilitate a student's return to the classroom and provides examples of accommodations and interventions. It also stresses the importance of identifying a school staff member who will function as a case manager or concussion management leader, e.g., a school nurse, athletic trainer, or school counselor.
Building Principals or designees	Along with the Superintendent, develop and maintain school-specific *Eemergency Aaction Pplan(s) (EAP)* for interscholastic athletic activities to address serious injuries and acute medical conditions that may cause a student's condition to deteriorate rapidly; present the plan(s) to the Superintendent who will present it/them to the Board for approval. 105 ILCS 5/22-80(i). A template is available on the IHSA website under Emergency Action Plan (EAP) Resources, at: www.ihsa.org/health-safety/concussion-resources~~http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources~~. Ensure the EAP is distributed to all appropriate personnel and conspicuously posted at all venues utilized by the school. Id. at (4) & (5).

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	Ensure the EAP is reviewed annually by all athletic trainers, first responders (including, but not limited to, emergency medical dispatchers), coaches, school nurses, athletic directors and volunteers for interscholastic athletic activities. Id. at (6)~~, amended by P.A. 102-1006~~. Require coaches and assistant coaches, trainers, and other staff members who are responsible for student athletes to: 1. Review and abide by the IHSA protocols, polices, and by-laws regarding concussions and head injuries, at: www.ihsa.org/health-safety/stakeholder-responsibilities~~www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Stakeholder-Responibilities~~. 2. Provide information to student athletes and their parents/guardians each school year about concussions and otherwise perform all duties identified by law or described in this procedure. School districts must include information about concussions in the student athlete agreement, contract, code, or written instrument that a student athlete and his or her parent/guardian are required to sign before participating in a practice or interscholastic competition. IHSA drafted a sample *Concussion Information Sheet*, which is included within the *IHSA Sports Medicine Acknowledgement & Consent Form* at: www.ihsa.org/health-safety/concussion-resources~~http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources~~. It has been incorporated into exhibit 7:300-E1, *Agreement to Participate*. 3. Distribute the IDPH concussion brochure, if available, to any student or the parent/guardian of a student who may have sustained a concussion, regardless of whether or not the concussion occurred while the student was participating in an interscholastic athletic activity. 20 ILCS 2310/2310-307. The IDPH has adopted as its brochure the CDC's *Heads Up* campaign brochures which include concussion fact sheets for athletes, parents, coaches, and school professionals, see https://dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/concussion.html. Maintain appropriate school student records for student athletes. Although a *concussion policy acknowledgment* is no longer required, an ISBE rule defines *health-related information* to include a *concussion policy acknowledgment*. 23 Ill.Admin.Code §375.10. The acknowledgment must be kept with the student's

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	school student records as a temporary record. 23 Ill.Admin.Code §375.40. All written information concerning an injury to a student athlete, including without limitation, a return-to-play clearance, must be kept with the student's school student records as a temporary record. 23 Ill.Admin.Code §§375.10 and 375.40. An ISBE rule defines *health-related information* to include "other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports." 23 Ill.Admin.Code §375.10.
Each student participant in an interscholastic athletic activity and his or her parent/guardian	Each school year, sign a concussion information receipt form before participating in an interscholastic athletic activity. 105 ILCS 5/22-80(e). *Interscholastic athletic activity* is defined on the first page of this procedure. 105 ILCS 5/22-80(b). The form must be approved by IHSA. See www.ihsa.org/health-safety/concussion-resources~~http://ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources~~, for ~~IHSA Concussion Protocols~~IHSA Concussion Protocols and IHSA ~~Sports Medicine Acknowledgement & Consent Form~~Sports Medicine Acknowledgement & Consent Form. Annually view IHSA's video about concussions (applicable to only high school student athletes). 105 ILCS 25/1.15(e). Become knowledgeable about the concussion symptoms and ask questions of any athletic staff member. Inform the coach or other supervisor about any trauma to the student's head and/or any symptoms of a concussion or confirmed concussion regardless of where and when it occurred. Follow the District's return-to-play and/or return-to-learn protocol(s), as applicable, whenever the student suffers a concussion.
Coaches or Assistant Coaches (whether volunteer or a District employee) of interscholastic athletic activities; Nurses and Physicians who serve on the Concussion Oversight Team; Athletic Trainers; and	Complete concussion training as specified in the YSCSA. 105 ILCS 5/22-80(h), amended by P.A. 104-391. Interscholastic athletic activity is defined on the first page of this procedure. 105 ILCS 5/22-80(b). Individuals covered by this training mandate must complete the training prior to serving on the Concussion Oversight Team and at least once every two years (or if not on the Team, at least once every two years). See the footnotes in Board -policy 5:100, *Staff Development Program*.

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Game Officials of interscholastic athletic activities	Complete IHSA's online concussion certification program (required only of high school coaching personnel including, without limitation, athletic directors). 105 ILCS 25/1.15. Learn concussion symptoms and danger signs. See IHSA Sports Medicine Acknowledgement and Consent form at: www.ihsa.org/health-safety/concussion-resources ~~http://ihsa.org/documents/sportsMedicine/current/Sports%20Medicine%20Consent%20and%20Acknowledgement.pdf~~ and www.cdc.gov/heads-up/training/index.html#cdc_generic_section_3-general-concussion-info~~www.cdc.gov/headsup/youthsports/officials.html~~.
Coaches and Assistant Coaches of interscholastic athletic activities Athletic Trainers Other staff members who are responsible for student athletes	Each school year, have student athletes and their parents/guardians, or another person with legal authority to make medical decisions for the student, sign a form "that acknowledges receiving and reading written information that explains concussion prevention, symptoms, treatment, and oversight and that includes guidelines for safely resuming participation in an athletic activity following a concussion." The form must be approved by IHSA. 105 ILCS 5/22-80(e). Each school year, inform student athletes and their parents/guardians about concussions and head injuries by: 1. Giving them a copy of the IHSA's *Concussion Information Sheet* at the time they sign Board exhibit 7:300-E1, *Agreement to Participate*, or other agreement, contract, code, or written instrument that a student athlete and his or her parent/guardian are required to sign before the student is allowed to participate in a practice or interscholastic competition. *The Concussion Information Sheet*, is included within the ***IHSA Sports Medicine Acknowledgement & Consent Form at***: www.ihsa.org/health-safety/concussion-resources~~www.ihsa.org/Resources/DownloadCenter.aspx~~. 2. Using educational material provided by IHSA to educate student athletes and parents/guardians about the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury. See www.ihsa.org/health-safety/concussion-resources~~www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources~~. The CDC offers free printed educational materials on concussions that can be ordered or downloaded and distributed to parents, students, and coaches. See www.cdc.gov/headsup/index.html. Each school year, participate in the review of the EAP, as directed by the Building Principal or designee.

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Actor	Action
	Remove a student from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol. 105 ILCS 5/22-80(f). Comply with the IHSA concussion management guidelines, including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussion*, which includes its *Return to Play (RTP) Policy*, at: www.ihsa.org/health-safety/healthcare-provider-information~~www.ihsa.org/documents/sportsmedicine/ihsa_protocols_for_nfhs_concussion_playing_rule.pdf~~. These guidelines, in summary, require that: 1. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion (e.g., loss of consciousness, headache, dizziness, confusion, or balance problems) in a practice or game shall be removed from participation or competition at that time. 2. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer. 3. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois, advanced practice registered nurse, physician assistant or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois, and has completed the return-to-play protocol in compliance with the YSCSA, 105 ILCS 5/22-80(g). Inform the student athlete's parent/guardian about a possible concussion and give the parent/guardian a fact sheet on concussion, at: www.ihsa.org/health-safety/concussion-resources~~www.ihsa.org/Resources/Sports-Medicine/Concussion-Management/Concussion-Resources~~. Allow a student who was removed from interscholastic athletic practice or competition to return only after all statutory prerequisites are completed, including without limitation, completing the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn. 105 ILCS 5/22-80(g).

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Actor	Action
	Most students with a concussion will not need a formal 504 plan or individualized education program; contact the Board Attorney whenever one is requested or the student's symptoms are prolonged.
Athletic trainers [*high school only*]	Complete a monthly report on student-athletes who have sustained a concussion during: (1) a school-sponsored activity overseen by the athletic trainer; or (2) a school-sponsored event of which the athletic director is made aware. Do not identify student names in the monthly report. 105 ILCS 25/1.20. Submit this monthly report to the interscholastic athletic organization to which the school belongs.

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Students

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

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Sections

A. Legal Citations and Definitions

The legal requirements contained in this procedure are followed by a citation to the controlling rule and/or statute. Citations in 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; 23 Ill.Admin.Code §375.10. For easy reference, some definitions are re-printed in this procedure.

The release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, is not included in these procedures but is governed by the Mental Health and Developmental Disabilities Confidentiality Act (MHDDCA). 740 ILCS 110/.

B. School Student Records Defined

School Student Record means any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. 105 ILCS 10/2(d).

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[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 and annually thereafter, 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; 34 C.F.R. §99.7.
    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, electronic mail (email) addresses, birth dates, 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; 10 U.S.C. §503(c); 105 ILCS 5/10-20.5a, amended by P.A. 104-15.
    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; 23 Ill.Admin.Code §375.10.

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *student permanent record* shall consist of the following:

1. Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s).
2. Evidence required by the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved; as applicable, and if allowed by District policy, scores received on college entrance examinations if that inclusion is requested in writing by an eligible student or the student's parent/guardian[5]; 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~~22~~, renumbered by P.A. 104-391; 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.
4. Attendance record.
5. Health record, defined by ISBE rule as "medical documentation necessary for enrollment and proof of having certain examinations, as may be required under Section 27-8.1 of the [School] Code."

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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] 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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6. Record of release of permanent record information that contains the information listed in Section I, **Record of Release**, below.
7. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5.

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.
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."

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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
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

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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 Ssocial Ssecurity numbers. 5 ILCS 179/, Identity Protection Act. The collection and retention of Ssocial Ssecurity 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. 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;
    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

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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 their~~s~~ 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 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. [6]

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

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[6] 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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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.

Access Without Notification to or Consent of Parent/Guardian or Eligible Student

1. District employees or officials of the ISBE will be granted access, without parental/guardian consent or notification, when a current, demonstrable, educational, or administrative need is shown. Access in such cases is limited to the satisfaction of that need. 105 ILCS 10/6(a)(2). Individual board members do not have a right to see student records merely by virtue of their office, unless they have a current, demonstrable educational or administrative interest in the student and seeing his or her record(s) would be in furtherance of the interest. 105 ILCS 10/6(a)(2).
2. Access will be granted, without parental/guardian consent or notification, to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent/guardian can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. 105 ILCS 10/6(a)(4).
3. Access will be granted, without parental/guardian consent or notification, to another school district that overlaps attendance boundaries with the District, if the District has entered into an intergovernmental agreement that allows for sharing of student records and information between them. 105 ILCS 10/6(a)(13). [7]
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.

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[7] 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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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. Pursuant to federal law, m~~M~~ilitary recruiters and institutions of higher learning will be granted access to secondary students' names, addresses, and telephone numbers~~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 also have access to secondary students' email addresses under the same conditions. Military recruiters and institutions of higher learning have access to ~~students' names, addresses, and phone numbers~~this information even if the District does not release directory information under FERPA or the Ill. School Student Records Act. 20 U.S.C. §7908; 10 U.S.C. §503(c). No later than 30 days after receiving a request for student information from military recruiters for military recruiting purposes, the District must provide access to secondary school student names, addresses, email addresses (which shall be the email addresses provided by the school, if available), and telephone and mobile phone 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. 10 U.S.C. §503(c).

   Pursuant to State law, by July 1, 2026, and each July 1 thereafter, military recruiters, the Ill. Student Assistance Commission, and State public institutions of higher education will also be granted access through a secure centralized system to high school students' names, home addresses, birth dates, and telephone numbers, unless the student's parent/guardian submits a written request before the end of the students' sophomore year (or if the student is a transfer student, by another time set by the District) that such information not be released. 105 ILCS 5/10-20.5a, amended by P.A. 104-15. These entities have access to this student information even if the District does not release directory information under FERPA or the Ill. School Student Records Act.

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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 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.~~

~~7.~~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).

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

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substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release relates to more than 25 students, a notice published in the newspaper is sufficient.

The District charges $.35 per page for copying information from a student's records.[8] 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 [9]

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). [10]

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).[11]

K. Parenting Plans

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[8] 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."

[9] Consult the board attorney about the need to maintain a record of release in the case of a breach of student record information. ISSRA does not address records of release for unauthorized disclosures, but FERPA requires a record of "each disclosure" of personally identifiable information from a student's education records. 105 ILCS 10/6(c); 34 C.F.R. §99.32. Guidance from the U.S. Dept. of Education indicates a record of release would be required for a data breach, see *A Parent's Guide for Understanding K-12 School Data Breaches* (2021), at: https://studentprivacy.ed.gov/resources/parents-guide-understanding-k-12-school-data-breaches.

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[10] FERPA does not require a record of disclosure in this instance, but ISSRA does not contain a similar exception. Consult the board attorney for guidance when presented with an *ex parte* order under 20 U.S.C. §1232g(j).

[11] See f/n 6 above.

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Upon receipt of a parenting plan under the Ill. Marriage and Dissolution of Marriage Act (750 ILCS 5/), the Building Principal shall file it in the temporary record of a student who is the subject of the parenting plan.

L. Transmission of Records for Transfer Students 105 ILCS 10/6(a)(3); 23 Ill.Admin.Code §§375.70 and 375.75.

The Building Principal shall:

1. Within 14 calendar days after enrolling a transfer student, request directly from the student's previous school a certified copy of the student's record. The District shall exercise due diligence in obtaining the copy of the record requested.
2. Upon the student's request or that of the official records custodian of another school in which the student has enrolled or intends to enroll, within 10 calendar days, transfer a certified copy of the student's record (that is, the student's permanent and temporary record) to the official records custodian of the appropriate school and retain the original records. The records transfer is subject to prior notice to the student's parent(s)/guardian(s) as described above in Section H (Access to School Student Records). See 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 whether to send the record protected by MHDDCA to the new school and, if *yes*, obtain a written consent for disclosure as provided in 740 ILCS 110/5.

   This requirement does not apply to special education records and reports that are related to the identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities. 23 Ill.Admin.Code §375.10.
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.

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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)): [12]

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[13] 23 Ill.Admin.Code §375.80

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[12] 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*. 23 Ill.Admin.Code §1.245(g)~~105 ILCS 5/28-19.2~~. 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). These statutes refer generically to *transcripts*; they do 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).

[13] 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.

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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: [14]

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 Ssocial Ssecurity number or student identification or unique student identifier. Id.

The notification to parents/guardians and students concerning school student records, provided upon initial enrollment or transfer to the school and annually thereafter, 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

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[14] 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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student records are forwarded to another school to which the student is transferring. 105 ILCS 10/7; 23 Ill.Admin.Code §375.90. A request for a hearing should be submitted to the Superintendent and shall contain notice of the specific entry or entries to be challenged and the basis of the challenge. The following procedures apply to a challenge: Id.

1. The Superintendent or designee will invite the parent(s)/guardian(s) to an initial informal conference, within 15 school days of receipt of the request for a hearing.
2. If the challenge is not resolved by the informal conference, formal procedures shall be initiated. The Superintendent will appoint a hearing officer, who is not employed in the attendance center in which the student is enrolled.
3. The hearing officer will conduct a hearing within a reasonable time, but no later than 15 days after the informal conference, unless an extension of time is agreed upon by the parent(s)/guardian(s) and school officials. The hearing officer shall notify parents and school officials of the time and place of the hearing.
4. At the hearing, each party shall have the right to:
   a. Present evidence and to call witnesses;
   b. Cross-examine witnesses;
   c. Counsel;
   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.

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9. The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The District will include a copy of the statement in any release of the information in dispute. 105 ILCS 10/7(d).

LEGAL REF.: 10 U.S.C. §503.
20 U.S.C. §1232g, Family Education Rights and Privacy Act; 34 C.F.R. Part 99.
20 U.S.C. §7908.
105 ILCS 5/10-20.5a.
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 and annually thereafter, the school must notify the student and the student's parents/guardians of their rights concerning school student records. This notification may be distributed by any means likely to reach parents/guardians.

The contact information for each School's Official Records Custodian follows:

_____

_____

_____

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*.

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The *permanent record* includes:

1. Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parents/guardians.
2. Evidence required under the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved;[2] 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 this exhibit 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] 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 5/27-60522; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy; and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169.

4. Attendance record.
5. Health record defined by ISBE as "medical documentation necessary for enrollment and proof of dental examinations, as may be required under Section 27-8.1 of the School Code."
6. Record of release of permanent record information that includes each of the following:
    a. The nature and substance of the information released;
    b. The name and signature of the official records custodian releasing such information;
    c. The name and capacity of the requesting person and the purpose for the request;
    d. The date of release; and
    e. A copy of any consent to a release.
7. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5.

If not maintained in the *temporary record*, the *permanent record* may include:

1. Honors and awards received.
2. Information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations.

All information not required to be kept in the student *permanent record* is kept in the student *temporary record* and must include:

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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.
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

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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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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.[3]

The *temporary record* may include:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews
5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information
10. Special education records
11. Records associated with plans developed under section 504 of the Rehabilitation Act of 1973
12. Verified reports or information from non-educational persons, agencies, or organizations of clear relevance to the student's education

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[3] 105 ILCS 10/2(f).

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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). [4]
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.**
   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

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[4] 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 and renumber the following list items:

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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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;[5] any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

4. **The right to a copy of any school student record proposed to be destroyed or deleted.**
   The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. The temporary record is maintained for at least five years after the student transfers, graduates, or permanently withdraws. Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after five years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s). Student temporary records are reviewed every four years or upon a student's change in attendance centers, whichever occurs first.
5. **The right to prohibit the release of directory information concerning the parent's/ guardian's child. [6]**
   Throughout the school year, the District may release *directory information* regarding its students, limited to:

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[5] For elementary and high school districts only.

[6] 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*.

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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, and the Ill. Student Assistance Commission not be granted access to your secondary school student's name, address, electronic mail (email) addresses, ~~and~~ telephone numbers, and birth date 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, email 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. Similarly, State law requires a secondary school to provide to military recruiters, public institutions of higher education, and the Ill. Student Assistance Commission access to the same types of information, in addition to a secondary student's birth date, unless the student's parent/guardian submits a written request before the end of the student's sophomore year (or if the student is a transfer student, by another time set by the District) that such information not be released. If you wish to opt your child out of the release of this information so that it is not released without your prior written consent, notify the Building Principal where your student is enrolled for further instructions.
7. **The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.**
8. **The right to file a complaint with the U.S. Dept. of Education concerning alleged failures by the District to comply with the requirements of FERPA.**
   The name and address of the Office that administers FERPA is:

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U.S. Department of Education
Student Privacy Policy Office
400 Maryland Avenue, SW
Washington DC 20202-8520

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Students

Exhibit - Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

For ease of administration, this letter combines the parent/guardian notices required by 10 U.S.C. §503(c), 20 U.S.C §7908, and 105 ILCS 5/10-20.5a, amended by P.A. 104-15.

On District letterhead

Date

Re: Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

Dear Parents/Guardians:

~~From time to time~~Periodically, military recruiters and postsecondary educational institutions, including in conjunction with the Ill. Student Assistance Commission (ISAC), are granted access to some or all of the following information: the names, telephone numbers, addresses, birth dates, and electronic mail (email) addresses of our secondary students. This information is used for recruiting purposes and/or to inform students of educational and career opportunities. The school must provide this information unless the parent/guardian, or the student if he/she has attained the age of 18, submits a written request that the student's records not be released without their prior written consent.

Important: If you do not want military recruiters, ~~or~~ institutions of higher learning, or ISAC to be given your secondary school student's name, telephone number, address, birth date, and/or email address, ~~and telephone number~~ without your prior written consent, please complete the form below and return it to the Building Principal.

Sincerely,

Superintendent

To be completed and submitted to the Building Principal.

For parents/guardians:

☐ **Do not** release my child's name, telephone number, address, birth date, and/or email address to military recruiters, ~~or~~ institutions of higher learning, or ISAC without first obtaining my prior written consent.

Parent/Guardian Name (*please print*)

Parent/Guardian Signature (*if student is under age 18*) Date

For ~~S~~students age 18 or older:

☐ **Do not** release my name, telephone number, address, birth date, and/or email address to military recruiters, ~~or~~ institutions of higher learning, or ISAC without first obtaining my prior written consent.

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Student Name (*please print*)	Student ID Number
Student Signature (*if student is age 18 or older*)	Date

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Students

Exhibit - Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information [1]

1. **What does the ~~Elementary and Secondary Education Act~~law require of schools with regard to allowing military recruiters access to students?**
   Schools receiving funds under the federal Elementary and Secondary Education Act (ESEA) must: (1) give military recruiters the same access to secondary school students as they provide to postsecondary educational institutions or to prospective employers or an institution of higher education, and (2) provide students' names, addresses, electronic mail (email) addresses (which must be the email addresses provided by the school, if available), and telephone listings (numbers) to military recruiters, when requested, unless parents/guardians or the student (18 years or older) have opted out (see Question 2, below). 20 U.S.C. §7908; 10 U.S.C. §503(c). Federal law requires schools to give military recruiters access to this information no later than 30 days after receiving a request from them. 10 U.S.C. §503(c)(1)(A)(iii). State law also requires schools to give access to this information, as well as students' birth dates, to military recruiters beginning on July 1, 2026, and every July 1 thereafter. 105 ILCS 5/10-20.5a.
2. **What information about students (and which students) must be disclosed to military recruiters by our administration?**
   Secondary schools must disclose names, addresses, email addresses, birth dates, and telephone numbers of secondary students, unless parents/guardians, or the student if he/she has attained the age of 18 (~~an "~~*eligible student*~~"~~), have submitted a written request that the information not be released without their prior written consent.
3. **What notification must schools provide to parents/guardians and eligible students before disclosing students' names, addresses, email addresses, birth dates, and telephone numbers to military recruiters and institutions of higher education?**
   Under federal and State laws governing student records, schools must provide notice to parents/guardians and eligible students of the types of student information that it releases publicly. This type of student information, commonly referred to as *directory information*, includes names, addresses, email addresses, birth dates, and telephone numbers. The notice must include an explanation of a parent/guardian's or eligible student's right to request that the information not be disclosed without prior written consent. Under the Elementary and Secondary Education Act, schools must notify parents/guardians that the school routinely discloses names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education upon request, subject to a parent/guardian's or eligible student's written request not to disclose such information without their prior written consent. Similarly, State law provides military recruiters and public institutions of higher education access to the same types of information, in addition to a secondary student's birth date, unless the student's parent/guardian submits a written request before the end of the student's sophomore year (or if the student is a transfer student, by another time set by the District) that such information not be released.

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[1] This document answers many questions concerning the topic for school staff members and may be distributed at will.

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A notice provided through a mailing or student handbook informing parents/guardians and eligible students of the above information is sufficient to satisfy the parental notification requirements. The notification must advise parents/guardians and eligible students how to opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

If a school does not release directory information, it still must provide students' names, addresses, email addresses, birth dates, and telephone numbers to military recruiters and institutions of higher education upon request. The school must notify parents/guardians and eligible students: (1) that it discloses information to military recruiters and institutions of higher education, and (2) that parents/guardians and eligible students have the right to opt out of this disclosure.

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4. **Does recruitment take place in a private office or out in a common area?**
   Neither federal nor State law addresses where recruitment takes place. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions recruiters and/or prospective employers. Federal law does require school districts to provide military access to career fairs or similar events upon request made by military recruiters for military recruiting purposes.
5. **How frequently are recruiters present?**
   Neither federal nor State law addresses how often recruiters may have access to students. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions and prospective employers.
6. **What information does a military recruiter request of students during the interview?**
   The type of questions military recruiters may ask students is generally not limited. Students may refuse to cooperate or even refuse to be interviewed.
7. **Can schools supervise recruiters to ensure they do not approach impressionable students too strongly?**
   Federal law does not grant authority to schools to supervise military recruiting efforts. The school may still require military and postsecondary recruiters to abide by the District's policy governing conduct on school property.
8. **What are parents' rights relative to military recruiters on campus?**
   Parents may instruct their children to forgo being interviewed by military and/or postsecondary recruiters or prospective employers.
9. **What information do schools provide to families relative to recruiting that goes on at school?**
   Aside from the notice described in #3, neither federal nor State law addresses what information schools must provide to parents regarding the recruiting that takes place at school – this is a local issue to be determined by the Superintendent or Building Principal.
10. **Where can I get more information on the requirements of 10 U.S.C. §503?**
    The Office of the Secretary of Defense may be contacted for copies of the statute, or questions relating to it. Please contact the Accession Policy Directorate as follows:
    Director, Accession Policy
    4000 Defense Pentagon
    Washington, DC 20301-4000
    Telephone: 703/695-5529
11. **Where can I get more information on the requirements of §7908 of the ESEA?**
    The Student Privacy Policy Office (SPPO in the U.S. Dept. of Education administers the Family Educational Rights and Privacy Act (FERPA) as well as 20 U.S.C. §7908. School officials with questions on this guidance, or FERPA, may contact the SPPO by submitting an

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online form at https://studentprivacy.ed.gov/contact or calling the SPPO's Student Privacy Help Desk at 1-855-249-9072.

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School Board

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

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

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

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

1. The Superintendent or designee is permitted to email information to Board members. For example, the Superintendent may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Superintendent should copy all other Board members and include a do not reply all/forward alert to the group, such as: **"BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender."** Alternatively, the Superintendent may blind carbon copy (bcc) all other board members (preventing them from replying to all) and include a similar alert to the group, such as: **"BOARD MEMBER ALERT: This email is in response to a request. To prevent replies or forwards to the group, all board members are blind carbon copied on this email. Only reply to the sender."**
2. Board members are permitted to discuss any topic~~matter~~ other than~~except~~ District business with each other, whether in person or by telephone, ~~or~~ email, text, or other electronic means, regardless of the number of members participating in the discussion. For example, they may discuss ~~league~~ sports, work, or current events.
3. Board members are permitted to provide information to each other, whether in person or by telephone, ~~or~~ email, text, or other electronic means, that relates to District business but is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
4. A Board member is not permitted to discuss District business with more than one other Board member at a time, whether in person or by telephone, ~~or~~ email, text, or other electronic means.

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

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Stated another way, a Board member may discuss District business in person or by telephone, ~~or~~ email, text, or other electronic means with only one other Board member at a time. ~~However,~~

~~4.~~5. A~~a~~ Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls, ~~or~~ emails, texts, or other electronic communications to, Board members individually.

6. A Board member should include a do not reply all/forward alert when emailing a message concerning District business to more than one other Board member. The following is an example of such an alert: "**BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual.**" Alternatively, the board member may bcc the other board members and include a similar alert to the other board members, such as **"BOARD MEMBER ALERT: This email is not for interactive discussion purposes. To prevent replies or forwards to the group, all board members are blind carbon copied on this email. The recipient should not reply to it or forward it to another individual."**

~~5.~~7. Board members should not forward email received from another Board member.

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

An electronic communication must be disclosed if it is a public record as defined by FOIA, unless a specific exemption applies. A *public record* is any recorded information "pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body." 5 ILCS 140/2, amended by P.A. 104-438. Public records do not include *junk mail*. Junk mail includes unsolicited commercial electronic communications sent to the District that it does not respond to. Id. Email or other electronic communications sent or received by an individual Board member may be, depending on the content and circumstances, subject to disclosure as a public record (unless a FOIA exemption is applicable).

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

> **First**, the communication pertains to the transaction of public business, and
> **Second**, the communication was: (1) prepared by a public body, (2) prepared for a public body, (3) used by a public body, (4) received by a public body, (5) possessed by a public body, and/or (6) controlled by a public body.

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

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

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

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b. Sent and/or received by an individual Board member on a District-issued device or District-issued email address **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.
c. Received by an individual Board member on a personal electronic device and then forwarded by the Board member to a District-owned device or server **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.
d. Received by an individual Board member using a personal electronic device and personal email address, and then forwarded by the Board member to enough members to constitute a majority or more of a Board-quorum **will be a public record** and subject to FOIA. The electronic communication is in the District's possession.
e. Either sent to or from a Board member's personal electronic device during a Board meeting **will be a public record** and subject to FOIA. The electronic communication is in the District's possession because Board members were functioning collectively as a public body.

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

When Must Electronic Communications Be Retained?

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

Important: Do not destroy any ~~email~~ electronic communication concerning a topic that is being litigated without obtaining the Board A~~a~~ttorney's direction. In federal lawsuits, there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally ~~notify~~ advise their clients at the beginning of a legal proceeding that they must not ~~to~~ destroy any electronic records that might be relevant. This is referred to as a *litigation hold*. For more discussion of a litigation hold, see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. In addition, any person who knowingly with the intent to defraud any party destroys, removes, or conceals any public record commits a Class 4 felony. 50 ILCS 205/4.

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School Board

Exhibit - Immediately Available District Public Records and Web-Posted Reports and Records [1]

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

The District's Freedom of Information Officer designates the public records that are listed in this table as being immediately available to the public. The records that are asterisked (*) are posted on the District's website and may be immediately inspected, downloaded, printed, and/or copied. Any asterisked public record is also immediately available for inspection or copying upon request at the District's administrative office during its regular business hours, provided any applicable fees are paid. Unless otherwise noted in the special instructions column, records not asterisked (*) will be provided within five business days as allowed by the Freedom of Information Act, provided any applicable fees are paid.

Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
*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 ~~O~~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 ~~O~~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: 1. Summary of the District's purpose 2. Functional subdivisions 3. Total amount of operating budget 4. Number and location of all of its separate offices 5. Approximate number of full- and part-time employees (see also, salary and benefits information report for the Superintendent, administrators, and teachers, District's Statement of Affairs) 6. Identification and membership of the Board 7. Brief description of the methods whereby the public may request information and public records 8. Directory information for the Freedom of Information Officer 9. Address where requests for public records should be directed 10. Fees	5 ILCS 140/4, amended by P.A. 104-438. The District must prominently post the ~~list~~ description on its website~~at each administrative office~~ and make it available for inspection and copying. If the District does not maintain a website, it must post it at each administrative office.
*A hyperlink to an email address(es) for members of the public to communicate with members of the Board	50 ILCS 205/20. The hyperlink must be easily accessible from the District's home page.
Annual budget for current fiscal year, itemized by receipts and expenditures	105 ILCS 5/17-1.2. This may be accomplished using the Ill. State Board of Education (ISBE) *School District Budget Form* (50-36) or the summary pages from it. ~~2~~

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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 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 exhibit 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). 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.

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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
*Hyperlink to ISBE's Expanded High School Snapshot Report	105 ILCS 5/10-17a(7), added by P.A. 103-503. The hyperlink must be displayed in a manner that is easily accessible to the public. ISBE is required to prepare a stand-alone report covering high schools beginning ~~10-31-27~~October 27, 2027, and by October~~.~~ 31 of each subsequent year.
*The District's discipline plan and progress on the plan, in the event the District is identified by ISBE to be in the top 20% (for three consecutive years) of districts for out-of-school suspensions, out-of-school expulsions, or racial disproportionality in the use of out-of-school suspensions and expulsions	105 ILCS 5/2-3.162. If the District is required to submit a plan to ISBE, it must be approved at a public board meeting and posted on the District's website. Within one year after being identified by ISBE, the District must submit to ISBE and post on its website a progress report describing implementation of the plan and the results achieved.
*A list of all contracts in excess of $25,000 and any contracts with an exclusive bargaining representative	105 ILCS 5/10-20.44, amended by P.A. 104-261~~, eff. 1-1-26~~. Each year, before December~~.~~ 1, and in conjunction with the publication of the Statement of Affairs on the District's website and in a newspaper of general circulation, the District shall include an annual report on all contracts over $25,000 awarded during the previous fiscal year.
*Contract(s) with any commercial driver training school(s) for driver education	105 ILCS 5/27-815, renumbered by P.A. 104-391. The District is required to web-post this document if it has a website. If the District has no website, it must make the contract available upon request.
*Annual Statement of Affairs	105 ILCS 5/10-17, amended by P.A. 104-261~~, eff. 1-1-26~~. Annually by December~~.~~ 1, the District must post its statement of affairs on its website and in a newspaper of general circulation published in the District.

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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
*Fiscal Efficiency Report, summarizing the District's attempts to improve fiscal efficiency through shared services or outsourcing in the prior fiscal year	105 ILCS 5/17-1.1. The report must be: (1) approved by the Board at an open meeting,[3] and (2) primarily in checklist form and approximately one page in length.
Beginning in levy year 2022, if the District has an aggregate property tax levy greater than $5,000,000, it will make good faith efforts to electronically publish the following data from all vendors and subcontractors doing business with the District: Whether the vendor or subcontractor is minority-owned, women-owned, or veteran-owned; Whether the vendor or subcontractor holds a certification as a minority-owned, women-owned, or veteran-owned business as defined in 30 ILCS 575/, or if they are self-certifying; and If the vendor self-certifies, whether it qualifies as a small business under federal Small Business Administration standards (See www.sba.gov/federal-contracting/contracting-guide/size-standards).	35 ILCS 200/18-50.2. The law does not define *electronically publish*; website posting is a means of compliance. This item is not asterisked should the District choose to electronically publish the information offline.
*Notice of a public hearing at which the Board will consider closing a school, when applicable	105 ILCS 5/10-22.13. The notice of the public hearing must be provided at least 10 days prior to the hearing and include the time, date, place, and name or description of the school building that the Board is considering closing.

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

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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
*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/guardian rights procedures must be updated by January ~~.~~ 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). This list must also be updated by January ~~.~~ 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	105 ILCS 85/27(a)(5). The District must update breach information by January ~~.~~ 31 and July 31 each year, and it must remain on the District's website for at least five years after the District adds it to the list. Breaches that occurred (or were estimated to have

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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
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	occurred) prior to ~~7-1-21~~July 1, 2021, or breaches that were posted more than five years prior to updating the current list do not need to be posted. [6]
*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 5/22-110(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 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

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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
	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*. 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), the Crisis Text Line (Text 741741), and the Safe2Help Illinois helpline (Call 844-4-SAFEIL or Text SAFE2 to 72332) if the District does not issue student identification cards to all students in grades 6-12 or school employees serving those grades	105 ILCS 5/10-20.81, amended by P.A.s 103-143 and 104-264~~, eff. 1-1-26~~.
*Administrator and Teacher Salary and Benefits Report (itemized salary report for the Superintendent and all administrators and teachers); *benefits* includes, without	105 ILCS 5/10-20.47. [7] Annually on or before Octo~~ber.~~ 1: (1) the information must be presented at a regular

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

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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
limitation, vacation days, sick days, bonuses, annuities, and retirement enhancements	Board meeting and posted on the District's website, and (2) after the Board meeting at which the information was presented, the Report must be provided to ISBE.
All records pertaining to the creation, alteration or revision of school attendance areas shall be open to the public	105 ILCS 5/10-21.3. This law also requires school attendance areas to be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality. See Board policy 7:30, *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 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

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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
	discussion about 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 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).

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*A description of activities to address intergroup conflict (an optional program authorized by 105 ILCS 5/27-23.6)	105 ILCS 5/27-1050(c), renumbered by P.A. 104-391.
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 December~~.~~ 1, the District must report its school support personnel information as of October~~.~~ 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 December~~.~~ 1, ISBE must make the enrollment information available on its website based on the District's enrollment information as of October~~.~~ 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: 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).	105 ILCS 5/10-20.70. Annually, the District must report its class size information, which ISBE must make available on its website by January~~.~~ 31 (see www.isbe.net/Pages/Data-Analysis-Reports.aspx~~www.isbe.net/Pages/class-size-report.aspx~~). See 105 ILCS 5/2-3.136a for definitions of the italicized terms.

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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
*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	105 ILCS 5/22-105(6), renumbered by P.A. 104-391. By December~~.~~ 1, the District must annually make the immunization *data* that it must report to ISBE by November~~.~~ 15 each year publicly available. The data, not its format, must be identical to the data reported to ISBE. Boards have control over the method(s) used to make this data publicly available. One method is to instruct the reader to ask for the data directly from ISBE.
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.

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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'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, renumbered by P.A. 104-391.
*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.

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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 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, added by P.A. 103-641. The informational materials to be posted are those made available on ISBE's website. See *Understanding Type 1 Diabetes for Parents and Guardians* at: www.isbe.net/Pages/Student-and-Family-Resources.aspx.
*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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Operational Services

Exhibit - Resolution to Increase Driver Education Fees

WHEREAS, Section 27-815~~24.2~~ of the School Code (105 ILCS 5/27-815) provides that the School District may charge a reasonable fee, not to exceed $50, to students who participate in a driver education course;

WHEREAS, ~~the Illinois General Assembly amended that same section of the School Code in P.A. 97-145 to~~105 ILCS 5/27-815 allow~~s~~ a school board to increase the fee to an amount not to exceed $250 by school board resolution following a public hearing on the increase, provided that the fee is waived for students who are unable to pay for the course;

WHEREAS, the School Board held a public hearing to increase the driver education course fee to an amount not to exceed $250 on _____*[insert date]*_____;

WHEREAS, the Board already waives the driver education course fees for students who are unable to pay (Board policy 4:140, *Waiver of Student Fees*);

WHEREAS, the Administration provided evidence at the hearing that a fee of $250 for each student taking the driver education course when added to the reimbursement from the State for driver education will not exceed the total cost of the driver education program in any year;

THEREFORE, BE IT RESOLVED, that the School Board hereby increases the driver education fee to an amount not to exceed $250, effective on _____*[insert date]*_____, and waives this fee for any student who is unable to pay for the course according to the provisions in Board policy 4:140, *Waiver of Student Fees*.

Attested by: _____

Board President

Attested by: _____

Board Secretary

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Professional Personnel

Exhibit - Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications

On District letterhead

Date

Re: You May Request Your Child's Classroom Teachers' Qualifications

Dear Parents/Guardians:

As a parent/guardian of a student at a school receiving funds under Title I of the Elementary and Secondary Education Act, you have the right to request the professional qualifications of the teachers who instruct your child and the paraprofessionals, if any, who assist them. You may request the following information about each of your child's classroom teachers and their paraprofessional assistants, if any:

- Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under an emergency or other provisional status through which State qualification or licensing criteria have been waived;
- Whether the teacher is teaching in the field of discipline of the teacher's licensure; and
- Whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications.

This notice is required by federal law (20 U.S.C. §6312(e)(1)(A)). If you would like to receive any of this information, please contact the District office.

Sincerely,

Superintendent

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Instruction

Exhibit - Guidelines and Application for Using Animals in School Facilities for Educational Purposes

To be submitted to the Building Principal

This application must be approved before an animal may be brought into any school facility. Animals may be brought into the classroom or learning center for educational purposes, provided: 1) prior permission is received from both the supervising teacher and the Building Principal or designee; and 2) the following *Guidelines for Using Animals in School Facilities* are agreed to by the applicant, supervising teacher, and/or the animal owner. The Building Principal may rescind such approval should the presence of the animal create a disruption to the educational environment.

Please print

Name and type of animal	School facility
Materials (i.e., cages, carriers, food, etc.)	Date(s) requested
Educational purpose	

Guidelines for Using Animals in School Facilities

Prohibited Animals

The following animals are prohibited in school facilities:

1. Inherently dangerous animals (e.g., lions, tigers, cougars, and bears)
2. Nonhuman primates (e.g., monkeys and apes)
3. Mammals at high-risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes, and coyotes)
4. Aggressive or unpredictable animals, wild or domestic
5. Stray animals with unknown health and vaccination history
6. Venomous or toxin-producing animals (e.g., certain spiders, insects, reptiles, and amphibians)

Vaccination Requirements

Prior to bringing certain animals into school facilities, current health records and/or proof of current vaccination is required as follows:

1. **Cats** – A health certificate signed by a licensed veterinarian showing proof of current vaccination against feline distemper/upper respiratory vaccine (FVRCP), feline leukemia, feline chlamydiosis, and rabies; and proof of a negative fecal exam or successful treatment for internal parasites within the past six months.
2. **Dogs** – A health certificate signed by a licensed veterinarian showing proof of current vaccination against canine distemper, hepatitis, leptospirosis, canine parainfluenza (CPIV), ~~parovirus~~parvovirus, Bord~~e~~atella, and rabies; and proof of a negative fecal exam or successful treatment for internal parasites within the past six months.

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3. **Ferrets** – A health certificate signed by a licensed veterinarian showing proof of current vaccination against rabies; and proof of a negative fecal exam or successful treatment for internal parasites within the past six months.
4. **Psittacine Birds** – Proof of treatment or negative test results for psittacosis (avian chlamydiosis).

General Guidelines

To protect students and staff from zoonotic diseases, the following guidelines apply to animals brought into school facilities for educational purposes:

1. The Building Principal or designee must approve all animals brought into school facilities.
2. Animals must be clean and free of intestinal parasites, fleas, ticks, and mites.
3. Students must be supervised by District staff during all human-animal contact.
4. Animals should be handled humanely.
5. Animals should be displayed in enclosed cages or under appropriate restraint (e.g., leash).
6. Animals may not roam free, fly free or have contact with wild animals.
7. No animals are allowed in areas where food or drink is prepared or consumed.
8. Food for animals must be stored in air-tight, closed containers (preferably hard plastic) to prevent spills and attracting nuisance animals and/or insects.
9. Anyone handling animals must wash his/her hands thoroughly with warm water and soap afterwards. Hand sanitizer may not be used as a substitute for soap and water.
10. Areas where animals have been present must be cleaned and disinfected by District staff.
11. Animal waste must be appropriately disposed of by a District staff member (e.g., using disposable plastic gloves and plastic bags). **Under no circumstances are students allowed to clean cages/aquariums or handle animal waste.**
12. The supervising teacher must:
    a. Consult with parent(s)/guardian(s) to determine any special considerations needed for students who are immunocompromised or have allergies, asthma, or other health concerns; and
    b. Complete and issue the *Student Permission for Exposure to Animal(s)* form to the parent(s)/guardian(s) of all students who will be exposed to the animal(s).
13. A responsible adult must accompany all animal visits into school facilities.

Procedures for the Housing, Care and Handling of Specific Animals

1. **Dogs** – All dogs must be housebroken.
2. **Farm ~~a~~Animals** – Due to the risk of E. coli O157:H7, Salmonella, Campylobacter, and Cryptosporidium, these animals are not appropriate unless meticulous attention to personal hygiene can be assured.
3. **Ferrets** – Ferrets bite when startled, therefore students should not handle ferrets in the classroom. Students under the age of five are prohibited from having contact with these animals.
4. **Fish** – Use disposable gloves when cleaning aquariums. Do not dispose of aquarium water in sinks used for food preparation or for obtaining drinking water.
5. **Hamsters, Guinea ~~p~~Pigs, and Gerbils** – Due to the risk of Salmonella bacteria and Lymphocytic choriomeningitis virus, special care must be taken when students handle these animals. Students under the age of five are prohibited from having contact with these animals.
6. **Psittacine Birds** – Because these birds (e.g., parrots, parakeets, budgies, and cockatiels) can carry disease, students are prohibited from handling them. Staff members should clean cages when students are not present.

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7. **Reptiles and Amphibians** – Due to the risk of Salmonella bacteria, special precautions must be taken when students handle these animals. Students under the age of five are prohibited from having contact with these animals.

Animal-Related Injuries

If an animal bites, scratches, or otherwise injures someone at school and the skin is pierced, the Building Principal or designee will ensure:

1. The teacher immediately reports the incident to the Building Principal or designee and school nurse;
2. If necessary, the school nurse notifies public health authorities;
3. The school nurse notifies the student's parent(s)/guardian(s); and
4. An incident/accident report is completed by the staff member responsible at the time of the injury and forwarded to the school nurse.

Additional Applicant, Supervising Teacher, and Animal Owner Responsibilities

1. Applicant responsibilities:
    a. The applicant must have a plan that assures the animal is appropriately housed, humanely cared for, and properly handled.
    b. The applicant must submit health records and/or proof of current vaccination as set forth in these *Guidelines for Using Animals in School Facilities*.
    c. Animals are not to be transported on school buses.
2. Supervising teacher and/or facility staff responsibilities:
    a. The supervising teacher signing the application must assume primary responsibility for the animal, including notifying the Building Principal immediately if the animal gets loose or lost.
    b. Only the teacher or students designated by the teacher are to handle the animals.
    c. If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety.
3. Animal owner's responsibilities:
    a. The animal's owner agrees to hold the District, its employees, agents, and assigns harmless for any injury to, including death of, the animal.
    b. The animal's owner, if different from the person making the application, must sign below demonstrating that he or she granted permission for the animal to come into the classroom and agrees to the conditions set forth in this application.

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I agree to abide by the *Guidelines for Using Animals in School Facilities* outlined above in this application.

Applicant (*please print*)	Telephone number
Address	
Applicant's signature	Date
Supervising teacher (*please print*)	
Supervising teacher's signature	Date
Animal owner's name if different from applicant (*please print*)	
Animal owner's signature	Date

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The Building Principal will base his or her decision on the information being provided in this application as well as other criteria deemed important. *Note to Building Principal or designee: after approving or denying this application, return a copy of it to the applicant and keep the original in the school office*.

☐ **Approved** ☐ **Denied**

Building Principal or designee's signature	Date

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Instruction

Exhibit - Student Permission for Exposure to Animals

To be used when animal(s) are brought into the classroom or learning center for educational purposes.

Student: _____ Grade/Teacher: _____

Dear Parent(s)/Guardian(s):

As allergies, asthma, immune challenges, and/or other health needs may make animal contact inappropriate for some students, District guidelines require prior parent/guardian permission for student contact with animal(s) in school.

On ___(*insert date*)___, the following animal(s) will visit my classroom for educational purposes:

☐ Cat	☐ Bird	☐ Ferret	☐ Guinea Pig
☐ Dog	☐ Rabbit	☐ Hamster	☐ Reptile or amphibian
☐ Rat	☐ Mouse	☐ Gerbil	☐ Other _____

The following animals are prohibited in schools: venomous or toxin-producing animals (e.g., certain spiders, insects, reptiles, and amphibians), wild or exotic animals, mammals at high-risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes, and coyotes), non-human primates, stray animals, or aggressive/unpredictable animals.

The Building Principal or designee will ensure that the *District's Guidelines for Using Animals in School Facilities* are followed. You may find these *Guidelines* in the school office. I will also supervise the entire student-animal contact session, have a clean and disinfected area for showing the animal(s), not allow food or drink in the animal showing area, and appropriately dispose of animal waste. **Under no circumstances are students allowed to clean cages or handle animal waste**.

Please complete and return this form to me by _____(*insert date*)___. If you have any questions or concerns, please feel free to contact me at _____(*insert contact information*)_____.

To Be Completed by Parent/Guardian:

☐ I **do** permit my child identified above to be exposed to the animal(s) listed above. I further agree to indemnify and hold harmless the School District and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of my child's exposure to the animal(s) listed above.

☐ I **do not** permit my child identified above to be exposed to the animal(s) listed above. I understand that when the animal(s) listed above are present, my child will be excused from classroom attendance without penalty and given an alternative educational activity.

_____

Parent/Guardian Name (*please print*)

_____ _____

Parent/Guardian Signature Date

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Instruction

Exhibit - Online Privacy Statement

Post the content of this exhibit on the District's website to inform website visitors of the information the District collects through its website and how it uses that information. Modify this exhibit as needed to reflect the District's practices.

Online Privacy Statement

The ~~School~~ District respects the privacy of all website visitors to the extent permitted by law. This Online Privacy Statement is intended to inform you of the ways in which this website collects information, the uses to which that information will be put, and the ways in which we will protect any information you choose to provide us.

There are four types of information that this site may collect during your visit: network traffic logs, website visit logs, cookies, and information voluntarily provided by you.

Network Traffic Logs

In the course of ensuring network security and consistent service for all users, the District employs software programs to do such things as monitor network traffic, identify unauthorized access or access to nonpublic information, detect computer viruses and other software that might damage District computers or the network, and monitor and tune the performance of the District network. In the course of such monitoring, these programs may detect such information as email headers, addresses from network packets, and other information. Information from these activities is used only for the purpose of maintaining the security and performance of the District's networks and computer systems. Personally identifiable information from these activities is not released to external parties without your consent unless required by law.

Website Visit Logs

District websites routinely collect and store information from online visitors to help manage those sites and improve service. This information includes the pages visited on the site, the date and time of the visit, the Internet address (URL or IP address) of the referring site (often called "referrers"), the domain name and IP address from which the access occurred, the version of browser used, the capabilities of the browser, and search terms used on our search engines. This site makes no attempt to identify individual visitors from this information; any personally identifiable information is not released to external parties without your consent unless required by law.

Cookies

Cookies are pieces of information stored by your web browser on behalf of a website and returned to the website on request. This site may use cookies for two purposes: to carry data about your current session at the site from one webpage to the next and to identify you to the site between visits. If you prefer not to receive cookies, you may turn them off in your browser, or you may set your browser to ask you before accepting a new cookie. Some pages may not function properly if the cookies are turned off. Unless otherwise notified on this site, we will not store data, other than for these two purposes, in cookies. Cookies remain on your computer, and accordingly we neither store cookies on our computers

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nor forward them to any external parties. We do not use cookies to track your movement among different websites and do not exchange cookies with other entities.

Information Voluntarily Provided by You

~~In the course of~~When using this website, you may choose to provide us with information to help us serve your needs. For example, you may send us an email to request information, an application or other material, and you may sign up for a mailing list. Any personally identifiable information you send us will be used only for the purpose indicated. Requests for information will be directed to the appropriate staff and may be recorded to help us update our site. We will not sell, exchange, or otherwise distribute your personally identifiable information without your consent, except to the extent required by law. We do not retain the information longer than necessary for normal operations.

Each webpage requesting information discloses the purpose of that information. If you do not wish to have the information used in that manner, you are not required to provide it. Please contact the person listed on the specific page~~,~~ or ~~listed~~ below~~,~~ with questions or concerns about~~on~~ the use of personally identifiable information.

While no system can provide guaranteed security, we take reasonable efforts to keep information you provide to us secure, including encryption technology (if any), and physical security at the location of the server where the information is stored.

Communication Preferences

You can stop the delivery of informational emails from the District by following the specific instructions in the email you receive. Depending on the respective service, you may also have the option of proactively making choices about the receipt of email, telephone calls, and postal mail for particular District information and activities.

Links to Non-District Websites

District websites provide links to other websites or resources. We do not control these sites and resources, do not endorse them, and are not responsible for their availability, content, or delivery of services. In particular, external sites are not bound by this Online Privacy Statement; they may have their own policies or none at all. Often, you can tell you are leaving a District website by noting the URL of the destination site. Links to external websites open a new browser window.

Please email your questions or concerns to ~~the System Administrator~~ [*insert title and contact information*].

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Students

Exhibit - Student Handbook Checklist

The Checklist contains mandatory and recommended notices that schools should give to their students and the students' parents/guardians.[1] *Mandatory* means the notices are legally required. *Recommended* means including the notices are a best practice. The Checklist is in the IASB Policy Reference Manual (PRM) format, and it lists corresponding policies, procedures, and exhibits in numerical order within each sub-headed category. A corresponding citation to the Ill. Principals Association **Online Model Student Handbook (MSH)** is also listed, if one exists. Any handbook should be reviewed by the Board Attorney before distribution to ensure that all mandatory notices are included as this Checklist is subject to change without notice. This Checklist is not a substitute for legal advice.

Mandatory Notices

Student Services

Mandatory Topics	IASB PRM	IPA MSH
Transportation	4:110, *Transportation*	4.10, *Bus Transportation*
Transportation reimbursement eligibility and dispute resolution **Note**: this program has been withdrawn due to lack of funding	4:110, *Transportation*	4.10, *Bus Transportation*
Eligibility criteria for free and reduced lunch	4:130, *Free and Reduced-Price Food Services* 4:130-E, *Free and Reduced-Price Food Services; Meal Charge Notifications*	1.210, *Free and Reduced-Price Food Services; Meal Charge Notifications* 3.10, *Fees, Fines & Charges; Waiver of Student Fees*
Waiver of school fees along with the fee waiver application form	4:140, *Waiver of Student Fees* 4:140-AP, *Fines, Fees, and Charges - Waiver of Student Fees*	3.10, *Fees, Fines & Charges; Waiver of Student Fees* 3.10-E1, *Application for Fee Waiver*

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The footnotes should be removed before the material is used.

[1] In its continuing commitment to help school districts comply with legal requirements for all policies and procedures, the Ill. Principals Association (IPA) in conjunction with the Ill. Association of School Boards' (IASB) PRESS, have prepared this checklist to assist school administrators in preparing their student handbooks. A special thank you also goes to the law firm of Hodges, Loizzi, Eisenhammer, Rodick & Kohn LLP for allowing IPA and IASB to cross check this *Student Handbook Checklist* against its annual version.

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Mandatory Topics	IASB PRM	IPA MSH
	4:140-E1, *Application for Fee Waiver* 4:140-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal*	
School Wellness (required if the District participates in the National School Lunch Program or Breakfast Program)	6:50, *School Wellness*	
Alternative learning opportunities	6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*	2.90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*
Notification to parents/guardians of English Learners regarding their child's placement in, and information about, the District's English Learners programs	6:160, *English Learners*	12.60, *English Learners*
Parental involvement under Title I (only when the district receives Title I funds)	6:170, *Title 1 Programs* 6:170-AP1, *Checklist of Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs* 6:170-AP1, E1, *District-Level Parent and Family Engagement Plan~~Compact~~* 6:170-AP1, E2, *School-Level Parent and Family Engagement Plan~~Compact~~* 6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*	12.130, *Parent Notices Required by the Every Student Succeeds Act*

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Mandatory Topics	IASB PRM	IPA MSH
Notice to parents required by the Elementary and Secondary Education Act	6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*	12.130, *Parent Notices Required by the Every Student Succeeds Act*
Surveys that request personal information from students	7:15, *Student and Family Privacy Rights*	11.10, *Student Privacy Protections*
Birth certificate requirements for enrollment	7:50, *School Admissions and Student Transfers To and From Non-District Schools* 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*	
Dental examinations (K, 2nd, 6th, and 9th grade students)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Eye examinations (K and students enrolling in public school for the first time only)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Vaccinations (influenza)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Health Examinations (K or 1st, 6th and 9th grade students) (includes an age-appropriate developmental screening and an age-appropriate social and emotional screening)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Administration of medications (includes asthma inhalers and epinephrine injectors, opioid antagonists, and glucagon)	7:270, *Administering Medicines to Students* 7:270-AP1, *Dispensing Medication* 7:270-E1, *School Medication Authorization Form*	5.20, *Student Medication* 5.20-E1, *Student Medication Authorization Form*
Names of designated Prioritization of Urgency of Need for Services	5:100, *Staff Development Program*	10.70, *PUNS Database Information for*

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Mandatory Topics	IASB PRM	IPA MSH
(PUNS)-trained employee(s) in each school within the District.		*Students and Parents or Guardians*
Free Application for Federal Student Aid (FAFSA) Designee (if applicable, grade 12 only)	6:300, *Graduation Requirements*	2.120, *High School Graduation Requirements*
Attendance policy for career development experiences	7:70, *Attendance and Truancy*	
Direct admissions opt-in notification (grades 11-12 only)	6:270, *Guidance and Counseling Program*	5.30, *Guidance and Counseling*

Student Programs

Mandatory Topics	IASB PRM	IPA MSH
Notice of instruction in recognizing and avoiding sexual abuse	6:60-AP1, *Comprehensive Health Education Program* 6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;*~~ *Requests to Examine Materials*~~*; Written Objection(s)*~~ *and Statutory*~~*/or*~~ *Opt-outs*	12.40, *Family Life & Sex Education Classes* 12.40-E1, *Notice to Parents/Guardians on Sex Education Instruction*
Free appropriate public education to students with disabilities Special education services to eligible children whether or not enrolled in the District	6:120, *Education of Children with Disabilities* 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities* (downloadable from IASB website, www.iasb.com) 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*	10.10, *Education of Children with Disabilities*
Counseling options for students who are affected by sexual abuse and grooming behavior, along with options for victims of sexual abuse	7:250, *Student Support Services* 7:250-AP2, *Protocol for Responding to Students with Social,*	5.30, *Guidance and Counseling*

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Mandatory Topics	IASB PRM	IPA MSH
and grooming behavior to obtain assistance and intervention The availability of counseling for students 12 years of age and older without parent/guardian consent under 405 ILCS 5/3-550 and 105 ILCS 5/26A-40(h)	*Emotional, or Mental Health Needs*	
Support services for students who are parents, expectant parents, or victims of domestic or sexual violence Names and contact information of the Article 26A Resource Person in each school within the District	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*	5.80, *Ensuring Student Success Act*
Opportunities for registered apprenticeship programs for students in grades 9-12 who are 16 years of age or older	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*

Student Responsibilities

Mandatory Topics	IASB PRM	IPA MSH
IHSA policy on banned substances (required only for IHSA schools)	6:190, *Extracurricular and Co-Curricular Activities* 6:190-AP, *Academic Eligibility for Participation in Extracurricular Activities* 7:240, *Conduct Code for Participants in Extracurricular Activities* 7:240-AP1, *Code of Conduct for Extracurricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*

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Mandatory Topics	IASB PRM	IPA MSH
Absenteeism and truancy	7:70, *Attendance and Truancy*	2.10, *Attendance* 2.50, *Truancy*
Statement of district ownership of and right to search student lockers	7:140, *Search and Seizure*	8.10, *Search and Seizure*
Search procedures for school grounds and lockers	7:140, *Search and Seizure*	8.10, *Search and Seizure*
Notification regarding access to student accounts or profiles on social networking websites	7:140, *Search and Seizure* 7:140-E, *Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*	8.10, *Search and Seizure*
Bullying prohibited and reporting encouraged	7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*	6.40, *Prevention of and Response to Bullying, Intimidation, and Harassment* 6.40-E1, *Aggressive Behavior Reporting Letter and Form*
Teen dating violence prohibited and reporting encouraged	7:185, *Teen Dating Violence Prohibited*	6.45, *Sexual Harassment & Teen Dating Violence Prohibited*
Prohibition of electronic paging devices and making threat by Internet	7:190, *Student Behavior*	6.30, *Student Behavior*
All prohibited conduct in the school discipline code, including, but not limited to: 1. Controlled substances 2. Firearms and other weapons 3. E-cigarettes 4. Gangs and gang-related activity 5. Sexting prohibited	4:170-AP2, E4, *Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting* 7:190, *Student Behavior* 7:190-AP5, *Student Handbook - Electronic Devices* 7:190-AP6, *Guidelines for Investigating Sexting Allegations*	6.30, *Student Behavior*

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Mandatory Topics	IASB PRM	IPA MSH
Inform parents/guardians when their child engaged in aggressive behavior along with the school's early intervention procedures	7:190-E1, *Aggressive Behavior Reporting Letter and Form*	6.40-E1, *Aggressive Behavior Reporting Letter and Form*
Suspension and expulsion, and due process requirements	7:200, *Suspension Procedures* 7:210, *Expulsion Procedures*	6.30-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* 6.30-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form*
School bus safety	7:220, *Bus Conduct* 4:110-AP3, *School Bus Safety Rules*	4.10, *Bus Transportation* 4.15-E, *School Bus Safety Rules*
Videotape surveillance of buses (if applicable)	7:220, *Bus Conduct* 7:220-AP, *Electronic Recordings on School Buses*	4.10, *Bus Transportation*
Behavior interventions (these may be developed through the Spec. Ed. Coop if the district belongs to one)	7:230, *Misconduct by Students With Disabilities*	10.20, *Discipline of Students with Disabilities*
Dress code	7:160, *Student Appearance*	1.170, *Student Appearance* 6.20, *School Dress Code & Student Appearance*
All other conduct prohibited by Board policy - school discipline code	7:190, *Student Behavior*	6.30, *Student Behavior*

Student Rights

Mandatory Topics	IASB PRM	IPA MSH
Notice of contact information for nondiscrimination and Title IX coordinator(s) and how to make	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Grievance Procedure*	1.50, *Equal Educational Opportunities and Sex Equity*

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Mandatory Topics	IASB PRM	IPA MSH
reports or complaints of discrimination or sexual harassment	2:265-AP1, *Title IX Response*	6.40, *Prevention of and Response to Bullying, Intimidation, and Harassment*
Prohibition of discrimination on the basis of race, color, national origin, sex, sexual orientation, ancestry, age, religious beliefs, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy and reproductive health decisions	7:10, *Equal Educational Opportunities* 2:265, *Title IX Grievance Procedure*	1.50, *Equal Educational Opportunities and Sex Equity*
Sex equity and grievance procedures	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Grievance Procedure* 7:10, *Equal Educational Opportunities* 7:20, *Harassment of Students Prohibited*	1.50, *Equal Educational Opportunities and Sex Equity*
Sexual harassment prohibited and grievance procedures and age-appropriate information about the sexual harassment policy	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Grievance Procedure* 7:20, *Harassment of Students Prohibited* 7:185, *Teen Dating Violence Prohibited*	6.45, *Sexual Harassment & Teen Dating Violence Prohibited*
Board policy prohibiting discrimination and harassment based on race, color, and national origin, and retaliation, and an accessible and age-appropriate summary of the policy	2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*	6.42, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*
Notify parents of their right to request their child's classroom teachers' qualifications	5:190-E1, *Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications*	12.130, *Parent Notices Required by the Every Student Succeeds Act*

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Mandatory Topics	IASB PRM	IPA MSH
Educational rights of homeless students in the location where homeless children receive services	6:140, *Education of Homeless Children* 6:140-AP, *Education of Homeless Children*	12.30, *Homeless Child's Right to Education*
Notice of parent/guardian and student rights under the Protection of Pupil Rights Act	7:15, *Student and Family Privacy Rights* 7:15-E, *Notification to Parents of Family Privacy Rights*	11.10, *Student Privacy Protections*
Notice to parents/guardians about social network passwords	7:140, *Search and Seizure* 7:140- E, *Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*	6.70, *Access to Student Social Networking Passwords & Websites*
Notice concerning privacy and access rights to school student records	7:340, *Student Records* 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records* 7:340-AP1, E2, *Using a Photograph or Video Recording of a Student*	11.20, *Student Records*
Disclosure of directory information	7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records* 7:340-AP1, E2, *Using a Photograph or Video Recording of a Student*	11.20, *Student Records*
Information classified as directory information and for objecting to disclosure of information	7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*	11.20, *Student Records*
Military recruiting	7:340-AP1, E3, *Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information*	11.20, *Student Records*

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Mandatory Topics	IASB PRM	IPA MSH
	7:340-AP1, E4, *Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information*	
Student biometric information (when applicable)	7:340, *Student Records* 7:340-AP1, E5, *Biometric Information Collection Authorization*	11.30, *Student Biometric Information*
Notice to parents/guardians concerning student data collected by schools and operators under the Student Online Personal Protection Act	7:345-AP, E2, *Student Data Privacy; Notice to Parents About Educational Technology Vendors*	7.40, *Annual Notice to Parents about Educational Technology Vendors Under the Student Online Personal Protection Act*
Notice of disability accommodation	8:70, *Accommodating Individuals with Disabilities*	1.110, *Accommodating Individuals with Disabilities*
Ensuring Success in School (ESS) Law	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*	5.80, *Ensuring Student Success Act*

General Information

Mandatory Topics	IASB PRM	IPA MSH
Notice before a pesticide application	4:160, *Environmental Quality of Buildings and Grounds* 4:160-AP, *Environmental Quality of Buildings and Grounds*	12.80, *Pesticide Application Notice*

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Mandatory Topics	IASB PRM	IPA MSH
Availability of information concerning sex offenders	4:175-AP1, *Criminal Offender Notification Laws; Screening* 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws*	12.110, *Sex Offender Notification Law*
School bus safety	4:110-AP3, *School Bus Safety Rules*	4.10, *Bus Transportation*
Asbestos management plan, notice of availability		
Notice to parents/guardians and staff of IHSA's online training video about hands-only CPR and AED	4:170, *Safety* 4:170-AP6, E1, *School Staff AED Notification Letter*	
Evidence-informed educational information for parents/guardians on the warning signs of child sexual abuse and grooming, and assistance, referral, or resource information	4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*	1.180, *Awareness and Prevention of Child Sexual Abuse, Grooming Behaviors, and Boundary Violations*
Contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and either the Safe2Help Illinois helpline and/or a local suicide prevention hotline	7:290, *Suicide and Depression Awareness and Prevention* 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*	
Notice that a student athlete and his/her parent must sign acknowledgement of receiving the concussion policy (required only for IHSA schools)	7:305, *Student Athlete Concussions and Head Injuries* 7:305-AP, *Program for Managing Student Athlete Concussions and Head Injuries*	9.30, *Student Athlete Concussions and Head Injuries*
School visitation rights notice	8:95-E1, *Letter Notifying Parents/Guardians of School Visitation Rights* 8:95-E2, Verification of School Visitation	12.70, *School Visitation Rights*

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Mandatory Topics	IASB PRM	IPA MSH
Ill. State Board of Election's ~~one-page document~~*Registering to Vote in Illinois (pamphlet)* explaining voter registration process, available at www.elections.il.gov/ under Information for Voters (high schools only)		
Employee code of professional conduct	5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	1.185, *Faith's Law Notifications*
Notice to parents/guardians of the availability of the Ill. State Board of Education's *Sexual Abuse Response and Prevention Resource Guide*, at www.isbe.net/Documents/Faiths-Law-Resource-Guide.pdf	5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	1.200, *Sexual Abuse Response and Prevention Resource Guide*

Recommended Notices

Student Services

Recommended Topics	IASB PRM	IPA MSH
Information regarding waiver of student fees	4:140, *Waiver of Student Fees*	3.10, *Fees, Fines & Charges; Waiver of Student Fees*
Fire drill program, building specific plan	4:170, *Safety* 4:170-AP1, *Comprehensive Safety and Security Plan*	5.40, *Safety Drill Procedures and Conduct*
School safety plans, including severe weather and injury or sudden illness	4:170, *Safety* 4:170-AP1, *Comprehensive Safety and Security Plan* 4:170-AP1, E1, *Accident or Injury Form*	2.100, *Home and Hospital Instruction*
School violence prevention program, including threat assessment teams	4:190, *Targeted School Violence Prevention Program* 4:190-AP2, *Threat Assessment Team (TAT)*	5.70, *Targeted School Violence Prevention Program* 5.70-E, *Targeted School Violence Prevention and Threat*

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Recommended Topics	IASB PRM	IPA MSH
		Assessment Education
Home and hospital instruction	6:150, *Home and Hospital Instruction*	2.100, *Home and Hospital Instruction*
Student residency and tuition	7:60, *Residence* 7:60-AP1, *Challenging a Student's Residence Status* 7:60-AP2, *Establishing Student Residency* 7:60-AP2, E1, *Letter of Residence from Landlord in Lieu of Lease* 7:60-AP2, E2, *Letter of Residence to be Used When the Person Seeking to Enroll a Student is Living with a District Resident* 7:60-AP2, E3, *Evidence of Non-Parent's Custody, Control and Responsibility of a Student*	
Parking, building specific	7:140, *Search and Seizure*	4.20, *Parking*
Health and school counselor and social work access	7:250, *Student Support Services*	5.30, *Guidance & Counseling*
Communicable and infectious disease	7:280, *Communicable and Chronic Infectious Disease* 7:280-AP, *Managing Students with Communicable or Infectious Diseases*	5.50, *Communicable Disease* 5.60, *Head Lice*
Students with diabetes	6:120-AP4, *Care of Students with Diabetes*	1.130, *Care of Students with Diabetes* 1.130-E1, *Authorization to Provide Diabetic Care*
Medical cannabis administration	7:270-E2, *School Medication Authorization Form - Medical Cannabis*	5.20, *Student Medication*

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Recommended Topics	IASB PRM	IPA MSH
Anaphylaxis prevention and response	7:285, *Anaphylaxis Prevention, Response, and Management Program* 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*	1.190, *Prevention of Anaphylaxis*
Telephone use, building specific		

Student Programs

Recommended Topics	IASB PRM	IPA MSH
Weighted grades	6:280-AP, *Evaluating and Reporting Student Achievement*	
District philosophy and goals	1:30, *School District Philosophy* 3:10, *Goals and Objectives* 6:10, *Educational Philosophy and Objectives*	
Remote Learning and/or e-learning program(s)	6:20, *School Year Calendar and Day* 6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)* 6:185, *Remote Educational Program*	
Anti-bias curriculum	6:60, *Curriculum Content*	
Driver education eligibility and requirements (high schools only)	6:60, *Curriculum Content*	
Parental objections to sex education, family life instruction, and sexually transmitted diseases	6:60-AP1, E1, ~~*Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education;*~~ *Requests to Examine Materials* ~~*;*~~ ~~*Written Objection(s)*~~ *and Statutory* ~~*or*~~ *Opt-outs*	12.40, *Family Life & Sex Education Classes* 12.40-E1, *Notice to Parents/Guardians on Sex Education Instruction*
Biking and Walking Safety Education	6:60-AP1, E2, *Resources for Biking and Walking Safety Education*	

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Recommended Topics	IASB PRM	IPA MSH
Accelerated placement availability	6:135, *Accelerated Placement Program*	2:90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*
Adaptive physical education program exemption	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.80, *Exemption from PE Requirement (Regular Education)*
Bilingual education availability	6:160, *English Learners*	12.60, *English Learners*
Co-curricular activities	6:190, *Extracurricular and Co-Curricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
"No Pass, No Play"	6:190, *Extracurricular and Co-Curricular Activities* 6:190-AP, *Academic Eligibility for Participation in Extracurricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
Parental right to review instructional materials	6:210, *Instructional Materials*	11.10, *Student Privacy Protections*
Acceptable use and Internet safety	6:235, *Access to Electronic Networks* 6:235-AP1, *Acceptable Use of the District's Electronic Networks* 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks* 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*	7.10, *Acceptable Use of the District's Electronic Networks* 7.10-E1, *Student Authorization for Access to the District's Electronic Networks*
Social promotion	6:280, *Grading and Promotion* 6:280-AP, *Evaluating and Reporting Student Achievement*	2.60, *Grading and Promotion*

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Recommended Topics	IASB PRM	IPA MSH
High school graduation requirements (high schools only)	6:300, *Graduation Requirements*	2.120, *High School Graduation Requirements*
Right of students with IEP to participate in graduation ceremony (high schools only)	6:300, *Graduation Requirements*	10.40, *Certificate of High School Completion*
Physical education, including waiver of required classes	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.80, *Exemption from PE Requirement (Regular Education)* 10.30, *Exemption from PE Requirement (Special Education)*
Class schedules, building specific		
Schedule of testing programs, building specific	6:340, *Student Testing and Assessment Program*	
Student distribution of non-curricular material	7:310, *Restrictions on Publications; Elementary Schools* 7:310-AP, *Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools* 7:315, *Restrictions on Publications; High Schools* 7:315-AP, *Guidelines for Student Distribution of Non-School Sponsored Publications; High Schools*	7.20, *Guidelines for Student Distribution of Non-School Sponsored Publications* 7.27, *Access to Non-School Sponsored Publications*

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General Information

Recommended Topics	IASB PRM	IPA MSH
School calendar	6:20, *School Year Calendar and Day*	
Field trip	6:240, *Field Trips* 6:240-AP, *Field Trip Guidelines*	6.60, *Field Trips*

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Recommended Topics	IASB PRM	IPA MSH
Release time for religious instruction/observance	7:80, *Release Time for Religious Instruction/Observance*	2.30, *Release Time for Religious Instruction and Observance*
Release time for students voting in elections	7:90, *Release During School Hours*	
Extracurricular drug and alcohol testing (if applicable)	7:240-AP2, *Extracurricular Drug and Alcohol Testing Program* 7:240-AP2, E1, *Consent to Participate in Extracurricular Drug and Alcohol Testing Program*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
Eligibility to remove college entrance exams from student transcripts	7:340, *Student Records*	11.20, *Student Records*
Equal access to school facilities	8:20, *Community Use of School Facilities*	
Identification and registration of persons entering the school building	8:30, *Visitors to and Conduct on School Property*	1.40, *Visitors*
Statement that the handbook is: 1. Only a summary of board policies governing the district; board policies are available to the public at the district office 2. A document that may be amended during the year without notice 3. Is a communication tool of all policies to persons expected to execute and comply with them	2:240, *Board Policy Development*	1.20, *Student/Parent Handbook Acknowledgement and Pledge* 1.30, *General School Information*
Address of District offices, list of administrators, and contact information	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*
Board members' names	2:250, *Access to District Public Records*	1.30, *General School Information*

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Recommended Topics	IASB PRM	IPA MSH
	2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	
List of District school addresses	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*

Special Circumstance Notifications

Special Circumstance Topics	IASB PRM	IPA MSH
Notification for unsafe school transfer choice	4:170, *Safety* 4:170-AP5, *Unsafe School Choice Option*	12.100, *Unsafe School Choice Option*
Notification of right to review teachers' qualifications	5:190, *Teacher Qualifications* 5:190-E1, *Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications* 5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements* 5:190-E3, *Letter to Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment*	12.130, *Parent Notices Required by the Every Student Succeeds Act*

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Special Circumstance Topics	IASB PRM	IPA MSH
Notice when: 1. Student is being taught by a teacher who is not highly qualified, 2. School identified as in need of improvement, 3. Schools are identified for corrective action, 4. Schools are identified for restructuring, 5. There is eligibility for supplemental educational services, and 6. The district offers voluntary school choice, if applicable	5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements* 6:15, *School Accountability*	
Credit for proficiency	6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*	2.90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*

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Students

Exhibit - Certificate of Physical Fitness for Participation in Athletics [1]

To be submitted to the Building Principal. (please print)

Student	Sport/Activity
Parent/Guardian	Home phone
Home address	Cell phone
Emergency contact *(relationship to student)*	Contact phone
Physician	Physician phone

Medical History: Date of Birth:_____ Height:_____ Weight:_____

☐ Heart condition ☐ Diabetes ☐ Asthma: ☐ Requires child to self-administer medication

☐ Epilepsy ☐ Allergies: ☐ Requires student to carry ~~EpiPen®~~epinephrine

☐ Other_____

List all medications *(prescribed and over the counter)*

Injuries *(brief description and dates)*

Surgeries *(brief description and dates)*

Physical activity restrictions *(brief description and duration)*

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The footnotes should be removed before the material is used.

[1] Secondary schools should substitute the IHSA and IESA's Pre-Participation Examination Form for this form when the sport is IHSA regulated. It is available at: www.ihsa.org/resources/download-center~~www.ihsa.org/Resources/Download-Center~~.

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I certify that:

1. My child is in good health and is capable of participating in the above sport or activity. No need exists to limit my child's participation. I assume full responsibility for my child's physical condition and participation, and will notify you of any changes.
2. I have completed and submitted the *Authorization for Medical Treatment*[2] form allowing the school to seek medical treatment for my child in the event of a medical emergency when reasonable attempts to contact me are unsuccessful.
3. If my child requires or may need medication while participating in athletics, I have completed and submitted the *School Medication Authorization Form*. [3]

Parent/Guardian signature

Date

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The footnotes should be removed before the material is used.

[2] See sample exhibit 7:300-E3, *Authorization for Medical Treatment.*

[3] See sample exhibit 7:270-E1, *School Medication Authorization Form.*

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Sharon Williams, Ed.D.
Superintendent of Schools

To: RIMSD 41 Board of Education
From: Dr. Sharon Williams
Cabinet Champion: Frank Mendoza, Director of Building Operations
Date: May 26, 2026
Re: Thomas Jefferson Parking Lot Expansion/Sitework

The District advertised and sought bids to complete the sitework at Thomas Jefferson Elementary School. This project includes replacement of existing parking areas with an enlarged parking lot, new drop-off lane, and bus lane.

A pre-bid conference and walk through was held at the school prior to the bid opening. The District received a total of 10 bids for various aspects of the project. Russell Construction reviewed the bids and are recommending the following vendors:

Bid Category	Bids Received	Apparent Low Bidder	Bid
03 Site Concrete	5	Centennial Contractors	$416,750
26 Electrical	2	Lakewood Electric	$41,300
32 Sitework	3	Miller Trucking	$339,712

It is recommended that the Board of Education approve the contract recommendation from Russell Construction to complete sitework at Thomas Jefferson Elementary School for an overall construction cost of $1,179,431.

Investment Period: N/A
Total Investment: $1,179,461
Funding Source: Capital Projects Fund

Rock Island-Milan School District #41
2000 7th Avenue, Rock Island, IL 61201
309-793-5900 x10210 | 309-793-5905 fax
Sharon.williams@rimsd41.org
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May 14th, 2026

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

Re: Rock Island Thomas Jefferson Sitework Award Recommendation

Dear Mrs. Whiting,

Russell is pleased to submit the following award recommendations for the Thomas Jefferson Sitework project. Competitive bid proposals were received from ten (10) bidders with the lowest responsive and responsible bidders being selected for award recommendation. Alternates 1 and 2 are recommended for inclusion to add a dedicated drop-off lane separated from the road traffic and a dedicated bus drop-off lane. As such, Russell is requesting permission to award the subcontract for these scopes of work to the following contractors:

Bid Category		Bids Received	Apparent Low Bidder	Bid with Recommended Alternates
Bid Category 03	Site Concrete	5	Centennial Contractors	$ 416,750.00
Bid Category 26	Electrical	2	Lakewood Electric	$ 41,300.00
Bid Category 31	Sitework	3	Miller Trucking	$ 339,712.00

The overall construction cost including Russell markups will be $1,179,431.00.

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: Jason Fahrenkrog
Wendy Rouse

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

Owner:	Rock Island-Milan School District 41
Project Title:	RIMSD Thomas Jefferson Sitework
Construction Manager's Project No.:	01-26-0072
Bid Date / Time:	05/14/2026 2:00:00 PM

Bid Category 03 Site Concrete	RCVD 5	**Recommendation** Centennial Contractors	**Bidders** Centennial Contractors	Goetz Concrete	Treiber Construction	Anderson Commercial	Langman Construction
Bid Bond		Y	Y	Y	Y	Y	Y
Addenda (1)		1	1	1	1	1	1
Base Bid		$ 261,750.00	$ 261,750.00	$ 285,500.00	$ 269,259.00	$ 284,073.00	$ 474,720.00
Alternate 1 - Parent Drop-off Lane		$ 96,000.00	$ 96,000.00	$ 100,800.00	$ 125,826.00	$ 130,963.00	$ 157,980.00
Alternate 2 - Bus Drop-off Lane		$ 59,000.00	$ 59,000.00	$ 81,500.00	$ 181,318.00	$ 179,751.00	$ 81,634.00
TOTAL BID WITH ALTERNATES		$ 416,750.00	$ 416,750.00	$ 467,800.00	$ 576,403.00	$ 594,787.00	$ 714,334.00
Bid Category 26 Electrical	RCVD 2	**Recommendation** Lakewood Electric	**Bidders** Lakewood Electric	Tri-City Electric			
Bid Bond		Y	Y	Y			
Addenda (1)		1	1	1			
Base Bid		$ 25,645.00	$ 25,645.00	$ 26,705.00			
Alternate 1 - Parent Drop-off Lane		$ 2,800.00	$ 2,800.00	$ 2,410.00			
Alternate 2 - Bus Drop-off Lane		$ 12,855.00	$ 12,855.00	$ 14,645.00			
TOTAL BID WITH ALTERNATES		$ 41,300.00	$ 41,300.00	$ 43,760.00	$ -	$ -	$ -
Bid Category 31 Sitework	RCVD 3	**Recommendation** Miller Trucking	**Bidders** Miller Trucking	Langman Construction	McClintock Trucking		
Bid Bond		Y	Y	Y	Y		
Addenda (1)		1	1	1	1		
Base Bid		$ 137,745.00	$ 137,745.00	$ 189,670.00	$ 204,843.00		
Alternate 1 - Parent Drop-off Lane		$ 127,916.00	$ 127,916.00	$ 116,920.00	$ 142,750.00		
Alternate 2 - Bus Drop-off Lane		$ 74,051.00	$ 74,051.00	$ 83,040.00	$ 66,908.00		
TOTAL BID WITH ALTERNATES		$ 339,712.00	$ 339,712.00	$ 389,630.00	$ 414,501.00	$ -	$ -

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Construction Manager's
Project No.: 01-26-0072
Bid Date / Time: 05/14/2026 2:00:00 PM

Bid Category		Bids Received	Apparent Low Bidder	Adjusted Bid with Recommended Alternates
Bid Category 03	Site Concrete	5	**Centennial Contractors**	$ 416,750.00
Bid Category 26	Electrical	2	**Lakewood Electric**	$ 41,300.00
Bid Category 31	Sitework	3	**Miller Trucking**	$ 339,712.00
	Total Bids Received	**10**		
SUBCONTRACTS SUBTOTAL			**Subtotal**	**$ 797,762**
Permanent Fence Allowance				$ 35,000
Utility Allowance				$ 50,000
Construction Testing Allowance				$ 13,000
General Conditions				$ 110,928
General Requirements				$ 67,654
CONSTRUCTION SUBTOTAL			**Subtotal**	**$ 1,074,344**
Construction Contingency		5.00%		$ 58,972
Technology Fee		0.30%		$ 3,538
GL Insurance		1.03%		$ 12,148
Construction Managers Fee		2.00%		$ 23,589
P&P Bond		0.58%		$ 6,841
RUSSELL PLUS CONSTRUCTION TOTAL			**Subtotal**	**$ 1,179,431**