



**HUMAN RESOURCES AND POLICY COMMITTEES OF THE BOARD OF EDUCATION
LYONS TOWNSHIP HIGH SCHOOL DISTRICT 204**

**Room 140 & Virtual
100 South Brainard Avenue
La Grange, Illinois 60525
Wednesday, November 11, 2020 - 7:00 AM**

AGENDA

- I. Human Resources Committee**
- A. Administrative and Certified Employment Recommendations 2
- B. Buildings and Grounds, Classified/Non-Contractual and ParaEducator Employment Recommendations 3
- C. Stipend Committee Recommendation 4
- D. Closed Session to Discuss Confidential Personnel Items, if needed
- II. Policy Committee**
- A. District Policy Updates 5
- III. Safeguard Screenings Presentation**

BY ORDER OF
MRS. ALISON KELLY AND
MS. KARI DILLON, CHAIRPERSONS
LYONS TOWNSHIP HIGH SCHOOL DISTRICT 204
100 SOUTH BRAINARD AVENUE
LA GRANGE, IL 60525

LYONS TOWNSHIP HIGH SCHOOL



DISTRICT 204 OFFICES – 100 S. Brainard Ave., LaGrange, IL 60525-2101

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EDWARD M. PIOTROWSKI
Director of Human Resources

TO: Timothy B. Kilrea, Superintendent
Board of Education

FROM: Edward M. Piotrowski, Director of Human Resources

DATE: November 16, 2020

RE: Administrative and Certified Employee Recommendations

Please find below employment recommendations for administrative and certified employees:

- A. Leaves of Absence.** We are recommending the following leaves of absence.
1. **Price, Cheri**, Librarian, beginning October 26, 2020 through January 26, 2021.
 2. **Radzialowski, Danielle**, Global Studies Assistant Division Chair, beginning November 9, 2020 through December 18, 2020.

RECOMMENDATION

We recommend the Board approve the leaves of absence as outlined above.

Vita Plena


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EDWARD M. PIOTROWSKI
Director of Human Resources

TO: Timothy B. Kilrea, Superintendent
Board of Education

FROM: Edward M. Piotrowski 

DATE: November 16, 2020

RE: Buildings and Grounds, Classified/Non-Contractual, and ParaEducator
Staff Employment Recommendations

BACKGROUND

Each month, we bring to the Board recommendations for employment, retirement, leaves of absence, resignations, etc., for the Buildings and Grounds, Classified/Non-Contractual, Classified/Non-Contractual Supervisors and Para Educator employees. Below, please find our November 16, 2020 recommendations for these employee groups.

I. Buildings and Grounds

- A. We recommend the Board of Education approve the following individual's leave of absence.
1. **Herbert, Edward**, Maintenance, effective December 11, 2020 through January 4, 2021.

II. Classified/Non-Contractual

- A. We recommend the Board of Education approve the following individual's retirement.
1. **Dominguez, Lydia**, Student Assistant, effective November 30, 2020.
- B. We recommend the Board of Education approve the following individual's resignation.
1. **Arellano, Angelina**, Receptionist, effective November 4, 2020.

III. Para Educators

- A. We recommend the Board of Education approve the following individual's employment.
1. **Passi, Anthony**, Para Educator, effective October 21, 2020; hourly rate of pay \$15.45.

RECOMMENDATION:

We recommend that the Board approve the request for employment actions for the individuals as noted above.

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TO: Timothy B. Kilrea, Superintendent
Board of Education
FROM: Edward M. Piotrowski, Director of Human Resources
DATE: November 16, 2020
RE: Stipend Committee Recommendation

EDWARD M. PIOTROWSKI
Director of Human Resources

BACKGROUND

This past school year, the Committee met four times and received proposals for both existing and new clubs and activities. Below, please find a summary of the recommendation from the Stipend Committee to be brought to the Board at the November, 2020, Board of Education Meeting.

ACTIVITIES

Investment Club

Investment Club began as a pilot club in the 2018-2019 school year, with the purpose of providing students the opportunity to learn about finance, the stock market, mutual funds and general information about investing. Students in the club participated in investment simulations to learn about different aspects of investing, as well as meeting with guest speakers and competing in the Capital Hill Challenge.

This club has met regularly since the 2018-2019 school year and has established a consistent group of students who participate on an ongoing basis. We are recommending that this club is moved from a pilot status to full club recognition with an accompanying 2.64% stipend in line with other competition-based clubs.

The total cost associated with the stipend recommended above for the Investment Club is \$1,365.23.

RECOMMENDATION

We recommend that the Board approve the Stipend Committee recommendation as provided above.

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EDWARD M. PIOTROWSKI
Director of Human Resources

TO: Board of Education
FROM: Edward M. Piotrowski, Director of Human Resources
DATE: November 16, 2020
RE: District Policy Updates

The District maintains its policies through the PRESS service provided by the Illinois Association of School Boards (IASB). We recently received several PRESS updates, and recommendations are outlined below. All policies to be reviewed are attached to this memorandum.

Section 1. The following policy includes changes that are administrative in nature, including updates to legal references, terminology or the addition of new language as a result of amendments to existing laws. Such updates should not affect how the policy is interpreted.

Policy 7:70, Attendance and Truancy (First Reading): Language updates include reference to Policy 7:90, Release During School Hours, for voting. Policy 7:90 was approved by the Board of Education at the October meeting. Additionally, there is a language update of valid causes for a student's absence to include "mental, emotional, or physical health or safety." (PRESS 103)

Section 2. The following policies were reviewed by legal counsel and recommended changes incorporate new Policy 2:265 noted above and align to Title IX implementing regulations.

- **Policy 5:20, Workplace Harassment Prohibited (Third Reading)**
- **Policy 7:20, Harassment of Students Prohibited (Third Reading)**

At the request of the Board of Education, legal counsel has provided additional information regarding inclusion of the word "promptly" in the reporting sections of the above referenced policies. I have included counsel's response in the materials provided to the Board.

The following policies were reviewed by legal counsel prior to the closing of school due to the pandemic in the spring of 2020. These policies refer to administering medications as well as to Ashley's law, which pertains to medical cannabis.

- **Policy 7:270, Administering Medications to Students (First Reading)**
- **Policy 5:50, Drug- and Alcohol-Free Workplace (First Reading)**
- **Policy 7:190, Student Behavior (First Reading)**
- **Policy 8:30, Visitors to and Conduct on School Property (First Reading)**

We will discuss these four policies, and recommendations from the District's legal counsel, at the Policy Committee meeting.

These policies have already been reviewed as a First Reading, however, there have been changes to the law since that time. As such, we are recommending moving forward with these policies as a First Reading once again at the November, 2020, Regular Meeting of the Board of Education.

RECOMMENDATION

We recommend the District policies listed above and attached to this memorandum be considered as presented.

Document Status: Draft Update

STUDENTS

7:70 Attendance and Truancy

Compulsory School Attendance

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades kindergarten through 12 in the public school regardless of age. Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program, (7) any child absent for the purpose of sounding "Taps" at a military honors funeral held in this State for a deceased veteran, and (8) any child absent because a parent or legal guardian has been called to active military duty, is on leave from military duty, or has immediately returned from deployment to a combat zone or combat-support posting.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness, observance of a religious holiday, death in the immediate family, family emergency, other situations beyond the control of the student as determined by the Board, voting pursuant to policy 7:90, Release During School Hours (10 ILCS 5/7-42 and 5/17-15), PRESSPlus1 other circumstances that cause reasonable concern to the parent/guardian for the student's mental, emotional, or physical safety or health or safety, PRESSPlus2 or other reason as approved by the Superintendent or designee.

Absenteeism and Truancy Program

The Superintendent or designee shall manage an absenteeism and truancy program in accordance with the School Code and Board of Education policy. The program shall include but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified.
2. A protocol for excusing a student in grades 9 through 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran.
3. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. Such a student shall be granted five days of excused absences in any school year and, at the discretion of the school board, additional excused absences to visit the student's parent or legal guardian relative to such leave or deployment of the parent or legal guardian.
4. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in the School Code, Section 105 ILCS 5/26-2a.
5. A description of diagnostic procedures for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information about the reasons for the student's attendance problem.
6. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent students, including parent-teacher conferences, student and/or family counseling, or information about community agency services. See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
7. Reasonable efforts to provide ongoing professional development to teachers, administrators, Board members, school resource officers, and staff on the appropriate and available supportive services for the promotion of student attendance and engagement.
8. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Intermediate Service Center, if truancy continues after supportive services have been offered.
9. A protocol for cooperating with non-District agencies including County or municipal authorities, the Intermediate Service Center, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records.

10. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student.
11. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies.
12. A process for a 17 year old resident to participate in the District's various programs and resources for truants. The student must provide documentation of his/her dropout status for the previous 6 months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.
13. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student.

LEGAL REF.:

[105 ILCS 5/26-1 through 16.](#)

[705 ILCS 405/3-33.5](#), Juvenile Court Act of 1987.

[23 Ill.Admin.Code §§1.242](#) and [1.290](#).

CROSS REF.: 5:100 (Staff Development Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), [7:90 \(Release During School Hours\)](#), 7:190 (Student Discipline), 7:340 (Student Records)

Adopted: January 22, 2019

PRESSPlus Comments

PRESSPlus 1. 10 ILCS 5/7-42 and 10 ILCS 5/17-15, amended by P.A. 101-624, eff. 6-1-20, provide that beginning on the 15th day before a primary, general, or special election or on the day of any such election, any student who is eligible to vote is entitled to be absent for two hours during the school day to vote. See policy 7:90 for more information. If the Board does not adopt the Voting subheading in policy 7:90 (see the Questions Window in the Draft Update for policy 7:90), IASB will remove this phrase and the Cross Reference to policy 7:90. **Issue 103, March 2020**

PRESSPlus 2. 105 ILCS 5//26-2a, amended by P.A. 100-810, amended valid causes for absences to include a student's mental, emotional, or physical health or safety. **Issue 103, March 2020**

Document Status: Draft Update

General Personnel

5:20 Workplace Harassment Prohibited

A learning and working environment that is free from discrimination, including harassment will be maintained. It will be a violation of policy for any member of the District staff or for any District student to harass any District staff member or student, through conduct or communications, on the basis of that individual's race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other status identified by District policy or procedure or State or federal law.

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited [PRESSPlus1](#)

Sexual harassment prohibited by this policy includes verbal and written remarks and physical conduct. The terms intimidating, hostile and offensive include, but are not limited to, remarks or conduct which have the effect of humiliation, embarrassment or discomfort. Conduct will be evaluated in light of all circumstances to determine if it rises to the level of sexual harassment. The District provides annual sexual harassment prevention training in accordance with State law. [PRESSPlus2](#)

Sexual harassment consists of, but is not limited to, unwelcome sexual advances, requests for sexual favors and other inappropriate verbal or written remarks, physical, or other conduct of a sexual nature that constitutes sexual harassment under state or federal law, when:

1. Submission to such remarks or conduct is made either explicitly or implicitly a term or condition of an individual's employer or education;
2. Submission to or rejection of such remarks or conduct by an individual is used as the basis for employment or academic decisions; *or*
3. Such remarks or conduct have the purpose or effect of substantially interfering with an individual's professional or academic performance or if such remarks or conduct have the purpose or effect on a person of reasonable sensibilities of creating an intimidating, hostile or offensive employment or education environment.

Sexual harassment, as defined above, may include but is not limited to:

1. Sex oriented "kidding", abuse or harassment;
2. Pressure for sexual activity;
3. Repeated remarks to a person with sexual or demeaning implications;
4. Unwelcome touching such as patting, pinching or constant brushing against another's body; *and*
5. Suggestions or demands for sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns.

Harassment on the basis of a person's race, religion, national origin, sexual orientation, age, citizenship status, disability or other protected status under state or federal law includes any intimidating, demeaning or threatening remarks or conduct made to a person as a result of that person's race, religion, national origin, sexual orientation, age, citizenship status, disability or other protected status under state or federal law. Religious harassment includes pressure to join or not to join a particular religion.

Making a Report or Complaint

Employees and *nonemployees* (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved individuals, if they feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.

No aggrieved person is required to confront a person engaging in harassing behavior, however, and no negative inference shall be drawn by the failure to do so.

Employees should report claims of harassment to the Nondiscrimination Coordinator and/or use the Board policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. Employees may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the **complaint claim** according to that policy, in addition to any response required by this policy.

Students should report claims of sexual harassment to any adult staff member of the District, who should in turn report the harassment to the relevant building principal.

There are no express time limits for initiating complaints and grievances under this policy, and no negative inference shall be drawn by failure to immediately report harassment. However, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the School District's legal obligations and with the necessity to investigate allegations of harassment and to take corrective action when harassment has occurred.

Whom to Contact with a Report or Complaint

The Superintendent shall insert into this policy the names, **office addresses**, **email addresses**, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. **The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.** [PRESSPlus3](#)

Nondiscrimination Coordinator:

Ed Piotrowski, Director of Human Resources

100 S. Brainard, LaGrange, IL 60525

Email

708/579-6456

Complaint Managers:

Shanna Lewis, Associate Principal - South

4900 S. Willow Springs Rd., Western Springs, IL 60558

slewis@lths.net

708/579-6500

Kevin Brown, Associate Principal - North

100 S. Brainard, LaGrange, IL 60525

Email

708/579-6300

Investigation Process

~~Supervisors, Building Principals, or administrators~~ **Any District employee** who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. **Any employee supervisor or administrator** who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. ~~The District shall investigate alleged workplace harassment when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.~~

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 Nondiscrimination Coordinator or designee [PRESSPlus4](#) **shall consider whether action under policy 2:265, Title IX Sexual Harassment Grievance Procedure, should be initiated.**

For any other alleged workplace harassment that does not require action under policy 2:265, Title IX Sexual Harassment Grievance Procedure, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, Uniform Grievance Procedure, and/or 5:120, Employee Ethics: Conduct, and Conflict of Interest, PRESSPlus5 should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel, PRESSPlus6

An alleged incident of sexual abuse is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, Abused and Neglected Child Reporting. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, Title IX Sexual Harassment Grievance Procedure, or policy 2:260, Uniform Grievance Procedure.

Enforcement

A violation of this policy by an employee may result in discipline, up to and including discharge. A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, i.e., vendor, parent, invitee, etc. Any person ~~employee~~ making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee may be up to and including discharge.

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/).

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U. S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks.

LEGAL REF.:

Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e et seq.](#); ~~implemented by~~ [29 C.F.R. §1604.11](#).

Title IX of the Education Amendments of 1972, [20 U.S.C. §1681 et seq.](#); ~~implemented by~~ [34 C.F.R. Part 106](#).

State Officials and Employees Ethics Act, [5 ILCS 430/70-5\(a\)](#).

Ill. Human Rights Act, [775 ILCS 5/2-101\(E\)](#) and (E-1), [5/2-102\(A\)](#), (A-10), (D-5), [5/2-102\(E-5\)](#), [5/2-109](#), [5/5-102](#), and [5/5-102.2](#).

[56 Ill. Admin.Code Parts 2500](#), [2510](#), [5210](#), and [5220](#).

[Burlington Industries v. Ellerth](#), 524 U.S. 742 (1998).

[Crawford v. Metro. Gov't of Nashville & Davidson County](#), 555 U.S. 271 (2009).

[Faragher v. City of Boca Raton](#), 524 U.S. 775 (1998).

[Franklin v. Gwinnett Co. Public Schools](#), 503 U.S. 60 (1992).

[Harris v. Forklift Systems](#), 510 U.S. 17 (1993).

[*Jackson v. Birmingham Bd of Educ.*](#), 544 U.S. 167 (2005).

[*Meritor Savings Bank v. Vinson*](#), 477 U.S. 57 (1986).

[*Oncale v. Sundowner Offshore Services*](#), 523 U.S. 75 (1998).

Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).

Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

[*Vance v. Ball State University*](#), 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics: Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

Adopted: January 21, 2020

PRESSPlus Comments

PRESSPlus 1. See policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, (Draft Update - New) for the definition of Title IX sexual harassment (20 U.S.C. §1681 *et seq.*), and see the Draft's PRESS Plus Comment 4 for examples of employee sexual harassment that may violate Title IX. Title IX's reach is broad because an alleged complainant or alleged respondent may be *anyone* in the district's educational program or activity. This includes applicants for employment, students, parents/guardians, any employee, and third parties. Districts are liable for Title IX sexual harassment when *any* district employee has *actual knowledge* of sexual harassment or allegations of sexual harassment against anyone in the district (except when the only employee with knowledge is the perpetrator of the alleged sexual harassment). 34 C.F.R. §106.30. **Issue 105, August 2020**

PRESSPlus 2. For IDHR's online model program, see its *Model Sexual Harassment Prevention Training Program* page at: <https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx>. **Issue 105, August 2020**

PRESSPlus 3. Title IX regulations require districts to designate and authorize at least one employee to coordinate their 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.

The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, see the **PRESS Plus** Question in policy 2:260. **Issue 105, August 2020**

PRESSPlus 4. "Nondiscrimination Coordinator or designee" is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then "Nondiscrimination Coordinator or a Complaint Manager or designee" is used. **Issue 105, August 2020**

PRESSPlus 5. See also sample administrative procedure 5:120-AP2, *Employee Conduct Standards*, available at **PRESS** Online by logging in at www.iasb.com. **Issue 105, August 2020**

PRESSPlus 6. Required for districts located within a county served by an accredited Children's Advocacy Center (CAC). 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531 (governing the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For further discussion see f/n 14 in sample policy 5:90, *Abused and Neglected Child Reporting*, available at **PRESS** Online by logging in at www.iasb.com.

If your school district is not within a county served by an accredited CAC, strike this subsection and select "Adopted with Additional District Edits" as the Save Status. **Issue 105, August 2020**

Document Status: Draft Update

STUDENTS

7:20 Harassment of Students Prohibited

Bullying, Intimidation, and Harassment Prohibited

No person, including a School District employee or 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; PRESSPlus1 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; 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 or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

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 Sexual harassment of students is prohibited. PRESSPlus2 See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or
 - d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms *intimidating*, *hostile*, and *offensive* include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term *sexual violence* includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidences 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 staff member employee with whom the student is comfortable speaking. PRESSPlus3 A student may choose to report to an employee person of the student's same sex/gender.

An allegation that a student was a victim of any prohibited conduct perpetrated by school personnel, including a school vendor or volunteer, shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*, in addition to any response required by this policy. 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 Sexual Harassment Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager 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 and Complaint Managers. ~~At least one of these individuals will be female, and at least one will be male.~~ The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. [PRESSPlus4](#)

Nondiscrimination Coordinator:

Ed Piotrowski, Director of Human Resources
100 S. Brainard
LaGrange, IL 60525
708/579-6456

Complaint Managers:

Shanna Lewis, Associate Principal - South	Kevin Brown, Associate Principal - North
4900 S. Willow Springs Rd.	100 S. Brainard
Western Springs, IL 60558	LaGrange, IL 60525
slewis@lths.net	
708/579-6500	708/579-6300

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.
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

~~Supervisors, Building Principals, or administrators~~ Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee supervisor or administrator 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.

~~The District shall investigate alleged harassment of students when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.~~

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 Nondiscrimination Coordinator or designee [PRESSPlus5](#) shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel [PRESSPlus6](#)

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy

2:265, Title IX Sexual Harassment Grievance Procedure, or policy 2:260, Uniform Grievance Procedure any response required by this policy.

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, 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 ~~up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.~~

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, Uniform Grievance Procedure, and 2:265, Title IX Sexual Harassment Grievance Procedure).

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

LEGAL REF.:

[20 U.S.C. §1681](#) et seq., Title IX of the Educational Amendments of 1972; [34 C.F.R. Part 106](#).

[105 ILCS 5/10-20.12](#), [10-22.5](#), [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 Sexual Harassment Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 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)

Adopted: April 20, 2020

PRESSPlus Comments

PRESSPlus 1. Executive Order (EO) 2019-11, titled “Strengthening Our Commitment to Affirming and Inclusive Schools” established the Affirming and Inclusive Schools Task Force (Task Force) to identify strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students. The Task Force delivered a report that served as the basis for two non-regulatory guidance documents entitled *Supporting Transgender, Nonbinary and Gender Nonconforming Students* and *Sample District Policy and Administrative Procedures* at www.isbe.net/supportallstudents. The Ill. State Board of Education (ISBE) hosts these documents on its website.

If the Board would like to incorporate ISBE’s *Sample District Policy and Administrative Procedures* policy recommendation into this policy, see the **PRESS Plus** Question 1 for policy 7:10, *Equal Educational Opportunities*. **Issue 105, August 2020**

PRESSPlus 2. Two laws apply to sexual harassment of students in Illinois. Title IX of the Education Amendments of 1972 (Title IX) and the IHRA prohibit discrimination on the basis of sex and 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. 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 policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, sample exhibit 2:265-E, *Title IX Sexual Harassment Glossary of Terms*, and sample procedures 2:265-AP1, *Title IX Sexual Harassment Response*, and 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*, available at **PRESS** Online by logging in at www.iasb.com.

The 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-201(E).

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. **Issue 105, August 2020**

PRESSPlus 3. 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. **Issue 105, August 2020**

PRESSPlus 4. Title IX regulations require districts to designate and authorize at least one employee to coordinate their efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a), amended at 85 Fed. Reg. 30573. Districts must identify the Title IX Coordinator by name, office address, email address, and telephone number.

The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, see the **PRESS Plus** Question 1 in policy 2:260. **Issue 105, August 2020**

PRESSPlus 5. "Nondiscrimination Coordinator or designee" is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then "Nondiscrimination Coordinator or a Complaint Manager or designee" is used. **Issue 105, August 2020**

PRESSPlus 6. Required for districts located within a county served by an accredited Children's Advocacy Center (CAC). 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531 (governing the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For further discussion see f/n 14 in sample policy 5:90, *Abused and Neglected Child Reporting*, available at **PRESS** Online by logging in at www.iasb.com.

If your school district is not within a county served by an accredited CAC, strike this subsection and select "Adopted with Additional District Edits" as the Save Status. **Issue 105, August 2020**

Document Status: Draft Update

STUDENTS

7:270 Administering Medicines to Students

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed *School Medication Authorization Form (SMA Form)* is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

A student may possess an epinephrine injector, e.g., EpiPen®, and/or medication prescribed for asthma for immediate use at the student's discretion, provided the student's parent/guardian has completed and signed a *School Medication Authorization Form*. The School District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine injector or the storage of any medication by school personnel. A student's parent/guardian must 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 a student's self-administration of an epinephrine injector and/or medication, or the storage of any medication by school personnel.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

School District Supply of Undesignated Asthma Medication [Q1 PRESSPlus1](#)

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated asthma medication in the name of the District and provide or administer them as necessary according to State law. *Undesignated asthma medication* means an asthma medication prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, [PRESSPlus2](#) may administer an undesignated asthma medication to a person when they, in good faith, believe a person is having *respiratory distress*. Respiratory distress may be characterized as *mild-to-moderate* or *severe*. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

School District Supply of Undesignated Epinephrine ~~Auto-Injectors~~ [PRESSPlus3](#)

The Superintendent or designee shall implement ~~Section 105 ILCS 5/22-30(f) of the School Code~~ and maintain a supply of undesignated epinephrine injectors in the name of the District and provide or administer them as necessary according to State law. Undesignated epinephrine injector means an epinephrine injector prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated epinephrine injector to a person when they, in good faith, believe a person is having an anaphylactic reaction. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

~~The School District Supply of Undesignated Epinephrine injectors section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated epinephrine injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school epinephrine injectors.~~

~~Upon any administration of an undesignated epinephrine injector, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.~~

~~Upon implementation of this policy, the protections from liability and hold harmless provisions as explained in Section 22-30(c) and Section 22-30(c-5) of the School Code apply.~~

~~No one, including without limitation parents/guardians of students, should rely on the District for the availability of an epinephrine~~

injector. This policy does not guarantee the availability of an epinephrine injector; students and their parents/guardians should consult their own physician regarding this medication.

School District Supply of Undesignated Opioid Antagonists

The Superintendent or designee shall implement Section 105 ILCS 5/22-30(f) of the School Code and maintain a supply of undesignated opioid antagonists in the name of the District and provide or administer them as necessary according to State law. *Opioid antagonist* means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration. *Undesignated opioid antagonist* is not defined by the School Code; for purposes of this policy it means an opioid antagonist prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated opioid antagonist to a person when they, in good faith, believe a person is having an opioid overdose. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law. On or after June 1, 2018, see the website for the Ill. Dept. of Human Services for information about opioid prevention, abuse, public awareness, and a toll-free number to provide information and referral services for persons with questions concerning substance abuse treatment. [PRESSPlus4](#)

~~The School District Supply of Undesignated Opioid Antagonists section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for opioid antagonists from a health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Alcoholism and Other Drug Abuse and Dependency Act, or (2) fill the District's prescription for undesignated school opioid antagonists.~~

~~Upon any administration of an opioid antagonist, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.~~

~~Upon implementation of this policy, the protections from liability and hold harmless provisions as explained in Section 22-30(e) and Section 22-30(e-5) of the School Code apply.~~

~~No one, including without limitation parents/guardians of students, should rely on the District for the availability of an opioid antagonist. This policy does not guarantee the availability of an opioid antagonist; students and their parents/guardians should consult their own physician regarding this medication.~~

School District Supply of Undesignated Glucagon [Q2](#)

The Superintendent or designee shall implement 105 ILCS 145/27 and maintain a supply of undesignated glucagon in the name of the District in accordance with manufacturer's instructions.

When a student's prescribed glucagon is not available or has expired, a school nurse or delegated care aide may administer undesignated glucagon only if he or she is authorized to do so by a student's diabetes care plan.

Administration of Medical Cannabis [PRESSPlus5](#)

The Compassionate Use of Medical Cannabis Program Act allows a *medical cannabis infused product* to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a *designated caregiver* to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old [PRESSPlus6](#) and is allowed to administer a *medical cannabis infused product* to a child who is a student on the premises of his or her school or on his or her school bus if:
 - a. Both the student and the designated caregiver possess valid registry identification cards issued by IDPH;
 - b. Copies of the registry identification cards are provided to the District;
 - c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and
 - d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.
2. A properly trained school nurse or administrator, who shall be allowed to administer the *medical cannabis infused product* to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus. [PRESSPlus7](#)
3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator. [PRESSPlus8](#)

Medical cannabis infused product (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the District or school, would create a disruption to the educational environment or cause exposure of the product to other students. A school employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. The District may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

Void Policy

The **School District Supply of Undesignated Asthma Medication** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated asthma medication from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school asthma medication. [PRESSPlus9](#)

The **School District Supply of Undesignated Epinephrine Injectors** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated epinephrine injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school epinephrine injectors.

The **School District Supply of Undesignated Opioid Antagonists** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for opioid antagonists from a health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Substance Use Disorder Act, or (2) fill the District's prescription for undesignated school opioid antagonists.

The **School District Supply of Undesignated Glucagon** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for glucagon from a qualifying prescriber, [PRESSPlus10](#) or (2) fill the District's prescription for undesignated school glucagon.

The **Administration of Medical Cannabis** section of the policy is void and the District reserves the right not to implement it if the District or school is in danger of losing federal funding.

Administration of Undesignated Medication

Upon any administration of an undesignated medication permitted by State law, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

Undesignated Medication Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply. [PRESSPlus11](#)

No one, including without limitation, parents/guardians of students, should rely on the District for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

LEGAL REF.:

105 ILCS 5/10-20.14b, 5/10-22.21b, [and 5/22-30](#), [and 5/22-33](#).

[105 ILCS 145/](#), Care of Students with Diabetes Act.

[410 ILCS 130/](#), Compassionate Use of Medical Cannabis Program Act, and scheduled to be repealed on July 1, 2020.

[720 ILCS 550/](#), Cannabis Control Act.

23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Food Allergy Management)

[ADOPTED:December 19, 2016](#)

***Required Question 1. Has the Board adopted the optional subsection regarding a School District Supply of Undesignated Asthma Medication? Type yes or no.

Response:

***Required Question 2. Optional. 105 ILCS 145/27, added by P.A. 101-428, permits a district to maintain a supply of undesignated glucagon in any secure location that is immediately accessible to a school nurse or delegated care aide. **A school board must ensure that it does not adopt this section into the policy unless it is prepared to implement it.** Consult the board attorney about the consequences of informing the community that the district will obtain a prescription for a supply of undesignated glucagon, and implement a plan for their use, and then not doing it, as doing so may be fraught with legal liabilities.

The superintendent is given broad authority to implement this section; however, several preliminary steps should occur with the assistance of the board attorney. They include, but are not limited to: (1) investigating the feasibility of obtaining a prescription for a supply of undesignated glucagon in the name of the district or one of its schools, and (2) outlining the advantages and disadvantages of implementing this plan based upon each district's individual resources and circumstances, and student population's needs.

Has the Board adopted the School District Supply of Undesignated Glucagon subsection?

- Yes (default)
 No (IASB will delete the School District Supply of Undesignated Glucagon subsection and its Void Policy language)

PRESSPlus Comments

PRESSPlus 1. Optional. A school board must ensure that it does not adopt this section into the policy unless it is prepared to implement 105 ILCS 5/22-30, amended by P.A. 100-726, eff. 1-1-19. The law permits a district to maintain a supply of undesignated asthma medication in any secure location that is accessible before, during, and after school where a person is most at risk, including, but not limited to a classroom or the nurse's office, and use them when necessary. The P.A. 100-726, eff. 1-1-19, amendment requiring accessibility before, during, and after school does not address the logistical issues that classrooms are typically locked before and after school. Consult the board attorney about the implementation issues with this new phrase in the law.

Consult the board attorney about the consequences of informing the community that the district will obtain a prescription for a supply of undesignated asthma medication, implement a plan for its use, and then not doing it, as doing so may be fraught with legal liabilities. Also fraught with legal liabilities is when the district provides them, but does not have them accessible before, during, and after school where an asthmatic person is most at risk as required by 105 ILCS 5/22-30, amended by P.A. 100-726, eff. 1-1-19.

The superintendent is given broad authority to implement this section; however, several preliminary steps should occur with the assistance of the board attorney. They include, but are not limited to: (1) investigating the feasibility of obtaining a prescription for a supply of undesignated asthma medication in the name of the district or one of its schools, and (2) outlining the advantages and disadvantages of implementing this plan based upon each district's individual resources and circumstances, and student population's needs.

See **Questions** to indicate whether the board has adopted the School District Supply of Undesignated Asthma Medication subsection.

Issue 99, October/November 2018

PRESSPlus 2. 105 ILCS 5/22-30(a), amended by P.A. 100-726, eff. 1-1-19, defines *trained personnel* as any school employee or volunteer personnel authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of the School Code who has completed training required by 105 ILCS 5/22-30(g), amended by P.A. 100-726, eff. 1-1-19 to recognize and respond to anaphylaxis, an opioid overdose, or respiratory distress. ISBE must develop the training curriculum for trained personnel, and it may be conducted online or in person. **Issue 99, October/November 2018**

PRESSPlus 3. 105 ILCS 5/20-30, amended by P.A. 100-799, eff. 1-1-19, defines epinephrine injector to mean an auto-injector and a pre-filled syringe. Auto-injector is updated to injector throughout. **Issue 99, October/November 2018**

PRESSPlus 4. Optional sentence. 20 ILCS 301/20-30, added by P.A. 100-494, eff. 6-1-18, mandates the Ill. Dept. of Human Services to create a website with these resources. The purpose of this sentence is to provide the community with information about a public health crisis affecting students. **Issue 96, October 2017**

PRESSPlus 5. 105 ILCS 5/22-33(g), added by P.A. 100-660 (*Ashley's Law*) requires school boards to adopt a policy regarding the administration of medical cannabis infused product to students who are qualifying registered patients under the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/, amended by P.A. 101-363, and in addition to allowing a student's delegated care aide(s) to administer it, allow a school nurse or administrator to administer it, and/or the student him or herself. The policy must be implemented by:

1. Authorizing a parent/guardian and/or a *designated caregiver* of a student who is a *registered qualifying patient* to administer a medical cannabis infused product to that student at school or on the school bus (105 ILCS 5/22-33(b)).
2. Allowing a school nurse or administrator to administer a medical cannabis infused product to a student who is a *registered qualifying patient* while at school, a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care, on school-operated property or while being transported on a school bus (105 ILCS 5/22-33(b-5), added by 101-370, eff. 1-1-20)).
3. Authorizing a student who is a *registered qualifying patient* to self-administer a medical cannabis infused product if the self-administration takes place under the direct supervision of a school nurse or school administrator (ld.).

Important: If a district would lose federal funding as a result of the board adopting this policy, the board may not authorize the use of a medical cannabis infused product under Ashley's Law and not adopt this subsection. 105 ILCS 5/22-33(f). Consult the board attorney about the issue of federal funding.

Issue 102, October 2019

PRESSPlus 6. A student under the age of 18 may have up to three designated caregivers as long as at least one is a biological parent or a legal guardian. A student 18 years of age or older may appoint up to three designated caregivers who meet the requirements of the Compassionate Use of Medical Cannabis Program Act. **Issue 102, October 2019**

PRESSPlus 7. 105 ILCS 5/22-33(b-5), added by P.A. 101-370, eff. 1-1-20. A school nurse or administrator must annually complete a training curriculum to be developed by ISBE in consultation with the Ill. Dept. of Public Health prior to administering a medical cannabis infused product to a student in accordance with this section. 105 ILCS 5/22-33(f-5), added by P.A. 101-370, eff. 1-1-20. **Issue 102, October 2019**

PRESSPlus 8. Any medical cannabis infused product administered by a school nurse or administrator, or self-administered under the supervision of a school nurse or administrator, must be stored with the school nurse at all times in a manner consistent with storage of other student medication at the school and may be accessible only by the school nurse or a school administrator. 105 ILCS 5/22-33(b-10), added by P.A. 101-370, eff. 1-1-20. **Issue 102, October 2019**

PRESSPlus 9. Discuss with the board attorney whether the board should remove this sentence when the district reaches full implementation of this section. **Issue 99, October/November 2018**

PRESSPlus 10. 105 ILCS 145/27, added by P.A. 101-428, provides that a physician, a physician assistant who has prescriptive authority under the Physician Assistant Practice Act of 1987 (225 ILCS 95/7.5), or an advanced practice registered nurse who has prescriptive authority under the Nurse Practice Act (225 ILCS 65-40) may prescribe undesignated glucagon in the name of the district to be maintained for use when necessary. **Issue 102, October 2019**

PRESSPlus 11. 105 ILCS 5/22-30(c). The school, and its employees and agents, incur no liability, except for willful and wanton conduct, as a result of an injury to a student arising from the administration of asthma medication, epinephrine injectors, or an opioid antagonists, a student's self-administration of medication, or administration of undesignated glucagon (insofar as it would be considered part of the care of a student with diabetes).

105 ILCS 5/22-30(c) requires the district to inform parents/guardians in writing of the protections from liability and hold harmless provisions that apply to the administration of asthma medication, epinephrine injectors, and opioid antagonists. In addition, a statement must be signed by a student's parent/guardian acknowledging the district's protections from liability and hold harmless provisions for these undesignated medications. A similar acknowledgment must be signed by a student's parent/guardian for the self-administration of medication. 105 ILCS 5/10-22.21(c), added by P.A. 101-205, eff. 1-1-20. See 7:270-E1, *School Medication Authorization Form*, available at PRESS Online by logging in at www.iasb.com, for a sample acknowledgement. Issue 102, October 2019

Document Status: Draft Update

General Personnel

5:50 Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition

Title has been updated. Original Title: Drug- and Alcohol-Free Workplace; Tobacco Prohibition

All District workplaces are drug- and alcohol-free workplaces. [PRESSPlus1](#)

All employees are prohibited from engaging in any of the following activities while on District premises or while performing work or being on call [Q1](#) for the District: [PRESSPlus2](#)

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, 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.
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.
3. **Distribution, consumption, possession, or use, or being impaired by or under the influence of medical 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 pursuant to Ashley's Law, 105 ILCS 5/22-33.** [PRESSPlus3](#) **The District considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests the specific articulable symptoms** [PRESSPlus4](#) **listed in the Cannabis Regulation and Tax Act (CRTA).** [PRESSPlus5](#)

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 [PRESSPlus6](#) **means workplace as defined in the 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:

1. Abide by the terms of the 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.

To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee shall perform each of the following:

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.
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
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:

- 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 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. [PRESSPlus7](#)

E-Cigarette, Tobacco, and Cannabis Prohibition

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, [PRESSPlus8](#) 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 shall have the meaning provided in 105 ILCS 5/section 10-20.5b ~~of the School Code~~.

Cannabis shall have 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. [Q2](#)

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. In addition or Aalternatively, the ~~School~~ 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.

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.

Disclaimer [PRESSPlus9](#)

The Board reserves the right to interpret, revise or discontinue any provision of this policy pursuant to the **Suspension of Policies** subhead in policy 2:240, *Board Policy Development*.

LEGAL REF.:

Americans With Disabilities Act, 42 U.S.C. §12114.

~~Compassionate Use of Medical Cannabis Pilot Program, 410 ILCS 130/.~~

Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.

Drug-Free Workplace Act of 1988, 41 U.S.C. §8101 et seq.

Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.

30 ILCS 580/, Drug-Free Workplace Act, ~~30 ILCS 580/.~~

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.

21 C.F.R. Parts 1100, 1140, and 1143.

23 Ill.Admin.Code §22.20.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: February 16, 2016

Questions and Answers:

***Required Question 1. 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. 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.

Has the board adopted the phrase "or being on call" into this policy?

- Yes (default)
- No. (IASB will remove "or being on call")

***Required Question 2. Optional. Including the statutory example that includes the term *vape pen* provides notice that vaping products are also prohibited through the term e-cigarette. Choose from the following options:

- Include the default sentence. (default)
 - 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 and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/1(a-9)."
-

PRESSPlus Comments

PRESSPlus 1. This policy is renamed. The new text in the title includes E-Cigarettes (PRESS Advisory Board feedback) and Cannabis (Cannabis Regulation and Tax Act (CRTA), 410 ILCS 705/, added by P.A. 101-27 legalizing recreational cannabis use for persons over the age of 21).

Cannabis 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. This policy continues to prohibit employees from using cannabis as allowed by the CRTA.

With the passage of the CRTA, 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. For more information, see f/n 2 of sample policy 5:50, available at PRESS Online by logging in at www.iasb.com.

Consult the board attorney before implementing a drug testing program to enforce this policy.

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PRESSPlus 2. 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*, available at PRESS Online by logging in at www.iasb.com. **Issue 102, October 2019**

PRESSPlus 3. 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, amended by P.A. 101-370, eff. 1-1-20. Employers may enforce drug-free workplace policies when they are applied in a nondiscriminatory manner. 410 ILCS 705/10-50(a), added by P.A. 101-27, includes disciplining employees – even those who are a *registered qualifying patient* – for violating a drug-free workplace policies (410 ILCS 130/50 and 705/10-35(a)(1), added by P.A. 101-27). Contact the board attorney for advice concerning the Compassionate Use of Medical Cannabis Program Act (Medical Cannabis Program Act (MCPA)). **Issue 102, October 2019**

PRESSPlus 4. Specific articulable symptoms listed in 410 ILCS 705/10-50(d), added by P.A. 101-27, 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), and scheduled to be repealed on 7-1-20. **Issue 102, October 2019**

PRESSPlus 5. 410 ILCS 705/10-35 and 10-50(a), added by P.A. 101-27 allows 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. **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 f/n 9 of sample policy 5:50, available at PRESS Online by logging in at www.iasb.com, for more information about civil, criminal, and other penalties available under the CRTA. **Issue 102, October 2019**

PRESSPlus 6. 410 ILCS 705/10-35 and 10-50(a), added by P.A. 101-27, 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), added by P.A. 101-27, 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 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 5/27-23.7(a)

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PRESSPlus 7. Optional. This statement serves as a display of good judgement and a reminder to employees that 105 ILCS 5/27-13.2 and 23.4 (provided it can be funded by private grants or the federal government) require districts to educate students about the dangers of substance abuse. To remove this statement, strike it and choose "Adopted with Additional District Edits" as the Save Status. **Issue 102, October 2019**

PRESSPlus 8. While 720 ILCS 675, amended by P.A. 101-2, 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 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 and Sale and Distribution of Tobacco Products Act, 720 ILCS 675, amended by P.A. 101-2 (raising 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. For more information about e-cigarettes, see f/n 18 of sample policy 5:50, available at PRESS Online by logging in at www.iasb.com. **Issue 102, October 2019**

PRESSPlus 9. Optional best practice text. **Issue 102, October 2019**

Document Status: Draft Update

STUDENTS

7:190 Student Behavior

The goals and objectives of this policy are to provide effective discipline practices that: (1) prioritize the safety and dignity of students and staff; (2) maintain a positive, weapons-free, and drug-free learning environment; (3) keep school property and the property of others secure; (4) address the causes of a student's misbehavior and to the extent possible and practical, provide opportunities for all individuals involved in an incident to participate in its resolution; and (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the school community and society.

As is the case throughout the Board Policy Manual, the term *includes* when used in this policy means *includes, without limitation*.

When and Where Conduct Rules Apply

A student may be subject to disciplinary action for engaging in *prohibited student conduct*, as described in the section with that name below, whenever the student's conduct is reasonably related to school or school activities, including:

1. On, or within sight of, school grounds at any time, including before, during, and after school hours;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct does or reasonably could be foreseen to do any of the following: interfere with, disrupt, or adversely affect the school environment, school operations, or an educational function, including, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

Prohibited Student Conduct

The school administration is authorized to discipline students for gross disobedience or misconduct, including:

1. Using, possessing, distributing, purchasing, selling, or offering for sale:
 - a. Tobacco or nicotine materials, including electronic cigarettes.
 - b. Alcoholic beverages. A student who is under the influence of an alcoholic beverage is not permitted to attend school or school functions and is treated as if in possession of alcohol.
 - c. Any illegal drug or controlled substance, or cannabis (including ~~medical cannabis~~, marijuana, and hashish, and ~~medical cannabis unless the student is authorized to be administered a medical cannabis infused product under Ashley's Law~~). [PRESSplus1](#)
 - d. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.
 - e. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - f. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited ~~unless the student is authorized to be administered a medical cannabis infused product under Ashley's Law~~.
 - g. Any substance regardless of whether it contains an illegal drug or is explicitly prohibited by this policy, that is inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, regardless of whether such change is in fact caused. This includes pure caffeine in tablet or powdered form. The prohibition in this section does not apply a substance for which the student has a prescription from a physician or licensed practitioner where the student is using the substance in a manner consistent with the prescription or prescribing physician's or licensed practitioner's instructions, including a student's use of legally prescribed asthma or other inhalant medication.
 - h. *Look-alike* or counterfeit drugs, which are any substance: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, substance causing a physiological or psychological change in the body, or other substance that is prohibited by this policy; or (b) about which a student engages in behavior that would lead a reasonable person to believe that the student expressly or impliedly believes or represents the substance to be an

illegal drug, controlled substance, substance causing a physiological or psychological change in the body, or other substance that is prohibited by this policy. The prohibition in this section does not apply a substance for which the student has a prescription from a physician or licensed practitioner where the student is using the substance in a manner consistent with the prescription or prescribing physician's or licensed practitioner's instructions.

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

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

2. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the Weapons section of this policy, or violating the Weapons section of this policy.
3. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
4. Using or possessing a laser pointer unless the student: (1) has express authorization by a staff member, (2) is using the laser pointer in the context of instruction; and (3) is under a staff member's direct supervision when using the laser pointer.
5. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
6. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
7. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, using a school computer or a school computer network, or other comparable conduct.
8. Engaging in any sexual activity, including consensual sexual activity offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the: (a) expression of gender or sexual orientation or preference, or (b) the non-disruptive display of affection during non-instructional time.
9. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.
10. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
11. Entering or being present on/in school property or a school facility without proper authorization.
12. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
13. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
14. Being involved with any public school fraternity, sorority, or secret society, including by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
15. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
16. Violating any criminal law, including assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
17. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
18. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
19. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

situations in which the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event.

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

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

Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. Potential disciplinary measures include any of the following:

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall properly supervise the student. [PRESSPlus2](#)
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, when appropriate, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled if the parent/guardian agrees to such transfer. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including illegal drugs (controlled substances), *look-alikes*, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion. [PRESSPlus3](#)

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

Isolated Time Out, Time Out, and Physical Restraint ^{Q1}

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the District's procedure(s).

Weapons

A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than 2 calendar years:

1. A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430ILCS65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including *look-alikes* of any firearm as defined above.

The expulsion requirement under either paragraph 1 or 2 above may be modified by the Superintendent, and the Superintendent's determination may be modified by the Board on a case-by-case basis. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

This policy's prohibitions concerning weapons apply regardless of whether: (1) a student is licensed to carry a concealed firearm, or (2) the Board permits visitors, who are licensed to carry a concealed firearm, to store a firearm in a locked vehicle in a school parking area.

Re-Engagement of Returning Students

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

Required Notices

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

Delegation of Authority

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

The Superintendent, Building Principal, Assistant Building Principal, or Dean of Students is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons.

Student Handbook

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

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

Incorporated

by Reference: 7:190-AP4 (Use of Isolated Time Out, Time Out, and Physical Restraint)

LEGAL REF.:

20 U.S.C. §6081, Pro-Children Act of 1994. Gun-Free Schools Act, 20 U.S.C. §7961 et seq.

Pro-Children Act of 1994, 20 U.S.C. §6081, 20 U.S.C. §7961 et seq., Gun Free Schools Act.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and 110/3.10.

410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.

410 ILCS 647/, Powdered Caffeine Control and Education Act.

430 ILCS 66/, Firearm Concealed Carry Act.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and 110/3.10.

23 Ill.Admin.Code §§ 1.280, 1.285.

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

ADOPTED: June 21, 2016

[Q2](#)

Questions and Answers:

***Required Question 1. In late November 2019 and early 2020, in response to investigative journalism articles, ISBE issued emergency rules and subsequent amendments to those emergency rules that significantly limited the use of isolated time out and physical restraint. ISBE adopted permanent rules governing the use of isolated time out, time out, and physical restraint (permitted under limited circumstances and only until July 1, 2021), effective April 9, 2020.

Isolated time out, time out, or physical restraint may be used by staff members **only if** their use is authorized by policy and administrative procedure. 105 ILCS 5/2-3.130, 5/10-20.33, and 5/24-24; 23 Ill.Admin.Code §§1.280(c) and 1.285. See 7:190-AP4, *Use of Isolated Time Out, Time Out, and Physical Restraint*, available at PRESS Online by logging in at www.iasb.com. **By default, this policy allows the use of isolated time out, time out, and physical restraint pursuant only to the conditions allowed in the School Code and ISBE rules.** State statute and ISBE rules contain complex restrictions on the use of isolated time out, time out, and physical restraint. 105 ILCS 5/2-3.130, 5/10-20.33, and 5/24-24; 23 Ill.Admin.Code §§1.280(c) and 1.285. According to the ISBE rule, isolated time out, time out, and physical restraints are allowed only if a board authorizes their use in a policy containing the numerous components identified in the rule. To comply with ISBE's rule, a board must also incorporate by reference the district's procedure, i.e., 7:190-AP4, *Use of Isolated Time Out, Time Out, and Physical Restraint*. By doing this, the policy includes the district's procedure.

Does the Board allow or prohibit the use of isolated time out, time out, and physical restraint?

- The Board allows the use of isolated time out, time out, and physical restraint. (Default)
- The Board prohibits the use of isolated time out, time out, and physical restraint. (IASB will delete this subhead and its contents, amend the Legal Reference, and delete the Incorporated by Reference line.)

***Required Question 2. Does the district receive early childhood block grant funding? Type yes or no.

Response:

PRESSPlus Comments

PRESSPlus 1. 105 ILCS 5/22-33 (*Ashley's Law*), added by P.A. 100-660, provides that school districts "shall authorize a parent or guardian or any other individual registered with the Ill. Dept. of Public Health as a designated caregiver of a student who is a registered qualifying patient to administer a medical cannabis infused product to the student on the premises of the child's school or on the child's school bus if both the student (as a registered qualifying patient) and the parent or guardian or other individual (as a registered designated caregiver) have been issued registry identification cards under the Compassionate Use

of Medical Cannabis Pilot Program Act.” Once the product is administered, the designated caregiver must remove the product from the school premises/bus. The product may not be administered in a manner that would (in the school or district’s opinion) create a disruption or expose other students to the product, and schools are not required to authorize use of the product if the school or district would lose federal funding as a result. For more discussion, see 7:270, *Administering Medicines to Students*. **Issue 99, October/November 2018**

PRESSPlus 2. 105 ILCS 5/10-22.6, amended by P.A. 100-1035, allows in-school suspension programs for K-12 students to focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel, and districts may employ a school social worker or a licensed mental health professional to oversee in-school suspension programs. Providing programming during in-school suspensions is not required, however providing such programming will help distinguish them from exclusionary suspensions. **Issue 99, October/November 2018**

PRESSPlus 3. Districts that receive early childhood block grant funding (authorized by 105 ILCS 5/1C-2 of the School Code) are prohibited from expelling children from their early childhood programs. 105 ILCS 5/2-3.71(a)(7) and 105 ILCS 5/10-22.6, amended by P.A. 100-105, eff. 1-1-18.

OPTION: For districts that receive early childhood block grant funding, add the following:

Students enrolled in the District’s State-funded preschool program(s) may be temporarily removed or transitioned to a new program in accordance with federal and State law. State law prohibits the expulsion of students from the program(s).

Issue 96, October 2017

Document Status: Draft Update

COMMUNITY RELATIONS

8:30 Visitors to and Conduct on School Property

The following definitions apply to this policy:

School property - District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. [PRESSPlus1](#)

- School buildings and grounds, all District buildings and grounds, vehicles used for school purposes, and any location used for a Board of Education meeting, school athletic event, or other school-sponsored event.

Visitor - Any person other than an enrolled student or District employee.

All visitors to school property are required to report to the main entrance of each campus and receive permission to remain on school property. All visitors must provide required identification, sign a visitors' log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. On those occasions when large groups of parents/guardians, and friends, and/or community members are invited onto school property or when community members are attending Board meetings, visitors are not required to sign in but must follow school officials' instructions. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution.

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the appropriate building. Access shall be facilitated according to guidelines from the Superintendent or designee.

The School District expects mutual respect, civility, and orderly conduct among all people on school property or at a school event. No person on school property or at a school event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, a Board member, sports official or coach, or any other person.
2. Behave in an unsportsmanlike manner, or use vulgar or obscene language.
3. Unless specifically permitted by State law, possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device.
4. Damage or threaten to damage another's property.
5. Damage or deface school property.
6. Violate any Illinois law, or town or county ordinance.
7. Smoke or otherwise use tobacco products.
8. Distribute, consume, use, possess, or be impaired by or under the influence of an alcoholic beverage, cannabis, other lawful product, or illegal drug. [PRESSPlus2](#)
9. Be present when the person's alcoholic beverage, cannabis, other lawful product, or illegal drug consumption is detectable, regardless of when and/or where the use occurred. [PRESSPlus3](#)
10. Use or possess medical cannabis, unless he or she has complied with policy 7:270, Administering Medicines to Students, implementing Ashley's Law. [PRESSPlus4](#)
9. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner).
10. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board.
11. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive.
12. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding.

13. Violate other District policies or regulations, or a directive from an authorized security officer or District employee.
14. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a School function.

Convicted Child Sex Offender

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender is:

1. A parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. Has permission to be present from the Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

The following rules shall apply:

1. In all cases, the Superintendent, or designee who is a certified employee, shall supervise a child sex offender whenever the offender is on campus.
2. Each child sex offender must complete a School Visit Request for each visit to school property.
3. Prior approval by the Superintendent is required.

Exclusive Bargaining Representative Agent

Upon notifying the Building Principal's office, authorized agents of an exclusive bargaining representative will be provided reasonable access to employees in the bargaining unit they represent in accordance with State law. Such access shall be conducted in a manner that will not impede the normal operations of the District.

[PRESSPlus5](#)

Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from school property. The person is also subject to being denied admission to school events or meetings for up to one calendar year.

LEGAL REF.:

Nuding v. Cerro Gordo Community Unit School Dist., 313 Ill. App.3d 344 (4th Dist. 730 N.E.2d 96 (Ill.App.4, 2000).

~~Pro-Children Act of 1994, 20 U.S.C. §7181 et seq., Pro-Children Act of 1994.~~

105 ILCS 5/10-20.5b, 5/22-33, 5/24-24, and 5/24-25, and 5/27-23.7(a).

115 ILCS 5/3(c), Ill. Educational Labor Relations Act.

10 ILCS 130/, Compassionate Use of Medical Cannabis ~~Pilot Program Act.~~

430 ILCS 66/, Firearm Concealed Carry Act.

410 ILCS 705/, Cannabis Tax and Regulation Act.

720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition?), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Behavior), 7:270 (Administering Medicines to Students), 8:20 (Community Use of School Facilities)

~~ADOPTED: March 14, 2016~~

PRESSPlus 1. Updated to align with the text of 105 ILCS 5/27-23.7(a). **Issue 102, October 2019**

PRESSPlus 2. Updated in response to the Cannabis Regulation and Tax Act (CRTA), 410 ILCS 705/, added by P.A. 101-27. This statement must be consistent with employee working conditions and employee conduct standards (see 5:120-AP, *Employee Conduct Standards*, available at PRESS Online by logging in at www.iasb.com) **Issue 102, October 2019**

PRESSPlus 3. Each board and superintendent may want to engage in a conversation regarding how the district might partner with local law enforcement to enforce this policy and the penalties available under the Cannabis Regulation Tax Act, e.g., posting signs barring community members from bringing in weapons, alcohol, cannabis, tobacco, etc. Signage reminding visitors of the policy may make it easier for staff and/or local law enforcement to enforce. **Issue 102, October 2019**

PRESSPlus 4. Managing cannabis on district property and the school setting presents many unsettled and complex legal issues. To legally use medical cannabis in Illinois, an individual must first become a *registered qualifying patient*. The use of cannabis by a *registered qualifying patient* is permitted only in accordance with the Compassionate Use of Medical Cannabis Program Act (Medical Cannabis Program Act (MCPA)) 410 ILCS 130/, amended by P.A. 101-363, eff. 1-1-20 and scheduled to be repealed on 7-1-20. There are many situations in which no one, even a *registered qualifying patient*, may possess or use cannabis, including (a) in a school bus, (b) on the grounds of any preschool or primary or secondary school, or (c) in close physical proximity to anyone under the age of 18 years of age. However, *Ashley's Law*, 105 ILCS 5/22-33(b) and (g), added by P.A. 100-660, allows *designated caregivers* to administer medical cannabis infused products to students who are *registered qualifying patients* at school or on the school bus, and requires school boards to adopt a policy to implement the law unless the district would lose federal funding. See policy 7:270, *Administering Medicines to Students*.

Remember that *Ashley's Law* requires the designated caregiver to remove the product from the school premises or the school bus after administering it to the student, so as a result, policy 7:270, *Administering Medicines to Students*, requires immediate removal of medical cannabis infused products after administering them to the student. **Issue 102, October 2019**

PRESSPlus 5. Updated in response to the Ill. Educational Labor Relations Act, 115 ILCS 5/3(c), added by P.A. 101-620, requiring districts to allow union representatives to meet with employees during the work day for certain reasons without loss of pay or leave time, as well as during *duty-free time* upon notice to the school office. See footnote 18 of sample policy 8:30, available at **PRESS** Online by logging in at www.iasb.com, for more information. **Issue 103, March 2020**