June 2026 Release - Review PRESS Plus Issue 122

PRESS PLUS - Issue 122 Revisions to Policies

Policy	Type of Revision	Notes of Suggested Changes from PRESS Recommendations
2:30 School District Elections	Review and Monitoring	Updated in response to a five-year review
2:70-E Exhibit – Checklist for Filling Board Vacancies by Appointment	Draft Update - Rewritten	Updates to links
2:120-E3 Exhibit – Resolution to Appoint a Delegate to the Illinois Association of School Boards Delegate Assembly	Draft Update – New	New exhibit
2:220-E1 Exhibit – Board Treatment of Closed Meeting Verbatim Recordings and Minutes	Draft Update - Rewritten	Updated in response to a five-year review
2:220-E3 Exhibit – Closed Meeting Minutes	Draft Update - Rewritten	Updated in response to a five-year review
2:220-E5 Exhibit – Semi-Annual Review of Closed Meeting Minutes	Draft Update - Rewritten	Updated in response to a five-year review
2:220-E8 Exhibit – Board of Education Records Maintenance Requirements and FAQs	Draft Update - Rewritten	Updated in response to a five-year review
2:230 Public Participation at School Board Meetings and Petitions to the Board	Draft Update	Updates to policy, legal references, cross references, and footnotes
3:40 Superintendent	Review and Monitoring	Updated in response to a five-year review
3:50 Administrative Personnel Other than the Superintendent	Review and Monitoring	Updated in response to a five-year review
3:60 Administrative Responsibility of the Building Principal	Review and Monitoring	Updated in response to a five-year review
3:70 Succession of Authority	Review and Monitoring	Updates to footnotes
4:120 Food Services	Review and Monitoring	Updated in response to a five-year review
4:175 Convicted Child Sex Offender; Screening; Notifications	Review and Monitoring	Updates to footnotes
5:40 Communicable and Chronic Infectious Disease	Draft Update	Updates to policy, legal references, and footnotes
5:70 Religious Holidays	Draft Update	Updates to legal references and footnotes
5:110 Recognition for Service	Review and Monitoring	Updates to footnotes
5:140 Solicitations By or From Staff	Review and Monitoring	Updates to footnotes

5:185 Family and Medical Leave	Review and Monitoring	Updated in response to a five-year review
5:240 Suspension	Draft Update	Updates to policy and footnotes
6:70 Teaching about Religions	Draft Updates	Updates to policy
6:80 Teaching About Controversial Issues	Draft Updates	Updates to legal references, cross references, and footnotes
6:190 Extracurricular and Co-Curricular Activities	Draft Updates	Updates to policy and footnotes
7:30 Student Assignment	Review and Monitoring	Updates to policy and footnotes
7:80 Release Time for Religious Instruction/Observance	Review and Monitoring	Updates to footnotes
7:130 Student Rights and Responsibilities	Draft Update	Updates to legal references and footnotes
7:330 Student Use of Buildings – Equal Access	Draft Update – Rewritten	Updates to policy
7:345 Use of Educational Technologies; Student Data Privacy and Security	Review and Monitoring	Updated in response to a five-year review
8:70 Accommodating Individuals with Disabilities	Draft Update	Updates to policy, legal references, and footnotes
8:100 Relations with Other Organizations and Agencies	Review and Monitoring	Updated in response to a five-year review

Document Status: Review and Monitoring

SECTION 2 - BOARD OF EDUCATION

2:30 School District Elections

School District elections are non-partisan, governed by the general election laws of the State, and include the election of Board of Education members, various public policy propositions, and advisory questions. Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. The canvass of votes is conducted by the election authority within 21 days after the election.[C1]

The Board, by proper resolution, may cause to be placed on the ballot: (a) public policy referendum according to Article 28 of the Election Code, or (b) advisory questions of public policy according to Section 9-1.5 of the School Code.

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer.

LEGAL REF.:

10 ILCS 5/1-3, 5/2A, 5/9, 5/10-9, 5/22-17, 5/22-18, and 5/28.

105 ILCS 5/9.

CROSS REF.: 2:40 (Board Member Qualifications), 2:50 (Board Member Term of Office), 2:210 (Organizational Board of Education Meeting)

ADOPTED: August 13, 2024

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
- Make no changes, but update the adoption date to reflect that the policy has been reviewed and re-adopted

Issue 122, June 2026

Document Status: Draft Update - Rewritten

Vacancies on the Board of Education - Filling Vacancies

2:70-E Exhibit - Checklist for Filling Board Vacancies by Appointment

The Board of Education fills a vacancy by either appointment or election.[C1] The Board uses this checklist for guidance when it must fill a vacancy by appointment. Some items contain guidelines along with explanations. For more information, see *Answers to FAQs: Vacancies on the Board of Education*, published by a committee of the Ill. Council of School Attorneys (ICSA), and available at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/vacancies-on-the-board.

☐ **Confirm that the Board must fill the vacancy by appointment.**

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

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

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

Guidelines	**Explanation**
At a minimum, a candidate must meet the following qualifications: • Be a United States citizen • Be at least 18 years of age • Be a resident of Illinois and the District for at least one year immediately preceding the appointment • Be a registered voter • Not be a child sex offender • Not hold an incompatible public office • Not have a prohibited interest in any contract with the District • Not be a school trustee • Not hold certain types of	While the School Code does not expressly set forth eligibility requirements for appointment to a Board vacancy, the Board may want to use the qualifications for elected Board members listed in 105 ILCS 5/10-3 (board of directors) or 5/10-10 (board of education). For guidance discussing other qualifications that the Board may want to consider, see IASB's *A School Board's Guide to Identifying, Recruiting, and Mentoring Future School Board Members*, available at: www.iasb.com/about-us/publications/pamphlets-and-tools/recruiting-school-board-members. For guidance regarding conflict of interest and incompatible offices, see *Answers to FAQs Regarding Conflict of Interest and Incompatible Offices* (ICSA), available at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/answers-to-faqs-regarding-conflict-of-interest-and.

prohibited State or federal employment	
When additional qualifications apply, the following items may be included in the Board's list of qualifications: • Meet all qualifications based upon the distribution of population among congressional townships in the district • Meet all qualifications based upon the distribution of population among incorporated and unincorporated areas	Board members of some community unit school districts may be subject to historical residential qualifications based on the distribution of population among congressional townships in the district or between the district's incorporated and unincorporated areas. 105 ILCS 5/10-11. **Note:** If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5(c).

☐ **Decide who will receive completed vacancy applications.**

Guidelines	Explanation
The Board President will accept applications.	Who accepts vacancy applications is at the Board's sole discretion. According to Board policy 2:110, *Qualifications, Term, and Duties of Board Officers*, the Board President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts the

The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.	applications must be decided prior to posting the vacancy announcement.

☐ **Create the Board member vacancy announcement.**

Announcement	Explanation
[*Insert District name*] Board Member Vacancy The School District is accepting applications to fill the vacancy resulting from [*reason for vacancy*] of [*former Board member's name*].	The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board's sole discretion. The Board may want to announce the vacancy and its intent to fill it by appointment during an open meeting. The announcement may be posted on the District's website and in the local newspaper(s).
The individual selected will serve on the Board of Education from the date of appointment to [*date*].	The length of the appointment depends upon when during the term of office the vacancy occurred. See 105 ILCS 5/10-10 and Board policy 2:70, *Vacancies on the Board of Education - Filling Vacancies*, to determine the length of the appointment. Consult the Board Attorney as needed.
The School District [*School District's philosophy or mission statement*].	See Board policy 1:30, *School District Philosophy*, for the District's mission statement that is specific to the community's goals.
Applicants for the Board vacancy must be: [*Board's list of qualifications*].	See checklist item titled *Develop a list of qualifications for appointment of a person to fill the vacancy*, above.
Applicants should show familiarity with the Board's policies regarding general duties and responsibilities of a	Listing this along with the Board's list of qualifications assists candidates in understanding a Board member's duties and responsibilities and may facilitate a better conversation during the interview

Board and a Board member, including fiduciary responsibilities, conflict of interest, ethics, and gift ban. The Board's policies are available at [*locations*].	process. See Board policies: 2:20, *Powers and Duties of the Board of Education; Indemnification*; 2:80, *Board Member Oath and Conduct*; 2:100, *Board Member Conflict of Interest*; 2:105 *Ethics and Gift Ban*; and 2:120, *Board Member Development*.
Applications may be obtained at [*location and address and/ or website*] beginning on [*date and time*]. Completed applications may be turned in by [*date and time*] to [*name and title of person receiving applications*].	See action item titled *Decide who will receive completed vacancy applications,* above.

☐ **Publicize the vacancy announcement by placing it on the District's website, announcing it at a meeting, and/or advertising it in the local newspaper(s).**

☐ **Accept and review applications from prospective candidates (see *Decide who will receive completed vacancy applications*, above).**

☐ **Contact appropriate applicants for interviews (see *Decide who will receive completed vacancy applications*, above).**

☐ **Develop interview questions.**

Interview Questions	Explanation
Why do you want to be a Board member? What specific skills would you bring to the Board? Please give specific examples of your ability in interpersonal	Interview questions are at the Board's sole discretion. This list is not exhaustive, but it may help the Board tailor its questions toward finding a candidate who will approach Board membership with a clear understanding of its demands and expectations along with a constructive attitude toward the challenge. The Board may also want to consider allowing an equal amount of time for each interview. See IASB's *A School Board's Guide to Identifying, Recruiting, and Mentoring Future School Board Members,* available at: www.iasb.com/about-us/publications/pamphlets-and-tools/

relationships and teamwork. What do you see as the role of a Board member? What have you done to prepare yourself for the challenges of being a Board member? Please describe your previous community or nonprofit experiences. What areas in the District would you like to see the Board strengthen? What is your availability to meet the time, training commitments, and other responsibilities required for Board membership? Describe what legacy you would like to leave behind.	recruiting-school-board-members. A prospective candidate to fill a vacancy may raise other specific issues that the Board will want to cover during an interview.

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

Interview Plan	Explanation

In each interview, the Board President will: Introduce Board members to the candidate at the beginning of the interview. Describe the Board's interview process, selection process, anticipated timeline, and ask the candidate if he or she has questions about the Board's process for filling a vacancy by appointment. Describe the District's philosophy or mission statement. Describe the vacancy for the candidate by reviewing the: (1) qualifications, and (2) general duties and responsibilities of the Board and the Board members, including fiduciary responsibilities, conflict of interest, ethics and gift ban, and general Board member development. Begin asking the interview questions that the Board developed. Ask the candidate whether he or she has any questions for the Board. Thank the candidate and inform the candidate when the Board expects to make a decision and how the candidate will be contacted regarding the Board's decision.	The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The President presides at all meetings. 105 ILCS 5/10-13. The Board may also want to consider allowing an equal amount of time for each interview.

☐ **Fill vacancy by a vote during an open meeting of the Board before the 60th day (105 ILCS 5/10-10).**

☐ **Assist the appointed Board member in filing his or her statement of economic interest (5 ILCS 420/4A-105(c)).**

☐ **Announce the appointment to District staff and community.**

Announcement	Explanation

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

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

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

☐ **Inform IASB of the newly appointed Board member's name and directory information.** For instructions, see iasb.com/memberships-and-divisions/membership/member-database-instructions/how-to-update-your-district-roster.

PRESSPlus Comments

C1. Rewritten for PRESS Plus. Updates include corrections to obsolete links to IASB's website and other continuous improvement changes. A redlined version showing the changes made is available at PRESS Online by logging in at www.iasb.com. **Issue 122, June 2026**

School Board

Exhibit - Checklist for Filling Board Vacancies by Appointment

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

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In the event a seat on the board goes unfilled at an election, consult the Board Attorney to determine (1) how long the seat can be *held over* by the incumbent member, and (2) the process by which the Board will fill the seat.	The School Code partially addresses the concept of a *holdover seat* (a board member remaining in office past their term); it states: "no elective office…becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified." 105 ILCS 5/10-11.

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Guidelines	Explanation
• Be at least 18 years of age • Be a resident of Illinois and the District for at least one year immediately preceding the appointment • Be a registered voter • Not be a child sex offender • Not hold an incompatible public office • Not have a prohibited interest in any contract with the District • Not be a school trustee • Not hold certain types of prohibited State or federal employment	For guidance discussing other qualifications that the Board may want to consider, see IASB's ~~*Recruiting School Board Candidates*~~*A School Board's Guide to Identifying, Recruiting, and Mentoring Future School Board Members*, available at: www.iasb.com/about-us/publications/pamphlets-and-tools/recruiting-school-board-members. ~~www.iasb.com/training/recruiting.cfm~~ For guidance regarding conflict of interest and incompatible offices, see *Answers to FAQs Regarding Conflict of Interest and Incompatible Offices* (ICSA), available at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/answers-to-faqs-regarding-conflict-of-interest-and~~www.iasb.com/IASB/media/Documents/COI_FAQ.pdf~~.
When additional qualifications apply, the following items may be included in the Board's list of qualifications: • Meet all qualifications based upon the distribution of population among congressional townships in the district. • Meet all qualifications based upon the distribution of population among incorporated and unincorporated areas.	Board members of some community unit school districts may be subject to historical residential qualifications based on the distribution of population among congressional townships in the district or between the district's incorporated and unincorporated areas. 105 ILCS 5/10-11. **Note:** If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5(c).

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Guidelines	Explanation
applications and who will contact applicants for an interview.	Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts the applications must be decided prior to posting the vacancy announcement.

☐ **Create the Board member vacancy announcement.**

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

☐ **Publicize the vacancy announcement by placing it on the District's website, announcing it at a meeting, and/or advertising it in the local newspaper(s).**

☐ **Accept and review applications from prospective candidates (see *Decide who will receive completed vacancy applications*, above).**

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☐ **Contact appropriate applicants for interviews (see *Decide who will receive completed vacancy applications*, above).**

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☐ **Develop interview questions.**

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

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

Interview Plan	Explanation
In each interview, the Board President will: Introduce Board members to the candidate at the beginning of the interview.	The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The P~~p~~resident presides at all meetings. 105 ILCS 5/10-13.

Interview Plan	Explanation
Describe the Board's interview process, selection process, anticipated timeline, and ask the candidate if he or she has questions about the Board's process for filling a vacancy by appointment. Describe the District's philosophy or mission statement. Describe the vacancy for the candidate by reviewing the: (1) qualifications, and (2) general duties and responsibilities of the Board and the Board members, including fiduciary responsibilities, conflict of interest, ethics and gift ban, and general Board member development. Begin asking the interview questions that the Board developed. Ask the candidate whether he or she has any questions for the Board. Thank the candidate and inform the candidate when the Board expects to make a decision and how the candidate will be contacted regarding the Board's decision.	The Board may also want to consider allowing an equal amount of time for each interview.

☐ **Fill vacancy by a vote during an open meeting of the Board before the 60th day (105 ILCS 5/10-10).**

☐ **Assist the appointed Board member in filing his or her statement of economic interest (5 ILCS 420/4A-105(c)).**

☐ **Announce the appointment to District staff and community.**

Announcement	Explanation
The Board appointed [*appointee's name*] to fill the vacancy on the Board. The appointment will be from [*date*] to [*date*]. The Board previously established qualifications for the appointee in a careful and thoughtful manner. [*Appointee's name*] meets these	The contents of the appointment announcement and length of time it is displayed are at the Board's sole discretion. The Board may want to consider announcing the appointment during its meeting and also by posting it in the same places that it posted the vacancy announcement. See Board policy 8:10, *Connection with the Community*.

Announcement	Explanation
qualifications and has demonstrated the willingness to accept the duties and responsibilities of a Board member. [*Appointee's name*] brings a clear understanding of the demands and expectations of being a Board member along with a constructive attitude toward the challenge.	

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

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

☐ **Inform IASB of the newly appointed Board member's name and directory information.** For instructions, see iasb.com/memberships-and-divisions/membership/member-database-instructions/how-to-update-your-district-roster.

Document Status: Draft Update - New

2:120-E3 Exhibit - Resolution to Appoint a Delegate to the Illinois Association of School Boards Delegate Assembly

New/Unpublished Section

WHEREAS, the Board of Education of [*insert name of School District*] (Board) is an active member of the Illinois Association of School Boards (IASB);[C1]

WHEREAS, as an IASB member, the Board can appoint a delegate to attend and participate in IASB's Delegate Assembly (Delegate Assembly), which is held each year in conjunction with the Joint Annual Conference in Chicago, Illinois;

WHEREAS, at the Delegate Assembly, one delegate from each participating board may vote on resolutions submitted by member boards and any proposed amendments to the IASB Constitution;

WHEREAS, resolutions adopted by the Delegate Assembly become Position Statements which guide IASB's advocacy efforts and legislative agenda on behalf of its members;

WHEREAS, the Board believes it is important that its collective voice be heard at the Delegate Assembly;

THEREFORE, BE IT RESOLVED, that the Board hereby:

1. Appoints [*insert Board member name*] to serve as the Board's delegate at the 20___ Delegate Assembly.
2. Appoints [*insert Board member name*] to serve as the Board's alternate delegate at the 20___ Delegate Assembly, should the delegate be unable to carry out their responsibilities.
3. Directs the appointed delegate to vote on the IASB resolutions and any proposed constitutional amendments at the 20___ Delegate Assembly (*choose one of the following*) [solely in accordance with the consensus reached by the Board at its meeting on [*insert date*]] *OR* [with their independent discretion based on the consensus of the Board at its meeting on [*insert date*] and any discussion had on each resolution].
4. The Board's consensus on the IASB resolutions and any proposed constitutional amendments at the 20___ Delegate Assembly shall be reflected in the Board's meeting minutes.

Adopted this _____ day of ________________, 20___.

Attested by: ___________________________________, Board President

Attested by: ___________________________________, Board Secretary

Crete-Monee School District 201-U

PRESSPlus Comments

C1. A new sample resolution is created to assist boards with annually appointing a delegate to the IASB Delegate Assembly (DA) and defining the delegate's authority to act on the board's behalf at the DA. This resolution is optional, and if customized and adopted by the board, is not required to be included in the board's policy manual. It is provided through your PRESS Plus dashboard for your convenience, and it can also be found at PRESS Online. **Issue 122, June 2026**

School Board

Exhibit - Resolution to Appoint a Delegate to the Illinois Association of School Boards Delegate Assembly [1]

WHEREAS, the Board of Education of [*insert name of School District*] (Board) is an active member of the Illinois Association of School Boards (IASB);

WHEREAS, as an IASB member, the Board can appoint a delegate to attend and participate in IASB's Delegate Assembly (Delegate Assembly), which is held each year in conjunction with the Joint Annual Conference in Chicago, Illinois;

WHEREAS, at the Delegate Assembly, one delegate from each participating board may vote on resolutions submitted by member boards and any proposed amendments to the IASB Constitution;

WHEREAS, resolutions adopted by the Delegate Assembly become Position Statements which guide IASB's advocacy efforts and legislative agenda on behalf of its members;

WHEREAS, the Board believes it is important that its collective voice be heard at the Delegate Assembly;

THEREFORE, BE IT RESOLVED, that the Board hereby:

1. Appoints [*insert Board member name*] to serve as the Board's delegate at the 20___ Delegate Assembly.

2. Appoints [*insert Board member name*] to serve as the Board's alternate delegate at the 20___ Delegate Assembly, should the delegate be unable to carry out their responsibilities.

3. Directs the appointed delegate to vote on the IASB resolutions and any proposed constitutional amendments at the 20___ Delegate Assembly (*choose one of the following*) [solely in accordance with the consensus reached by the Board at its meeting on [*insert date*]] *OR* [with their independent discretion based on the consensus of the Board at its meeting on [*insert date*] and any discussion had on each resolution].

4. The Board's consensus on the IASB resolutions and any proposed constitutional amendments at the 20___ Delegate Assembly shall be reflected in the Board's meeting minutes.

Adopted this _____ day of ________________, 20___.

Attested by: ____________________________________, Board President

Attested by: ____________________________________, Board Secretary

The footnotes should be removed before the material is used.

[1] Optional. A board may use this sample resolution annually to appoint and provide direction to its delegate at the Ill. Assoc. of School Board's Delegate Assembly at the Joint Annual Conference. For more information about the Delegate Assembly, see www.iasb.com/advocacy/delegate-assembly.

Document Status: Draft Update - Rewritten

Board of Education Meeting Procedure

2:220-E1 Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes

The following procedures govern the verbatim audio recordings and minutes of Board of Education meetings that are closed to the public.[C1]

Actor	Action
Before any Board meeting: Superintendent or designee	Arranges to have an audio recording device with adequate storage capacity and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled. The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.
Before a closed meeting: Board President or presiding officer (#3 and #4 may be delegated to the Board Secretary or Recording Secretary)	On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified in the motion, (3) takes a roll call vote, (4) ensures that the minutes record the vote of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.
Before a closed meeting: Superintendent or Board Secretary	Immediately before a closed meeting, tests and activates the audio recording device.

During a closed meeting: Board President or presiding officer	Convenes the closed meeting stating: Seeing a quorum of the Board of Education gathered today, [*state the date*], at [*state the time*], at ____ location, for the purpose of holding a closed meeting in order to confidentially discuss ___, I call the meeting to order. To record who is present, I request that each individual state his or her name and position with the District, and whether you are in person or participating remotely by audio or video conference. (**Note:** This script is an example.) Limits discussion to the topics that were included in the motion to go into a closed meeting. The failure to immediately call a person out-of-order who strays from the purposes included in the motion may result in an appearance of acquiescence. This responsibility to call a person out-of-order falls on each Board member in the event of the President's failure. Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.
After a closed meeting: Superintendent, Recording Secretary, or Board Secretary	**For Verbatim Recordings**: Takes possession of the recording of the closed meeting and labels it with identification information, specifically the date and items discussed. Adds the identification information contained on the recording's label to a cumulative list of closed meeting recordings. As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings. Upon request of a Board member: 1. Provides access to the verbatim recording at a reasonable time and place without disrupting District operations; 2. Supervises the access to the verbatim recording or delegates it to one of the following individuals in the District: a. The Recording Secretary,

	b. The Superintendent or designated administrator, or c. Any elected Board member; and 3. Logs the access to the recordings in exhibit 2:220-E7, *Access to Closed Meeting Minutes and Verbatim Recordings*. **For Closed Meeting Minutes**: Prepares written closed meeting minutes that include: • The date, time, and place of the closed meeting • The Board members present and absent • A summary of discussion on all matters proposed or discussed • The time the closed meeting was adjourned Upon request of a Board member: 1. Provides access to the closed session minutes at a reasonable time and place without disrupting District operations; 2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District: a. The Recording Secretary, b. The Superintendent or designated administrator, or c. Any elected Board member; and 3. Logs the access in exhibit 2:220-E7, *Access to Closed Meeting Minutes and Verbatim Recordings*.
After a closed meeting: Board of Education	Approves the previous closed meeting minutes at the next open meeting.
In preparation for the semi-annual review: Superintendent or designee	Every six months, prepares a recommendation concerning the continued need for confidential treatment of all of the Board's closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review. This step is in preparation for the Board's meeting to decide whether the need for confidential treatment of specific closed meeting minutes

	continues to exist. If the Board wants to discuss closed meeting minutes in closed session, places “review of unreleased closed meeting minutes” on a closed meeting agenda. Places “result of Board’s review of unreleased closed meeting minutes” as an item on a subsequent open meeting agenda.
In preparation for the semi-annual review: Individual Board members	Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent. Individual Board members should consider: (1) the Superintendent’s recommendation, (2) the recommendation of the Board Attorney, (3) other Board members’ opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act.
During the semi-annual review: Board of Education	The Board decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or (2) the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.
After the semi-annual review: Superintendent or designee	Relabels and refiles closed meeting minutes as appropriate.
Monthly: Board President	Adds “destruction of closed meeting verbatim recording” as an agenda item to an upcoming open meeting.
Monthly: Board of Education	Approves the destruction of particular closed meeting recording(s) that are at least 18 months old and for which approved minutes of the closed meeting already exist.

LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Rewritten for PRESS Plus. A redlined version showing the changes made in response to a five-year review is available at PRESS Online by logging in at www.iasb.com. **Issue 122, June 2026**

School Board

Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes

The following procedures govern the verbatim audio recordings and minutes of School Board meetings that are closed to the public.

Actor	Action
Before any Board meeting: Superintendent or designee	Arranges to have an audio recording device with adequate storage capacity and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled. [1] The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.
Before a closed meeting: Board President or presiding officer (#3 and #4 may be delegated to the Board Secretary or Recording Secretary)	On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified in the motion, (3) takes a roll call vote, (4) ensures that the minutes record the vote of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.
Before a closed meeting: Superintendent or Board Secretary [2]	Immediately before a closed meeting, tests and activates the audio recording device.

The footnotes should be removed before the material is used.

[1] A verbatim record of all closed meetings in the form of an audio or video recording must be kept. 5 ILCS 120/2.06. A verbatim recording may be through *audio* or *video* technology. ~~The IASB S~~sample policy 2:220, *School Board Meeting Procedure*, and this sample exhibit use *audio* on the basis that audio is generally more accessible than video for recording. In addition, producing an audio recording is generally less challenging and less expensive than producing a video. A board that uses a video recording should amend this exhibit and sample policy 2:220, *School Board Meeting Procedure*.

[2] This responsibility may be given to anyone. The interests of continuity, efficiency, and ease of holding someone accountable suggest that the superintendent be made responsible for making and storing the verbatim recordings and managing board member requests for later access to them pursuant to 5 ILCS 120/2.06(e). If the superintendent is not present in closed session (e.g., during discussions concerning the superintendent's performance as part of an evaluation in his or her absence) the task should be given to the board secretary. A board may also want to discuss renting a safety deposit box at a local financial institution that only the board president and secretary have access to for placement of audio recordings concerning the superintendent's performance as part of an evaluation in the superintendent's absence. If such recordings are maintained electronically, the board may want to discuss limiting access to the digital files so that only the board president and secretary can access them. See f/n 5 below for a discussion of board member access to the verbatim recordings pursuant to 5 ILCS 120/2.06 (e). However, consult the board attorney about the logistics of managing a storage location away from the district's administrative offices in light of 5 ILCS 120/2.06(e). This law added another purpose for access to verbatim recordings - allowing board members to listen to them without board approval.

See f/n 4 for a discussion about the logistics of access to these recordings, including the intent of the *in the presence of* language.

Actor	Action
During a closed meeting: Board President or presiding officer	Convenes the closed meeting stating: Seeing a quorum of the School Board~~ of Education~~ gathered today, ~~___~~[*state the date*], at [*state the time*]~~___ o'clock~~, at ____ location, for the purpose of holding a closed meeting in order to confidentially discuss ___, I call the meeting to order. ~~In order t~~To record who is present, I request that each individual state his or her name and position with the District, and whether you are in person or participating remotely by audio or video conference. (**Note:** This script is an example.) Limits discussion to the topics that were included in the motion to go into a closed meeting. The failure to immediately call a person out-of-order who strays from the purposes included in the motion may result in an appearance of acquiescence. This responsibility to call a person out-of-order falls on each Board member in the event of the President's failure. [3] Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.
After a closed meeting: Superintendent, Recording Secretary, or Board Secretary [4]	**For Verbatim Recordings**: Takes possession of the~~ audio~~ recording of the closed meeting and labels it with identification information, specifically the date and items discussed. Adds the identification information contained on the~~ audio~~ recording's label to a cumulative list of closed meeting recordings. As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.

The footnotes should be removed before the material is used.

[3] A violation of the Open Meetings Act is a Class C misdemeanor (5 ILCS 120/4) punishable by a fine of up to $1,500 and imprisonment for up to 30 days (730 ILCS 5/5-4.5-65).

[4] See the discussion in f/n 2, above. While the responsibilities for the *preparation and storage* of verbatim recordings and closed session minutes may be delegated to anyone, 5 ILCS 120/2.06(e) requires certain individuals to be present when seated board members request access to these items, which in these instances will not allow delegation by the superintendent, recording secretary, or board secretary (as discussed in f/n 2, above) in the context of supervising access to closed session minutes and verbatim recordings only. Delegation is appropriate in all other circumstances. Access to these items no longer requires board approval and must be provided in the public body's main office or official storage location, *in the presence of*:

a. A records secretary,
b. An administrative official of the board, or
c. Any elected board member.

See f/n 27 of sample policy 2:220, *School Board Meeting Procedure*, for an at-length discussion about the intent of and challenges with the *in the presence of* language.

Actor	Action
	Upon request of a Board member: [5] 1. Provides access to the verbatim recordings~~s minutes~~ at a reasonable time and place without disrupting District operations; 2. Supervises the access to the ~~closed session minutes~~verbatim recording or delegates it to one of the following individuals in the District: a. The Recording Secretary, b. The Superintendent or designated administrator, or c. Any elected Board member; and 3. Logs the access to the recordings in exhibit 2:220-E7, *Access to Closed Meeting Minutes and Verbatim Recordings*. **For Closed Meeting Minutes**: Prepares written closed meeting minutes that include: [6] • The date, time, and place of the closed meeting • The Board members present and absent • A summary of discussion on all matters proposed or discussed • The time the closed meeting was adjourned Upon request of a Board member: [7] 1. Provides access to the closed session minutes at a reasonable time and place without disrupting District operations; 2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District: a. The Recording Secretary, b. The Superintendent or designated administrator, or c. Any elected Board member; and 3. Logs the access in exhibit 2:220-E7, *Access to Closed Meeting Minutes and Verbatim Recordings*.
After a closed meeting: School Board	Approves the previous closed meeting minutes at the next open meeting.

The footnotes should be removed before the material is used.

[5] 5 ILCS 120/2.06(e) allows board members to access closed meeting verbatim recordings without board approval. For more discussion, see f/n 4, above.

If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

[6] 5 ILCS 120/2.06 requires that minutes contain, at a minimum, the first three items listed.

[7] See f/n 4, above.

If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

Actor	Action
In preparation for the semi-annual review: [8] Superintendent or designee	Every six months, prepares a recommendation concerning the continued need for confidential treatment of all of the Board's closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review. [9] This step is in preparation for~~of~~ the Board's meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist. If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda. [10] Places "result of Board's review of unreleased closed meeting minutes" as an item on a subsequent open meeting agenda.
In preparation for the semi-annual review: Individual Board members	Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent. Individual Board members should consider: (1) the Superintendent's recommendation, (2) the recommendation of the Board Attorney, (3) other Board members' opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act.
During the semi-annual review: School Board	The Board decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or (2) the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.
After the semi-annual review: Superintendent or designee	Re-labels and re-files closed meeting minutes as appropriate.
Monthly: Board President	Adds "destruction of closed meeting verbatim ~~audio~~ recording" as an agenda item to an upcoming open meeting.
Monthly: School Board	Approves the destruction of particular closed meeting recording(s) that are at least 18 months old and for which approved minutes of the closed meeting already exist.

The footnotes should be removed before the material is used.

[8] Required by 5 ILCS 120/2.06(d)~~, amended by P.A. 102-653~~. *Semi-annual* means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. Id.

[9] While not required, this is intended to assist board members during the semi-annual review of all closed meeting minutes.

[10] 5 ILCS 120/2(c)(21) allows boards to discuss the confidentiality needs of closed meeting minutes in closed session.

LEGAL REF.: 5 ILCS 120/, Open Meetings Act.

Document Status: Draft Update - Rewritten

Board of Education Meeting Procedure

2:220-E3 Exhibit - Closed Meeting Minutes

Closed Meeting Minutes[C1]

Items in bold are required by 5 ILCS 120/2.06(a)(1)-(3). Non-bolded items align with best practices.

Date:________________________________ **Start Time:**____________________________

Location:____

Name of person(s) taking and recording the minutes:____

Name of person presiding:____

Members in attendance (indicate whether in person or by video or audio conference):

1.
2.
3.
4.
5.
6.
7.

Members absent:

1.
2.
3.

This meeting was recorded verbatim in the form of ☐ audio or ☐ video recording

Summary of the discussion on all matters (as specified in the vote to close the meeting):

Basis for the finding that litigation is probable or imminent, if applicable (5 ILCS 120/2(c)(11)): ____
____

Time of adjournment or return to open meeting:________________________
____

____

____

The Board of Education, during its semi-annual review of closed session minutes, has decided these minutes no longer need confidential treatment. Semi-annual means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. 5 ILCS 120/ 2.06(d).

☐ **These minutes are available for public inspection as of:____________**
____

(Date)

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Rewritten for PRESS Plus. A redlined version showing the changes made in response to a five-year review is available at PRESS Online by logging in at www.iasb.com. **Issue 122, June 2026**

School Board

Exhibit - Closed Meeting Minutes

Closed Meeting Minutes

Items in bold are required by 5 ILCS 120/2.06(a)(1)-(3). Non-bolded items align with best practices.

Date:______________________________ Start **Time:**________________________________

Location:____

Name of person(s) taking and recording the minutes:_______________________________________

Name of person presiding:____

Members in attendance (indicate whether in person or by video or audio conference):
1.
2.
3.
4.
5.
6.
7.

Members absent:
1.
2.
3.

This meeting was recorded verbatim in the form of ☐ audio or ☐ video recording

Summary of the discussion on all matters (as specified in the vote to close the meeting):

Basis for the finding that litigation is probable or imminent, if applicable (5 ILCS 120/2(c)(11)):

Time of adjournment or return to open meeting:____

The School Board, during its semi-annual review of closed session minutes, has decided these minutes no longer need confidential treatment. Semi-annual means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. 5 ILCS 120/2.06(d)~~, amended by P.A. 102-653~~.

☐ **These minutes are available for public inspection as of:**_____________________________

(Date)

Document Status: Draft Update - Rewritten

2:220-E5 Exhibit - Semi-Annual Review of Closed Meeting Minutes

Logging and Review Process[C1]

Step 1. The Board Secretary or Recording Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Board held the closed meeting. See exhibit 2:220-E6, *Log of Closed Meeting Minutes*.

Step 2. The Board meets in closed session to review the log of unreleased closed meeting minutes. The Board or Recording Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Board members to review the actual minutes. The Board identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Board's Semi-Annual Review of Closed Meeting Minutes*, below.

Step 3. At least *semi-annually* (every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board), in an open meeting, the Board takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees' and Board members' personal information. 5 ILCS 120/2.06(d).

Step 4. The Board Secretary or Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Board made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Board's action to release it or a portion of it for public inspection; (3) continues to log new closed meeting minutes that the Board has not released for public inspection (see exhibit 2:220-E6, *Log of Closed Meeting Minutes*); and (4) maintains logs for access to closed session minutes pursuant to 5 ILCS 120/2.06(e).

Report Following the Board's Semi-Annual Review of Closed Meeting Minutes

The Board of Education met on __________________ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment: (*insert closed meeting dates*)

The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual's privacy or the District's interests.

<u>Action to Accept the Board's Semi-Annual Review of Closed Meeting Minutes</u>

Open meeting date:
Motion to approve the Board's semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Board identified as no longer needing confidential treatment made by: ______________ ______________________________________
Motion seconded by:
Action: ☐ Passed ☐ Failed

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Rewritten for PRESS Plus. A redlined version showing the changes made in response to a five-year review is available at PRESS Online by logging in at www.iasb.com. **Issue 122, June 2026**

School Board

Exhibit - Semi-Annual Review of Closed Meeting Minutes

Logging and Review Process

Step 1. The Board Secretary or Recording Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Board held the closed meeting. See exhibit 2:220-E6, *Log of Closed Meeting Minutes*.

Step 2. The Board meets in closed session to review the log of unreleased closed meeting minutes. The Board or Recording Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Board members to review the actual minutes. The Board identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Board's Semi-Annual Review of Closed Meeting Minutes*, below.

Step 3. At least *semi-annually* (every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board), in an open meeting, the Board takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees' and Board members' personal information. 5 ILCS 120/2.06(d)~~, amended by P.A. 102-653~~.

Step 4. The Board Secretary or Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Board made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Board's action to release it or a portion of it for public inspection; (3) continues to log new closed meeting minutes that the Board has not released for public inspection (see exhibit 2:220-E6, *Log of Closed Meeting Minutes*);~~,~~ and (4) maintains logs for access to closed session minutes pursuant to 5 ILCS 120/2.06(e).

Report Following the Board's Semi-Annual Review of Closed Meeting Minutes

The School Board met on __________________ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment: (*insert closed meeting dates*)

The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual's privacy or the District's interests.

Action to Accept the Board's Semi-Annual Review of Closed Meeting Minutes

Open meeting date:______________________________

Motion to approve the Board's semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Board identified as no longer needing confidential treatment made by: ____

Motion seconded by:____

Action: ☐ Passed ☐ Failed

Document Status: Draft Update - Rewritten

2:220-E8 Exhibit - Board of Education Records Maintenance Requirements and FAQs

Open Meetings Act[C1]

The Open Meetings Act (OMA) requires public bodies to "keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording." 5 ILCS 120/2.06(a). Minutes must include, but are not limited to: (1) the date, time, and place of the meeting; (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (3) a summary of discussion on all matters proposed, deliberated, or decided, and record of any votes taken. Id.

The remainder of 5 ILCS 120/2.06 addresses the approval of open meeting minutes, the treatment of verbatim recordings of closed meetings, the semi-annual review of closed meeting minutes, the confidential nature of closed meeting minutes, and the right of persons to address public officials under rules established and recorded by the public body. The requirements of 5 ILCS 120/2.06, as well as OMA requirements pertaining to Board agendas, are included in Board policy 2:220, *Board of Education Meeting Procedure*.

Exhibit 2:220-E3, *Closed Meeting Minutes*, provides a sample template for keeping closed meeting minutes that incorporates the requirements of 5 ILCS 120/2.06 of OMA. It also includes an area to designate if the Board has determined, pursuant to 5 ILCS 120/2.06(d), that the closed meeting minutes no longer need confidential treatment.

Exhibit 2:220-E4, *Open Meeting Minutes*, contains a protocol for open meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also provides a sample template for keeping open meeting minutes.

Exhibit 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*, contains a process for implementing the semi-annual review of closed meeting minutes, and exhibit 2:220-E6, *Log of Closed Meeting Minutes*, is designed to facilitate this semi-annual review (every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board). 5 ILCS 120/2.06(d).

Exhibit 2:220-E9, *Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration*, contains a process for compliance with 5 ILCS 120/7(e) when a board is meeting without a physical quorum present at the meeting location during a disaster declaration related to public health concerns.

Local Records Act

The Local Records Act (LRA) provides that public records, including "any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connections with the transaction of public business and preserved or appropriate for preservation by such agency or officer" must be preserved unless the State Local Records Commission has given permission to destroy those records. 50 ILCS 205/3 and 7. Board records, including agendas, meeting packets and meeting minutes, fall into this definition.

Public bodies located in Cook County must work with the Local Records Commission of Cook County to determine how long they must retain public records. Public bodies located outside of Cook County must work with the Downstate Local Records Commission to determine how long they must retain public records.

Board policy 2:250, *Access to District Public Records*, contains a subhead entitled **Preserving Public Records** which provides as follows:

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

See the sample policy, 2:220, *Board of Education Meeting Procedure*, for all relevant footnotes. Also see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*, for recommendations regarding school district records retention protocols and links to web-based record management resources.

Open Meeting Minutes

Are we required to approve	Must they be semi-annually	May we release them to the public?	May we destroy them?

them?	reviewed?		
Yes, within 30 days or at the next subsequent meeting, whichever is later. *A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later*. 5 ILCS 120/2.06(b).	No. Unlike the closed meeting requirement, OMA does not contain semi-annual review requirements for open meeting minutes.	Yes, must release within 10 days after minutes are approved. *The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. [A] public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days after the approval of the minutes by the public body. [A]ny minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.* 5 ILCS 120/2.06(b).	No. There is no OMA provision permitting the destruction of open meeting minutes, and **they must be preserved unless the State Local Records Commission has given permission to destroy them.** If a public body would like to destroy open meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.

<u>Open Meeting Verbatim Recordings</u>

Are we required to approve	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?

them?			
No. OMA does not require public bodies to approve verbatim recordings of open meetings.	No. Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, unless the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/ 7(e). OMA does not contain semi-annual review requirements for open meeting verbatim recordings.	Yes. Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, unless the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/ 7(e). If a public body makes verbatim recordings of open meetings, then such recordings are subject to public disclosure pursuant to the Freedom of Information Act. 5 ILCS 140/.	Open meeting verbatim recordings made of meetings held without the physical presence of a quorum of a public body during a disaster declaration related to public health concerns may be destroyed after 18 months if the prerequisites are met. (See **Closed Meeting Verbatim Recordings** subhead, below). *[P]ublic bodies holding open meetings under this subsection (e) must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this paragraph (9) shall be made available to the public under, and are otherwise subject to, the provisions of Section 2.06*. 5 ILCS 120/7(e)(9). In all other cases, if a public body would like to destroy open

			meeting verbatim recordings, then it must comply with the LRA and work with its Local Records Commission.

Closed Meeting Minutes

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
Yes. OMA does not directly state public bodies are required to approve closed meeting minutes, nor does it set a time frame for such approval. However, OMA Section 2.06(d) requires public bodies to meet at least semi-annually to "review minutes of all closed meetings." 5 ILCS 120/ 2.06(d). Moreover, OMA Section 2.06(c) specifically allows the destruction of closed meeting verbatim recordings only if certain conditions are met, one of which is that "the public body approves minutes of the closed meeting that meet the written minutes requirements of	Yes. *Each public body shall periodically meet to review all existing minutes of all prior closed meetings (this includes records from all time that the board has been in existence). Meetings to review minutes shall occur every 6 months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the public body. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection*. 5 ILCS 120/2.06(d).	Yes, if prerequisites are met. *Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.* 5 ILCS 120/ 2.06(f).	No. There is no OMA provision permitting the destruction of closed meeting minutes, and **they must be preserved unless the State Local Records Commission has given permission to destroy them.** In addition: *No minutes of meetings closed to the public shall be removed*

subsection (a) of this Section." 5 ILCS 120/ 2.06(c)(2). Both of these tasks would be difficult to achieve if closed meeting minutes were not first approved. One practice is to approve closed meeting minutes within the same time frame that open meeting minutes are approved – within 30 days of the meeting or at the next subsequent meeting, whichever is later.			*from the public body's main office or official storage location, except by vote of the public body or by court order.* 5 ILCS 120/2.06(f). If a public body would like to destroy closed meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.

Closed Meeting Verbatim Recordings

Are we required	Must they be semi-	May we release them to the public?	May we destroy them?

to approve them?	annually reviewed?		
No. OMA does not require approval of closed meeting verbatim recordings.	No. OMA does not require semi-annual review of closed meeting verbatim recordings.	Possibly but unlikely. *Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act.* 5 ILCS 120/2.06(e). But see Kodish v. Oakbrook Terrace Fire Protection Dist. (235 F.R.D. 447 (N.D.Ill. 2006), where a federal district court ordered that closed meeting verbatim recordings be disclosed to the Plaintiff in discovery because his primary claim was brought under federal law.	Yes, after 18 months if prerequisites are met. *The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after: 1.) the public body approves the destruction of a particular recording; and 2.) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.* 5 ILCS 120/2.06(c). In addition: *No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order.* 5 ILCS 120/2.06(e).

PRESSPlus Comments

C1. Rewritten for PRESS Plus. A redlined version showing the changes made in response to a five-year review is available at PRESS Online by logging in at www.iasb.com. **Issue 122, June 2026**

School Board

Exhibit - School Board Records Maintenance Requirements and FAQs

Open Meetings Act

The Open Meetings Act (OMA) requires public bodies to "keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording." 5 ILCS 120/2.06(a). Minutes must include, but are not limited to: (1) the date, time, and place of the meeting; (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (3) a summary of discussion on all matters proposed, deliberated, or decided, and record of any votes taken. Id.

The remainder of ~~Section~~5 ILCS 120/~~-~~2.06 addresses the approval of open meeting minutes, the treatment of verbatim recordings of closed meetings, the semi-annual review of closed meeting minutes, the confidential nature of closed meeting minutes, and the right of persons to address public officials under rules established and recorded by the public body. The requirements of ~~Section~~5 ILCS 120/~~-~~2.06, as well as OMA requirements pertaining to Board agendas, are included in Board policy 2:220, *School Board Meeting Procedure*.

Exhibit 2:220-E3, *Closed Meeting Minutes*, provides a sample template for keeping closed meeting minutes that incorporates the requirements of ~~Section~~ 5 ILCS 120/2.06 of OMA. It also includes an area to designate if the Board has determined, pursuant to ~~Section~~ 5 ILCS 120/2.06(d), that the closed meeting minutes no longer need confidential treatment.

Exhibit 2:220-E4, *Open Meeting Minutes*, contains a protocol for open meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also provides a sample template for keeping open meeting minutes.

Exhibit 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*, contains a process for implementing the semi-annual review of closed meeting minutes, and exhibit 2:220-E6, *Log of Closed Meeting Minutes*, is designed to facilitate this semi-annual review
(every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board). 5 ILCS 120/2.06(d)~~, amended by P.A. 102-653~~.

Exhibit 2:220-E9, *Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration*, contains a process for compliance with ~~10~~5 ILCS 120/7(e)~~, added by P.A. 101-640,~~ when a board is meeting without a physical quorum present at the meeting location during a disaster declaration related to public health concerns.

Local Records Act

The Local Records Act (LRA) provides that public records, including "any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connections with the transaction of public business and preserved or appropriate for preservation by such agency or officer" must be preserved unless the State Local Records Commission has given permission to destroy those records. 50 ILCS 205/3 and 7. Board records, including agendas, meeting packets and meeting minutes, fall into this definition.

Public bodies located in Cook County must work with the Local Records Commission of Cook County to determine how long they must retain public records. Public bodies located outside of Cook County must work with the Downstate Local Records Commission to determine how long they must retain public records.

Board ~~Policy~~ policy 2:250, *Access to District Public Records*, contains a subhead entitled **Preserving Public Records** which provides as follows:

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

See the sample policy, 2:220, *School Board Meeting Procedure*, for all relevant footnotes. Also see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*, for recommendations regarding school district records retention protocols and links to web-based record management resources.

Open Meeting Minutes

Are we required to approve them?	**Must they be semi-annually reviewed?**	**May we release them to the public?**	**May we destroy them?**
Yes, within 30 days or at the next subsequent meeting, whichever is later. *A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later*. 5 ILCS 120/2.06(b).	No. Unlike the closed meeting requirement, OMA does not contain semi-annual review requirements for open meeting minutes.	Yes, must release within 10 days after minutes are approved. *The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. ~~Beginning July 1, 2006, at the time it complies with other requirements of this subsection, a~~[A] public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days*	No. There is no OMA provision permitting the destruction of open meeting minutes, and **they must be preserved unless the State Local Records Commission has given permission to destroy them.** If a public body would like to destroy open meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
		after the approval of the minutes by the public body. ~~*Beginning July 1, 2006,*~~ *[A]~~a~~ny minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.* 5 ILCS 120/2.06(b).	

Open Meeting Verbatim Recordings

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
No. OMA does not require public bodies to approve verbatim recordings of open meetings.	No. Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, unless the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/7(e). OMA does not contain semi-annual review requirements for open meeting verbatim recordings.	Yes. Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, unless the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/7(e). If a public body makes verbatim recordings of open meetings, then such recordings are subject to public disclosure pursuant to the Freedom of Information Act. 5 ILCS 140/.	Open meeting verbatim recordings made of meetings held without the physical presence of a quorum of a public body during a disaster declaration related to public health concerns may be destroyed after 18 months if the prerequisites are met. (See **Closed Meeting Verbatim Recordings** subhead, below). *[P]ublic bodies holding open meetings under this subsection (e) must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this paragraph (9) shall be made available to the public under, and are otherwise subject to, the provisions of Section*

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Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
			2.06. 5 ILCS 120/7(e)(9). In all other cases, if a public body would like to destroy open meeting verbatim recordings, then it must comply with the LRA and work with its Local Records Commission.

Closed Meeting Minutes

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
Yes. OMA does not directly state public bodies are required to approve closed meeting minutes, nor does it set a time frame for such approval. However, OMA Section 2.06(d) requires public bodies to meet at least semi-annually to "review minutes of all closed meetings." 5 ILCS 120/2.06(d). Moreover, OMA Section 2.06(c) specifically allows the destruction of closed meeting verbatim recordings only if certain conditions are met, one of which is that "the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section." 5 ILCS 120/2.06(c)(2). Both of	Yes. *Each public body shall periodically meet to review all existing minutes of all prior closed meetings (this includes records from all time that the board has been in existence). Meetings to review minutes shall occur every 6 months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the public body. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes*	Yes, if prerequisites are met. *Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.* 5 ILCS 120/2.06(f).	No. There is no OMA provision permitting the destruction of closed meeting minutes, and **they must be preserved unless the State Local Records Commission has given permission to destroy them.** In addition: *No minutes of meetings closed to the public shall be removed from the public body's main office or official storage location, except by vote of the public body or by court order.* 5 ILCS 120/2.06(f). If a public body would like to destroy closed meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
these tasks would be difficult to achieve if closed meeting minutes were not first approved. One practice is to approve closed meeting minutes within the same time frame that open meeting minutes are approved – within 30 days of the meeting or at the next subsequent meeting, whichever is later.	*or portions thereof no longer require confidential treatment and are available for public inspection*. 5 ILCS 120/2.06(d)~~, amended by P.A. 102-653~~.		the Local Records Commission would approve of their destruction.

Closed Meeting Verbatim Recordings

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
No. OMA does not require approval of closed meeting verbatim recordings.	No. OMA does not require semi-annual review of closed meeting verbatim recordings.	Possibly but unlikely. *Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act.* 5 ILCS 120/2.06(e). But see Kodish v. Oakbrook Terrace Fire Protection Dist. (235 F.R.D. 447 (N.D.Ill. 2006), where a federal district court ordered	Yes, after 18 months if prerequisites are met. *The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after: 1.) the public body approves the destruction of a particular recording; and 2.) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.* 5 ILCS 120/2.06(c).

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
		that closed meeting verbatim recordings be disclosed to the Plaintiff in discovery because his primary claim was brought under federal law.	In addition: *No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order*. 5 ILCS 120/2.06(e).

DRAFT

Document Status: Draft Update

SECTION 2 - BOARD OF EDUCATION

2:230 Public Participation at Board of Education Meetings and Petitions to the Board

During each regular and special open meeting of the Board of Education or Board Committee, an overall maximum of 30 minutes will be allotted to comment to or ask questions of the Board (public participation), subject to the reasonable constraints established and recorded in this policy~~'s guidelines below~~.[C1]

The Board listens to comments or questions during public participation; responses to comments to or questions of the Board are most often managed through policy 3:30, *Chain of Command*.

To preserve sufficient time for the Board to conduct its business, any person/group appearing before the Board is expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President. This includes following the directives of the Board President to maintain order and decorum for all.
2. Use a sign-in sheet, if requested.
3. Identify oneself and be brief. The time allotted to address the Board during public participation shall be limited to three~~five~~[C2] minutes. In ~~unusual~~ extenuating circumstances, e.g., to accommodate a person's disability or language interpreter, and when an individual/group has made a request to speak for a longer period of time, the Board President may consider the request to lengthen the time. If multiple individuals wish to address the Board on the same subject, the group is encouraged to appoint a spokesperson.
4. Respect, when necessary and appropriate, the Board President's authority to:
    a. Shorten the time for each person to address the Board during public participation to conserve time and give the maximum number of individuals/ group an opportunity to speak; and/or
    b. Determine procedural matters regarding public participation not otherwise covered in Board policy.
5. Conduct oneself with respect and civility toward others and otherwise abide by Board policy, 8:30, *Visitors to and Conduct on School Property*.

6. If the allotted time for an individual/group to speak to the Board has exceeded five minutes, the Board President can ask the Superintendent to perform the necessary follow-up with the community member.
7. If the time allotted for public comment has expired, the Board President can inform the audience and members of the public who wish to address the Board, that they can contact the Superintendent for a meeting to discuss their issues or address the Board at the next meeting.

Petitions or written correspondence to the Board shall be presented to the Board in the next regular Board packet.

LEGAL REF.:

105 ILCS 5/10-6 and 5/10-16.

5 ILCS 120/2.06, Open Meetings Act.

I.A. Rana Enterprises, Inc. v. City of Aurora, 630 F.Supp.2d 912 (N.D.Ill. 2009).

CROSS REF.: 2:220 (Board of Education Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: August 13, 2024

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Updated in response to a five-year review. **Issue 122, June 2026**

C2. A three-minute time limit is suggested, based on the practice of many boards. Time limits for any one person to address the Board during public participation may be adjusted up, but consult the board attorney before setting time limits below three minutes. Based upon I.A. Rana Enterprises, Inc. v. City of Aurora, 630 F.Supp.2d 912 (N.D.Ill. 2009), many attorneys agree that speaker time limits should be a minimum of three minutes per person, but some public bodies have successfully implemented two minutes per person. **Issue 122, June 2026**

School Board

Public Participation at School Board Meetings and Petitions to the Board [1]

During each regular and special open meeting of the School Board or Board Committee, any person may comment to or ask questions of the ~~School~~ Board (*public participation*), subject to the reasonable constraints established and recorded in this policy~~'s guidelines below~~.[2] The Board listens to comments

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

[1] The Open Meetings Act (OMA) requires public bodies to have rules (a policy) on public participation. Public comment is synonymous with public participation. They are used interchangeably in the footnotes below. 5 ILCS 120/. Customize this policy to ensure it is responsive to the community's public participation needs.

OMA and the School Code grant any person the right to address a school board during any open meeting. See 5 ILCS 120/2.06, 105 ILCS 5/10-6 (board of directors), 5/10-16 (board of education), and Public Access Opinion (PAO) 19-2. See f/ns 2, 4, and 5 below for more detailed discussions.

Policy 2:110, *Qualifications, Term, and Duties of Board Officers*, governs the board president's duties, one of which is to preside at all meetings, including presiding over public participation and enforcing this policy. Enforcing this policy is key to the board conducting a successful meeting. The board president should speak with the board attorney to: (1) craft opening statements for the public participation portion of the meeting related to enforcement of this policy and consequences for violating it or any other related board policies, and (2) discuss whether the presence of security and/or law enforcement is advisable, especially when public participation is expected to be long or contentious. For ~~a~~ resources on best practices for managing challenging public comment periods, including a sample opening statement, see: www.iasb.com/policy-services-and-school-law/guidance-and-resources/managing-challenging-public-comment-periods/ and other learning opportunities through IASB's Online Learning Center, at: www.iasb.com/conference-training-and-events/training/online-learning/online-courses/.

While it does not apply directly to school boards, the Empowering Public Participation Act, 5 ILCS 850/, ~~added by P.A. 102-348,~~ prohibits law enforcement agencies or officers employed by them from intentionally conducting background checks of individuals based solely on the fact that they are speaking at an open meeting of a public body. Consult the board attorney for a discussion related to the appropriateness of board members and school officials using search engines and/or other social media platforms to search for information about individuals speaking during public participation.

[2] This sentence combines 105 ILCS 5/10-16 and 5 ILCS 120/2.06(g). Prohibiting public comment and/or restricting public comment to written filings violates the mandates and overarching purpose of OMA. Roxana CUSD No. 1 v. EPA, 998 N.E.2d 961 (Ill.App.4 2013).

While some courts have upheld public bodies limiting public comment to certain subjects, such as only subjects on the agenda or only related to the business of the public body, this sample policy does not provide default sample text for limiting public comment to certain subjects. This is because 105 ILCS 5/10-16 requires school boards to allow members of the public "to comment to or ask questions of the board." The cases in which courts upheld limiting public comment to certain subjects involved public bodies with no governing statutes that required the public body to allow the public "to comment to or **ask questions of the board.**"

Consult with the board attorney for guidance before adopting a maximum time limit for public participation; public comment rules are frequently challenged. The Ill. Public Access Counselor (PAC) has issued only unpublished, non-binding opinions approving of 30- and 60-minute overall time limits for public comment under OMA. The PAC has issued a binding opinion finding that a public body violated OMA when, pursuant to an unrecorded rule, it limited public comment on a controversial topic to 15 minutes. ~~Public Access Opinion (~~PAO~~)~~ 19-2. The PAC noted that while the lack of an adopted policy on the time period for public comment did not "necessarily mean that public comment must be allowed to continue indefinitely," the public body presented "no evidence that limiting comments was necessary to maintain decorum or that extending the comment period would have unduly interfered with the orderly transaction of public business." Id. If the board wants to establish a maximum time limit for public participation, it may revise the first sentence of the paragraph as follows:

or questions during public participation; responses to comments to or questions of the Board are most often managed through Board policy 3:30, *Chain of Command*. **3**

To preserve sufficient time for the Board to conduct its business, any person appearing before the Board is expected to follow these guidelines: **4**

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President. This includes following the directives of the Board President to maintain order and decorum for all.

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

For a maximum of 60 minutes ~~D~~during each regular and special open meeting of the School Board or Board Committee, any person may comment to or ask questions of the ~~School~~ Board (*public participation*), subject to the reasonable constraints established and recorded in this policy~~'s guidelines below~~. The time limit for public participation at a meeting may be extended upon the majority vote of the Board members at the regular or special meeting.

If a board wants to establish a time limit other than 60 minutes, substitute with the time limit desired. Note that any extension of a public comment period cannot be based on the viewpoint of a speaker(s).

3 The law does not require board members to respond during public participation, and best practices for meetings instruct board members to refrain from engaging in commentary with members of the public during public participation.

4 OMA does not but PAO 19-2 does provide specific rules. These guidelines may be amended. The guidelines for public comment and the time limits (if any) should be reviewed with the board attorney. Restrictions on public comment during board meetings must respect free speech rights guaranteed by the First Amendment. Do not use viewpoint-based restrictions on public comment time unless approved by the board attorney. Many decisions address the tension between free speech and rules for public comment during meetings. See, for example:

Mnyofu v. Rich Twp. High Sch. Dist., 2007 WL 1308523 (N.D.Ill. 2007)(school boards may impose guidelines for running meetings to maintain effectiveness).

PAO 19-2 (T~~t~~he PAC ordered a board to refrain from applying unestablished and unrecorded rules to restrict public comment at future meetings stating, "Though a public body has inherent authority to conduct its meetings in an efficient manner and need not allow public comment to continue indefinitely, there was no evidence that capping public comment to 15 minutes was necessary to maintain decorum or that extending the comment period would have unduly interfered with the orderly transaction of public business.").

PAO 21-9 (The PAC found a board violated OMA when it required public comments about retention of a coach to be made in closed, rather than open, session).

PAO 26-1 (The PAC suggested that a public body can cut off inflammatory comments that disrupt a meeting because the content is profane or insulting, even in the absence of a specific rule; however, a public body cannot cut off a speaker simply because they name a certain member of the board). Note that this sample policy incorporates the rules in sample policy 8:30, *Visitors to and Conduct on School Property*, which, in part, prohibits threats, harassment, and obscenity).

Lowery v. Jefferson Co. Bd of Educ., 586 F.3d 427 (6th Cir. 2009)(upheld a rule prohibiting speakers from being frivolous, repetitive, or harassing).

Steinburg v. Chesterfield Cnty. Planning Comm'n, 527 F.3d 377 (4th Cir. 2008), *cert. denied* (upheld removal of a man from a public meeting for behaving in a hostile manner).

Norse v. City of Santa Cruz, 629 F.3d 966 (9th Cir. 2010)(remanded a decision upholding community member's removal from city council meeting after community member gave a Nazi salute in presiding officer's direction, which is considered as classic viewpoint discrimination for which city council members were not entitled to qualified immunity).

Fairchild v. Liberty Indep. Sch. Dist., 597 F.3d 747 (5th Cir. 2010)(upheld a policy banning discussion of personnel matters during public comment; the rationale turned, at least in part, on the Texas open meetings law).

Bach v. Sch. Bd. of the City of Virginia Beach, 139 F.Supp.2d 738 (E.D.Va. 2001)(struck down a rule that prohibited personal attacks during public comments at meetings).

Ison v. Madison Local Sch. Dist. Bd. of Educ., 3 F.4th 887 (6th Cir. 2021)(found a policy prohibiting statements that were personally directed, abusive, or antagonistic constituted viewpoint discrimination in violation of the First Amendment).

Platt v. Mansfield, 162 F.4th 430 (4th Cir. 2025)(holding a board policy prohibiting public comments that target, criticize, or attack individual students likely did not violate the First Amendment if applied in a nondiscriminatory manner).

2. Use a sign-in sheet, if requested. [5]
3. Identify oneself and be brief. Ordinarily, the time for any one person to address the Board during public participation shall be limited to three~~five~~ minutes.[6] In ~~unusual~~ extenuating circumstances, e.g., to accommodate a person's disability or language interpreter, and when an individual has made a request to speak for a longer period of time, the Board President may allow a person to speak for more than three~~five~~ minutes. If multiple individuals wish to address the Board on the same subject, the group is encouraged to appoint a spokesperson.
4. Observe, when necessary and appropriate, the Board President's authority to:
    a. Shorten the time for each person to address the Board during public participation to conserve time and give the maximum number of people an opportunity to speak; and/or
    b. Determine procedural matters regarding public participation not otherwise covered in Board policy.
5. Conduct oneself with respect and civility toward others and otherwise abide by Board policy 8:30, *Visitors to and Conduct on School Property*. [7]

Petitions or written correspondence to the Board shall be presented to the Board in the next regular Board packet. [8]

Commented [DJ1]: Note to Subscribers: A three-minute time limit is suggested, based on the practice of many boards. See the discussion in footnote 6 about the length of time for public comment.

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

[5] Optional. A public commenter cannot be excluded for refusing to provide his or her home address or because he or she is not a district resident. PAOs 14-9 and 19-9. Generally, a board should consult with its attorney regarding the practice of excluding public commenters for reasons relating to the sign-in sheet.

[6] Time limits for any one person to address the Board during public participation may be adjusted up~~, or down~~but consult the board attorney before setting time limits below three minutes. Based upon I.A. Rana Enterprises, Inc. v. City of Aurora, 630 F.Supp.2d 912 (N.D.Ill. 2009), many attorneys agree that speaker time limits should be a minimum of three minutes per person, but some public bodies have successfully implemented two minutes per person. This sample uses three~~five~~ minutes because it is a frequently used time limit. See I.A. Rana Enterprises, Inc. ~~v. City of Aurora, 630 F.Supp.2d 912 (N.D.Ill. 2009)~~ (finding a three-minute time limit reasonable citing Wright v. Anthony, 733 F.2d 575, 577 (8th Cir. 1984) which upheld a five-minute time limit for individual public comments and holding time limits serve "a significant governmental interest in conserving time and in ensuring that others ha[ve] an opportunity to speak"). Note that the Ill. Municipal Code, which applied to the City of Aurora in I.A. Rana Enterprises, Inc., did not have the same requirements as the School Code to allow members of the public to "comment to or ask questions of the board." I.A. Rana Enterprises, Inc. also predated the 2011 amendments to OMA allowing "[a]ny person an opportunity to address public officials under the rules established and recorded by the public body."

~~Based upon I.A. Rana Enterprises, Inc., many attorneys agree that speaker time limits should be a minimum of three minutes per person, but some public bodies have successfully implemented two minutes per person. Consult the board attorney before setting time limits below three minutes.~~

[7] See sample policy 8:30, *Visitors to and Conduct on School Property*, at f/n 23, for a discussion regarding exclusion of persons from board meetings for their failure to follow conduct rules ~~Nuding v. Cerro Gordo CUSD, 313 Ill.App.3d 344 (4th Dist. 2000)(board was authorized to ban parent from attending all school events and extracurricular activities by 105 ILCS 5/24-24; the ban was based on the parent's exposing a toy gun and a pocketknife at a board meeting)~~.

Initiating lawsuits against citizens over their uncivil public comments is tricky. Always consult the board attorney, and in some instances, a board member may need to consult his or her own private attorney. The Ill. Citizen Participation Act (CPA) (735 ILCS 110/15) provides citizens a mechanism to stop lawsuits brought against them for their public comments. The law, referred to as *anti-SLAPP legislation*, prohibits public officials from suing citizens for "any act or acts in furtherance of [their] rights of petition, speech, association, or to otherwise participate in government." SLAPP means *Strategic Lawsuits Against Public Participation*.

The CPA does not bar public officials from seeking relief when they can allege that (a) the citizen's comments were "not genuinely aimed at procuring favorable government action, result, or outcome," and/or (b) the citizen engaged in defamation or another intentional tort causing the public official damage. See Sandholm v. Kuecker, 962 N.E.2d 418 (Ill. 2012).

[8] A board of school directors must reply to a written request for consideration of a matter within 60 days from the board's receipt of the request. 105 ILCS 5/10-6. Boards of education may treat petitions or correspondence according to a uniform, locally developed process, e.g., a board may wish to limit petitions and written correspondence presented to the board to those that are received at the district office via mail or hand delivery.

LEGAL REF.: 105 ILCS 5/10-6 and 5/10-16.
5 ILCS 120/2.06, Open Meetings Act.
I.A. Rana Enterprises, Inc. v. City of Aurora, 630 F.Supp.2d 912 (N.D.Ill. 2009).

CROSS REF.: 3:30 (Chain of Command), 2:220 (School Board Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

Document Status: Review and Monitoring

SECTION 3 - GENERAL SCHOOL ADMINISTRATION

3:40 Superintendent

Duties and Authority[C1]

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with Board of Education policies and directives, and State and federal law. District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law, including the special reporting responsibilities in policy 5:90, *Abused and Neglected Child Reporting*. The Superintendent is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. This includes formulating and implementing any and all necessary requirements and/or procedures necessary to provide educational services and/or to permit individuals to be on school property during any period of time in which the Governor or the Director of the Illinois Department of Public Health has issued a declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency while any portion of the District area is covered by the disaster area. The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.

Qualifications

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent endorsement issued by the Illinois State Educator Preparation and Licensure Board.

Evaluation

The Board will evaluate, at least annually, the Superintendent's performance and effectiveness, using standards and objectives developed by the Superintendent and Board that are consistent with State law, the Board's policies, and the Superintendent's contract. A specific time should be designated for a formal evaluation session with all Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Superintendent shall annually present evidence of professional growth through attendance at educational conferences, in-service training, or similar continuing education pursuits.

Compensation and Benefits

The Board and the Superintendent shall enter into an employment agreement that conforms to Board policy and State law. This contract shall govern the employment relationship between the Board and the Superintendent. The terms of the Superintendent's employment agreement, when in conflict with this policy, will control.

LEGAL REF.:

105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-21.9, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.

5 ILCS 120/7.3, Open Meetings Act.

23 Ill.Admin.Code §§1.310, 1.705, and 25.355.

CROSS REF: 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions)

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
- Make no changes, but update the adoption date to reflect that the policy has been reviewed and re-adopted

Issue 122, June 2026

Document Status: Review and Monitoring

SECTION 3 - GENERAL SCHOOL ADMINISTRATION

3:50 Administrative Personnel Other Than the Superintendent

Duties and Authority[C1]

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

Qualifications

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

Evaluation

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

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

Administrative Work Year

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

Compensation and Benefits

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

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

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

LEGAL REF:

105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A-4.

23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

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

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

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Issue 122, June 2026

Document Status: Review and Monitoring

SECTION 3 - GENERAL SCHOOL ADMINISTRATION

3:60 Administrative Responsibility of the Building Principal

Duties and Authority[C1]

The Board of Education, upon the recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The primary responsibility of a Building Principal is the improvement of instruction. Each Building Principal shall perform all duties as described in State law as well as such other duties as specified in his or her employment agreement and as the Superintendent may assign that are consistent with the Building Principal's education and training.[C2]

The Superintendent or designee shall develop and maintain a principal evaluation plan that complies with Section 24A-15 of the School Code. Using that plan, the Superintendent or designee shall evaluate each Building Principal and Assistant Principal. The Superintendent or designee may conduct additional evaluations.

Each Building Principal and Assistant Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

Evaluation Plan

The Superintendent or designee shall implement an evaluation plan for Principals and Assistant Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules. Using that plan, the Superintendent or designee or, in the absence of the Superintendent or his or her designee, an individual appointed by the Board who holds a valid professional educator license endorsed for superintendent. The Superintendent or designee may conduct additional evaluations.

Qualifications and Other Terms and Conditions of Employment

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

LEGAL REF.:

105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.

10 ILCS 5/4-6.2, Election Code.

105 ILCS 127/, School Reporting of Drug Violations Act.

23 Ill.Admin.Code Parts 35 and 50, Subpart D.

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

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

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Issue 122, June 2026

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Issue 122, June 2026

Document Status: Review and Monitoring

SECTION 3 - GENERAL SCHOOL ADMINISTRATION

3:70 Succession of Authority

If the Superintendent, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Superintendent and approved by the Board of Education.[C1]

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 3:30 (Chain of Command)

ADOPTED: August 16, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

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Issue 122, June 2026

General School Administration

Succession of Authority

If the Superintendent, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Superintendent and submitted to the School Board. [1]

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 3:30 (Chain of Command)

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

[1] This policy is at the local board's discretion. Submitting the succession plan to the board provides an opportunity for the superintendent to manage the district and provide leadership for the staff while allowing the board to monitor this policy and stay informed. See the IASB's *Foundational Principles of Effective Governance* at: www.iasb.com/training-and-events/training/training-resources/foundational-principles-of-effective-governance~~www.iasb.com/pdf/found_prin.pdf~~. A board may want to approve the succession plan used in the event of an administrator's temporary absence and, if so, should delete ~~submitted to~~ and replace it with "approved by".

Document Status: Review and Monitoring

SECTION 4 - OPERATIONAL SERVICES

4:120 Food Services

Good nutrition shall be promoted in the District's meal programs and in other food and beverages that are sold to students during the school day. The Superintendent shall manage a food service program that complies with this policy and is in alignment with School Board policy 6:50, *School Wellness*.[C1]

Food or beverage items sold to students as part of a reimbursable meal under federal law must follow the nutrition standards specified in the U.S. Dept. of Agriculture rules that implement the National School Lunch and Child Nutrition Acts. Schools being reimbursed for meals under these laws are *participating schools*.

The food service program in participating schools shall comply with the nutrition standards specified in the U.S. Dept. of Agriculture's *Smart Snacks rules* when it offers competitive foods to students on the school campus during the school day. *Competitive foods* are all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. The food service programs in participating schools shall also comply with any applicable mandates in the Illinois State Board of Education's School Food Service rules implementing these federal laws and the Ill. School Breakfast and Lunch Program Act.

All revenue from the sale of any food or beverages sold in competition with the School Breakfast Program or National School Lunch Program to students in food service areas during the meal period shall accrue to the nonprofit school lunch program account.

LEGAL REF.:

B. Russell National School Lunch Act, 42 U.S.C. §1751 *et seq*.

Child Nutrition Act of 1966, 42 U.S.C. §1771 *et seq*.

7 C.F.R. Parts 210 (National School Lunch Program) and 220 (School Breakfast Program).

105 ILCS 125/, School Breakfast and Lunch Program Act.

23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:50 (School Wellness)

ADOPTED: February 15, 2022

PRESSPlus Comments

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Issue 122, June 2026

Document Status: Review and Monitoring

SECTION 4 - OPERATIONAL SERVICES

4:175 Convicted Child Sex Offender; Screening; Notifications

Persons Prohibited on School Property without Prior Permission[C1]

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 meets either of the following two exceptions:

1. The offender is 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 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. The offender received permission to be present from the Board of Education, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child's vicinity. If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school.

Screening

The Superintendent or designee shall perform fingerprint-based criminal history records information checks and/or screenings required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. The Board President shall ensure that these checks are completed for the Superintendent. He or she shall take appropriate action based on the result of any criminal background check and/or screen.

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the

Murderer and Violent Offender Against Youth Community Notification Law. The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

LEGAL REF.:

20 U.S.C. §7926, Elementary and Secondary Education Act.

20 ILCS 2635/, Uniform Conviction Information Act.

720 ILCS 5/11-9.3, Criminal Code of 2012.

730 ILCS 152/, Sex Offender Community Notification Law.

730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community Notification Law.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

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Issue 122, June 2026

Operational Services

Convicted Child Sex Offender; Screening; Notifications [1]

Persons Prohibited on School Property without Prior Permission

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 meets either of the following two exceptions: [2]

1. The offender is 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 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. The offender received permission to be present from the School Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child's vicinity.[3] If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school. [4]

DRAFT

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

[1] The topic covered by this policy was previously a part of sample policy 4:170, *Safety*.

[2] 720 ILCS 5/11-9.3, amended by P.A. 104-245, contains these requirements concerning a child sex offender's presence on school property. An Illinois federal court denied a father's request to enjoin a school's policy that prohibited him, as a child sex offender, from attending his children's school activities in Doe v. Paris Union Sch. Dist., 2006 WL 44304 (C.D.Ill. 2006). See also sample policy 8:30, *Visitors to and Conduct on School Property*.

[3] 720 ILCS 5/11-9.3(a). The statute assigns the child sex offender the "duty to remain under the direct supervision of a school official." In order to ensure this happens and to protect students, the sample policy requires the superintendent or designee to supervise a child sex offender whenever the offender is in a child's vicinity. See also sample policy 8:30, *Visitors to and Conduct on School Property*.

[4] Aside from rumor and notoriety, there are three ways that school officials may learn that an enrolled student is a sex offender or a violent offender against youth:

1. By being informed by the student or the student's parent/guardian.
2. Through the Ill. State Police (ISP) Sex Offender Registry, https://sor.isp.illinois.gov/sorpublic/~~www.isp.state.il.us/sor~~. A juvenile sex offender is listed there after the juvenile becomes 17 years old and will be listed for the remaining registration period. 730 ILCS 150/2, amended by P.A. 103-1071. The database is updated daily and allows searching by name, city, county, ~~zip~~ZIP code, compliance status, or any combination thereof.
3. By receiving notification from a law enforcement agency that a juvenile sex offender or juvenile violent offender against youth is enrolled in a school. The law enforcement agency having jurisdiction to register the juvenile must provide a copy of the offender registration form to the building principal and school counselor designated by the principal; the school must keep the registration form separately from the student's school records. 730 ILCS 152/121(b)~~, amended by P.A. 102-197~~.

Screening [5]

The Superintendent or designee shall perform fingerprint-based criminal history records information checks and/or screenings required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching;[6] contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. The Board President shall ensure that these checks are completed for the Superintendent. He or she shall take appropriate action based on the result of any criminal background check and/or screen. [7]

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

If a sex offender is enrolled in a school, guidelines for managing the sex offender's presence in school should be prepared. The components will depend on the situation but generally should include asking the parent/guardian of a sex offender below the age of 17 years for permission to share the information with certain staff for the protection of both the student and other students. In addition, the guidelines should include a supervision plan providing supervision for the student during all aspects of his or her school day. Finally, the guidelines must respect the privacy of juvenile records and comply with the Ill. School Student Records Act (105 ILCS 10/). The board attorney should be consulted.

[5] The law is silent with regard to *screening* volunteers and individuals in the proximity of a school. Screening and *fingerprint-based criminal history records checks* are different. See sample administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*, for further distinctions.

The School Code requires school districts to perform a *fingerprint-based criminal history records check* through (a) the ISP for an individual's Criminal History Records Information (CHRI) and (b) the Federal Bureau of Investigation's national crime information databases. 105 ILCS 5/10-21.9(a), (a-5) and (a-6)~~, amended by P.A. 101-531~~.

Screening only involves checking an individual's name and address against publicly-available databases and information provided for local law enforcement like the: (1) Illinois Sex Offender Registry, https://sor.isp.illinois.gov/sorpublic/~~www.isp.state.il.us/sor/~~, and (2) the Violent Offender Against Youth Registry maintained by the ISP, https://sor.isp.illinois.gov/sorpublic/~~www.isp.state.il.us/cmvo/~~. Screening must be done for employment applicants and repeatedly at least once every five years that an individual remains employed by the district. 105 ILCS 5/10-21.9(a-5) and (a-6)~~, amended by P.A. 101-531~~. See sample policy 5:30, *Hiring Process and Criteria*~~;~~, and its accompanying sample administrative procedure 5:30-AP2, *Investigations*.~~;~~ See also sample policy 6:250, *Community Resource Persons and Volunteers*~~;~~, and its accompanying sample administrative procedure 6:250-AP, *Resource Persons and/or School Volunteers; Screening*.

[6] *Field experiences* mean a variety of early and ongoing field-based opportunities in which candidates may observe, assist, tutor, instruct, or conduct research, and they may occur in off-campus settings such as schools, community centers, or homeless shelters. 23 Ill.Admin.Code §25.610. *Clinical experiences* are part of the professional preparation program enabling candidates for licensure to acquire practical experience alongside theoretical knowledge prior to assuming the full responsibilities of the role for which they are seeking licensure. Id. Clinical experiences include pre-student teaching field experiences and student teaching. Id. Field or clinical experiences other than student teaching often provide aspiring educators with structured, hands-on, supervised experiences in real schools to help them learn how to teach.

[7] If permitted by federal or State law, when a fingerprint-based criminal history records check returns a *conviction* of a crime set forth in 105 ILCS 5/21B-80 or when a screening finds a *registration* for an individual licensed by the Ill. State Board of Education (ISBE), the superintendent or regional superintendent must notify the ISBE Superintendent in writing within 15 business days. 105 ILCS 5/10-21.9(e)~~, amended by P.A.s 101-531 and 101-643~~. Contact the board attorney for guidance regarding disclosures permitted by federal or State law.

By comparison, when a fingerprint-based criminal history records check returns a pending criminal charge for an offense set forth in 105 ILCS 5/21B-80, the superintendent, regional office of education, or entity that provides background checks, must notify the ISBE Superintendent within 10 days. Id. 105 ILCS 5/10-21.9(e)~~, amended by P.A. 101-643,~~ does not state whether the notice requirement is calendar days or business days. Support for it being business days is found later in 105 ILCS 5/10-21.9(e), which requires that notice for convictions be provided within 15 business days. Additionally, while notice for pending criminal charges is not required to be "in writing," for ease of use, consistency in administration, alignment with the requirement to provide written notice for convictions, and best practices this sample text states the State Superintendent will also be notified of pending criminal charges in writing. Consult the board attorney for further guidance.

If an indicated report by the Ill. Dept. of Children and Family Services or by a child welfare agency of another jurisdiction is found, the board must consider the individual's status as a condition of student teaching or employment. 105 ILCS 5/10-21.9(c) and (g)~~, amended by P.A. 101-531~~. The statute does bar an individual with an indicated finding from student teaching; however, that is the most logical interpretation.

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law.[8] The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law.[9] This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

LEGAL REF.: 20 U.S.C. §7926, Elementary and Secondary Education Act.
20 ILCS 2635/, Uniform Conviction Information Act.
720 ILCS 5/11-9.3, Criminal Code of 2012.
730 ILCS 152/, Sex Offender Community Notification Law.
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community Notification Law.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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

When a criminal sexual offense is committed or alleged to have been committed by a district employee or contractor, law enforcement shall immediately transmit a copy of the criminal history record information relating to the investigation of the offense/alleged offense to the superintendent. This transmission will occur either upon the superintendent's request or, if the law enforcement agency knows the offender/alleged offender is employed by a district, automatically. 725 ILCS 191/15~~, added by P.A. 102-652~~. See sample administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*.

[8] Sex Offender Community Notification Law, 730 ILCS 152/; Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-154/105. Law enforcement officials must notify school districts of the names, addresses, and offenses of registered offenders residing in their respective jurisdictions who have committed sex offenses and violent offenses against youth. 730 ILCS 152/120 and 154/95. These laws are silent with regard to what, if anything, districts do with the information. The Sex Offender Community Notification Law, however, provides immunity for "any person who provides or fails to provide information relevant to the procedures set forth in this Law." 730 ILCS 152/130.

Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person, and boards may wish to have a contact person from each building. See sample administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*, for implementing procedures.

Upon arrest after commencement of a prosecution for a sex offense against an individual known to be a school employee, the State's Attorney must provide the superintendent or school administrator of the employing school with a copy of the complaint, information, or indictment. 725 ILCS 5/111-1(c~~e~~)~~, added by P.A. 101-521~~.

[9] 730 ILCS 152/120(g) requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. In an effort to keep this policy aligned with good governance practices, the responsibility is given to the superintendent and building principal to manage. While State law allows the notification to be made during registration or parent-teacher conferences, the sample policy makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

Document Status: Draft Update

5:40 Communicable and Chronic Infectious Disease

The Superintendent or designee shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving District employees that are consistent with State and federal law, Illinois Department of Public Health rules, and Board of Education policies.

An employee with a communicable or chronic infectious disease is encouraged to self-report to~~inform~~[C1] the Superintendent immediately and grant consent to being monitored by the District's Communicable and Chronic Infectious Disease Review Team. The Review Team, if used, provides information and recommendations to the Superintendent concerning the employee's conditions of employment and necessary accommodations. The Review Team shall hold the employee's medical condition and records in strictest confidence, except to the extent allowed to be disclosed by law.

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions. An employee with a communicable and chronic infectious disease remains subject to the Board's employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

LEGAL REF.:

42 U.S.C. §12101 *et seq*., Americans With Disabilities Act, amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325; 29 C.F.R. §1630.1 *et seq.*

29 U.S.C. §791, Rehabilitation Act of 1973; 34 C.F.R. §104.1 *et seq.*

105 ILCS 5/24-5.

20 ILCS 2305/6, Department of Public Health Act.

820 ILCS 40/, Personnel Record Review Act.

77 Ill.Admin.Code Part 690, Control of Communicable Diseases.

CROSS REF.: 2:150 (Committees), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

ADOPTED: June 18, 2024

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Updated in response to a five-year review. **Issue 122, June 2026**

General Personnel

Communicable and Chronic Infectious Disease [1]

The Superintendent or designee shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving District employees that are consistent with State and federal law, Ill.~~inois~~ Dept.~~artment~~ of Public Health rules, and School Board policies.[2]

An employee with a communicable or chronic infectious disease is encouraged to self-report to~~inform~~ the Superintendent immediately and grant consent to being monitored by the District's Communicable and Chronic Infectious Disease Review Team (CCIDRT). The CCIDRT~~Review Team~~, if used, provides information and recommendations to the Superintendent concerning the employee's conditions of employment and necessary accommodations. The CCIDRT~~Review Team~~ shall hold the employee's

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

[1] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. This policy concerns a topic on which a board should seek legal advice before proceeding.

[2] District employment is contingent upon satisfactory results of a physical examination and freedom from communicable diseases. 105 ILCS 5/24-5. The U.S. Supreme Court, however, has held that the Rehabilitation Act prohibits discrimination against a person ~~handicapped by~~who has a disability due to a communicable disease, provided that person is "otherwise qualified" to perform the job. Sch. Bd. of Nassau County, Fla. v. Arline, 480 U.S. 273 (1987) (teacher with tuberculosis was protected by the Rehabilitation Act). ~~The decision supports the position that an HIV-positive employee or applicant who is "otherwise qualified" to perform the job must be reasonably accommodated despite having AIDS.~~ For additional guidance regarding COVID-19, see the U.S. Equal Employment Opportunity Commission's (EEOC's) *What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws* (2023), at: www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws

~~Following the expansion of the definition of a disability under the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325, the ADAAA may protect an HIV-positive employee or applicant. 42 U.S.C. §12102(2)(A); 29 C.F.R. Part 1630. The federal government's position is that HIV infection qualifies as a disability under the Americans ADAAA.~~ and for HIV/AIDS, see~~See:~~ www.ada.gov/resources/protecting-rights-persons-hiv/~~www.ada.gov/hiv/ada_hiv_enforcement.htm~~ (U.S. Dept. of Justice) and www.eeoc.gov/laws/guidance/living-hiv-infection-your-legal-rights-workplace-under-ada ~~www.eeoc.gov/eeoc/publications/hiv_individual.cfm~~ (~~U.S. Equal Employment Opportunity Commission (~~EEOC)~~). The EEOC also issued guidance on COVID-19 as a potential disability requiring accommodation under the ADA, see *What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws* (updated 12-14-21) at: www.eeoc.gov/coronavirus~~.

For a discussion of guidance and challenges related to school personnel vaccination/testing mandates and other mitigations during the COVID-19 pandemic, see sample policy 4:180, *Pandemic Preparedness; Management; and Recovery*, at f/n 5.

Other contagious diseases may also qualify as disabilities under the ADAAA; however, employers are not required to accommodate employees in those cases where there is an actual direct threat to the health or safety of others that cannot be eliminated or reduced by reasonable accommodation. 29 C.F.R. §1630.2(r). Boards should consult with their attorneys regarding how the ADAAA and its implementing regulations impact the employment of an individual with a communicable disease who is otherwise qualified to perform the job.

medical condition and records in strictest confidence, except to the extent allowed to be disclosed by law. [3]

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions.[4] An employee with a communicable and chronic infectious disease remains subject to the Board's employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

LEGAL REF.: 42 U.S.C. §12101 et seq., Americans With Disabilities Act, amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325; 29 C.F.R. §1630.1 et seq.
29 U.S.C. §791, Rehabilitation Act of 1973; 34 C.F.R. §104.1 et seq.
105 ILCS 5/24-5.
20 ILCS 2305/6, Department of Public Health Act.
820 ILCS 40/, Personnel Record Review Act.
77 Ill.Admin.Code Part 690, Control of ~~Communicable Diseases~~Notifiable Diseases and Conditions Code.

CROSS REF.: 2:150 (Committees), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

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

3 This paragraph is optional. While not required by law, the creation and use of a Communicable and Chronic Infectious Disease Review Team (CCIDRT) could greatly assist a district's efforts to review data on an employee who has a communicable or infectious disease. Its members are appointed by the superintendent according to sample policy 2:150, *Committees*. Whether the CCIDRT is an administrative committee organized by the superintendent and/or administrators or a board committee subject to the Open Meetings Act must be discussed with the board attorney (see also sample administrative procedure 2:150-AP, *Superintendent Committees*). The CCIDRT is guided by the board's policies, Ill. Dept. of Public Health rules and regulations, and all other applicable State and federal laws. The CCIDRT also consults the employee's personal physician and local health department officials before making any recommendations.

The Americans with Disabilities Act (ADA) specifies that only an employee's direct supervisor and someone who would need to know in the event of an emergency may have access to an employee's medical records. 42 U.S.C. §12112(d). The ~~Review Team~~CCIDRT's ability to operate may depend on the employee's waiver of the ADA's confidentiality provisions.

4 Required by 42 U.S.C. §12101 et seq. See also f/n 2, above.

Document Status: Draft Update

GENERAL PERSONNEL

5:70 Religious Holidays

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

The Superintendent or designee shall grant an employee's request for time off to observe a religious holiday if the employee gives at least five days' prior notice and the absence does not cause an undue hardship.

Employees may use earned vacation time, or personal leave to make up the absence, provided such time is consistent with the District's operational needs. A per diem deduction may also be requested by the employee; if the employee does not want to use a personal day.

LEGAL REF.:

775 ILCS 5/2-101 and 5/2-102, Ill. Human Rights Act.

775 ILCS 35/~~155~~,[C1] Religious Freedom Restoration Act.

ADOPTED: August 16, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Updated in response to a five-year review. School employers may require employees to provide notice of their intention to be absent, but may not require more than five days' notice before being absent for a religious holiday. 775 ILCS 5/2-102(E). A board that wishes to require fewer days' notice may modify the number of days. **Issue 122, June 2026**

General Personnel

Religious Holidays [1]

The Superintendent shall grant an employee's request for time off to observe a religious holiday if the employee gives at least five days' prior notice and the absence does not cause an undue hardship. [2]

Employees may use earned vacation time or personal leave to make up the absence, provided such time is consistent with the District's operational needs. A per diem deduction may also be requested by the employee. [3]

LEGAL REF.: 775 ILCS 5/2-101 and 5/2-102, Ill. Human Rights Act.
775 ILCS 35/~~1~~5~~5~~, Religious Freedom Restoration Act.

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

[1] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. If a local collective bargaining agreement contains a provision on religious holidays, it will supersede this policy for those covered employees. In such cases, the board policy should be amended to state, "Please refer to the applicable collective bargaining agreement(s)." For employees not covered, the policy should reflect the board's current practice.

[2] *Religion* includes "all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business." 775 ILCS 5/2-101(F). School employers may require employees to provide notice of their intention to be absent, but may not require more than ~~up to~~ five days' notice before being absent for a religious holiday. 775 ILCS 5/2-102(E). A board that wishes to require fewer days' notice may modify the number of days.

[3] Not provided by law and optional.

Document Status: Review and Monitoring

GENERAL PERSONNEL

5:110 Recognition for Service

The Board of Education will periodically recognize those District employees who contribute significantly to the educational programs and welfare of the students.[C1]

ADOPTED: August 16, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
- Make no changes, but update the adoption date to reflect that the policy has been reviewed and re-adopted

Issue 122, June 2026

General Personnel

Recognition for Service [1]

The School Board will periodically recognize those District employees who contribute significantly to the educational programs and welfare of the students.

DRAFT

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

[1] Nothing in this policy is required by law and districts should customize it to meet their needs. School districts and communities can honor local people for their contributions to local elementary and secondary schools through the following annual Ill. State Board of Education programs: Illinois Teacher of the Year, Those Who Excel, ~~Illinois Excellence in Education, and~~ Gilder Lehrman National History Teacher of the Year Award, and Recognizing Inspirational School Employees (RISE) Award. Further information is available online at: www.isbe.net/Pages/Elevating-Educators.aspx.

Document Status: Review and Monitoring

GENERAL PERSONNEL

5:140 Solicitations By or From Staff

District employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Superintendent or designee.[C1]

CROSS REF.: 8:90 (Parent Organizations and Booster Clubs)

ADOPTED: August 16, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

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Issue 122, June 2026

General Personnel

Solicitations By or From Staff [1]

District employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Superintendent.

CROSS REF.: 8:90 (Parent Organizations and Booster Clubs)

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

[1] This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. If a local collective bargaining agreement contains a provision on this issue, it will supersede this policy for those covered employees. In such cases, the ~~board~~ policy should be amended to state, "Please refer to the applicable collective bargaining agreement." For employees not covered, the policy should reflect the board's current practice.

Document Status: Review and Monitoring

GENERAL PERSONNEL

5:185 Family and Medical Leave

Please refer to the applicable collective bargaining agreement(s).[C1]

For employees not covered by a current applicable bargaining agreement:

Leave Description

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act. The U.S. Department of Labor's rules (federal rules) implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period, beginning July 1 and ending June 30 of the next year.

During a single 12-month period, an eligible employee's FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered servicemember (defined in the federal rules) with a serious injury or illness. The "single 12-month period" is measured forward from the date the employee's first FMLA leave to care for the covered servicemember begins.

While FMLA leave is normally unpaid, the District will substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave, provided such leave is available for use in accordance with Board policies and rules. In addition, all policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee's FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement.

FMLA leave is available in one or more of the following instances:

1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee's spouse, child, or parent.
4. The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or has been notified of an impending call or order to active duty, as provided in federal rules.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness, as provided by federal rules.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules.

Eligibility

To be eligible for FMLA leave, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles. In addition, all full-time employees must have been employed by the District for at least 12 months and has been employed for at least 1,000 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than seven years before the date of the most recent hiring, except when the service break is due to fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, *et seq.*, or when a written agreement exists concerning the District's intention to rehire the employee.

Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days' advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District's operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification

Within 15 calendar days after the Superintendent or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

1. When the leave is to care for the employee's covered family member with a serious health condition, the employee must provide a complete and sufficient certificate signed by the family member's health care provider.
2. When the leave is due to the employee's own serious health condition, the employee must provide a complete and sufficient certificate signed by the employee's health care provider.
3. When the leave is to care for a covered servicemember with a serious illness or injury, the employee must provide a complete and sufficient certificate signed by an authorized health care provider for the covered servicemember.
4. When the leave is because of a qualified exigency, the employee must provide: (a) a copy of the covered military member's active duty orders or other documentation issued by the military indicating that the military member is on active duty or call to active duty status, and the dates of the covered military member's active duty service, and (b) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested.

The District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The District may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the District may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original certification change significantly, or (3) District receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee's expense and must be provided to the District within 15 calendar days after the request. The District may request recertification every six months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with a duration in excess of six months.

Failure to furnish a complete and sufficient certification on forms provided by the District may result in a denial of the leave request.

Continuation of Health Benefits

During FMLA leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. A District's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and the District notifies the employee at least 15 days before coverage will cease.

Changed Circumstances and Intent to Return

An employee must provide the Superintendent or designee reasonable notice of changed circumstances (i.e., within two business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Superintendent or designee, taking into consideration all of the relevant facts and circumstances related to an individual's leave situation, may ask an employee who has been on FMLA leave for eight consecutive weeks whether he or she intends to return to work.

Return to Work

If returning from FMLA leave occasioned by the employee's own serious health condition, the employee is required to obtain and present certification from the employee's health care provider that he or she is able to resume work.

An employee returning from FMLA leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the District may impose as provided in the FMLA or implementing regulations, and (2) the District's reassignment policies and practices.

Classroom teachers may be required to wait to return to work until the next semester in certain situations as provided by the FMLA regulations.

Implementation

The Superintendent or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA;

and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

LEGAL REF.:

29 U.S.C. §2601 *et seq*., Family and Medical Leave Act; 29 C.F.R. Part 825.

105 ILCS 5/24-6.4.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
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Issue 122, June 2026

Document Status: Draft Update

PROFESSIONAL PERSONNEL

5:240 Suspension

Suspension With or Without Pay

Please refer to the following current agreements: "Collective Bargaining Agreement Between Crete-Monee Education Association and Board of Education Crete-Monee School District 201-U" and "Contract Between Association of Crete-Monee Employees and Board of Education Crete-Monee School District 201-U"

Suspension Without Pay

The Crete-Monee Community Unit School District 201-U Board of Education or Superintendent may suspend a professional employee[C1] without pay: (1) pending a dismissal hearing, or (2) as disciplinary consequence for up to 30 employment days for misconduct that is detrimental to the ~~School~~ District. A *professional employee* means a non-administrator employee who holds a professional educator license.

Misconduct that is detrimental to the School District includes, but is not limited to:

- Insubordination, including any failure to allow an oral or written directive from a supervisor.
- Violation of Board Policy or Administrative Procedure.
- Conduct that disrupts or may disrupt the education program or process.
- Conduct that violates any State or federal law that relates to the employee's duties, and
- Other sufficient causes.

The Superintendent or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the proposed suspension as well as the deadline for the employee to exercise the employee's right to request a pre-suspension hearing and any other communications setting the dates(s) and time(s) for said hearing. At the request of the professional employee made within five (5) calendar days of receipt of a pre-suspension notification, the Superintendent or designee will conduct a pre-suspension hearing for a suspension that will be issued by the Superintendent prior to the imposition of the unpaid suspension. With respect to a suspension that will be issued by the Board, at the request of the professional employee made within five (5) calendar days of receipt of a pre-suspension notification, the Board or a Board-appointed hearing examiner will conduct a pre-suspension hearing. At any pre-suspension hearing, a professional employee or his/her representative may present evidence and shall be entitled to ask questions regarding the evidence being utilized to support the unpaid suspension. If a professional employee fails to seek a pre-suspension hearing within the applicable time period, it shall be deemed waived, and the Superintendent and/or Board of Education may impose the unpaid suspension. Any additional requirements required by an applicable bargaining agreement shall also be followed.

Employees who are issued an unpaid suspension are not permitted to substitute in paid leaves, such as vacation or personal days, in lieu of the days where the suspension is being imposed.

Suspension With Pay

The Board or Superintendent or designee may suspend a professional employee with pay: (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District as defined above, or (3) pending a pre-suspension hearing to suspend a professional employee~~teacher~~ without pay.

The Superintendent or designee shall meet with the employee to present the allegations and give the employee an opportunity to refute the charges. The employee will be told the dates and times the suspension will begin and end.

Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)

Upon receipt of a DCFS recommendation that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation~~ that relates to his or her employment with the District~~, [C2] the Board or Superintendent or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended by DCFS, proceeding with:
   a. A suspension with pay; or
   b. A suspension without pay.

Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, then the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.:

105 ILCS 5/24-12.

5 ILCS 430/5-60(b), State Officials and Employee Ethics Act.

325 ILCS 5/7.4(c-10), Abused and Neglected Child Reporting Act.

Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).

Barszcz v. Cmty College Dist. No. 504, 400 F.Supp. 675 (N.D. Ill. 1975).

Massie v. East St. Louis Sch. Dist. No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Employment Termination and Suspensions)

ADOPTED: August 13, 2024

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Updated in response to a five-year review. **Issue 122, June 2026**

C2. Updated in response to a five-year review. **Issue 122, June 2026**

Professional Personnel

Suspension [1]

Suspension Without Pay [2]

The School Board may suspend a professional employee without pay: (1) ~~a professional employee~~ pending a dismissal hearing, or (2) ~~a teacher~~ as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the ~~School~~ District. A *professional employee* means a non-administrator employee who holds a professional educator license. Administrative staff members may not be suspended without pay as a disciplinary measure. [3]

Misconduct that is detrimental to the ~~School~~ District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor;
- Violation of Board policy or a~~A~~dministrative p~~P~~rocedure;
- Conduct that disrupts or may disrupt the educational program or process;
- Conduct that violates any State or federal law that relates to the employee's duties; and
- Other sufficient causes.

The Superintendent or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the suspension as well as the deadline for the employee to exercise his or her right to appeal the suspension to the Board or Board-appointed

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

[1] State and federal law control this policy's content. The School Code provides that, "[i]f, in the opinion of the board, the interests of the school require it, the board may suspend the teacher **without pay**, pending the hearing, but if the board's dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits by reason of the suspension," 105 ILCS 5/24-12(d)(1).

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. If a local collective bargaining agreement contains provisions on suspension, it will supersede this policy for those covered employees. In such cases, the board policy should be amended to state, "Please refer to the applicable collective bargaining agreement." For employees not covered, the policy should reflect the board's current practice.

A superintendent or board should consult the board attorney before taking any action to suspend a licensed employee, with or without pay.

[2] Under the wage and hours rules, employees who are exempt from overtime requirements become eligible for overtime if they are subject to disciplinary suspensions without pay. Auer v. Robbins, 519 U.S. 452 (1997). Teachers are exempt from this rule. Although the U.S. Dept. of Labor modified this rule in 2004, the Illinois legislature rejected these rule changes. 820 ILCS 105/4a. Illinois employers must use the federal rules as they existed on March 30, 2003. This sample policy takes a conservative approach: it does not subject non-teaching professional employees to disciplinary suspensions without pay. Some attorneys believe that non-teaching exempt employees, e.g., administrators, will remain exempt from the Fair Labor Standards Act's overtime requirements as long as suspensions are in increments of a full work week - not day-by-day. Contact the board attorney for an opinion.

The 30-day limit may be modified or deleted.

[3] A difference of opinion exists among attorneys concerning whether a board is permitted to authorize the superintendent to suspend teachers without pay. Some attorneys believe such a delegation is void because of the language in 105 ILCS 5/24-12(d)(1), quoted in f/n 1. Others believe that a board may delegate the authority to the superintendent to suspend teachers without pay as a disciplinary measure as opposed to pending a dismissal hearing. Contact the board attorney for advice if the board wants to authorize the superintendent to suspend professional employees without pay.

hearing examiner before it is imposed. At the request of the professional employee made within five calendar days of receipt of a pre-suspension notification, the Board or Board-appointed hearing examiner will conduct a pre-suspension hearing.[4] The Board or its designee shall notify the professional employee of the date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence. If the employee does not appeal the pre-suspension notification, the Superintendent or designee shall report the action to the Board at its next regularly scheduled meeting.

Suspension With Pay [5]

The Board or Superintendent or designee may suspend a professional employee with pay: (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the ~~School~~ District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the ~~School~~ District as defined above, or (3) pending a Board hearing to suspend a professional employee~~teacher~~ without pay.

The Superintendent shall meet with the employee to present the allegations and give the employee an opportunity to refute the charges. The employee will be told the dates and times the suspension will begin and end. [6]

Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS) [7]

Upon receipt of a DCFS recommendation that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation~~ that relates to his or her employment with the District~~, the Board or Superintendent or designee,[8] in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended by DCFS, proceeding with:
    a. A suspension with pay; or

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

[4] Some case law suggests a separate hearing must be held before any suspension without pay is invoked: Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985); Barszcz v. Cmty. College Dist. No. 504, 400 F.Supp. 675 (N.D. Ill. 1975); Massie v. East St. Louis Sch. Dist. No. 189, 203 Ill.App.3d 965 (5th Dist.1990); Spinelli v. Immanuel Lutheran Evangelical Congregation, Inc., 118 Ill.2d 389 (1987).

[5] Suspending a professional employee without pay is commonly referred to as putting the employee on *paid administrative leave*.

[6] Only minimal due process is required before a suspension with pay because the property interests at stake are insignificant. Some due process is recommended, however, because a suspension might jeopardize a teacher's good standing in the community and thus infringe the teacher's liberty interests protected by the Constitution. The following option places a ceiling on the number of suspension-with-pay days; the 30-day limit may be modified:

No suspension with pay shall exceed 30 school or working days in length.

[7] Optional. 325 ILCS 5/7.4(c-10~~5~~). Consult the board attorney about suspending an employee without pay pursuant to a *DCFS 325 ILCS 5/7.4(c-10~~5~~)-recommendation*. This language balances the interests of student safety and employee due process when the district receives a recommendation to a remove an employee who is the subject of a DCFS investigation from employment.

Note: Liability may exist when a district receives a *325 ILCS 5/7.4(c-10~~5~~)-recommendation* and does not remove the employee as a result. Consider In re Estate of Stewart v. Oswego Cmty. Unit. Sch. Dist. No. 308, 406 Ill.Dec. 345 (2nd Dist. 2016)(finding district's response to a student health emergency was willful and wanton as it had prior information regarding appropriate response protocols and denying tort immunity to district); In re Estate of Stewart, 412 Ill.Dec. 914 (Ill. 2017)(school district's appeal denied).

[8] The text "Board or Superintendent or designee" allows flexibility if the Superintendent were the subject of a DCFS investigation.

3. A suspension without pay.

Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, then the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension.[9] The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 105 ILCS 5/24-12.
5 ILCS 430/5-60(b), State Officials and Employee Ethics Act.
325 ILCS 5/7.4(c-10), Abused and Neglected Child Reporting Act.
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).
Barszcz v. Cmty. College Dist. No. 504, 400 F.Supp. 675 (N.D. Ill. 1975).
Massie v. East St. Louis Sch. Dist. No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Employment Termination and Suspensions)

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

[9] This sentence restates State law. 5 ILCS 430/5-60(b).

Document Status: Draft Update

SECTION 6 - INSTRUCTION

6:70 Teaching About Religions

The School District’s curriculum may include the study of religions as they relate to geography, history, literature, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion.

LEGAL REF.:

Mahmoud v. Taylor, 606 U.S. 522 (2025).[C1]

Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).

School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963).

~~Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).~~

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:255 (Assemblies and Ceremonies)

ADOPTED: August 16, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. In Mahmoud v. Taylor, 606 U.S. 522 (2025), the U.S. Supreme Court held that a public school “burdens the religious exercise of parents when it requires them to submit their children to instruction that poses ‘a very real threat of undermining’ the religious beliefs and practices that the parents wish to instill.” Consult the board attorney on questions related to religious opt-outs from curriculum, and see policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs.* **Issue 122, June 2026**

Instruction

Teaching About Religions [1]

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion. [2]

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

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

[2] Conducting or sponsoring religious practices in public schools violates the First Amendment to the U.S. Constitution. A school district may not provide for religious instruction on public school property. McCollum v. Bd. of Educ., 333 U.S. 203 (1948); Engel v. Vitale, 370 U.S. 421 (1962) (daily classroom invocation of God's blessings as prescribed in prayer was a "religious activity"~~reciting a prayer~~); Sch. Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963) and Chamberlin v. Dade Co. Bd. of Public Instruction, 377 U.S. 402 (1964) (B~~b~~ible reading and prayer); Stone v. Graham, 449 U.S. 39 (1980) (posting of the Ten Commandments in every classroom); and Wallace v. Jaffree, 472 U.S. 38 (1985) (a daily ~~moment~~ one-minute period of silence for "meditation ~~and~~ or voluntary prayer"). Consult the board attorney when faced with questions regarding religious expression or displays in school.

See also Kitzmiller v. Dover Area Sch. Dist., 400 F.Supp.2d 707 (M.D.Pa. 2005). This decision struck a policy on the teaching of intelligent design in high school biology class. The policy required students to hear a statement mentioning intelligent design as an alternative to Darwin's theory of evolution. The court held that it amounted to an endorsement of religion in violation of the Establishment Clause.

The Establishment Clause, however, permits teaching about religion as part of a balanced, secular education. Thus, the study of the Bible or religion is permissible when presented objectively as part of a secular education. Abington at 225 and see also Hilsenrath on behalf of C.H. v. Sch. Dist. of Chathams, 136 F.4th 484 (3d Cir. 2025) (inclusion of instructional videos about Islam was neutral where there was no coercion or preferential treatment of one religion over another as part of a curriculum that included various religions).

See also ~~Subsection III(B), *Teaching about Religion,* of the U.S. Dept. of Educ.'s *Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools* (1-16-20), at: www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html.~~ U.S. Dept. of Education Prayer Guidance, at: www.ed.gov/media/document/2026-guidance-constitutionally-protected-prayer-and-religious-expression-public-elementary-and-secondary-schools-113182.pdf.

Families of diverse religious faiths objected to a mandatory public elementary school curriculum endorsing homosexual unions and transgender identities, arguing that their religious convictions conflicted with that curriculum's messages about sexuality and gender identity in Mahmoud v. Taylor, 606 U.S. 522 (2025). The U.S. Supreme Court held that a public school "burdens the religious exercise of parents when it requires them to submit their children to instruction that poses 'a very real threat of undermining' the religious beliefs and practices that the parents wish to instill." Id. at 530. Consult the board attorney on questions related to religious opt-outs from curriculum and see sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs*, and its f/n 3.

Generally, holiday observations will survive constitutional scrutiny if they advance society's cultural and religious heritage or provide an opportunity for students to perform a full range of music, poetry, and drama that is likely to interest the students and their audience. Florey v. Sioux Falls Sch. Dist., 619 F.2d 1311 (8th Cir. 1980), approved a school board policy concerning holiday observations. That policy acknowledged that the school district would not promote a religious belief or non-belief. The policy allowed the historical and contemporary values and origins of religious holidays to be explained in an unbiased and objective manner. Furthermore, it permitted the use of religious music, art, literature, and symbols if presented in an objective manner and as part of the cultural and religious heritage of the particular holiday. The Court believed that Christmas programs, including Christmas carols, allowed students to learn about this country's customs and cultural heritage. A student who objects to participating in such programs must be accommodated.

LEGAL REF.: Mahmoud v. Taylor, 606 U.S. 522 (2025).
Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).
School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963).
~~Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).~~

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:255 (Assemblies and Ceremonies)

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

Public schools are prohibited from appearing to endorse or promote religion through religious holiday displays. Whether a particular display endorses or promotes religion will depend upon the particular context in which it appears. A display that is purely religious and located prominently may send the message that the school is endorsing religion. Mixing secular symbols with the religious symbols and injecting cultural and historical messages into the holiday display will more likely make it acceptable. Allegheny Cnty. v. Pittsburgh ACLU, 492 U.S. 573 (1989). See also Freedom From Religion Foundation v. Concord Cmty. Schs., 885 F.3d 1038 (7th Cir. 2018) (finding that school's annual holiday show was not impermissibly coercive in violation of the Establishment Clause and that show's nativity scene did not endorse religion).

See also Skoros v. City of New York, 437 F.3d 1 (2nd Cir. 2006). This decision upheld a holiday display policy restricting displays to "secular" symbols, including Christmas trees, menorahs, and the star and crescent, but not allowing displays of a crèche or nativity scene. The ruling was not on the question of whether a public school ever could include a crèche in a display. Instead, the case upheld the board's decision to classify Christmas trees, menorahs, and the star and crescent as either secular or as being both religious and secular, whereas a crèche "is solely a religious symbol."

Document Status: Draft Update

SECTION 6 - INSTRUCTION

6:80 Teaching About Controversial Issues

The Superintendent or designee shall ensure that all school-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose.
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander.

The District specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the District or the students, or violates State or federal law.

Academic Freedom

Please refer to the applicable collective bargaining agreement(s).

LEGAL REF.:

Mahmoud v. Taylor, 606 U.S. 522 (2025).[C1]

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs)

ADOPTED: August 16, 2022

PRESSPlus Comments

C1. In Mahmoud v. Taylor, 606 U.S. 522 (2025), the U.S. Supreme Court ruled that a district likely violated parents' free exercise rights when it refused to give notice and allow them to opt their elementary-age children out of literacy instruction that involved the use of LGBTQ+-inclusive storybooks. See sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs* at footnote 3, available at PRESS Online by logging in at www.iasb.com. Consult the board attorney regarding curriculum objections. **Issue 122, June 2026**

Instruction

Teaching About Controversial Issues [1]

The Superintendent shall ensure that all school-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose. [2]
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander.

The District specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the District or the students, or violates State or federal law.

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

[1] 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. Before adopting this policy, a school board should review the scope of any clause on academic freedom contained in a collective bargaining agreement.

While this sample policy and its contents are discretionary with each board, its implementation should respect the constitutional rights of students and teachers to free speech and free association. The intent of this policy is to inform students, staff members, and the community that the board has established standards for the teaching and discussion of controversial topics in order to avoid culture wars from being fought in school.

In Mahmoud v. Taylor, 606 U.S. 522 (2025), the U.S. Supreme Court ruled that a district likely violated parents' free exercise rights when it refused to give notice and allow them to opt their elementary-age children out of literacy instruction that involved the use of LGBTQ+-inclusive storybooks. See discussion in f/n 3 in sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs*. Consult the board attorney regarding curriculum objections.

[2] Public employee First Amendment issues involve the balance between the importance of the speech and the district's interest in maintaining order and effective school operations. The First Amendment "does not entitle primary and secondary teachers, when conducting the education of captive audiences, to cover topics, or advocate viewpoints, that depart from the curriculum adopted by the school system." Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477, 480 (7th Cir. 2007). See also Brown v. Chicago Bd. of Educ., 824 F.3d 713 (7th Cir. 2016) (upholding discipline of a teacher for violating written policy against using racial epithets in front of students even though he did so to conduct a well-intentioned discussion of why such words are hurtful and must not be used).~~;~~ But see Kluge v. Brownsburg Cmty. Sch. Corp., 150 F.4th 792, 813 (7th Cir. 2025) ~~432 F.Supp.3d 823 (S.D.Ind. 2020)~~ (~~upholding~~ remanded for further proceedings on factual issues of whether the school district bore an undue hardship when it allowed a teacher a religious accommodation to use a last-name only practice for student names instead of following the school district's~~discipline of a teacher for violating~~ written policy requiring employees to address students by their preferred names and genders). **Note:** Kluge was settled after the decision to remand, leaving these issues undetermined. Nor is the First Amendment likely to entitle a teacher to protection for purely personal speech that does not touch on a matter of public concern. See Pickering v. High Sch. Dist. 205, 391 U.S. 563 (1968). However, when public employees speak as private citizens on their own time about matters of public concern, they may face only those speech restrictions that are necessary for their employers to operate efficiently and effectively. Garcetti v. Ceballos, 547 U.S. 410 (2006).

LEGAL REF.: Mahmoud v. Taylor, 606 U.S. 522 (2025).
Garcetti v. Ceballos, 547 U.S. 410 (2006).
Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs)

Document Status: Draft Update

SECTION 6 - INSTRUCTION

6:190 Extracurricular and Co-Curricular Activities

The Superintendent or designee must approve an activity in order for it to be considered a District-sponsored extracurricular or co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student-participants.
2. Fees assessed for students are reasonable and do not exceed the actual cost of operation.
3. The District has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

Academic Criteria for Participation

Students must satisfy all academic standards and must comply with the activity's rules and the Student Conduct Code.

For students in kindergarten through 8th grade, selection of members or participants is at the discretion of the teachers, administrators, sponsors, or coaches, provided that the selection criteria conform to the District's policies. ~~Students must satisfy all academic standards and must comply with the activity's rules and the student conduct code.~~

For high school students, selection of members or participants is at the discretion of the teachers, administrators, sponsors, or coaches, provided that the selection criteria conform to the District's policies. Participation in co-curricular activities is dependent upon course selection and successful progress in those courses. In order to be eligible to participate in any school-sponsored or school-supported athletic or extracurricular activity, a student must satisfy the Illinois High School Association's scholastic standing requirements; these requirements are that students must be passing four (4) classes; that is, 20 credit hours a week. Any student-participant failing to meet these academic criteria shall be suspended from the activity for 7 calendar days or until the specified academic criteria are met, whichever is longer.

LEGAL REF.:

105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

ADOPTED: August 8, 2023

Crete-Monee School District 201-U

Instruction

Extracurricular and Co-Curricular Activities [1]

The Superintendent must approve an activity in order for it to be considered a District-sponsored extracurricular or co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student-participants.
2. Fees assessed for students are reasonable and do not exceed the actual cost of operation. [2]
3. The District has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

Non~~-school sponsored~~curriculum related student groups or clubs that are not school sponsored are governed by ~~School~~ Board policy~~,~~ 7:330, *Student Use of Buildings - Equal Access*. [3]

Academic Criteria for Participation

Students must satisfy all academic standards and must comply with the activity's rules and the Student Conduct Code.

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

[1] Each school board in a district that maintains any of grades 9-12 must have a *no pass-no play* policy. 105 ILCS 5/10-20.30. State or federal law controls some aspects of this policy's content. The criteria for determining whether to sponsor a specific activity is a local board decision, except that an ISBE rule requires that: (1) programs for extra classroom activities provide opportunities for all students; (2) the desires of the student body be considered; and (3) co-curricular activities be carefully supervised by a school-approved sponsor. 23 Ill.Admin.Code §1.420(j).

As State law does not define extracurricular or co-curricular, a board may desire to explain these terms in the policy, such as by including the following option at the beginning of the policy:

> Extracurricular or co-curricular activities are school-sponsored programs for which some or all of the activities are outside the instructional day. They do not include field trips, homework, or occasional work required outside the school day for a scheduled class. *Co-curricular activity* refers to an activity associated with the curriculum in a regular classroom and is generally required for class credit. *Extracurricular activity* refers to an activity that is not part of the curriculum, is not graded, does not offer credit, and does not take place during classroom time; it includes competitive interscholastic activities and clubs.

In January 2013, the U.S. Dept. of Education, Office for Civil Rights, issued a *Dear Colleague Letter* concerning the participation of students with disabilities in extracurricular athletic activities, available at: https://downloads.microscribepub.com/il/press/federal_resources/Dear_Colleague_1_25_2013_504_proc.pdf. **Note:** This resource may no longer be available on a federal government website but is being maintained at **PRESS** Online to provide consistent subscriber access. It clarifies the types of accommodations and services that districts must provide pursuant to Section 504. ~~See www2.ed.gov/about/offices/list/ocr/letters/colleague-201301-504.html.~~

[2] Optional. Assessing fees that are reasonable and do not exceed the actual cost of operation is a best practice that aligns with School Code provisions seeking to minimize cost barriers to students and parents/guardians. See 105 ILCS ~~5/2-3.71a(d),~~ 5/10-22.18b~~,~~ and 5/10-22.18d.

[3] *Non~~-~~curriculum related* *student groups* ~~extracurricular activities~~ that meet during *non~~-~~instructional* *time* in secondary schools trigger the Equal Access Act (EAA) (20 U.S.C. §4071 et seq.). The EAA prohibits the school from denying fair opportunity or *equal access* to any students who wish to conduct a meeting within a limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such a meeting. The U.S. Supreme Court interpreted "non~~-~~curriculum related student group" as any student group that does not directly relate to the body of courses offered by the school. Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990). See also discussion in f/n 1 in sample policy 7:330, *Student Use of Buildings - Equal Access*.

For students in kindergarten through 8th grade,[4] selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District's policies. ~~Students must satisfy all academic standards and must comply with the activity's rules and the student conduct code.~~

For high school students,[5] selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District's policies. Participation in co-curricular activities is dependent upon course selection and successful progress in those courses. In order to be eligible to participate in any school-sponsored or school-supported athletic or extracurricular activity, a student must maintain an overall ___ grade point average.[6] Any student-participant failing to meet these academic criteria shall be suspended from the activity for ___ calendar days or until the specified academic criteria are met, whichever is longer. [7]

LEGAL REF.: 105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

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

[4] High school districts should omit this paragraph.

[5] Elementary districts should omit this paragraph.

[6] Each board in a district that maintains any of grades 9-12 must have a *no pass-no play* policy. 105 ILCS 5/10-20.30. The policy must specify a minimum grade point average (left blank in the sample policy) AND/OR a minimum grade in each course, such as *passing* (see alternatives below). The policy must provide a suspension period – stated in sample policy as "___ calendar days or until the specified academic criteria are met, whichever is longer." The procedure for implementing this policy is an administrative, management function. Alternatives follow:

Alternative 1: …a student must maintain an overall ___ grade point average and a passing grade [or minimum grade of ___] in each course the student is enrolled.

Alternative 2: …a student must maintain a passing grade [or minimum grade of ___] in each course the student is enrolled.

Alternative 3: …a student must satisfy the Illinois High School Association's scholastic standing requirements [doing passing work in at least 25 credit hours of high school work per week].

[7] Alternatives include:

Alternative 1: …shall be suspended from the activity for ___ calendar days. *[Delete the rest of the sentence.]*

Alternative 2: …shall be suspended from the activity until the specified academic criteria are met.

Document Status: Review and Monitoring

SECTION 7 - STUDENTS

7:30 Student Assignment

The Superintendent or designee shall assign students to classes.[C1]

Attendance Areas

The School District is divided into school attendance areas. The Superintendent will:

1. Review the boundary lines annually and recommend to the Board of Education any changes or revisions for existing units; or
2. Create new units using a lens that considers preventing segregation and the elimination of separating students in the District's schools because of color, race, or nationality.

The Superintendent or designee shall maintain a map of the District showing current school attendance areas. All records pertaining to the creation, alteration, or revision of attendance units are open to the public. Students living in a given school attendance area will be assigned to that school. Homeless children shall be assigned according to policy 6:140, *Education of Homeless Children*. Student assignments to Coretta Scott King will be placed in accordance with Board policy 7:53, *Establishment of Coretta Scott King Magnet School.*

From time to time, under special circumstances, e.g. school consolidation, increased/ decreased enrollment/class sizes, etc., the Superintendent or designee shall recommend to the Board of Education appropriate but, equitable boundary changes. The Board of Education has the right to close enrollment at a school, grade level, or classroom to prevent overcrowding of classrooms. Once enrollment at a school, grade level, or classroom has been closed, families who enroll in the district after enrollment has been closed will be assigned to another school, grade, and classroom outside of their attendance zone except for Coretta Scott King (see Board policy 7:53).

The district will provide transportation to the school where the child has been assigned if the school is more than 1.5 miles away from their place of residency. Assignment of students to a school, grade level, or classroom that is outside of their attendance zone will be in effect until the remainder of that school year. The child will return to the school within their attendance zone the following year.

Transfers Within the District

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated by the educational program at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation. The provisions in this section have no applicability to transfers pursuant to the Unsafe School Choice Option covered in Board policy 4:170, *Safety.*

Class Assignments

The Superintendent or designee shall assign students to classes.

LEGAL REF.:

105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

ADOPTED: February 16, 2010

REVISED: June 21, 2010; September 20, 2010; June 21, 2016; June 11, 2019; February 15, 2022; December 19, 2023

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
- Make no changes, but update the adoption date to reflect that the policy has been reviewed and re-adopted

Issue 122, June 2026

Students

Student Assignment and Intra-District Transfer [1]

Attendance Areas

The ~~School~~ District is divided into school attendance areas. The Superintendent will:

1. Review the boundary lines annually and recommend to the School Board any changes or revisions for existing units; or
2. Create new units using a lens that considers preventing segregation and the elimination of separating students in the District's schools because of color, race, or nationality. [2]

The Superintendent or designee shall maintain a map of the District showing current school attendance areas. All records pertaining to the creation, alteration, or revision of attendance units are open to the public.[3] Students living in a given school attendance area will be assigned to that school.[4] Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.

Transfers Within the District [5]

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation.[6] The provisions in this section have no applicability to transfers pursuant to the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

Class Assignments

The Superintendent or designee shall assign students to classes.

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

[1] 105 ILCS 5/10-21.3a requires that intra-district transfers be covered by policy and controls this policy's content.

[2] 105 ILCS 5/10-21.3 requires school attendance areas to be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality. Note that the law uses the term units, but that these are often referred to as attendance areas; this policy uses both terms.

[3] Id.

[4] 105 ILCS 5/10-22.5 grants boards broad authority concerning assignment of students to schools. A child is presumed to be a resident of the district in which the child's legal custodian resides. 105 ILCS 5/10-20.12b, amended by P.A. 103-629. The facts surrounding a transfer of custody will determine whether residency for school attendance purposes has changed. Turner v. Bd. of Educ. North Chicago Cmty. High Sch. Dist. 123, 294 N.E.2d 264 (Ill. 1973).

[5] The details for intra-district transfers are determined locally; State law does not address when, or even if, intra-district transfers should be granted. For districts that maintain one attendance center, delete this subhead.

[6] To limit the acceptable reasons supporting a transfer request, a board should consider this alternative: "…when the parent(s)/guardian(s) demonstrate that the student could be better accommodated by the educational program at another school … ."

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

Document Status: Review and Monitoring

SECTION 7 - STUDENTS

7:80 Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, because of religious reasons, including to observe a religious holiday, for religious instruction, or because the student's religion forbids secular activity on a particular day(s) or time of day. The student's parent/guardian must give written notice to the Building Principal at least five calendar days before the student's anticipated absence(s). [C1]

The Superintendent or designee shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons, including how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement.

LEGAL REF.:

105 ILCS 5/26-1 and 5/26-2b.

775 ILCS 35/, Religious Freedom Restoration Act.

CROSS REF.: 7:70 (Attendance and Truancy)

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
- Make no changes, but update the adoption date to reflect that the policy has been reviewed and re-adopted

Issue 122, June 2026

Students

Release Time for Religious Instruction/Observance [1]

A student shall be released from school, as an excused absence, because of religious reasons, including to observe a religious holiday, for religious instruction, or because the student's religion forbids secular activity on a particular day(s) or time of day. The student's parent/guardian must give written notice to the Building Principal at least five calendar days before the student's anticipated absence(s). [2]

The Superintendent or designee shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons, including how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement. [3]

LEGAL REF.: 105 ILCS 5/26-1 and 5/26-2b.
775 ILCS 35/, Religious Freedom Restoration Act.

CROSS REF.: 7:70 (Attendance and Truancy)

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

[1] State and federal laws control this policy's content. 105 ILCS 5/26-1(5)~~, amended by P.A. 102-406,~~ requires school boards to adopt a policy on student absences for religious holidays. See also 105 ILCS 5/26-2b~~, amended by P.A. 102-406~~. 105 ILCS 5/26-1(4) allows a child over 12 and less than 14 years of age to be absent from school while in attendance at confirmation classes. The sample policy does not contain these age or specific religious rite limitations in order to be consistent with First Amendment jurisprudence. According to the U. S. Supreme Court, a release time policy does not violate the Establishment Clause; it only accommodates a program of outside religious instruction. Zorach v. Clauson, 343 U.S. 306 (1952).

[2] Five days is the most prior notice that can be required. 105 ILCS 5/26-1(5). See also 775 ILCS 35/25. A board that wishes to require fewer days' notice may modify the number of days. Schools cannot require students who are excused for religious reasons to submit a written excuse after returning to school. 105 ILCS 5/26-1~~, amended by P.A. 102-406~~.

[3] 105 ILCS 5/26-1b and 26-2b~~, amended by P.A. 102-406~~.

Document Status: Draft Update

SECTION 7 - STUDENTS

7:130 Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee. *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.

LEGAL REF.:

20 U.S.C. §4071 et seq., Equal Access Act.[C1]

20 U.S.C. §7904, Every Student Succeeds Act.

Kennedy v. Bremerton Sch. Dist., 597 U.S. 507 (2022).[C2]

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

105 ILCS 20/5, Silent Reflection and Student Prayer Act.

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Law Enforcement Requests), 7:160 (Student Appearance), 7:190 (Student Behavior), 7:330 (Student Use of Buildings - Equal Access)

ADOPTED: September 16, 2025

PRESSPlus Comments

C1. The Equal Access Act (EAA) requires a secondary school that receives federal funding and allows a *limited open forum* to grant fair opportunity or equal access to students who wish to conduct a meeting within that limited open forum without regard to the religious, political, philosophical, or other content of the speech at such a meeting. A secondary school has a *limited open forum* whenever it "grants an offering to or opportunity for one or more noncurriculum-related student groups to meet on school premises during noninstructional time." 20 U.S.C. §4071(a). **Issue 122, June 2026**

C2. Kennedy v. Bremerton Sch. Dist., 597 U.S. 507, 527 (2022) (quoting Tinker at 506, "the First Amendment's protections extend to both 'teachers and students,'" found that students were not restricted from voluntarily joining in prayer with a high school football coach on the field after a game). **Issue 122, June 2026**

Students

Student Rights and Responsibilities [1]

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.[2] Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures. [3]

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee.[4] *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends. [5]

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

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

[2] In 1969 the U.S. Supreme Court changed the relationship between schools and students by finding that students "do not shed their constitutional rights at the schoolhouse door." Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969). See also Kennedy v. Bremerton Sch. Dist., 597 U.S. 507, 527 (2022) (quoting Tinker at 506, "the First Amendment's protections extend to both 'teachers and students,'" and finding that students were not restricted from voluntarily joining in prayer with a high school football coach on the field after a game).

[3] Consult the board attorney to ensure the district's non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon bullying and/or sexual violence under Title IX's sexual harassment umbrella. U.S. Dept. of Education (DOE) guidance states that while acts of sexual violence are crimes, they may also be discrimination under Title IX. See *Dear Colleague Letter: Sexual Violence Background, Summary, and Fast Facts*, U.S. Dept. of Education Office for Civil Rights, 111 LRP 23852 (4-4-11), at https://obamawhitehouse.archives.gov/sites/default/files/fact_sheet_sexual_violence.pdf.

[4] This language is from 105 ILCS 20/5. The statute provides these examples of religious-based meetings: prayer groups, B I B L E (Basic Instruction Before Leaving Earth) clubs, and *meet at the flagpole for prayer* days.

In addition, federal law requires districts to certify that "no [district] policy... prevents, or otherwise denies participation in, constitutionally protected prayer in both public elementary and secondary schools." 20 U.S.C. §7904(b). The State provides certification instructions and DOE provides guidance on constitutionally protected prayer in public schools. See *Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools*, www.ed.gov/media/document/2026-guidance-constitutionally-protected-prayer-and-religious-expression-public-elementary-and-secondary-schools-113182.pdf ~~www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html~~. Certification with the Ill. State Board of Education occurs through the signed assurances that a superintendent provides through the grant application process.

The Equal Access Act (EAA) requires a secondary school that receives federal funding and allows a *limited open forum* to grant fair opportunity or equal access to students who wish to conduct a meeting within that limited open forum without regard to the religious, political, philosophical, or other content of the speech at such a meeting. A secondary school has a *limited open forum* whenever it "grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time." 20 U.S.C. §4071(a). See f/n 1 in sample policy 7:330, *Student Use of Buildings - Equal Access*.

[5] 105 ILCS 20/5.

LEGAL REF.: 20 U.S.C. §4071 et seq., Equal Access Act.
20 U.S.C. §7904, Every Student Succeeds Act.
Kennedy v. Bremerton Sch. Dist., 597 U.S. 507 (2022).
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

105 ILCS 20/5, Silent Reflection and Student Prayer Act.

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Law Enforcement Requests), 7:160 (Student Appearance), 7:190 (Student Behavior), 7:330 (Student Use of Buildings - Equal Access)

Document Status: Draft Update - Rewritten

SECTION 7 - STUDENTS

7:330 Student Use of Buildings - Equal Access

For purposes of this Board policy, the District has established a *limited open forum* for high school students enrolled in the District.[C1] Each District high school shall offer an opportunity for student-led *noncurriculum related student groups* to meet on school premises during *noninstructional time*. Noncurriculum related student groups are those student groups, clubs, or organizations that do not directly relate to the curriculum. For purposes of this Board policy, a *non-school sponsored* noncurriculum related student group is a noncurriculum related student group that is student led.

A student group or club is *school sponsored* if the District approves the student group or club to have a paid adult sponsor to promote, participate, and/or lead its activities. However, assigning a teacher, administrator, or other school employee to supervise a meeting for custodial purposes, allowing groups to promote meetings, and providing access to resources as determined by the District do not constitute sponsorship of the student group or club, nor does it constitute the District's endorsement or agreement with the activity or the speech of the students who participate in the activity.

Extracurricular and co-curricular student groups or clubs that are school sponsored are governed by Board policy 6:190, *Extracurricular and Co-Curricular Activities*.

Student groups or clubs directed and controlled by non-school persons are governed by Board policy 8:20, *Community Use of School Facilities*.

Student-led noncurriculum related student groups or clubs that are not school sponsored are granted free use of school premises and/or access to school resources for a meeting or series of meetings under the following conditions:

1. The meeting is held during those noninstructional times identified by the Superintendent or designee for noncurriculum related student groups, clubs, or organizations to meet. *Noninstructional time* means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.
2. All noncurriculum related student groups that are not school sponsored receive substantially the same treatment.[C2]
3. The student group or club and the meeting are student-initiated, meaning that the

request is made by a student, and the group or club is led by a student.[C3]

4. Student attendance at the meeting is voluntary.
5. The school and school employees will not promote, lead, participate in, or otherwise sponsor the meeting.
6. School employees are present at religious meetings only in a nonparticipatory capacity.
7. The meeting and/or any activities engaged in by the student group or club do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings.[C4]
9. The school retains its authority to maintain order and discipline.
10. A school staff member is present in a supervisory capacity.
11. The Superintendent or designee approves the use of school premises and/or access to school resources for a meeting or series of meetings.
12. The school requires neutral content generally limited to club/group name, meeting time(s), and location(s) as well as the approval of the Building Principal or designee for all advertisements, wall postings, or flyers.[C5]

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.:

20 U.S.C. §4071 <u>et</u> <u>seq</u>., Equal Access Act.

<u>Bd. of Ed. of Westside Community Sch. Dist. v. Mergens</u>, 496 U.S. 226 (1990).

<u>E.D. by Duell v. Noblesville Sch. Dist.</u>, 151 F.4th 907 (7th Cir. 2025).

<u>Gernetzke v. Kenosha Unified Sch. Dist. No. 1</u>, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

CROSS REF.: 6:190 (Extracurricular and Co-Curricular Activities), 7:10 (Equal Educational Opportunities), 8:20 (Community Use of School Facilities), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities)

PRESSPlus Comments

C1. This policy is rewritten based on feedback from the Ill. Council of School Attorneys to address the need for more guidance regarding what types of student-led groups are permitted free use of school premises under the Equal Access Act. Under the EAA, if a district with secondary school(s) has established a limited open forum, it is unlawful to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a *meeting* within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings. The term *meeting* under the EAA includes those activities of student groups which are permitted under a school's limited open forum and are not directly related to the school curriculum. This prohibition and definition under the EAA are the basis for the term of art *noncurriculum related student group*. See 20 U.S.C. §§4071(a) and 4072(3).

The policy is also updated due to recent case law updates, including E.D. by Duell v. Noblesville Sch. Dist., 151 F.4th 907 (7th Cir. 2025).

For more information, see the PRESS sample policy's footnotes, available at PRESS Online by logging in at www.iasb.com **Issue 122, June 2026**

C2. See also U.S. Dept. of Education *Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools* (2026), available at: www.ed.gov/media/document/2026-guidance-constitutionally-protected-prayer-and-religious-expression-public-elementary-and-secondary-schools-113182.pdf. **Issue 122, June 2026**

C3. In E.D., the Court found no violation of the EAA where a school official decided to suspend a student anti-abortion club based on evidence that the club was partially run by the student's parent, and the student failed to follow the school's content-neutral flyer rules by including political messages. **Issue 122, June 2026**

C4. Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226, 236 (1990). **Issue 122, June 2026**

C5. The content-neutral restrictions contained in this item were upheld in E.D. The Court found, "[t]he District could reasonably conclude that covering its walls with warring political messages would undermine that order and divert attention from the business of learning."

This condition's application should be consistent with a board's adopted language in policy 8:25, *Advertising and Distributing Materials in Schools Provided by Non-School Related Entities.* **Issue 122, June 2026**

Students

Student Use of Buildings - Equal Access [1]

[For high school and unit districts]

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

[1] State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. This sample policy implements the Equal Access Act (EAA) (20 U.S.C. §4071 et seq.). The EAA applies to public secondary schools that receive federal financial assistance. The policy should be adopted by districts with secondary school(s) that wish to establish or already have a *limited open forum* as defined in the EAA and quoted below. Under the EAA, it is unlawful to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a *meeting* within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings. The term *meeting* under the EAA includes those activities of student groups which are permitted under a school's limited open forum and are not directly related to the school curriculum. This prohibition and definition under the EAA are the basis for the term of art *noncurriculum related student group*. See 20 U.S.C. §§4071(a) and 4072(3).

The policy allows non-school sponsored noncurriculum related student groups to meet on school premises, free of charge, on the same basis that other non-school sponsored noncurriculum related student groups are allowed to meet. Hence the policy is named, Equal Access.

The EAA has no applicability to the community's use of school facilities. See sample policy 8:20, *Community Use of School Facilities*.

A secondary school has a limited open forum whenever it "grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time." 20 U.S.C. §4071(a). Thus, the equal access obligation is triggered when a secondary school allows one noncurriculum related student group that is not school sponsored, e.g., a political party interest club, to meet.

The EAA's requirements may be avoided by closing the forum, i.e., by refusing to permit any noncurriculum related student group that is not school sponsored to use its facilities (thereby creating a closed forum). But creating a closed forum is difficult given the U.S. Supreme Court's expansive interpretation of what constitutes a noncurriculum related student group.

A student group is "noncurriculum related" if it does not directly relate to the body of courses offered by the school. Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990). School officials cannot avoid triggering the EAA's equal access requirements by tying the purposes of the student clubs it wants to allow to some broadly defined educational goal. The Mergens Court said that a student group directly relates to a school's curriculum only if:

1. The group's subject matter is actually taught, or will soon be taught, in a regularly offered course;
2. The group's subject matter concerns a body of courses as a whole; or
3. Participation in the group is required for a particular course or results in academic credit.

Just as a noncurriculum related student group determination is fact-sensitive, so is determining whether a particular time period is noninstructional time. The term *noninstructional time* under the EAA means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. 20 U.S.C. §4072(4). A morning activity period was found to be noninstructional time making a high school's refusal to allow a student Bible club to meet in school during that period a violation of the EAA. Donovan v. Punxsutawney Area Sch. Bd., 336 F.3d 211 (3d. Cir. 2003). The Ninth Circuit reached the opposite conclusion in a similar case. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002). But see Ceniceros ex rel. Risser v. Bd. of Trustees, 106 F.3d 878, 880 (9th Cir. 1997) (holding that the plain meaning of the term "noninstructional time" under the EAA includes meetings held during lunch time).

A school violates the EAA by allowing some student groups to meet on campus but refusing similar access to gay-lesbian clubs. Colin v. Orange Unified Sch. Dist., 83 F.Supp.2d 1135 (C.D. Cal. 2000); White County High School Peers Rising In Diverse Ed. v. White Cty. Sch. Dist., 2006 WL 1991990 (D. Ga. 2006); SAGE v. Osseo Area Sch. Dist. No. 279, 2007 WL 2885810 (D. Minn. 2007). But see Caudillo v. Lubbock Ind. Sch. Dist., 311 F.Supp.2d 550 (N.D.Tex. 2004)(school did not violate the EAA when it denied a gay student club's request for access because the "maintain order and discipline" exception applied). Note the U.S. Supreme Court refused to apply N.J.'s public accommodation law to the Boy Scouts because forcing the Boy Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of Amer. v. Dale, 530 U.S. 120 (2000).

The Seventh Circuit upheld the actions of high school officials who suspended an anti-abortion student club, due to neutral reasons unrelated to viewpoint. E.D. by Duell v. Noblesville Sch. Dist., 151 F.4th 907 (7th Cir. 2025).

For purposes of this Board policy, the District has established a *limited open forum* for high school students enrolled in the District. Each District high school shall offer an opportunity for student-led *noncurriculum related student groups* to meet on school premises during *noninstructional time*. Noncurriculum related student groups are those student groups, clubs, or organizations that do not directly relate to the curriculum.[2] For purposes of this Board policy, a *non-school sponsored* noncurriculum related student group is a noncurriculum related student group that is student led.

A student group or club is *school sponsored* if the District approves the student group or club to have a paid adult sponsor to promote, participate, and/or lead its activities. However, assigning a teacher, administrator, or other school employee to supervise a meeting for custodial purposes, allowing groups to promote meetings, and providing access to resources as determined by the District do not constitute sponsorship of the student group or club, nor does it constitute the District's endorsement or agreement with the activity or the speech of the students who participate in the activity.

Extracurricular and co-curricular student groups or clubs that are school sponsored are governed by Board policy 6:190, *Extracurricular and Co-Curricular Activities*.

Student groups or clubs directed and controlled by non-school persons are governed by Board policy 8:20, *Community Use of School Facilities*.

Student-led noncurriculum related student groups or clubs that are not school sponsored are granted free use of school premises and/or access to school resources for a meeting or series of meetings under the following conditions: [3]

1. The meeting is held during those noninstructional times identified by the Superintendent or designee for noncurriculum related student groups, clubs, or organizations to meet. *Noninstructional time* means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.
2. All noncurriculum related student groups that are not school sponsored receive substantially the same treatment. [4]
3. The student group or club and the meeting are student-initiated, meaning that the request is made by a student, and the group or club is led by a student. [5]
4. Student attendance at the meeting is voluntary.
5. The school and school employees will not promote, lead, participate in, or otherwise sponsor the meeting.
6. School employees are present at religious meetings only in a nonparticipatory capacity.

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

[2] 20 U.S.C. §4072. See also discussion in f/n 1.

[3] All of the listed conditions are based on language from the EAA, except for 10 through 12.

[4] The Ninth Circuit Court of Appeals found that a school district violated the EAA and the student's First Amendment rights by denying her Bible club the same rights and benefits as other noncurriculum related student clubs. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002). Nothing in the decision suggests that the school was required to *sponsor* the Bible club and financially support it. However, the school board voluntarily gave "associated student body" clubs certain benefits that were denied the plaintiff's religious club. Thus, the district unlawfully treated one noncurriculum related student club differently from another noncurriculum related student club. See also U.S. Dept. of Education *Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools* (2026), available at: www.ed.gov/media/document/2026-guidance-constitutionally-protected-prayer-and-religious-expression-public-elementary-and-secondary-schools-113182.pdf.

[5] In E.D., the Court found no violation of the EAA where a school official decided to suspend a student anti-abortion club based on evidence that the club was partially run by the student's parent, and the student failed to follow the school's content-neutral flyer rules by including political messages.

7. The meeting and/or any activities engaged in by the student group or club do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings. [6]
9. The school retains its authority to maintain order and discipline. [7]
10. A school staff member is present in a supervisory capacity.
11. The Superintendent or designee approves the use of school premises and/or access to school resources for a meeting or series of meetings.
12. The school requires neutral content generally limited to club/group name, meeting time(s), and location(s) as well as the approval of the Building Principal or designee for all advertisements, wall postings, or flyers. [8]

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.: 20 U.S.C. §4071 et seq., Equal Access Act.
Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990).
E.D. by Duell v. Noblesville Sch. Dist., 151 F.4th 907 (7th Cir. 2025).
Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

CROSS REF.: 6:190 (Extracurricular and Co-Curricular Activities), 7:10 (Equal Educational Opportunities), 8:20 (Community Use of School Facilities), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities)

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

[6] Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226, 236 (1990).

[7] In response to a school's invitation for all student groups to paint murals in the school hallway, a Bible club sought to include a large cross. The school principal forbade the cross in order to avoid conflicts among students – there was evidence the student body contained Satanic and neo-Nazi adherents. The principal's decision was insulated from liability under the EAA by the Act's provision that "nothing in [the Act] shall be construed to limit the authority of the school … to maintain order and discipline on school premises." Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied,* 535 U.S. 1017 (2002).

See E.D. at 917, (quoting Gernetzke*,* "[o]rder and discipline are part of any high school's basic educational mission; without them, there is no education.").

[8] The content-neutral restrictions contained in this item were upheld in E.D. The Court found, "[t]he District could reasonably conclude that covering its walls with warring political messages would undermine that order and divert attention from the business of learning." Id. at 917.

This condition's application should be consistent with a board's adopted language in policy 8:25, *Advertising and Distributing Materials in Schools Provided by Non-School Related Entities*.

Document Status: Review and Monitoring

SECTION 7 - STUDENTS

7:345 Use of Educational Technologies; Student Data Privacy and Security

Educational technologies used in the District shall further the objectives of the District's educational program, as set forth in Board policy 6:10, *Educational Philosophy and Objectives*, align with the curriculum criteria in policy 6:40, *Curriculum Development*, and/or support efficient District operations. The Superintendent shall ensure that the use of educational technologies in the District meets the above criteria.[C1]

The District and/or vendors under its control may need to collect and maintain data that personally identifies students in order to use certain educational technologies for the benefit of student learning or District operations.

Federal and State law govern the protection of student data, including school student records and/or *covered information*. The sale, rental, lease, or trading of any school student records or covered information by the District is prohibited. Protecting such information is important for legal compliance, District operations, and maintaining the trust of District stakeholders, including parents, students and staff. The Board designates the Director of Technology to serve as Privacy Officer, who shall ensure the District complies with the duties and responsibilities required of it under the Student Online Personal Protection Act, 105 ILCS 85/, amended by P.A. 101-516, eff. 7-1-21.

Definitions

Covered information means personally identifiable information (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent/guardian's use of the operator's site, service or application; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application.

Operators are entities (such as educational technology vendors) that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes.

Breach means the unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of covered information maintained by an operator or the District.

<u>Operator Contracts</u>

The Superintendent or designee designates which District employees are authorized to enter into written agreements with operators for those contracts that do not require separate Board approval. Contracts between the Board and operators shall be entered into in accordance with State law and Board policy 4:60, *Purchases and Contracts,* and shall include any specific provisions required by State law.

<u>Security Standards</u>

The Superintendent or designee shall ensure the District implements and maintains reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure. In the event the District receives notice from an operator of a breach or has determined a breach has occurred, the Superintendent or designee shall also ensure that the District provides any breach notifications required by State law.

LEGAL REF.:

20 U.S.C. §1232g, Family and Educational Rights and Privacy Act; 34 C.F.R. Part 99.

105 ILCS 10/, Ill. School Student Records Act.

105 ILCS 85/, Student Online Personal Protection Act.

23 Ill. Admin. Code Part 380.

CROSS REF.: 4:15 (Identity Protection), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks), 7:340 (Student Records)

ADOPTED: February 15, 2022

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

- Compare the adopted version to the current PRESS sample (available at PRESS Online by logging in at www.iasb.com), discussing any differences and/or options noted in the footnotes to determine whether local changes are necessary
- Update the policy language due to changes in local conditions
- Make no changes, but update the adoption date to reflect that the policy has been reviewed and re-adopted

Issue 122, June 2026

Document Status: Draft Update

SECTION 8 - COMMUNITY RELATIONS

8:70 Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities and will not be subject to illegal discrimination. When appropriate, the District may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The District will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, website, or activity operated in existing facilities shall be readily accessible to, and usable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Superintendent is designated the Title II Coordinator and shall:

1. Oversee the District's compliance efforts and~~,~~ recommend necessary modifications to the Board of Education~~, and maintain the District's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least three years after its completion date~~.C1
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent or designated Title II Coordinator, or by filing a grievance under Board policy 2:260,~~the~~ *Uniform Grievance Procedure*.

LEGAL REF.:

~~Americans with Disabilities Act,~~ 42 U.S.C. §§12101 et seq. and 12131 et seq., Americans with Disabilities Act; 28 C.F.R. Part 35.

~~Rehabilitation Act of 1973 §104,~~ 29 U.S.C. §794, Rehabilitation Act of 1973 ~~(2006)~~.

105 ILCS 5/10-20.51.

410 ILCS 25/, Environmental Barriers Act.

71 Ill.Admin.Code Part 400, Illinois Accessibility Code.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Building Programs)

ADOPTED: June 13, 2023

Crete-Monee School District 201-U

PRESSPlus Comments

C1. Updated in response to a five-year review. **Issue 122, June 2026**

Community Relations

Accommodating Individuals with Disabilities [1]

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities, and will not be subject to illegal discrimination.[2] When appropriate, the District may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others. [3]

The District will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. [4]

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

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

[2] The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§12101 et seq. The ADA covers all state and local governments, including those that receive no federal financial assistance. Title II of the ADA specifically contains accessibility requirements. 42 U.S.C. §§12131 et seq. Its nondiscrimination provision states: "[s]ubject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. §12132.

The U.S. Dept. of Justice, through its Civil Rights Division, is the key agency responsible for enforcing Title II. The regulations implementing Title II are found at 28 C.F.R. Part 35. For a comprehensive compliance toolkit, see: www.ada.gov/pcatoolkit/chap1toolkit.htm. This policy contains only the basic elements of the ADA's requirements.

The ADA Amendments Act (ADAAA) significantly changed the ADA's definition of disability. 42 U.S.C. §12102. It did not, however, amend any provision in Title II regarding accessibility requirements. Consult the board attorney regarding the ADAAA's impact, if any, on the district's Title II accessibility obligations.

See f/n 4 in policy 2:260, *Uniform Grievance Procedure*, for a discussion of website accessibility requirements under Title II and the School Code. Consult the board attorney about procedures for the superintendent to perform his or her duties outlined below in f/ns 6 and 8.

The Ill. Environmental Barriers Act (410 ILCS 25/) and the Ill. Accessibility Code (71 Ill.Admin.Code Part 400) are "intended to establish minimum scoping and technical design requirements to ensure that the building environment in the State of Illinois is designed, constructed, and altered to be accessible to and useable by all, including individuals with disabilities." 71 Ill.Admin.Code §400.110(a). Press boxes that "are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet" do not have to comply with the Accessibility Code. 105 ILCS 5/10-20.51.

[3] 28 C.F.R. §35.130(b). If separate services or programs are provided, a district may not deny the individual an opportunity to participate in the regular programming unless the accommodation would alter the fundamental nature of the program. 28 C.F.R. §35.130(b).

[4] Districts must provide auxiliary aids and services to ensure that no ~~disabled~~ individual with a disability is excluded or treated differently than other individuals, unless the district can show that taking such steps would fundamentally alter the nature of the function, program, or meeting or would be an undue burden. 28 C.F.R. §§35.160 and 35.164. ~~The term~~ Examples of *auxiliary aids and services* includes qualified interpreters, assistive listening devices, note~~-~~takers, ~~and~~ written materials, open and closed captioning, and real-time computer-aided transcription services for individuals with hearing impairments; for individuals with vision impairments, ~~the term~~examples include~~s~~ qualified readers, taped texts, and Braille~~d~~ or large print materials, and screen reader software. 28 C.F.R. §35.104.

Each service, program, website, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety. [5]

The Superintendent or designee is designated the Title II Coordinator and shall: [6]

1. Oversee the District's compliance efforts and~~,~~ recommend necessary modifications to the School Board~~, and maintain the District's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least three years after its completion date~~. ~~[7]~~
2. Institute plans to make information regarding Title II's protection available to any interested party. [8]

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required.[9] This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent or designated Title II Coordinator, or by filing a grievance under Board policy 2:260,~~the~~ *Uniform Grievance Procedure*. [10]

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LEGAL REF.:	~~Americans with Disabilities Act,~~ 42 U.S.C. §§12101 et seq. and 12131 et seq., Americans with Disabilities Act; 28 C.F.R. Part 35. ~~Rehabilitation Act of 1973 §104,~~ 29 U.S.C. §794, Rehabilitation Act of 1973 ~~(2006)~~. 105 ILCS 5/10-20.51. 410 ILCS 25/, Environmental Barriers Act. 71 Ill.Admin.Code Part 400, Illinois Accessibility Code.
CROSS REF.:	2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Building Programs)

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[5] This requirement applies to construction commenced after January 26, 1992. 28 C.F.R. §35.151. Compliance methods include: equipment redesign, reassignment of services to accessible buildings, assignment of aids to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities (a district is not required to make structural changes in existing facilities where other methods are effective in achieving compliance), and use of accessible rolling stock or other conveyances. 28 C.F.R. §35.150.

[6] Each district having 50 or more full- or part-time employees must designate at least one employee to coordinate its efforts to comply with Title II, including complaint investigations. 28 C.F.R. §35.107.

~~[7] A written evaluation of district services, policies, and practices should have been completed by January 26, 1993. Interested people should have been allowed to submit comments during the evaluation process. The final self-evaluation document must be kept for at least three years, be available for public inspection, and include a list of individuals and organizations consulted, a description of areas examined and any problems identified, and a description of any modifications. The record retention requirement applies to only those districts having 50 or more full or part-time employees. While January 26, 1996, has passed, this information is kept in the policy as it is an affirmative obligation.~~

[8] Each district must make information regarding the ADA's protection available to any interested party. 28 C.F.R. §35.106. For example, a simple notice can be included in school newspapers, program or performance announcements, and registration material.

[9] The superintendent decides the appropriate response on a case-by-case basis.

[10] Adoption of a uniform grievance procedure fulfills the ADA's requirement that each district having 50 or more employees adopt and publish a grievance procedure providing for prompt and equitable resolution of any complaint.

Document Status: Review and Monitoring

SECTION 8 - COMMUNITY RELATIONS

8:100 Relations with Other Organizations and Agencies

The District shall cooperate with other organizations and agencies, including but not limited to:[C1]

- Crete Park District
- Crete Police and Fire
- Park Forest Police and Fire
- University Park Police and Fire
- Village of Monee Police
- Monee Township Fire District
- Will County Health Department
- Planning authorities
- Zoning authorities
- Village Boards
- Library Boards
- Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense
- Township Boards

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Law Enforcement Requests)

ADOPTED: February 15, 2022

Crete-Monee School District 201-U

PRESSPlus Comments

C1. This policy is suggested to be reviewed by the Board. According to policy 2:240, *Board Policy Development*, "[t]he Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required." IASB suggests that each policy in the Board's policy manual be reviewed at a minimum of every five years. As part of the review, the Board may choose to:

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Issue 122, June 2026