

SECTION 2 - SCHOOL BOARD

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

For an overall maximum of forty-five (45) minutes, at each regular and special open meeting of the School Board or Board Committee or any 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.^{C1} When public participation takes less time than this maximum, it shall end.

To preserve sufficient time for the Board to conduct its business, the individuals appearing before the Board are 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.
2. Use the sign in sheet if requested.
3. Identify oneself and be brief. Ordinarily, comments shall be limited to three (3) minutes. In unusual extenuating circumstances, e.g., to accommodate a person's disability or language interpreter, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than three (3) minutes.
4. Conduct oneself with respect and civility toward others and otherwise abide by Board Policy 8:30, *Visitors to and Conduct on School Property*.
5. Observe, when necessary, and appropriate, the 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;
 - b. Expand the overall forty-five (45) minute maximum for public participation;
 - c. Determine procedural matters regarding public participation not otherwise covered in Board policy.

Petitions or written correspondence to the Board received at the District office via mail or hand delivery 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 (School Board Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: June 24, 2024

Libertyville SD 70

PRESSPlus Comments

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

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 School Board policies.

An employee with a communicable or chronic infectious disease is encouraged to self-report ^{C1} to inform 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 24, 2024

Libertyville SD 70

PRESSPlus Comments

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

Document Status: Draft Update

General Personnel

5:70 Religious Holidays

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.

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.

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: June 24, 2024

Libertyville SD 70

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

Document Status: Draft Update

Professional Personnel

5:240 Suspension

Suspension Without Pay

The School Board may suspend a professional employee^{C1} 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.

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 Administrative Procedure;
- 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 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. 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

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.

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: June 24, 2024

Libertyville SD 70

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**

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, 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: June 24, 2024

Libertyville SD 70

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**

SECTION 6 - INSTRUCTION

6:80 Teaching About Controversial Issues

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.
- 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.

Individuals with complaints about curriculum, instructional materials, and programs should complete a Curriculum Objection Form (6:260-E), and use Board policy 2:260, *Uniform Grievance Procedure*.

Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure*.

Objections to, and consideration of materials with the Library Media Program is guided by the Collection Development Procedures (6:230-DP1). Individuals with complaints about Library Media materials should complete a Request for Reconsideration of Library/Media Materials contained therein, (Policy 6:230; 6:230-DP1).

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: June 24, 2024

Libertyville SD 70

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**

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 ^{C1} 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 those sports and extracurricular activities that are part of the IESA, District 70 follows the eligibility criteria set forth by the IESA. According to IESA, no athlete can receive a grade lower than a 60% in more than one class. Any student who does not meet the eligibility requirements must sit out for one week until the next eligibility check.

For all other sports and extracurriculars, students are expected to maintain a high standard of academics and behavior while participating on an athletic team. In order to remain an eligible participant on a team, a student may not be receiving a grade lower than a 70% in more than one class. Any student who does not meet the eligibility requirements may be subject to exclusion until satisfactorily meeting criteria developed in a plan for that student.

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), 8:20

(Community Use of School Facilities)

ADOPTED: June 24, 2024

Libertyville SD 70

PRESSPlus Comments

C1. Updated for continuous improvement. **Issue 122, June 2026**

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)

ADOPTED: September 29, 2025

Libertyville SD 70

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**

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 useable 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 or designee is designated the Title II Coordinator and shall:

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.^{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 24, 2024

Libertyville SD 70

PRESSPlus Comments

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