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Benjamin SCHOOL DISTRICT 25

TO: Board of Education
FROM: Dr. Patrick McGill, Superintendent
DATE: October 19, 2026
RE: 2nd Reading and Adoption of PRESS Plus Issue 122

BACKGROUND
Board of Education Policy 2:240 guides the process for reviewing and updating current Board policies and for conducting first and second readings of policies for the Board of Education's consideration. The Superintendent is responsible for managing this process.

SUMMARY:
The Illinois Association of School Boards' PRESS Plus policy service distributed Issue 122 policy recommendations. Our District leadership team reviewed the PRESS Services recommendations and contacted legal counsel when necessary.

Our suggestions are outlined in the attached PRESS Plus Issue 122 Summary of Recommendations.
You will notice there are five different types of revisions, as follows:

1. Language Change - IASB recommendations for policy language changes.
2. Reference Updates - Legal references to updates in Illinois or Federal law.
3. New Policies - New policies recommended because of case law or new legislation.
4. Rewritten Policies - More significant policy rewrites than just simple language changes.
5. Review and Monitoring - IASB recommends that the Board of Education review/monitor policies that have not been updated in 5 years.

The Board of Education reviewed the first reading of PRESS Plus Issue 122 at the September 14, 2026, regular Board of Education Meeting.

RECOMMENDATION(S):
That the Board of Education approve the Second Reading and Subsequent adoption of PRESS Plus Issue 122 recommendations as presented in the following summary sheet.

Policy:	Revision Description:					Recommendation:
LANGUAGE CHANGES AND REFERENCE UPDATES:	***Language Change***	***Reference Updates***	*New Policy*	*Rewritten*	*Review & Monitor*	
2:230 Public Participation at School Board Meetings		Reference Updates				**Adopt recommendations**
5:70 Religious Holiday		Reference Updates				**Adopt recommendations**
5:240 Suspension	Language Change					**Adopt recommendations**
6:70 Teaching About Religions		Reference Updates				**Adopt recommendations**
6:80 Teaching About Controversial Issues		Reference Updates				**Adopt recommendations**
6:190 Extracurricular and Co-Curricular Activities	Language Change					**Adopt recommendations**
7:130 Student Rights and Responsibilities		Reference Updates				**Adopt recommendations**
8:70 Accommodating Individuals with Disabilities	Language Change	Reference Updates				**Adopt recommendations**
NEW POLICY:	*Language Change*	*Reference Updates*	***New Policy***	*Rewritten*	*Review & Monitor*	
2:120 - E3 Exhibit - Resolution to Appoint a Delegate to the Illinois Association of School Boards			New Policy			**Adopt recommendations**
REWRITTEN:	*Language Change*	*Reference Updates*	*New Policy*	***Rewritten***	*Review & Monitor*	
2:70 - E Exhibit - Checklist for Filling Board Vacancies by Appointment				Rewritten		**Adopt recommendations**
2:140 - E Exhibit - Guidance for Board Member Communications, Including Email Use				Rewritten		**Adopt recommendations**
2:220 - E1 Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes				Rewritten		**Adopt recommendations**
2:220 - E3 Exhibit - Closed Meeting Minutes				Rewritten		**Adopt recommendations**
2:220 - E5 Exhibit - Semi-Annual Review of Closed Meeting Minutes				Rewritten		**Adopt recommendations**
2:220 - E8 Exhibit - Board of Education Records Maintenance Requirements and FAQs				Rewritten		**Adopt recommendations**
REVIEW AND MONITORING (every five years):	*Language Change*	*Reference Updates*	*New Policy*	*Rewritten*	***Review & Monitor***	

2:30 School Elections					Review & Monitoring	**Adopt w/ no changes**
3:40 Superintendent					Review & Monitoring	**Adopt w/ no changes**
3:50 Administrative Personnel Other Than the Superintendent					Review & Monitoring	**Adopt w/ no changes**
3:60 Administrative Responsibility of the Building Principal					Review & Monitoring	**Adopt w/ no changes**
3:70 Succession of Authority					Review & Monitoring	**Adopt w/ no changes**
4:120 Food Services					Review & Monitoring	**Adopt w/ no changes**
4:175 Convicted Child Sex Offender; Screening; Notifications					Review & Monitoring	**Adopt w/ no changes**
5:40 Communicable and Chronic Infectious Disease					Review & Monitoring	**Adopt w/ no changes**
5:140 Soliciatations By or From Staff					Review & Monitoring	**Adopt w/ no changes**
5:185 Family and Medical Leave					Review & Monitoring	**Adopt w/ no changes**
7:30 Student Assignment					Review & Monitoring	**Adopt w/ no changes**
7:80 Release Time for religious Instruction/Observance					Review & Monitoring	**Adopt w/ no changes**
7: 345 Use of Educational Technologies; Student Data Privacy and Security					Review & Monitoring	**Adopt w/ no changes**
8:100 Relations with Other Organizations and Agencies					Review & Monitoring	**Adopt w/ no changes**

PRESS PLUS 122

BENJAMIN SCHOOL DISTRICT 25

Language Changes and Reference Updates

Document Status: Draft Update

SECTION 2 - BOARD OF EDUCATION

2:230 Public Participation at School Board Meetings - Reference Update

The Board of Education, as a representative body of the district, wishes to provide an avenue for any citizen to express his/her interest in and concern for the public schools. Accordingly, the public is invited to attend any regular session of the Board of Education. The Board meets monthly to determine and act on the needs of the school and to review their progress in accomplishing pre-established goals. As such, Board meetings are business meetings which must be conducted orderly and efficiently. Thus, while any citizen may observe a regular meeting, participation by non-board members is encouraged bur regulated by certain procedures.[C1]

Any resident of the district, members of the schools' staff, or non-resident, may address the Board of Education.

Citizens Desire to Be Placed on the Agenda

Person or persons wishing to be placed on the agenda, must first notify the Superintendent in writing by fully identifying themselves and the topic to be discussed. The Superintendent, upon receipt of a properly executed request, will set a date for inclusion on the agenda as soon as practicable. The deadline for items and/or persons wishing to appear before the Board on the agenda shall be one week prior to the regularly scheduled Board meeting. The placement on the agenda of persons wishing to appear before the Board shall be organized according to the time of the submitted written request as received by the Superintendent.

Citizens Desire to Address the Board on Agenda Items

Prior to Board discussion, the Superintendent shall clarify an agenda item. After clarification, the President will recognize those participants wishing to give input on an item. The Board will only receive input and will not dialogue with participants. All participant input will occur prior to Board debate.

Citizens Desire to Address the Board on Non Agenda Items

Citizens will have an opportunity to speak to the Board at each meeting on concerns that are non-agenda items. At such times, and excepting emergency situations, all concerns shall be referred to the Superintendent for study and, where appropriate for recommendation for future Board action.

To Speak at a Board Meeting

An individual will be limited to three minutes, and a total time for participation input on any one agenda item will be limited to thirty minutes. This time limit may be extended by majority vote of Board members present. A speaker's privilege may be terminated if he persists in improper conduct or abusive remarks.

At a public meeting of the Board of Education, no person may initiate charges or complaints against individual employees of the district or challenge instructional materials used in the district. All such changes, complaints or challenges shall be presented according to established policies.

LEGAL REF.:

5 ILCS 120/2.06, Open Meetings Act.

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

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 10, 2024~~

Benjamin School District 25

PRESSPlus Comments

C1. This policy's content is unique to the district. Please consult the author and the **PRESS** sample, available by logging in at www.iasb.com, to determine necessary changes. **Issue 122, June 2026**

Document Status: Draft Update

General Personnel

5:70 Religious Holidays Reference update

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

For employees not covered by a current applicable bargaining agreement:

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 10, 2024~~

Benjamin School District 25

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 - Language Change

Suspension Without Pay

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

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~~,[C1] 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 10, 2024~~

Benjamin School District 25

PRESSPlus Comments

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

Document Status: Draft Update

SECTION 6 - INSTRUCTION

6:70 Teaching About Religions - Reference updates

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 10, 2024~~

Benjamin School District 25

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**

Document Status: Draft Update

SECTION 6 - INSTRUCTION

6:80 Teaching About Controversial Issues - Reference updates

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.

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 10, 2024~~

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**

Document Status: Draft Update

SECTION 6 - INSTRUCTION

6:190 Extracurricular and Co-Curricular Activities - Language Change

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[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 students in kindergarten through 8th grade, 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.~~

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 10, 2024~~

PRESSPlus Comments

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

Document Status: Draft Update

SECTION 7 - STUDENTS

7:130 Student Rights and Responsibilities – Reference updates

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: October 20, 2025

Benjamin School District 25

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**

Document Status: Draft Update

SECTION 8 - COMMUNITY RELATIONS

Language Change ; Reference Updates

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 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 10, 2024~~

Benjamin School District 25

PRESSPlus Comments

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

PRESS PLUS 122

BENJAMIN SCHOOL DISTRICT 25

New Policy

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

Benjamin School District 25

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**

PRESS PLUS 122

BENJAMIN SCHOOL DISTRICT 25

Rewritten

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	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.

member, and (2) the process by which the Board will fill the seat.	

☐ **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	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.

trustee • Not hold certain types of 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	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

accept applications. The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.	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 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	Listing this along with the Board's list of qualifications assists candidates in understanding a Board

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*].	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 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	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.

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 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.	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. 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.

Benjamin School District 25

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**

Document Status: Draft Update - Rewritten

Communications To and From the Board

2:140-E Exhibit - Guidance for Board Member Communications, Including Email Use

The Open Meetings Act (OMA) requires the Board of Education to discuss District business only at a properly noticed Board meeting.[C1] 5 ILCS 120/. Other than during a Board meeting, a majority or more of a Board quorum may not engage in contemporaneous interactive communication, whether in person or electronically, to discuss District business. This guidance assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board*.

Note: *Public records* stored by board members on personal devices (i.e., texts) or personal email accounts pose significant logistical and administrative challenges for public record preservation and certain FOIA requests. It is therefore a best practice for board members to utilize District-issued devices or District-issued email addresses for electronic communications that qualify as public records under the Freedom of Information Act (FOIA) or the Local Records Act (LRA). For that reason, the examples in this guidance focus primarily on board member email use and District-issued devices.

Communications Between or Among Board Members and/or the Superintendent Outside of a Properly Noticed Board Meeting

1. The Superintendent or designee is permitted to email information to Board members. For example, the Superintendent may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Superintendent should copy all other Board members and include a do not reply all/forward alert to the group, such as: **"BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender.**" Alternatively, the Superintendent may blind carbon copy (bcc) all other board members (preventing them from replying to all) and include a similar alert to the group, such as: **"BOARD MEMBER ALERT: This email is in response to a request. To prevent replies or forwards to the group, all board members are blind carbon copied on this email. Only reply to the sender."**

2. Board members are permitted to discuss any topic other than District business with each other, whether in person or by telephone, email, text, or other electronic means, regardless of the number of members participating in the discussion. For example, they may discuss sports, work, or current events.
3. Board members are permitted to provide information to each other, whether in person or by telephone, email, text, or other electronic means, that relates to District business but is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
4. A Board member is not permitted to discuss District business with more than one other Board member at a time, whether in person or by telephone, email, text, or other electronic means. Stated another way, a Board member may discuss District business in person or by telephone, email, text, or other electronic means with only one other Board member at a time.
5. A Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls, emails, texts, or other electronic communications to, Board members individually.
6. A Board member should include a do not reply all/forward alert when emailing a message concerning District business to more than one other Board member. The following is an example of such an alert: "**BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual.**" Alternatively, the board member may bcc the other board members and include a similar alert to the other board members, such as **"BOARD MEMBER ALERT: This email is not for interactive discussion purposes. To prevent replies or forwards to the group, all board members are blind carbon copied on this email. The recipient should not reply to it or forward it to another individual."**
7. Board members should not forward email received from another Board member.

When Must the Electronic Communications Sent or Received by Individual Board Members Be Disclosed Pursuant to a Freedom of Information Act (FOIA) Request?

An electronic communication must be disclosed if it is a public record as defined by FOIA, unless a specific exemption applies. A *public record* is any recorded information "pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body." 5 ILCS 140/2, amended by P.A. 104-438. Public records do not include *junk mail*. Junk mail includes unsolicited commercial electronic communications sent to the District that it does not respond to. Id. Email or other electronic communications sent or received by an individual Board member may be, depending on the content and circumstances, subject to disclosure as a public record (unless a FOIA exemption is applicable).

If a Board member uses a District-provided device or email address to discuss public business, the electronic communication is subject to disclosure under FOIA, barring an applicable exemption. If a Board member uses a private device and email address, the communication is subject to FOIA if it satisfies this test:

> **First**, the communication pertains to the transaction of public business, and
>
> **Second**, the communication was: (1) prepared by a public body, (2) prepared for a public body, (3) used by a public body, (4) received by a public body, (5) possessed by a public body, and/or (6) controlled by a public body.

This test is from the appellate court decision in City of Champaign v. Madigan, 992 N.E.2d 629 (Ill. App. Ct. 2013).

The following examples describe FOIA's treatment of electronic communications:

1. If an electronic communication does not pertain to public business, it is not a public record and is not subject to a FOIA request.
2. An electronic communication pertaining to public business that is:
    a. Sent and/or received by an individual Board member using a personal electronic device and personal email address while he or she is at home or work would not be a public record. Individual Board members, alone, cannot conduct school District business. As stated earlier, emails among a majority or more of a Board-quorum violate OMA and, thus, are subject to disclosure during proceedings to enforce OMA.
    b. Sent and/or received by an individual Board member on a District-issued device or District-issued email address **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.
    c. Received by an individual Board member on a personal electronic device and then forwarded by the Board member to a District-owned device or server **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.
    d. Received by an individual Board member using a personal electronic device and personal email address, and then forwarded by the Board member to enough members to constitute a majority or more of a Board-quorum **will be a public record** and subject to FOIA. The electronic communication is in the District's possession.
    e. Either sent to or from a Board member's personal electronic device during a Board meeting **will be a public record** and subject to FOIA. The electronic communication is in the District's possession because Board members were functioning collectively as a public body.

The District's Freedom of Information Officer and/or Board Attorney will help determine whether a specific communication must be disclosed pursuant to a FOIA request.

When Must Electronic Communications Be Retained?

Electronic communications that qualify under FOIA as *public records* will need to be stored pursuant to the Local Records Act (LRA), only if it is evidence of the District's organization, function, policies, procedures, or activities or contains informational data appropriate for preservation. 50 ILCS 205/. An example is any email from a Board officer concerning a decision made in his or her capacity as an officer. If a Board member uses his or her personal email, he or she must copy this type of email to the appropriate District office where it will be stored. If made available, Board members should use their email accounts provided by the District, and the District will automatically store the official record messages. The District will delete these official record messages as provided in an applicable, approved **retention schedule**. Of course, email pertaining to public business that is sent or received by a Board Member using a District-issued device or email address will be subject to FOIA, even if the email does not need to be retained under the LRA.

Important: Do not destroy any electronic communication concerning a topic that is being litigated without obtaining the Board Attorney's direction. In federal lawsuits, there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally advise their clients at the beginning of a legal proceeding that they must not destroy any electronic records that might be relevant. This is referred to as a *litigation hold*. For more discussion of a litigation hold, see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. In addition, any person who knowingly with the intent to defraud any party destroys, removes, or conceals any public record commits a Class 4 felony. 50 ILCS 205/4.

Benjamin School District 25

PRESSPlus Comments

C1. Rewritten for PRESS Plus in response to the Freedom of Information Act (FOIA), 5 ILCS 140/2, amended by P.A. 104-438, excluding *junk mail* from the definition of *public record*, and for continuous improvement. This exhibit is not a substitute for legal advice. Use it after having a discussion with the board attorney. A redlined version showing the changes made is available at PRESS Online by logging in at www.iasb.com. **Issue 121, March 2026**

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:	Immediately before a closed meeting, tests and activates the audio recording device.

Superintendent or Board Secretary	
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:	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

Superintendent or designee	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.

Benjamin School District 25

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**

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)

Benjamin School District 25

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**

Document Status: Draft Update - Rewritten

Board of Education Meeting Procedure

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.

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

Benjamin School District 25

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**

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Board of Education Meeting Procedure

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	Must they	May we release them to the public?	May we destroy

required to approve them?	be semi-annually reviewed?		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. [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.

Open Meeting Verbatim Recordings

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

to approve 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	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/	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:

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 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.		2.06(f).	*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 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 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**

PRESS PLUS 122

BENJAMIN SCHOOL DISTRICT 25

Review

And

Monitoring

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 and otherwise provides information to the community concerning District elections.

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: June 10, 2024~~

Benjamin School District 25

PRESSPlus Comments

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Issue 122, June 2026

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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. 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: June 10, 2024~~

Benjamin School District 25

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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 nonrenewal 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.

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: June 10, 2024~~

Benjamin School District 25

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Issue 122, June 2026

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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 or as the Superintendent may assign, that are consistent with the Building Principal's education and training. Each Building Principal and Assistant Principal and/or Assistants to the 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 shall evaluate each Building Principal and Assistant Principal. 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: June 10, 2024~~

Benjamin School District 25

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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 submitted to the Board of Education.[C1]

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

~~ADOPTED: June 10, 2024~~

Benjamin School District 25

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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 Board of Education 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.:

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

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

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: June 10, 2024~~

Benjamin School District 25

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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: June 10, 2024~~

Benjamin School District 25

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General Personnel

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.[C1]

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)

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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: June 10, 2024~~

Benjamin School District 25

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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.[C1]

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

~~ADOPTED: June 10, 2024~~

Benjamin School District 25

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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 year, on a rolling 12-month period measured backward from the date the employee uses any FMLA leave so that the remaining leave entitlement is the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

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 by federal rules.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness, as provided by federal rules.

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

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, both of the following provisions must describe the employee:

1. The employee is employed at a worksite where at least 50 employees are employed within 75 miles; and
2. The employee has been employed by the District for at least 12 months and has been employed for at least 1,000 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than 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: June 10, 2024~~

Benjamin School District 25

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
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Issue 122, June 2026

Document Status: Review and Monitoring

SECTION 7 - STUDENTS

7:30 Student Assignment

The Superintendent or designee shall assign students to classes. Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.[C1]

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: June 10, 2024~~

Benjamin School District 25

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Issue 122, June 2026

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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 or for religious instruction. 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: June 10, 2024~~

Benjamin School District 25

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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.

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.

Operator Contracts

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.

Security Standards

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: June 10, 2024~~

Benjamin School District 25

PRESSPlus Comments

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Issue 122, June 2026

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]

- County Health Department
- Law enforcement agencies
- Fire authorities
- Planning authorities
- Zoning authorities
- Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense
- Other school districts

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

Benjamin School District 25

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