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Instruction

Administrative Procedure - Education of Homeless Children

Actor	Action
School Board **Preliminary Step**	Upon recommendation of the Superintendent, determines whether to expend transportation funds to provide financial homeless prevention assistance to the parents/guardians (or persons who enroll students) of children who are homeless or *at risk of becoming homeless*, in accordance with the provisions of 105 ILCS 5/29-5 ~~(amended by P.A. 102-539)~~; 105 ILCS 45/1-17, amended by P.A. 104-595. See duties of the Liaison for Homeless Children below for specific eligibility requirements.
Superintendent **Preliminary Steps**	Serves as or designates an appropriate staff person, who may also be a coordinator for other federal programs, to serve as a Liaison for Homeless Children. 42 U.S.C. §11432(g)(1)(J)(ii). Under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(2)), *homeless children and youths* means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of 42 U.S.C. §11302(a)(1)). The term includes: 1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals; **Note:** 42 U.S.C. §11434a(2) no longer includes children "awaiting foster care placement" within the definition of *homeless children and youths*. 2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of 42 U.S.C. §11302(a)(2)(C)); 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and 4. Migratory children (as such term is defined in 20 U.S.C. §6399) who qualify as homeless for purposes of this part because their living situations are covered by (1), (2), or (3) above. Under the Education for Homeless Children Act, 105 ILCS 45/1-5, *homeless person, child, or youth* includes, but is not limited to, any of the following: 1. An individual who lacks a fixed, regular, and adequate nighttime place of abode. 2. An individual who has a primary nighttime place of abode that is:

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Actor	Action
	a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing); b. An institution that provides a temporary residence for individuals intended to be institutionalized; or c. A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
Liaison for Homeless Children **Duties**	Reviews and uses the information provided at: www.isbe.net/Pages/Homeless.aspx to become aware of the resources and training materials provided by the Ill. State Board of Education (ISBE) regarding the education of homeless children. For information about federal requirements and technical assistance from the National Center for Homeless Education, funded by the U.S. Dept. of Education, see https://nche.ed.gov/legislation/mckinney-vento/. Ensures that homeless children and youths are identified by school personnel and through coordinated activities with other entities and agencies. 42 U.S.C. §11432(g)(6)(A)(i). Ensures that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, District programs. 42 U.S.C. §11432(g)(6)(A)(ii). Ensures that homeless families, children, and youths have access to and receive educational services for which they are eligible, and make referrals to health care, dental, mental health and substance abuse, housing, and other appropriate services. 42 U.S.C. §11432(g)(6)(A)(iii)-(iv). Informs parents/guardians of educational and related opportunities available to their children, and provide them with meaningful opportunities to participate in their children's education. 42 U.S.C. §11432(g)(6)(A)(v). Disseminates public notice of the educational rights of homeless children and youths in locations where they receive services (such as schools, shelters, public libraries, and soup kitchens). 42 U.S.C. §11432(g)(6)(A)(vi). Mediates enrollment disputes to: 1. Ensure the child/youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute; 2. Provide the homeless child/youth's parent/guardian with a written explanation of the school's decision regarding school selection or enrollment, including their rights to appeal the decision; 3. Complete the dispute resolution process as expeditiously as possible; and 4. In the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending resolution of the dispute.

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Liaison for Homeless Children, cont'd **Duties**	42 U.S.C. §11432(g)(3)(E)(i)-(iv) and 42 U.S.C. §11432(g)(6)(A)(vii). Fully informs the parent/guardian of a homeless child/youth, and any unaccompanied youth, of all transportation services and assist in accessing transportation services. 42 U.S.C. §11432(g)(6)(A)(viii). Convene a meeting with the parent/guardian and teacher of the child if the travel time to a homeless child's school of origin is longer than one hour each way, or if the travel time is shorter, but the District wishes to evaluate whether such travel is in the best interest of the child's development and education. 105 ILCS 45/1-15. Assists unaccompanied youth in placement/enrollment decisions, consider the youth's wishes in those decisions, and provide notice to the youth of the right to appeal such decisions. 42 U.S.C. §11432(g)(3)(B)(iv). Assists children/youths who do not have immunizations or medical records in obtaining necessary immunizations and/or medical records. 42 U.S.C. §11432(g)(3)(C)(iii). If needed, verifies children's homeless status so they may obtain free copies of their birth certificates, in accordance with procedures established by the State Registrar of Vital Records. 410 ILCS 535/25.3~~, amended by P.A. 102-1141~~. Collaborates with State and local social service agencies that provide services to the homeless as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. 42 U.S.C. §11432(g)(5)(A) and (g)(6)(C). Conducts a hardship review whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing; a hardship review should be performed after the passage of 18 months and annually thereafter. 105 ILCS 45/1-25(a-5). Makes a recommendation to the Superintendent regarding whether the Board should authorize financial homeless prevention assistance for families with children who are homeless or *at risk of being homeless*. 105 ILCS 5/29-5~~, amended by P.A. 102-539~~; 105 ILCS 45/1-17, amended by P.A. 104-595. In those cases where the parties agree it is in the best interest of the child and District to do so, prepares a written housing plan (Plan) to provide financial assistance in an amount that will allow a child who is homeless or *at risk of being homeless* to remain permanently in his/her home or obtain

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Liaison for Homeless Children, cont'd **Duties**	new housing.[1] Financial assistance may include: (1) mortgage or rental assistance or extended motel stay that will allow a child to remain permanently in his/her living situation or obtain a new living situation; and/or (2) assistance with unpaid bills, loans, or other financial debts that result in housing being inadequate. 105 ILCS 45/1-17(a), amended by P.A. 104-595. Before entering into any such Plan, verifies that all of the following requirements have been met in order for the District to claim the financial assistance against its State transportation funds: 1. The District has attempted to provide financial assistance through its local homeless assistance agency that is part of the McKinney-Vento Homeless Act's continuum of care. 105 ILCS 45/1-17(b). 2. The amount of financial assistance will not exceed the District's actual costs for providing transportation for the child. 105 ILCS 5/29-5~~, amended by P.A. 102-539~~. 3. The District is not otherwise claiming the transportation costs in another State or federal grant. 105 ILCS 5/29-5~~, amended by P.A. 102-539~~. 4. If the assistance is to be provided to a child *at risk of becoming homeless*, the parent/guardian, person who enrolled the child, or unaccompanied minor has provided documented evidence showing that the child's living situation will, within eight weeks, cease to be fixed, regular, and adequate and will result in the child becoming homeless. Acceptable proof includes, but is not limited to: foreclosure notice, eviction notice, utility shut-off or discontinuation notice, or written statement from the parent/guardian, person who enrolled the student, or unaccompanied minor. 105 ILCS 45/1-17(d). Refers the child or his/her parent/guardian to the ombudsperson appointed by the Regional Superintendent whenever a school denies a homeless child enrollment or transportation, and provides the child or his/her parent(s)/guardian(s) with a written statement of the basis for the denial. 105 ILCS 45/1-25(a).
Parents/guardians **Assignment**	Choose the child's attendance center between the following options (105 ILCS 45/1-10 controls because it exceeds the rights granted to parents/guardians in federal law): 1. Continuing the child's education in the school of origin for as long as the child remains homeless or, if the child becomes permanently

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

[1] 105 ILCS 45/1-17(c). The law does not detail the specific contents of a Plan; a plan should be locally developed in consultation with the board attorney and/or the district's auditor. There are several critical issues to consider in developing a Plan: (1) will the financial assistance be provided directly to third parties such as landlords, utility companies, etc., or will it be paid directly to parents/guardians (where there may be more potential for fraudulent activity); (2) what documentation, if any, the district will require to substantiate payment of rent, bills, etc., under the Plan; (3) the duration of the Plan and how often it will be reviewed; and (4) any other controls which should be implemented for auditing purposes.

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	housed, until the end of the academic year during which the housing is acquired; or 2. Enrolling the child in any school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend. The term *school of origin* means the school that the child attended when permanently housed or the school in which the child was last enrolled. 42 U.S.C. §11432(g)(3)(I) and 105 ILCS 45/1-5. If the child is attending his/her school of origin, make a good faith effort to provide or arrange for transportation to and from the school of origin, including authorizing relatives, friends, or a program for homeless persons to provide the child with transportation.
Building Principal Where Homeless Student Will be Enrolled **Enrollment**	Immediately enrolls the homeless child/youth, even if the child/youth is unable to produce records normally required for enrollment, e.g., previous academic records, medical records, proof of residency, or other documentation. 42 U.S.C. §11432(g)(3)(C)(i) and 105 ILCS 45/1-20. Immediately contacts the school last attended by the child/youth to obtain relevant academic and other records. 42 U.S.C. §11432(g)(3)(C)(ii) and 105 ILCS 45/1-20. If the child/youth needs to obtain immunizations, or immunization or medical records, immediately refers the child/youth's parent/guardian to the Liaison for Homeless Children. 42 U.S.C. §11432(g)(3)(C)(iii) and 105 ILCS 45/1-20. Maintains records for the homeless child/youth that are ordinarily kept for students according to District policy and procedure on student school records. 42 U.S.C. §11432(g)(3)(D). See Board policy 7:340, *Student Records*, and administrative procedure 7:340-AP1, *School Student Records*. Ensures each homeless child/youth is provided services comparable to services offered to other students including the following (42 U.S.C. §11432(g)(4)): 1. Transportation services; 2. Educational services for which the child/youth meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners; 3. Programs in career and technical education; 4. Programs for gifted and talented students; and 5. School nutrition programs. Requires a parent/guardian of a homeless child/youth, if available, to submit contact information. 42 U.S.C. §11432(g)(3)(H) and 105 ILCS 45/1-20.
Transportation Director and Building	Ensure transportation is provided to a homeless child/youth, at the request of the parent/guardian (or in the case of an unaccompanied youth, the

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Principal Where Homeless Student Will be Enrolled **Transportation**	Liaison), to and from the school of origin. 42 U.S.C. §11432(g)(1)(J)(iii); 42 U.S.C. §11432(g)(4)(A). State law, found at 105 ILCS 45/1-15, is superseded by federal law. The term *school of origin* means the school that the student attended when permanently housed or the school in which the student was last enrolled. 42 U.S.C. §11432(g)(3)(I). Transportation shall be arranged as follows: 1. If the homeless child/youth continues to live in the area served by the school district in which the school of origin is located, the child/youth's transportation to and from the school of origin shall be provided or arranged by the district in which the school of origin is located. 2. If the homeless child/youth's living arrangements in the area served by the district of origin terminate and the child/youth, though continuing his or her education in the school of origin, begins living in an area served by another school district, the district of origin and the district in which the homeless child/youth is living shall agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally. 42 U.S.C. §11432(g)(1)(J)(iii).
Liaison for Homeless Children **Dispute**	If a dispute arises involving any issue related to the homeless status or homelessness-related claim of a child/youth or the child/youth's parent/guardian, attempts to resolve any disagreement. 23 Ill.Admin.Code §1.241(b)(1). **Note:** The District must structure dispute resolution as informally as possible to give a child/youth or the child/youth's parent/guardian any necessary assistance navigating the process. 23 Ill.Admin.Code §1.241((b)(2). Does not delay enrollment, transportation, or other services before or during dispute resolution; continues providing those services until the conclusion of the dispute resolution process (including any appeals). 23 Ill.Admin.Code §1.241(b)(3).
Superintendent or Designee **Dispute**	If a dispute is not resolved by the Liaison for Homeless Children, sends a letter to the homeless child/youth or the child/youth's parent/guardian, the Regional Superintendent (or Intermediate Service Center Executive Director), and the State Coordinator of Homeless Children and Youth (State Coordinator) indicating the District's position on the dispute and including information on (23 Ill.Admin.Code §1.241(c)): 1. The availability of an ombudsperson; 2. Sources of low-cost or free legal assistance; 3. Other advocacy services in the community; and 4. The dispute resolution procedure.

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	The Homeless Family Placement Act governs shelter placement. 310 ILCS 85/1.
Regional Superintendent (or Intermediate Service Center Executive Director) **Dispute**	No later than 10 school days after receiving the Superintendent or Designee's dispute letter, appoints an ombudsperson to provide resource information and resolve disputes at schools within the region relating to the rights of homeless children under 105 ILCS 45/. 105 ILCS 45/1-25(a); 23 Ill.Admin.Code §1.241(d).
Ombudsperson **Dispute**	Within five school days after receiving notice of the dispute, if possible, convenes a meeting with the parties and attempts to resolve the dispute. Id. During dispute resolution, the ombudsperson (23 Ill.Admin.Code §1.241(d)(1)-(4)): 1. Must set clear rules and timelines for the dispute resolution process and inform each party of their respective expectations; 2. Must provide copies of documents that will be used by the other party before the meeting, if possible; 3. Must allow: a. A complete presentation of relevant facts by all parties; and b. Assistance for the child/youth or the child/youth's parent/guardian from a legal representative knowledgeable of federal and State laws concerning homeless students' educational rights; 4. May: a. Require each party to make an opening statement; b. Limit the amount of time each party may use to present information; c. Pose questions to each party; d. Limit any redundant testimony or testimony that is not directly related to homelessness claims; or e. Make allowances for the child/youth or child/youth's parent/guardian, e.g., in how evidence or arguments are presented. No later than 10 school days after the conclusion of the dispute resolution meeting, if possible, makes a written determination using a form supplied by ISBE. The form must include all components set forth in 23 Ill.Admin.Code §1.241(d)(5)(A)-(I), including notice of the parties' right to appeal the final determination by submitting a written appeal request within five school days to the State Coordinator. 23 Ill.Admin.Code §1.241(d), (e).
State Coordinator **Dispute**	After receiving a written appeal request, obtains from the ombudsperson all documents, notes, transcripts, and any other materials used by the parties to present their cases. May request additional relevant information. 23 Ill.Admin.Code §1.241(e)(1). No later than 15 school days after receiving a written appeal request, makes a final determination and notifies the parties of its decision. May, if

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	necessary, extend the timeline for an additional five school days but must inform the parties of any extension. 23 Ill.Admin.Code §1.241(e)(2).
State Superintendent of Education or Designee **Dispute**	If it is determined that a District's actions giving rise to a dispute are inconsistent with applicable law, may require the District to take any action necessary to comply with the law. 23 Ill.Admin.Code §1.241(f). If the District does not comply, places the District's recognition status on probation in accordance with 23 Ill.Admin.Code §1.20(b). Id.

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Corrections Review w/ Melissa, Lisa, Jen, Jessica, Debbie, Megan

Instruction

Administrative Procedure - Acceptable Use of the District's Electronic Networks

All use of the District's *electronic networks* shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or prohibited behavior by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or legal action.**

Terms and Conditions

The term *electronic networks* includes all of the District's technology resources, including, but not limited to:

1. The District's local-area and wide-area networks, including wireless networks (Wi-Fi), District-provided Wi-Fi hotspots, and any District servers or other networking infrastructure;
2. Access to the Internet or other online resources via the District's networking infrastructure or to any District-issued online account from any computer or device, regardless of location;
3. District-owned and District-issued computers, laptops, tablets, phones, or similar devices.

Acceptable Use – Access to the District's electronic networks must be: (a) for the purpose of education or research, and be consistent with the District's educational objectives, or (b) for legitimate business use.

Privileges – Use of the District's electronic networks is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges, disciplinary action, and/or appropriate legal action. The system administrator or Building Principal will make all decisions regarding whether or not a user has violated these procedures and may deny, revoke, or suspend access at any time. His or her decision is final.

Unacceptable Use – The user is responsible for his or her actions and activities involving the electronic networks. Some examples of unacceptable uses are:

a. Using the electronic networks for any illegal activity, including violation of copyright or other intellectual property rights or contracts, or transmitting any material in violation of any State or federal law;
b. Using the electronic networks to engage in conduct prohibited by Board policy;
c. Unauthorized downloading of software or other files, regardless of whether it is copyrighted or scanned for malware;
d. Unauthorized use of personal removable media devices (such as flash or thumb drives);
e. Downloading of copyrighted material for other than personal use;
f. Using the electronic networks for private financial or commercial gain;
g. Wastefully using resources, such as file space;
h. Hacking or attempting to hack or gain unauthorized access to files, accounts, resources, or entities by any means;
i. Invading the privacy of individuals, including the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature, such as a photograph or video;
j. Using another user's account or password;

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k. Disclosing any network or account password (including your own) to any other person, unless requested by the system administrator;
l. Posting or sending material authored or created by another without his/her consent;
m. Posting or sending anonymous messages;
n. Creating or forwarding chain letters, spam, or other unsolicited messages;
o. Using the electronic networks for commercial or private advertising;
p. Accessing, sending, posting, publishing, or displaying any abusive, obscene, profane, sexual, threatening, harassing, illegal, or knowingly false material;
q. Misrepresenting the user's identity or the identity of others; and
r. Using the electronic networks while access privileges are suspended or revoked.

Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

a. Be polite. Do not become abusive in messages to others.
b. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.
c. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
d. Recognize that the District's electronic networks are not private. People who operate District technology have access to all email and other data. Messages or other evidence relating to or in support of illegal activities may be reported to the authorities.
e. Do not use the networks in any way that would disrupt its use by other users.
f. Consider all communications and information accessible via the electronic networks to be private property.

No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed_-deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Indemnification – By using the District's electronic networks, the user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of these procedures.

Security – Network security is a high priority. If the user can identify or suspects a security problem on the network, the user must promptly notify the system administrator or Building Principal. Do not demonstrate the problem to other users. Keep user account(s) and password(s) confidential. Do not use another individual's account without written permission from that individual. Attempts to log-on to the network as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the networks.

Vandalism – Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of malware, such as viruses and spyware.

Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, texting or data use charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.

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Copyright Web Publishing Rules – Copyright law and District policy prohibit the re-publishing of text or graphics found on the Internet or on District websites or file servers/cloud storage without explicit written permission.

a. For each re-publication (on a website or file server) of a graphic or a text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the web address of the original source.
b. Students and staff engaged in producing web pages must provide library media specialists with email or hard copy permissions before the web pages are published. Printed evidence of the status of *public domain* documents must be provided.
c. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the website displaying the material may not be considered a source of permission.
d. The *fair use* rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.
e. Student work may only be published if there is written permission from both the parent/guardian and student.

Use of Email – The District's email system, and its constituent software, hardware, and data files, are owned and controlled by the District. The District provides email to aid students and staff members in fulfilling their duties and responsibilities, and as an education tool.

a. The District reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account's user. Unauthorized access by any student or staff member to an email account is strictly prohibited.
b. Each person should use the same degree of care in drafting an email message as would be put into a written memorandum or document. Nothing should be transmitted in an email message that would be inappropriate in a letter or memorandum.
c. Electronic messages transmitted via the District's Internet gateway carry with them an identification of the user's Internet *domain*. This domain is a registered name and identifies the author as being with the District. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of the District. Users will be held personally responsible for the content of any and all email messages transmitted to external recipients.
d. Any message received from an unknown sender via the Internet, such as spam or potential phishing emails, should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any Internet-based message is prohibited unless the user is certain of that message's authenticity and the nature of the file so transmitted.
e. Use of the District's email system constitutes consent to these regulations.

Use of Artificial Intelligence (AI)-Enabled Tools – The District may approve certain AI-enabled tools for use by students and staff. [1]

a. ~~Only AI-enabled tools approved by the District may be used for student or staff work.~~

The footnotes should be removed before the material is used.

[1] Optional. Delete this section if a board has not adopted the **Use of Artificial Intelligence (AI)-Enabled Tools** subhead in policy 6:235, *Access to Electronic Networks*. Items (a)-(d) reflect the Ill. State Board of Education's (ISBE) recommendation for what should be minimally included in an acceptable use policy, and they may be supplemented and/or modified based on local needs and conditions. See ISBE's *Artificial Intelligence Guidance* (June 2026), at: www.isbe.net/aiguidance, at p. 171.

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~~a.~~b. Students may use AI-enabled tools for assignments and classroom work only when usage is authorized by the classroom teacher.

~~b.~~c. Staff and students may not input personal, sensitive, or confidential data into any AI-enabled tool unless the tool has been approved for that use. Such information should never be entered into a public (open) AI-enabled tool. [2]

d. All output from AI-enabled tools must be treated as a draft or hypothesis and reviewed for accuracy and bias by a staff member and/or student, as applicable.

e. No ~~AI-enabled~~ tool may be used for any unacceptable uses prohibited by these procedures or a student or staff handbook, such as academic dishonesty, harassment, cyberbullying, bypassing of controls, etc.

~~e.~~f. Students and staff using AI-enabled tools for their work shall comply with these acceptable use procedures and the District's AI Responsible Use Guidelines ~~when using AI-enabled tools~~. The Superintendent or designee shall inform students and staff of the District's AI Responsible Use Guidelines and any updates made to them by including them on the District's website, in the Student Handbook(s), and/or employee handbooks. [3]

Internet Safety

Internet access is limited to only those *acceptable uses* as detailed in these procedures. Internet safety is supported if users will not engage in *unacceptable uses*, as detailed in these procedures, and otherwise follow these procedures.

Students must abide by the *Terms and Conditions* for Internet access contained in these procedures.

Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee.

The system administrator and Building Principals shall monitor student Internet access.

LEGAL REF.: 20 U.S.C. §7131, Elementary and Secondary Education Act.
47 U.S.C. §254(h) and (l), Children's Internet Protection Act.
720 ILCS 135/, Harassing and Obscene Communications Act.

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The footnotes should be removed before the material is used.

[2] A public (or open) AI tool refers to tools that can be used by anyone, and the information they provide is available to the public. See https://heyzine.com/flip-book/9ee157d75e.html#page/10. Examples include ChatGPT, Gemini, and Claude. Certain paid versions of these tools may offer greater data privacy protection, depending on their terms of service.

[3] ~~Optional. Delete this paragraph if a board has not adopted the **Artificial Intelligence** subhead in policy 6:235, *Access to Electronic Networks*.~~ The second sentence in this paragraph should be customized to reflect how a district disseminates information to students and staff. See sample administrative procedure 6:235-AP3, *Development of an Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines*, for considerations and resources to support local development of AI Responsible Use Guidelines for staff and students.

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Corrections & Review w/ Melissa, Lisa, Jen, Jessica, Debbie & Megan Ryder

Students

Administrative Procedure – Development of an Artificial Intelligence (AI) Plan and AI Responsible Use Guidelines [1]

Use this procedure to develop a plan for the use of artificial intelligence (AI) in the District and guidelines for the responsible use of AI in support of student learning, educators, and/or District operations, and to facilitate compliance with existing law.

Glossary of Terms

Artificial Intelligence[2] – a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. *Artificial intelligence* includes *generative artificial intelligence*.

Generative Artificial Intelligence – an automated computing system that, when prompted with human prompts, descriptions, or queries, can produce outputs that simulate human-produced content, including, but not limited to, the following: (1) textual outputs, such as short answers, essays, poetry, or longer compositions or answers; (2) image outputs, such as fine art, photographs, conceptual art, diagrams, and other images; (3) multimedia outputs, such as audio or video in the form of compositions, songs, or short-form or long-form audio or video; and (4) other content that would be otherwise produced by human means.

U.S. Dept. of Education AI Toolkit (AI Toolkit) – refers to *Empowering Education Leaders: A Toolkit for Safe, Ethical, and Equitable AI Integration* (Oct. 2024), published by the U.S. Department of Education's Office of Education Technology, available at: https://downloads.microscribepub.com/il/press/federal_resources/FINAL-ED-OET-EdLeaders-AI-Toolkit-10.29.24_20250221.pdf. [3]

ISBE AI Guidance – refers to the Ill. State Board of Education's *Artificial Intelligence Guidance* (June 2026), available at: www.isbe.net/aiguidance.

Actor	Action
Superintendent or Designee	**Note:** This procedure utilizes an existing administrative committee. See administrative procedure 2:150-AP, *Superintendent Committees*. The administrative committee centralizes the local decision-making process regarding the use (or potential use) of artificial intelligence technologies in

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[1] Delete this procedure if a board has not adopted the **Use of Artificial Intelligence (AI)-Enabled Tools** subhead in sample policy 6:235, *Access to Electronic Networks*.

[2] The definitions for *artificial intelligence* and *generative artificial intelligence* are based on the Ill. Human Rights Act, 775 ILCS 5/2-101(M), (N), added by P.A. 103-804, ~~eff. 1-1-26~~.

[3] This resource may no longer be available on a federal government website but is being maintained at **PRESS** Online to provide consistent subscriber access.

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Actor	Action
	a district, which in turn should help districts ensure responsible use of AI and compliance with applicable laws. Parent Teacher Advisory Convenes the ~~Educational~~ Technology Committee (Committee)[4] for the purposes of: (1) developing, implementing, monitoring, and updating a District-wide AI Plan consistent with Board policy ~~1:30, *School District Philosophy*~~6:235, *Access to Electronic Networks*, which addresses the District's approach to the integration of AI; (2) developing, implementing, monitoring, and updating District guidelines for the ethical, equitable, and sustainable use of AI to enhance student learning, support educators, and/or contribute to District operations; and (3) responding to issues that arise as students and educators use AI for learning. (See AI Toolkit, p. 37). For these specific purposes, consider adding to the Committee membership students, parents/guardians, and other members with specific expertise, as needed. ~~**Note:** A district may want to combine its AI Plan and AI Responsible Use Guidelines into one document for ease of dissemination and review.~~ Regularly informs the School Board of the Committee's progress through inclusion of a Committee Report on the Board's regular meeting agenda. Consults with the Board Attorney as needed regarding the AI ~~p~~Plan, guidelines, and/or contracts for AI-enabled tools, including whether parent consent should be obtained before students use certain AI-enabled tools. Notifies and educates staff, students, and parents/guardians about the District's AI Plan and AI Responsible Use Guidelines. Ensures the AI Responsible Use Guidelines and any updates made to them are included on the District's website ~~and in the Student Handbook(s) and/or employee handbooks~~. [5] ~~Annually reports to the Board on the progress of the District's AI Plan, the AI Responsible Use Guidelines, and updates made to them. The report shall also include the impact of the use of AI-enabled tools on teacher effectiveness and student outcomes in the District, as applicable. If the Board approves the AI Plan, presents recommendations to the Board for updating it, as needed.~~

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[4] The U.S. Dept. of Education AI Toolkit urges districts to establish an internal task force to help guide the district's use of AI. If a district does not have an existing Educational Technology Committee, it can explore other existing groups where such a task force can be added, such as district academic support teams. See https://downloads.microscribepub.com/il/press/federal_resources/FINAL-ED-OET-EdLeaders-AI-Toolkit-10.29.24_20250221.pdf at p. 35.

[5] The second sentence may be customized to reflect how a district disseminates information to students and staff; it should align with the methods included in administrative procedure 6:235-AP1, *Acceptable Use of the District's Electronic Networks*.

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Actor	Action
	Ensures that any specific ~~AI-enabled~~ digital tools considered for use in the District are vetted for operational and instructional fit through the Committee in accordance with administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*. See the AI Toolkit at p.45 for factors to consider when evaluating AI-based products or services, with links to vetting resources. See also the ISBE AI Guidance at pgs. 140-159 for a model rubric to determine "goodness of fit," followed by specific case examples applying the rubric, and pp. 294-298 for additional vetting resources. Makes recommendations to the Board about vendor contracts for AI-enabled tools, as needed and in alignment with Board policies 4:60, *Purchases and Contracts*, and 7:345, *Use of Educational Technologies; Student Data Privacy and Security*. Maintains a list of ~~AI-enabled~~ digital tools approved for use in the District that includes the name of each approved tool, its purpose and use, any data security considerations, and designated contact points for questions or concerns. ISBE AI Guidance, p.10. ~~Disseminates the list to staff, students, and their parents/guardians, as appropriate.~~ Provides professional development opportunities/resources, as appropriate, to staff members who may utilize AI in their work. Recommends to the Board developmentally appropriate digital citizenship/AI literacy curricula for students in accordance with Board policy 6:40, *Curriculum Development*. **Note:** ISBE AI Guidance recommends that students receive AI literacy instruction before and while using AI tools in the classroom. It states that students should receive education about what AI is and is not, how it works, its impact on society, and how to shape it. (ISBE AI Guidance, p. 226). For curriculum resources by grade band, see ISBE AI Guidance, pp. 203-225.
~~Educational Technology~~ Advisory Committee	Identifies specific goals regarding AI. Examples of goals include (AI Toolkit, p. 38, and ISBE AI Guidance where indicated): • Determine the instructional and operational needs for AI use in the District (see ISBE AI Guidance at p. 108-109 for suggested questions to help make this determination). • Identify current and potential uses of AI for student learning in the District. • Gather evidence on the uses both from published research and from experience in the District. • Collect information on topics related to the risks of these uses of AI, including data privacy, algorithmic bias, incorrect or misleading results (also referred to as *hallucinations*), content moderation that impacts learning, and equity risks. • Create an initial risk management plan based on the information collected in the previous bullet point.

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Actor	Action
	• Recommend professional development opportunities for educators and staff regarding use of AI to support student learning. • Create a communication plan to keep the community informed about the Committee's work. Establishes separate subcommittees within the Committee as needed to meet goals and fulfill deliverables. To assist with the development of a District AI Plan and AI Responsible Use Guidelines, identifies and documents the opportunities and risks/challenges of the use of AI in the District: 1. Opportunities for effective use of AI in the District may include, but are not limited to (AI Toolkit, pp. 5-6; see also Teach AI's *AI Guidance for Schools Toolkit*, at: www.teachai.org/toolkit, pp. 18-293, and ~~https://online.flippingbook.com/view/476927943/22/~~https://heyzine.com/flip-book/9ee157d75e.html for further examples): • Enhancement of student assessment • Addressing learning variability • Adaptation of academic content through personalization, differentiation, or individualization • Reduction of administrative burdens • Assistance with lesson planning • Improvement of classroom materials, including language translations • Improved professional learning for educators • Increased efficiency in operations (e.g., through data analysis) For additional examples, see ISBE AI Guidance, p. 101. For potential "high-value uses" for special student populations (multilingual, gifted and talented, IEP/504, and twice-exceptional learner) see ISBE AI Guidance at p. 230-236. 2. Risks/challenges of AI use in the District, may include, but are not limited to (AI Toolkit, pp. 6-9; see also Teach AI's *AI Guidance for Schools Toolkit*, at: www.teachai.org/toolkit, pp. 18-293, and ~~https://online.flippingbook.com/view/476927943/22/~~https://heyzine.com/flip-book/9ee157d75e.html and ISBE AI Guidance, where indicated, for further examples): • Lack of transparency about AI tools and how they function and collect data • Privacy and data security concerns • Bias and unfairness • Discrimination concerns (see https://files.eric.ed.gov/fulltext/ED661946.pdf for potential examples) • Harmful content that perpetuates stereotypes

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	• Malicious use for cyberbullying, including the generation of fabricated images or videos (also referred to as "deep fakes") • Use of AI for cheating • Hallucination risk and wrong information • Overreliance on AI-enabled tools (leading to reduced critical and independent thinking) and/or not including a human in the loop of decision making • Degradation/loss of student agency and human relationships at the core of teaching and learning (ISBE AI Guidance, p. 33) • Pressure to adopt AI-enabled tools before adequate guidance or high-quality evidence is available • Cost and resources • Unequal ~~A~~access to technology • Lack of AI literacy • Resistance to change For additional examples, see ISBE AI Guidance, p. 101. For potential risks for special student populations (multilingual, gifted and talented, IEP/504, twice-exceptional learner) see ISBE AI Guidance, pp. 230-236. ~~**Note:**~~ The AI Toolkit (p. 7) also provides examples of where the use of AI may pose enhanced risks to the safety, privacy, or rights of students. Considers using the *K-12 Generative AI Readiness Checklist* (Feb. 2026~~Oct. 2023~~), ~~at: www.cosn.org/tools-and-resources/resource/k12-generative-ai-gen-ai-readiness-checklist-questionnaire/ www.cges.org/genaichecklist and/or~~ *Generative AI Maturity Tool* (March 2026~~Nov. 2024~~), and/or *Generative AI Maturity Advisor*, all available at~~:~~ www.cosn.org/ai/, ~~www.cosn.org/wp-content/uploads/2024/12/Cosn_CGCS-K-12-Gen-AI-Maturity-Tool-V5_FINAL1.pdf~~ to evaluate the safety, privacy, security, and ethical implications of using Generative AI in the District and the District's readiness to use it. Districts can also take a self-assessment of readiness at: https://cloudreadiness.amazonaws.com/#/k12genairt. Develops the District's AI Plan and AI Responsible Use Guidelines for the ethical, equitable, and sustainable use of AI to enhance student learning, support educators, and/or contribute to District operations: 1. Before establishing the AI P~~p~~lan and G~~g~~uidelines, identifies key stakeholder groups within the District's learning community (see ISBE AI Guidance, p. 114) and considers multiple methods to obtain feedback about the use of AI in the District, such as hosting listening sessions/focus groups ~~to engage with different groups within the District's learning community~~(AI Toolkit, pp. 30-33), interviews, and surveys, to engage with different groups within the District's learning community. During listening sessions/focus groups and interviews,~~and~~ answers questions such as (AI Toolkit, pp. 50-51): • How is AI being used now in the District?

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Actor	Action
	• What new uses are likely, whether arriving by student choice, through integration into existing platforms, or via newly acquired tools? • What appropriate uses of edtech and AI should continue? (Consider perspectives of students, educators, families, administrators, and others). • What are inappropriate uses of AI that should be prohibited? (Consider multiple perspectives). • What are high-risk uses of AI where additional risk management practices should be required? • In what ways can students and educators have agency and choice, while avoiding downsides and risks to the broader community? For focus group and interview questions specific to teachers, see ISBE AI Guidance, pp. 116-119. For survey samples and resources, see ISBE AI Guidance, pp. 120-122 and 292-293. 2. When developing~~an~~ the AI P~~p~~lan for the District, considers working within the structure of the framework suggested in the AI Toolkit at p. 54-58: • **Govern** – assess opportunities that align with the **Use of Artificial Intelligence (AI)-Enabled Tools** subhead in Board policy 6:235, *Access to Electronic Networks*. • **Map** – (1) recognize how opportunities are specific to different members of the District's learning community, (2) identify and document how AI-enabled tools might help to promote equity so that all students have the opportunity to learn, and (3) anticipate existing and potential risks posed by each type of use of AI. • **Measure** – (1) establish relationships with vendors that are able to measure the strength of an opportunity and quality of risk mitigation, advocating for more transparency and accountability from vendors, (2) gather and use evidence to measure the efficacy and risk mitigation of an AI-enabled system. • **Manage** – (1) strengthen capacity to manage implementation of new uses of technology so all members of the District's learning community can benefit, (2) increase professional learning opportunities -for educators so that they can manage the risks of using AI-enabled tools. The District AI Plan should communicate how the District intends to coordinate its staff, students, resources, and activities to realize strategic educational benefits while mitigating the most consequential risks. (AI Toolkit, p. 54.) For an example of an initial plan created within this framework, see the AI Toolkit at p. 58. Examples of other frameworks that can be used in the development of a District AI Plan are also available within the AI Toolkit at p. 55.

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	3. When establishing AI Gguidelines for staff and students, considers the following key elements (AI Toolkit, p. 51 and ISBE AI Guidance, p. 173-177): • Definitions to support AI literacy, including an understanding of how AI-related tools can impact well-being. See ISBE AI Guidance, p. 40-66, for explanations of different AI-related concepts. • Norms and conduct: how users are expected to exercise judgment (not just comply with technical rules), including dishonesty/disclosure, safety, respect, and accountability for outcomes when AI is used. • "Trust-but-verify" norm (see ISBE AI Guidance, pp. 173). • Specific responsibilities and expectations regarding academic behavior (for both educators and students), for example, how to cite sources, how to represent one's own work, how to respect copyright and avoid plagiarism, and protecting privacy and security. • Allowable or prohibited uses of AI, such as ~~allowing the~~ usinge ~~of~~ AI to generate initial ideas/aid creativity and prohibiting cyberbullying. • High-risk uses of AI, such as the use of AI to make decisions which may impact the rights or safety of students (e.g., grading, placement, discipline) and staff (e.g., final employment actions) and those prohibited by law (e.g., use of AI as a substitute for professional judgment or to generate evidence of professional practice in the teacher evaluation process (105 ILCS 5/24A-5, amended by P.A. 104-565)). • Understanding and abiding by ~~Consequences for misuse that align with~~ administrative procedure 6:235-AP1, *Acceptable Use of the District's Electronic Networks*, which specifies how the District will monitor use and respond to misuse. • Recognition that students and staff with disabilities may have unique needs and may require support beyond what the guidelines provide, and that their needs will be considered consistent with the Individuals with Disabilities Education Act, Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973. For sample AI responsible use guidelines~~ance resources~~, see ISBE AI Guidance, p. 178 (see the informed use policies (IUP) subhead) and Teach AI's *AI Guidance for Schools Toolkit*, p~~p~~. 44-55~~29-39~~, at: www.teachai.org/toolkit. Regularly, but not less than annually, monitors the AI P~~p~~lan and Gguidelines and updates them as needed to meet the District's needs and to comply with updates to the law and technology.

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Staff Members	Participate in professional development regarding AI, as appropriate. Teachers provide developmentally appropriate digital citizenship/AI literacy instruction for students before and while using AI tools in the classroom or for classwork. Understand and abide by Board policy 6:235, *Access to Electronic Networks*, administrative procedure 6:235-AP1, *Acceptable Use of the District's Electronic Networks,* the District's AI Plan, and the District's AI Responsible Use Guidelines. Report to the Building Principal any concerns with the output of AI-enabled tools, such as hallucinations, bias, or inappropriate content or about student misuse of AI-enabled tools.

K-12 Artificial Intelligence Resources:

https://tech.ed.gov/education-leaders-ai-toolkit/
www.isbe.net/aiguidance
www.ltcillinois.org/focus/ai/

~~https://~~www.cosn.org/ai/
~~https://~~www.teachai.org/
~~https://~~www.edsafeai.org/safe
https://iste.org/ai
https://heyzine.com/flip-book/9ee157d75e.html
~~https://online.flippingbook.com/view/476927943/~~
https://crpe.org/responsive-systems-policies/ai-in-education/
Horvath, J. (2026). *The Digital Delusion: How Classroom Technology Harms Our Kids' Learning – and How to Help Them Thrive Again*

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OK as is, share w/ Melissa, Jen, Abby, Jessica, & Jess Hunter Krishay

Students

Administrative Procedure - Accommodating Transgender, Nonbinary, or Gender Nonconforming Students [1]

This procedure's accommodation and support guidelines advance the District's goals of: (1) providing all students equal access to a safe, non-hostile learning environment, and (2) implementing risk management controls in a developing and unsettled area of the law in which the federal Dept. of Education's Office for Civil Rights (OCR) and Dept. of Justice (DOJ) have issued guidance.

While there is no mandate requiring procedures for accommodating transgender, nonbinary, and gender nonconforming students, this procedure guides school officials through the: (1) application of State and federal anti-discrimination laws to this student population, and (2) common needs for which transgender, nonbinary, or gender nonconforming students may request accommodations and support at school. This procedure applies to all school activities, school-provided transportation, and school-sponsored events regardless of where they occur.

The Building Principal, Nondiscrimination Coordinator, Title IX Coordinator, and/or Complaint Manager, with input from others as appropriate, will implement this procedure. They will work with each transgender, nonbinary, or gender nonconforming student, and as appropriate with the student's parent(s)/guardian(s), to manage a student's accommodations and supports on a case-by-case basis. The Board Attorney will be consulted concerning legal compliance.

Gender-Based Discrimination Is Prohibited

School districts must provide equal educational opportunities to transgender, nonbinary, and gender nonconforming students. Under State law, *sex discrimination* extends to claims of discrimination based on *sexual orientation* and *gender identity*. 775 ILCS 5/1-103(O-1); 775 ILCS 5/5-101(11); 23 Ill.Admin.Code §1.240. The Ill. Human Rights Act (IHRA) defines *sexual orientation* as the "actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person's designated sex at birth." 775 ILCS 5/1-103(O-1). IHRA permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103.

Federal law prohibits exclusion and discrimination on the basis of *sex*. 20 U.S.C. §1681(a), Title IX of the Education Amendments of 1972 (Title IX). The U.S. Dept. of Education has taken varying positions on the application of Title IX to transgender or gender nonconforming students depending upon the administration in power. The U.S. Supreme Court has ruled that Title IX and the Equal Protection

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[1] Administrative procedures guide the district administration's implementation of board policy. To implement a policy, the purpose and function of the policy must be understood. The purpose and function of sample policy 7:10, *Equal Educational Opportunities* is three-fold:

1. to ensure legal compliance with equal educational opportunity (EEO) laws,
2. to direct or authorize the superintendent or staff members to implement EEO laws, and
3. to establish board processes, and/or provide information about EEO laws to staff members and students.

This administrative procedure provides considerations for supports and accommodations that transgender students or gender nonconforming students may need as required by policy 7:10, *Equal Educational Opportunities*.

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Clause of the 14th Amendment allow schools to provide separate women's and men's sports teams defined by biological sex. See West Virginia v. B.P.J. by Jackson, 146 S.Ct. 2356 (2026). However, the Seventh Circuit U.S. Court of Appeals (which has jurisdiction over the State of Illinois) has ruled that a school's practice of denying a transgender student access to the bathroom that aligned with his gender identity violated Title IX because it was a sex-based classification. See Whitaker by Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ., 858 F.3d 1034 (7th Cir. 2017); A.C. v. Metropolitan Sch. Dist. of Martinsville, 45 F.4th 760 (7th Cir. 2023), *cert. denied*, ~~2024 WL 156480~~144 S.Ct. 683 (2024). See also F.F. v. Valley View Comm. Unit Sch. Dist. 365U, 2026 WL 2017805 (N.D. Ill. 2026) (finding that a gender-neutral policy permitting students to access bathrooms in accordance with their gender identities did not violate Title IX or the Equal Protection Clause).

Board policy 7:10, *Equal Educational Opportunities*, recognizes the legal requirements described above. This procedure's guidance on accommodating transgender, nonbinary, or gender nonconforming students is based on non-regulatory guidance from the Ill. State Board of Education (ISBE) and the Ill. Dept. of Human Rights (IDHR), as well as OCR pronouncements. See the last section, **Resources**.

Gender-Based Discrimination, Harassment, and/or Bullying Prohibited

The laws prohibiting gender discrimination require the District to protect transgender, nonbinary, and gender nonconforming students from sex discrimination, sex-based harassment, and bullying by other students. Under Title IX, a school district is responsible for damages suffered by a student who was the victim of prohibited sexual harassment: unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity. 34 C.F.R. §106.30(a). Board policy 2:265, *Title IX Grievance Procedure*, and its accompanying procedures are used to address sexual harassment as defined in Title IX.

The School Code prohibits bullying on the basis of actual or perceived sexual orientation, gender-related identity or expression, and/or association with a person or group with one of the aforementioned actual or perceived characteristics. 105 ILCS 5/22-110, renumbered by P.A. 104-391~~7-23.7(a)~~. The Board policy on bullying and the District's suite of bullying prevention materials are used to address and resolve peer bullying and harassment of transgender or gender nonconforming students. See Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

Terminology and Definitions

The District uses the following terms and definitions when discussing accommodations for a transgender, nonbinary, or gender nonconforming student (from the *Arcadia Resolution Agreement*, 7-24-13, at: www.justice.gov/crt/about/edu/documents/arcadiaagree.pdf and ISBE Non-Regulatory Guidance, *Supporting Transgender, Nonbinary and Gender Nonconforming Students*, at: www.isbe.net/supportallstudents). **Note:** Definitions are not intended to label students, but rather to assist with understanding.

Gender-based discrimination – a form of sex discrimination, refers to differential treatment or harassment of a student based on the student's sex, including gender identity, gender expression, and nonconformity with gender stereotypes, that results in the denial or limitation of education services, benefits, or opportunities. Conduct may constitute gender-based discrimination regardless of the actual or perceived sex, gender identity, or sexual orientation of the persons experiencing or engaging in the conduct.

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Sex assigned at birth or *assigned sex* – a label a person is given at birth, often based on a medical professional's interpretation of the newborn's physical characteristics. Common examples may be *male* or *female*. This is typically the sex reflected on one's original birth certificate.

Gender expression – an individual's characteristics and behaviors such as appearance, dress, grooming, mannerisms, voice or speech patterns, activities, and social interactions that are perceived as masculine, feminine, both, or neither.

Gender identity – a person's internal, deeply held sense or psychological knowledge of their own gender that can include being female, male, another gender, nonbinary, gender nonconforming, or no gender, and is unrelated to the person's sex assigned at birth. Gender identity is an innate part of a person's identity, and the responsibility for determining an individual's gender identity rests with the individual. Unlike gender expression, gender identity is not visible to others.

Nonbinary – a term used to describe people whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

Transgender – an individual whose gender identity is different from the individual's assigned sex at birth. Being transgender is not dependent on appearance, body parts, or medical procedures. Transgender can also be used as an umbrella term that encompasses diversity of gender identities and expressions. For purposes of this procedure, a *transgender student* is a student who consistently and uniformly asserts a gender identity different from the student's assigned sex, or for whom there is documented legal or medical evidence that the gender identity is sincerely held as part of the student's core identity.

Intersex – a term used for a variety of conditions in which a person is born with a reproductive and/or sexual anatomy that does not seem to fit the typical, binary definitions of female or male. Intersex conditions are not always discernable at birth or the awareness of internal anatomy present at birth may not be known to the person until puberty, if it is known at all. A derogatory term previously used for intersex individuals is *hermaphrodite*.

Gender transition – the process whereby people may change their gender expression, bodies, and/or identity documents to match their gender identity. Transition can be social (changing gender expression, using facilities, using a different name/pronouns), medical (hormones and/or surgeries), and/or legal (changing name/gender marker on identity documents), and is different for every individual. It is common for gender transition to be an ongoing process and is unique to each person.

Gender stereotypes – stereotypical notions of masculinity and femininity, including expectations of how boys or girls represent or communicate one's gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

Gender nonconforming or gender expansive – one's gender expression or gender identity that does not conform to traditional, societal, or stereotyped expectations based on the sex assigned at birth. Gender expansive individuals may identify as male, female, some combination of both, or neither.

Gender pronouns – the set of words used to refer to someone without using their name. Common examples include, but are not limited to, "she/her/hers," "he/him/his," "they/them/theirs," and "ze/zir/zirs."

Gender support plan – a document that may be used to create a shared understanding about the way in which a student's gender identity will be accounted for and supported at school.

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Facilities – refers to facilities and accommodations used by students at school or during school-sponsored activities and trips, and include, but are not limited to, restrooms, locker rooms, and overnight facilities.

Relevant Board Policies for Accommodations, Supports, and Inclusion of Transgender, Nonbinary, or Gender Nonconforming Students

2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably.

2:265, *Title IX Grievance Procedure*, contains the process for an individual to report or complain of sexual harassment in violation of Title IX. The District Title IX Coordinator shall address the report or complaint promptly and equitably.

6:60, *Curriculum Content*, requires the history curriculum to include a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois and, if offered by the District, requires the implementation of a comprehensive health education program in accordance with State law, which may include the National Sex Education Standards (NSES) sex education curriculum. If NSES is offered, it must be inclusive and sensitive to students' needs on many bases, including based on their status as intersex and based on their gender, gender identity, and gender expression. See 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District's curriculum and other educational programs.

7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.

7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.

7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.

7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.

7:165, *Student Uniforms*, encourages students to wear school uniforms in order to maintain and promote orderly school functions, school safety, and a positive learning environment, if adopted.

7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District's bullying prevention program.

7:185, *Teen Dating Violence Prohibited*, prohibits students from using or threatening to use physical, mental, or emotional abuse to control an individual in the dating relationship, and from using or threatening to use sexual violence in the dating relationship.

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7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students' social, emotional, or mental health needs that impact learning.

7:290, *Suicide and Depression Awareness and Prevention*, directs the Superintendent to develop, implement, and maintain a suicide and depression awareness and prevention program.

7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of school premises for their meetings, under specified conditions.

7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

Common Needs for Transgender, Nonbinary, or Gender Nonconforming Students; Accommodations and Supports

The goal of an accommodation is to allow a transgender, nonbinary, or gender nonconforming student to equally participate in educational and extracurricular opportunities. The right of transgender students to accommodations is generally found in legislation (IHRA and Title IX) but has not been fully interpreted by the courts. Determining appropriate accommodations must be made on a case-by-case basis depending upon the needs expressed by the student.

The Superintendent may establish a gender support team that will identify accommodations for a specific student. Those accommodations may be documented in a gender support plan or other written document. The Board Attorney should be consulted and may be invited to be a member of the team.

This following list of possible accommodation considerations is not exhaustive, and each student's request must be managed on a case-by-case basis. A particular student may not be interested in an accommodation for each item listed. This area of law is rapidly evolving. **Seek the Board Attorney's advice concerning the scope and extent of accommodations**.

1. Gender transition
2. Names and gender pronouns
3. School student records
   For managing demographic information in the ISBE Student Information System, see www.isbe.net/Documents/student_demographics.pdf. ISBE is not required to collect student sex, sexual orientation, or gender identity data for its major programs, unless required for federal reporting. 20 ILCS 65/20-15(a-5), amended by P.A. 103-175
4. Student privacy and confidentiality
5. Access to gender-segregated areas, e.g., locker rooms and restrooms
6. Sports and physical education classes – participation in competitive athletic activities and contact sports, ~~see is resolved pursuant to~~ IHSA policy #34, *Policy and School Recommendations for Transgender Participation* at: www.ihsa.org/about/constitution-by-laws-policies~~www.ihsa.org/About-the-IHSA/Constitution-By-laws-Policies~~.
7. Dress codes
8. Gender segregation in other activities, e.g., class discussions and field trips (including any overnight school trips)
9. Communication with a new school about gender-specific accommodations upon transfer or graduation

Training for School Staff Members

Professional development for staff members should include regular opportunities to gain a better understanding of equal educational opportunity laws, gender identity, gender expression, and gender

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diversity; the development of gender identity in children and adolescents; developmentally appropriate strategies for communicating with students and parents/guardians about issues related to gender identity; gender-affirming approaches to ensuring the safety and support of transgender, nonbinary, and gender nonconforming students; developmentally-appropriate strategies for preventing and intervening in bullying incidents; and Board policies regarding equal educational opportunities, bullying, discrimination, and student privacy.

Resources

IDHR, *Non-Regulatory Guidance Relating to Protection of Transgender, Nonbinary, and Gender Nonconforming Students Under the Ill. Human Rights Act* (Dec. 2021), at: https://dhr.illinois.gov/rights/reports-and-guidance/guidance-relating-to-protection-of-transgender-nonbinary-and-gender-nonconforming-students.html~~https://dhr.illinois.gov/publications/guidance-re-illinois-students-1221.html~~.

ISBE, *Supporting Transgender, Nonbinary and Gender Nonconforming Students* (Mar. 2020), at: www.isbe.net/supportallstudents.

Gender Spectrum, an organization whose mission is to create a gender-inclusive world for all children and youth, at: www.genderspectrum.org.

Mass. Dept. of Elementary and Secondary Education, *Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment Nondiscrimination on the Basis of Gender Identity* (Oct. 2021), at: www.doe.mass.edu/sfs/lgbtq/GenderIdentity.html.

Ill. Association of School Boards, *Transgender, Nonbinary, and Gender Nonconforming Students: Legal Issues*, at: ~~www.iasb.com/policy-services-and-school-law/guidance-and-resources/transgender,-nonbinary,-and-gender-nonconforming-s/~~www.iasb.com/services/legal-guidance/transgender,-nonbinary,-and-gender-nonconforming-s.

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