

School Board

Board Member Qualifications 1

A School Board member must be, on the date of election or appointment, a United States citizen, at least 18 years of age, a resident of Illinois and the District for at least one year immediately preceding the election, and a registered voter.

Reasons making an individual ineligible for Board membership include holding an incompatible office and certain types of State or federal employment. ² A child sex offender, as defined in State law, is ineligible for School Board membership. ³

LEGAL REF.: Ill. Constitution, Art. 2, ¶ 1; Art. 4, ¶ 2(e); Art. 6, ¶ 13(b).
105 ILCS 5/10-3 and 5/10-10.

CROSS REF.: 2:30 (School Board Elections), 2:70 (Vacancies on the School Board - Filling Vacancies)

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

¹ State law controls this policy's content. Election qualifications are found in 105 ILCS 5/10-3 and 5/10-10, ~~amended by P.A. 96-538~~. Except for possible residency requirements, there are no general eligibility qualifications for appointment to a board; this sample policy, however, applies the election qualifications to appointments. This is possible because the board controls the appointment process. See policy 2:70, *Vacancies on the School Board - Filling Vacancies*.

Boards may describe additional residency requirements, if any, in the following optional sentence: "On the date of election or appointment, Board members must also meet the following residential requirement: *[insert]*."

105 ILCS 5/10-10 allows a board to appoint a student to the board to serve in an advisory capacity for a term the board determines. The student may not vote or attend any closed board meeting. A board that desires to appoint a student member may include this paragraph at the end of this policy, adding the manner the student member is selected as appropriate:

The Board will annually appoint a student member to serve in an advisory capacity. The student member will not have any voting privileges and may not attend executive sessions of the Board.

² Prohibitions on simultaneously holding more than one public office, known as the doctrine of incompatibility of offices, arise from the constitutional concept of separation of offices. Appellate decisions have held that incompatibility arises if the duties of one office would necessarily prevent the office holder from faithfully performing all the duties of the other office. Express statutory prohibitions involving a school board member and another office are rare but do exist. For example, a school trustee may not also be a board member (105 ILCS 5/10-3 and 5/10-10, ~~amended by P.A. 96-538~~). Dual office holding is discussed in the Ill. Council of School Attorneys' publications, *Answers to FAQs, Conflict of Interest and Incompatible Offices*, www.iasb.com/law/conflict.cfm, and *Answers to FAQs, Vacancies on the Board of Education*, www.iasb.com/law/vacancies.cfm.

³ 105 ILCS 5/10-3 and 5/10-10, ~~amended by P.A. 96-538~~. The definition of child sex offender is found in 720 ILCS 5/11-9.3 and is contained in administrative procedure 8:30-AP, *Definition of Child Sex Offender*.

School Board

Board Member Term of Office 1

The term of office for a School Board member begins immediately after both of the following occur:

1. The election authority canvasses the votes and declares the winner(s); this occurs within 21 days after the consolidated election held on the first Tuesday in April in odd-numbered years.
2. The successful candidate takes the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct.* 2

The term ends 4 years later when the successor assumes office. 3

LEGAL REF.: 10 ILCS 5/2A-1.1, 5/22-17, and 5/22-18.
105 ILCS 5/10-10, 5/10-16, and 5/10-16.5.

CROSS REF.: 2:30 (School District Elections), 2:80 (Board Member Oath and Conduct), 2:210 (Organizational School Board Meeting)

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

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

2 The oath requirement is mandated by 105 ILCS 5/10-16.5.

3 All local canvassing boards were abolished in 2006. The appropriate "election authority" (county clerk or election commission, if one was established under Article 6A of the Election Code) canvasses the vote for school district elections (10 ILCS 5/1-8). The election authority is responsible for school board member elections (10 ILCS 5/1-3(8)). Any provision in the School Code to the contrary is superseded and ineffective.

The election authority must canvass the vote within 21 days after the election (10 ILCS 5/22-17 and 5/22-18). Within 28 days after the consolidated election, boards must hold an organizational meeting to elect electing officers and fix a time and place for the regular meetings (105 ILCS 5/10-16).

The board, by resolution, may submit the question of increasing the term to 6 years to the district's voters (105 ILCS 5/9-5).

School Board

Board Member Removal from Office 1

If a majority of the School Board determines that a Board member has willfully failed to perform his or her official duties, it may request the Regional Superintendent to remove such member from office. 2

LEGAL REF.: 105 ILCS 5/3-15.5.

CROSS REF.: 2:70 (Vacancies on the School Board - Filling Vacancies)

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

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

2 Neither the voters nor the board has the authority to recall or remove a board member from office. The Regional Superintendent has the power to remove any board member from office for willful failure to perform official duties (105 ILCS 5/3-15.5). The "majority of the board" requirement in this policy has no legal significance other than being standard operating procedure. The Regional Superintendent may act on his or her initiative.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." ~~P.A. 96-893~~ The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

A quo warranto action is a rarely used method to remove a board member from office. This type of lawsuit is generally used to remove someone who holds office unlawfully, among other things (735 ILCS 5/18-101). These actions are generally brought by the Ill. Atty. Gen. (AG) or the appropriate State's Attorney. If neither of them brings the suit, it may be brought by a plaintiff after (1) he or she requests the AG and State's Attorney to bring a quo warranto lawsuit, (2) they fail to do it, and (3) the circuit court with jurisdiction grants permission for the plaintiff to file the lawsuit (see the Niekamp case below). After receiving a court's permission to bring the suit, a plaintiff must post a bond when filing the proceeding. If the lawsuit is unsuccessful, the plaintiff must pay the defendant's attorney fees and costs. Depending upon the violation, the law allows the court to impose a \$25,000 fine or remove the board member from office. Notable cases involving quo warranto actions against school board members in Illinois include:

1. Ballard v. Niekamp, 961 N.E.2d 288 (Ill. App. 4, 2011) (affirming the ousting of a school board member for holding an incompatible office; the fellow school board members brought a quo warranto action asking the court to remove him from the school board).
- 1-2. Parker v. Lyons, et al., 2012 IL App (3d) 110140-U (potential school board candidate had two felony convictions; the trial court allowed the State's quo warranto action barring him from running for the school board); People ex rel. Lyons v. Parker, 940 F.Supp.2d 832 (Ill. 2012) (petition for leave to appeal denied); Parker v. Illinois, 133 S.Ct. 1828 (2013) (petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied).

School Board

Board Member Oath and Conduct

Each School Board member, before taking his or her seat on the Board, shall take the following oath of office: **1**

I, (name), do solemnly swear (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education (or Board of School Directors, as the case may be) of (*name of School District*), in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

I further swear (or affirm) that:

I shall respect taxpayer interests by serving as a faithful protector of the School District's assets;

I shall encourage and respect the free expression of opinion by my fellow Board members and others who seek a hearing before the Board, while respecting the privacy of students and employees;

I shall recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public Board meeting; and

I shall abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

The Board President will administer the oath in an open Board meeting; in the absence of the President, the Vice President will administer the oath. If neither is available, the Board member with the longest service on the Board will administer the oath. **2**

The Board adopts the Illinois Association of School Boards' *Code of Conduct for Members of School Boards*. **3** A copy of the *Code* shall be displayed in the regular Board meeting room.

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

1 Although the policy is not required by State or federal law, each board member, before taking his or her seat on the board, must take an oath in substantially the form given in the statute as reprinted in this sample policy (105 ILCS 5/10-16.5). This policy contains the verbatim oath because many of its provisions have policy implications. However, if a board prefers to remove the oath from the policy, it should replace the first sentence with this alternative:

Each Board member, before taking his or her seat on the Board, shall take the oath of office as prescribed in Section 10-16.5 of the School Code.

2 Optional - State law allows the board to determine how the oath is administered (105 ILCS 5/10-16.5). Use the following alternative if a board does not want anyone to administer the oath:

Each Board member who is taking office shall read the oath during an open meeting and swear or affirm to follow it as indicated in the oath.

3 Although national and state associations have developed codes of conduct, each board may find it helpful, as part of its self-evaluation process, to consider what behavior members expect from each other. The resulting ethics statement may serve as an important step in new member orientation. For IASB resources, see:

www.iasb.com/training/sch_bd_resources.cfm and www.iasb.com/training/schoolboardgovernancebooklet.pdf.

LEGAL REF.: 105 ILCS 5/10-16.5.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board; [Indemnification](#)), 2:50 (Board Member Term of Office), 2:100 (Board Member Conflict of Interest), 2:105 (Ethics and Gift Ban), 2:210 (Organizational School Board Meeting)

School Board

Exhibit - Board Treatment of Closed Meeting Verbatim Records and Minutes

The following procedures govern the verbatim audio recordings and minutes of School Board meetings that are closed to the public. ¹

Actor	Action
<i>Before any Board meeting:</i> Superintendent or designee	<p>Arranges to have an audio recording device with extra recording tapes and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled. ²</p> <p>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.</p>
<i>Before a closed meeting:</i> Board President or presiding officer	<p>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) asks 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.</p>
<i>Before a closed meeting:</i> Superintendent or Board Secretary ³	<p>Immediately before a closed meeting, tests and activates the audio recording device.</p>
<i>During a closed meeting:</i> Board President or presiding officer	<p>Convenes the closed meeting stating:</p> <p>Seeing a quorum of the Board of Education gathered today, ___ date, at ___ o'clock, at ___ location, for the purpose of holding a closed meeting in order to confidentially discuss ___, I call the meeting to order. In order to record who is present, I request that each individual state his or her name and position with the</p>

The footnotes should be removed before the material is used.

¹ A verbatim record of all closed meetings in the form of an audio or video recording must be kept (5 ILCS 120/2.06). A board deciding to use a video recording should amend this board procedure to so reflect.

² A verbatim record may be made using an audio or video recording. The IASB sample policy and procedure use just audio recording on the basis that audio is less invasive than video recording. In addition, producing an audio recording is generally less challenging and less expensive than producing a video.

³ This responsibility may be given to anyone. The interests of continuity, efficiency, and ease of holding someone accountable suggest that the superintendent be made responsible for making and storing the verbatim recordings. If the superintendent is not present (e.g., during discussions concerning the superintendent's performance as part of an evaluation in his or her absence) the task should be given to the board secretary. A board may also want to discuss renting a safety deposit box at a local financial institution that only the board president and secretary have access to for placement of audio recordings concerning the superintendent's performance as part of an evaluation in the superintendent's absence.

Actor	Action
	<p>District. (NOTE: this script is an example.)</p> <p>Limits discussion to the topics that were included in the motion to go into a closed meeting.</p> <p>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. 4</p> <p>Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.</p>
<p><i>After a closed meeting:</i> Superintendent or Board Secretary 5</p>	<p>Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed.</p> <p>Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings.</p> <p>As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.</p> <p>Prepares written closed meeting minutes that include: 6</p> <ul style="list-style-type: none"> • 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
<p><i>After a closed meeting:</i> School Board</p>	<p>Approves the previous closed meeting minutes at the next open meeting.</p>
<p><i>In preparation for the semi-annual review:</i> 7 Superintendent or designee</p>	<p>Prepares a recommendation concerning the continued need for confidential treatment of closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review. 8</p> <p>This step is in preparation of the Board's meeting to decide whether the need for confidential treatment of specific closed</p>

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4 A violation of the Open Meetings Act is a Class C misdemeanor (5 ILCS 120/4) punishable by a fine of up to \$1500 and imprisonment for up to 30 days (720 ILCS 5/8/3, 5-9-1).

5 See footnote 3, supra.

6 5 ILCS 120/2.06, requires that minutes contain, at a minimum, the first 3 items listed.

7 Required by 5 ILCS 120/2.06(d).

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

Actor	Action
	<p>meeting minutes continues to exist.</p> <p>If the Board wants to discuss closed meeting minutes in closed session, places “review of unreleased closed meeting minutes” on a closed meeting agenda. ⁹</p> <p>Places “result of Board’s review of unreleased closed meeting minutes” as an item on a subsequent open meeting agenda.</p>
<p><i>In preparation for the semi-annual review:</i></p> <p>Individual Board members</p>	<p>Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent.</p> <p>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.</p>
<p><i>During the semi-annual review:</i></p> <p>School Board</p>	<p>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.</p> <p>The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.</p>
<p><i>After the semi-annual review:</i></p> <p>Superintendent or designee</p>	<p>Re-labels and re-files closed meeting minutes as appropriate.</p>
<p><i>Monthly:</i></p> <p>Board President</p>	<p>Adds “destruction of closed meeting audio recording” as an agenda item to an upcoming open meeting.</p>
<p><i>Monthly:</i></p> <p>School Board</p>	<p>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.</p>

LEGAL REF.: 5 ILCS 120/1 et seq.

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⁹ 5 ILCS 120/2 allows boards to discuss the confidentiality needs of closed meeting minutes in closed session.

School Board

Board Policy Development 1

The School Board governs using written policies. Written policies ensure legal compliance, establish Board processes, articulate District ends, delegate authority, and define operating limits. Board policies also provide the basis for monitoring progress toward District ends. 2

Policy Development

Anyone may propose new policies, changes to existing policies, or deletion of existing policies. Staff suggestions should be processed through the Superintendent. Suggestions from all others should be made to the Board President or the Superintendent.

A Board Policy Committee will consider all policy suggestions and provide information and recommendations to the Board. 3

The Superintendent is responsible for: (1) providing relevant policy information and data to the Board, (2) notifying those who will implement or be affected by or required to implement a proposed policy and obtaining their advice and suggestions, and (3) having policy recommendations drafted into written form for Board deliberation. The Superintendent shall seek the counsel of the Board Attorney when appropriate.

Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Board meeting at which they are first introduced, except when: (1) appropriate for a consent agenda because no Board discussion is required, or (2) necessary or prudent in order to meet emergency or special conditions or to be legally compliant. 4 Further Board consideration will be given at a subsequent meeting(s) and after opportunity for community input. The adoption of a policy will serve to supersede all previously adopted policies on the same topic.

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¹ State law requires this subject matter be covered by policy (105 ILCS 5/10-20.5 and 5/10-16.7). 105 ILCS 5/10-16.7 requires the board to make all employment decisions pertaining to the superintendent as well as “to direct, through policy, the superintendent in his or her charge of the administration of the school district, including, without limitation, considering the recommendations of the superintendent concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of employees, and the selection of textbooks, instructional material, and courses of study.” Rather than being a laundry list of mandated written board policies, this list provides items on which boards must make decisions after considering the superintendent’s recommendations. The statute also requires the “board [to] evaluate the superintendent in his or her administration of board policies and his or her stewardship of the assets of the district.” Boards have broad incidental powers to adopt all necessary policies. Thomas v. Board of Education of Community Unit School Dist. 1, 453 N.E.2d 150 (Ill.App. 5, 1983).

² See the IASB’s *Foundational Principles of Effective Governance*, available on line at: www.iasb.com/principles_popup.cfm
www.iasb.com/pdf/found_prin.pdf.

³ Optional. See policy 2:150, *Committees*.

⁴ State law does not require a first reading before a board adopts a policy. The use of a consent agenda allows a board to vote on a matter without discussion. Policies or policy revisions may be appropriate for a consent agenda when providing for legal compliance; correcting grammar, spelling or punctuation; or clarifying pre-existing policy language. A board member may make a motion to remove any item from the consent agenda to the regular agenda for discussion. See policy 2:220, *School Board Meeting Procedure*.

The Board policies are available for public inspection in the District's main office during regular office hours. ⁵ Copy requests should be made pursuant to Board policy 2:250, *Access to District Public Records*.

Board Policy Review and Monitoring

The Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required. The Board may use an annual policy review and monitoring calendar. ⁶

Superintendent Implementation

The Board will support any reasonable interpretation of Board policy made by the Superintendent. ⁷ If reasonable minds differ, the Board will review the applicable policy and consider the need for further clarification.

In the absence of Board policy, the Superintendent is authorized to take appropriate action.

Suspension of Policies

The Board, by a majority vote of members present at any meeting, may temporarily suspend a Board policy except those provisions that are controlled by law or contract. The failure to suspend with a specific motion does not invalidate the Board action.

LEGAL REF.: 105 ILCS 5/10-20.5.

CROSS REF.: 2:150 (Committees), 2:250 (Access to District Public Records), 3:40 (Superintendent)

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⁵ This sentence must be customized to include where and how policies are available, such as, through Board Policies Online or the district's website.

⁶ Optional.

⁷ The board delegates authority to the superintendent through written board policy. The board will not substitute its judgment for that of the superintendent when the superintendent acts reasonably and in good faith based upon his or her policy interpretation. See the IASB's *Foundational Principles of Effective Governance*, available on line at:

www.iasb.com/principles_popup.cfm www.iasb.com/pdf/found_prin.pdf.

School Board

Exhibit - Written Request for District Public Records

All requests to inspect and/or to obtain a copy of a District record must be made in writing. This form is provided for convenience – its use is not required. Please submit all requests to the District’s Freedom of Information Officer. Copying fees, if any, must be paid before copies will be provided. The Freedom of Information Officer can give you an estimate of the copying fees, if any.

Name of individual(s) requesting District records	Email address
Address	Telephone number
City	Date of request
State	Zip

Please check if this request of records is being made for a commercial purpose. Section 2 of the Freedom of Information Act states: “*Commercial purpose* means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a “commercial purpose” when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.” Section 3.1 states: “It is a violation of this Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body.”

Please check if a fee waiver or reduction is being requested. Section 6 of the Freedom of Information Act states: “Documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.”

Please indicate your reason for requesting a fee waiver: _____

Check if you are requesting:

Record description (Please be specific)	Electronic Copy	Inspection	Copy

School Board

Administrative Procedure - Nondiscrimination Coordinator and Complaint Manager 1

The Nondiscrimination Coordinator directs the District's compliance with federal and State laws governing discrimination and harassment in the workplace. The Complaint Manager administers the complaint process in Board policy 2:260, *Uniform Grievance Procedure*.

Superintendent Responsibilities

- A. Appoints individuals to serve as a Nondiscrimination Coordinator and Complaint Manager whose skill set suggest they could effectively fulfill the responsibilities identified in this procedure. One individual may serve in both capacities. The Superintendent may serve in either capacity. If possible, at least 2 Complaint Managers are appointed, one of each gender.
- B. Identifies individuals to supervise the performance of the Nondiscrimination Coordinator and Complaint Manager. The supervisor must understand the responsibilities of each role and have authority to take action. If possible, a different individual is assigned to supervise each role as a control measure, e.g., the Human Resources Manager supervises the Nondiscrimination Coordinator's performance and the Superintendent supervises the Complaint Manager's performance.
- C. Requires each Nondiscrimination Coordinator and/or Complaint Manager to possess or obtain:
 1. In-depth knowledge of Board policies as well as rules and conduct codes for students and employees.
 2. General knowledge of State and federal laws concerning equal employment and educational opportunities.
 3. Ability to:
 - a. Communicate effectively, both orally and in writing, and to establish rapport with others;
 - b. Plan, implement, evaluate, and report activities conducted;
 - c. Be both consistent and flexible as circumstances warrant; and
 - d. Analyze, clarify, and mediate differences of opinion.
- D. Facilitates the effective performance of the Nondiscrimination Coordinator and Complaint Managers by:
 1. Providing them with clear expectations concerning their roles and responsibilities.
 2. Communicating to employees and students their functions and responsibilities.
 3. Providing them resources and professional development opportunities.
 4. Providing them access to the Board Attorney for legal advice concerning their responsibilities.

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¹ This sample procedure must be customized to assure alignment with the district's policies, procedures, and practices. At least one employee must be designated to complete the coordinator/complaint manager responsibilities (34 C.F.R. §106.8(a); see also 29 C.F.R. §1604.11). Even small districts should strongly consider having a coordinator/complaint manager of each gender – this is an important measure to uncover sexual harassment and minimize liability exposure.

Nondiscrimination Coordinator Responsibilities

- A. Directs the District's efforts to provide equal employment and educational opportunities and prohibit the harassment of employees, students, and others. Manages compliance with Board policies 2:260, *Uniform Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; and 7:20, *Harassment of Students Prohibited*.
- B. Develops and manages a program that will fully inform all employees and students about the District's commitment to equal employment and educational opportunities and a harassment-free environment. A component of this program is to inform employees and students about Board policies and administrative procedures.
- C. Provides ongoing consultation, technical assistance, and information services regarding compliance requirements and programs.
- D. Assists the Human Resources Manager with monitoring compliance with the recordkeeping and notice requirements contained in federal and State laws concerning discrimination and harassment in schools and the workplace.
- E. Maintains grievance and compliance records and files.
- F. Makes recommendations for action by appropriate decision makers.
- G. Establishes a positive climate for nondiscrimination compliance efforts. This effort includes encouraging individuals to come forward with suggestions and complaints.

Complaint Manager Responsibilities

- A. Implements and administers the grievance process contained in Board policy 2:260, *Uniform Grievance Procedure*.
- B. Manages complaints alleging a violation of any Board policy or procedure listed in the next section.
- C. Assists complainants and potential complainants by, among other things, providing consultation and information to them.
- D. Attempts to resolve complaints without resorting to the formal grievance process provided in Board policy 2:260, *Uniform Grievance Procedure*.
- E. Informs potential complainants, complainants, and witnesses that the District prohibits any form of retaliation against anyone who, in good faith, brings a complaint or provides information to the individual investigating a complaint.
- F. Receives formal complaints and notifies relevant individuals of the ensuing process.
- G. Investigates complaints or appoints a qualified individual to undertake the investigation on his or her behalf. Each complaint shall be investigated promptly, thoroughly, and impartially, and as confidentially as possible.
- H. For each formal complaint, prepares a comprehensive written report describing the: (a) complaint, (b) investigation, and (c) findings and recommendations. Provides the report to the Superintendent or School Board if the Superintendent is an alleged responsible party.
- I. Receives a request from a complainant to appeal the Superintendent's resolution of the complaint and promptly forwards all relevant material to the Board.
- J. Monitors compliance with all requirements and time-lines specified in Board policy 2:260, *Uniform Grievance Procedure*.

Applicable Policies and Procedures

Section 2

- 2:260 Uniform Grievance Procedure
- 2:260-AP2 Administrative Procedure - Nondiscrimination Coordinator and Complaint Manager

Section 5

- 5:10 Equal Employment Opportunity and Minority Recruitment
- 5:20 Workplace Harassment Prohibited
- 5:20-AP Administrative Procedure - Sample Questions for Conducting the Internal Sexual Harassment in the Workplace Investigation

Section 6

- 6:120 Education of Children with Disabilities
- 6:140 Education of Homeless Children
- 6:140-AP Administrative Procedure - Education of Homeless Children
- 6:170 Title I Programs
- 6:260 Complaints About Curriculum, Instructional Materials, and Programs

Section 7 - Students

- 7:10 Equal Educational Opportunities
- 7:10-AP Accommodating Transgender Students or Gender Non-Conforming Students; Supports and Inclusion
- 7:20 Harassment of Students Prohibited
- 7:20-AP Administrative Procedure - Harassment of Students Prohibited
- 7:180 Preventing Prevention of and Response to Bullying, Intimidation, and Harassment
- 7:190 Student Discipline

Section 8 - Community Relations

- 8:70 Accommodating Individuals with Disabilities
- 8:110 Public Suggestions and Concerns

Resources

U.S. Equal Employment Opportunity Commission, www.eeoc.gov.

“Enforcement Guidances and Related Documents,” U.S. Equal Employment Opportunity Commission, www.eeoc.gov/policy/guidance.html.

“Sexual Harassment: It's Not Academic” U.S. Dept. of Education, Office for Civil Rights, www.ed.gov/about/offices/list/ocr/docs/ocrshpam.html.

“Frequently Asked Questions about Sexual Harassment,” U.S. Dept. of Education, Office for Civil Rights, www.ed.gov/about/offices/list/ocr/qa-sex.html.

“Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties,” Office for Civil Rights, www.ed.gov/about/offices/list/ocr/docs/shguide.html.

“Q&A Regarding Title IX Procedural Requirements,” U.S. Dept. of Justice, www.justice.gov/crt/about/cor/coord/TitleIXQandA.php.

Operational Services

Incurring Debt ¹

The Superintendent shall provide early notice to the School Board of the District's need to borrow money. The Superintendent or designee shall prepare all documents and notices necessary for the Board, at its discretion, to: (1) issue State Aid Anticipation Certificates,² tax anticipation warrants,³ working cash fund bonds,⁴ bonds,⁵ notes,⁶ and other evidence of indebtedness,⁷ or (2) establish a line of credit with a bank or other financial institution. ⁸ The Superintendent shall notify the State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law. ⁹

LEGAL REF.: 30 ILCS 305/2 and 352/1 et seq.
50 ILCS 420/
105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 et seq.

CROSS REF.: 4:10 (Fiscal and Business Management)

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

¹ State law controls this policy's content. School districts are subject to a statutory debt limitation (105 ILCS 5/19-1(a); other provisions in 5/19-1 contain exceptions. Not all forms of indebtedness are subject to the statutory debt limitations. Before incurring any debt, the board must be certain that the debt will be within the district's debt limitation.

² 50 ILCS 420/1 et seq. and 105 ILCS 5/18-18.

³ 105 ILCS 5/17-16.

⁴ 105 ILCS 5/20-2, 5/20-4, and 5/20-5; 30 ILCS 305/2.

⁵ 105 ILCS 5/19-1 et seq. ~~and 20 ILCS 3105/1A-8.~~

⁶ 50 ILCS 420/0.01 et seq. A district may borrow money and issue bonds for the purposes stated in 105 ILCS 5/19-3, provided the board properly adopted an election referendum and subsequently the voters approved the proposition (10 ILCS 5/28-2). Districts have the authority to issue bonds for certain purposes without a referendum, e.g., School Fire Prevention and Safety Bonds, Working Cash Fund Bonds, Funding Bonds, and Insurance Reserve Bonds.

⁷ Other types of indebtedness include funding bonds and refunding bonds (105 ILCS 5/19-1 et seq.).

⁸ 105 ILCS 5/17-17.

⁹ 105 ILCS 5/19-1.

Operational Services

Use of Credit and Procurement Cards ¹

The Superintendent and employees designated by the Superintendent are authorized to use District credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on the District's behalf. Credit and procurement cards shall only be used for those expenses that are for the District's benefit and serve a valid and proper public purpose; they shall not be used for personal purchases. Cardholders are responsible for exercising due care and judgment and for acting in the District's best interests.

The Superintendent or designee shall manage the use of District credit and procurement cards by employees. It is the Board's responsibility, through the audit and approval process, to determine whether District credit and procurement card use by the Superintendent is appropriate.

In addition to the other limitations contained in this and other Board policies, District credit and procurement cards are governed by the following restrictions: ²

1. Credit and/or procurement cards may only be used to pay certain job-related expenses or to make purchases on behalf of the Board or District or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund. ³
2. The Superintendent or designee shall instruct the issuing bank to block the cards' use at unapproved merchants.
3. Each cardholder, other than the Superintendent, may charge no more than \$500 in a single purchase and no more than \$1000 within a given month without prior authorization from the Superintendent. ⁴

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

¹ If district employees or board members are issued credit and/or procurement cards, an ISBE rule requires this subject matter to be covered in policy and specifies its content (23 Ill.Admin.Code §100.70(d)). Add the following optional new paragraph if the district issues credit cards to board members:

The District may from time-to-time issue and/or authorize Board members to use District credit cards to simplify the payment of actual and necessary expenses as authorized in Board policy 2:125, *Board Member Expenses*. The Board will determine whether a Board member's use of a District credit card is appropriate through the expense approval process and the annual audit. All other components of this policy apply to a Board Member's use of a District credit card.

² The policy's restrictions, numbered 1-10, correspond to the items that ISBE requires to be covered. Each item may be customized as long as the following items are covered as per 23 Ill.Admin.Code §100.70(d):

1. Identifies the allowable types of purchases;
2. Provides for the issuing bank to block the cards' use at unapproved merchants;
3. Limits the amount a cardholder can charge in a single purchase or within a given month;
4. Provides specific guidelines on purchases via telephone, fax, and the Internet;
5. Indicates the consequences for unauthorized purchases;
6. Requires cardholders to sign a statement affirming that they are familiar with the board's credit card policy;
7. Requires review and approval of purchases by someone other than the cardholder or user;
8. Requires submission of original receipts to document purchases; and
9. Forbids the use of a card to make purchases in a manner contrary to the requirements of Section 10-20.21 of the School Code [105 ILCS 5/10-20.21].
10. Indicates how financial or material rewards or rebates are to be accounted for and treated.

³ This limitation is from the introductory sentence in 23 Ill.Admin.Code §100.70(d).

4. The Superintendent or designee must approve the use of a District credit or procurement card whenever such use is by telephone, fax, and the Internet. Permission shall be withheld when the use violates any Board policy, is from a vendor whose reputation has not been verified, or would be more expensive than if another available payment method were used.
5. The consequences for unauthorized purchases include, but are not limited to, reimbursing the District for the purchase amount, loss of cardholding privileges, and, if made by an employee, discipline up to and including discharge.
6. All cardholders must sign a statement affirming that they are familiar with this policy. ⁵
7. The Superintendent shall implement a process whereby all purchases using a District credit or procurement card are reviewed and approved by someone other than the cardholder or someone under the cardholder's supervision.
8. Cardholders must submit the original, itemized receipt to document all purchases.
9. No individual may use a District credit or procurement card to make purchases in a manner contrary to State law, including, but not limited to, the bidding and other purchasing requirements in 105 ILCS 5/10-20.21, or any Board policy.
10. The Superintendent or designee shall account for any financial or material reward or rebate offered by the company or institution issuing the District credit or procurement card and shall ensure that it is used for the District's benefit.

LEGAL REF.: 105 ILCS 5/10-20.21.
23 Ill.Admin.Code §100.70(d).

CROSS REF.: 4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits), 4:90 (Activity Funds)

⁴ The dollar caps are at the local board's discretion. An alternative follows: "The Superintendent shall limit the amount each cardholder may charge in a single purchase or within a given month and inform the issuing bank of these limitations."

⁵ See Exhibit 4:55-E, *Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards*.

Operational Services

Administrative Procedure - Controls for the Use of District Credit and Procurement Cards

This procedure implements, and is subject to, Board policy 4:55, *Use of Credit and Procurement Cards*. The business office shall oversee the following controls:

Issue District credit and/or procurement cards to only authorized individuals.

1. Require prior authorization before issuing a card to any individual.
2. Have cardholders sign 4:55-E, *Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards*.
3. Instruct cardholders:
 - a. In the proper use of cards, and;
 - b. How to document purchases, including the need to: (a) present an itemized receipt in addition to a credit or procurement card receipt for each item, (b) indicate the date, purpose, and nature of the charge on the receipt, and (c) identify the names of individuals for whom expenditures were incurred on the receipt.

Monitor that credit and/or procurement cards are being used for appropriate purchases.

1. Prohibit the use of District credit or procurement cards for personal expenses. Two problems prevent personal use pending later reimbursement – there is no guarantee of reimbursement and the practice is a *de facto* loan available only to certain employees.
2. Do not use cards that allow cash advances or cash back from purchases.
3. Establish reasonable credit limits for each purchase, transaction, and/or the balance total on each card. Reduce the limits on existing cards if necessary. Require prior authorization for purchases above these limits.
4. When a card is used for “emergency purposes,” require that the user clearly document the emergency situation that justified the need.
5. Block certain types of vendors or purchases using Merchant Category Codes – these categorize businesses by the products or services they provide. Request that the card issuer prohibit charges from dry cleaners, health or beauty spas, liquor stores, race tracks, casinos, churches, physicians, and other merchant categories the District will never use.
6. Perform scheduled and random analyses of individual cardholders. This includes examining the continued need for the card and the nature of purchases being made.
7. Perform scheduled and random analyses to determine whether Board policy is being followed.

Safeguard District credit and procurement cards.

1. Keep all cards in a secure location.
2. Issue cards only for the time period that they are needed.
3. Issue cards in the names of specific individuals to help maintain accountability.

4. Prohibit a card's use by anyone other than the individual to whom a card is issued.
5. Develop and follow procedures to cancel cards when lost or stolen and when individuals leave employment.
6. Cancel existing cards that are not needed or accounted for.
7. Review and update master credit card lists annually.

Monitor credit and/or procurement card statements.

1. Review statements and watch for suspicious activity, such as, unusual destinations or items, purchases from a vendor whose reputation has not been verified, or purchases that would have been less expensive if another available payment method had been used.
2. Have billing statements broken down by individual user.
3. Have a reconciliation process and timetable. This includes:
 - a. Reconciling credit card statements to itemized receipts and invoices;
 - b. Examining the documentation supporting purchases to ensure charges are authorized and reasonable;
 - c. Delegating approval, verification, and payment of bills to different individuals; and
 - d. Requiring someone other than the cardholder or an individual supervised by the cardholder to review and approve transactions.
4. In exceptional circumstances when the Superintendent approved a charge that would otherwise be disallowed, maintain a record documenting the Superintendent's approval as well as all other pertinent information about the charge.
5. Review all uses of a card via telephone, fax, and the Internet to be sure they were approved by the Superintendent or designee.
6. Establish a way of recouping inappropriate charges.
7. Do not use automatic payment deductions to pay credit or procurement card bills.
8. Pay bills on time to avoid paying fees and late charges.
9. Appropriately follow up on any discrepancies.
10. Verify that the items purchased were actually received.
11. Account for any financial or material reward or rebate offered by the company or institution issuing the District credit or procurement card and verify that it was used for the District's benefit.

The following District employees will be issued District credit and/or procurement cards. ¹ Other District employees may use a District credit and/or procurement card after receiving specific authorization from the Superintendent.

Employment Position	Authorized Use and Other Limitations
Superintendent	Actual and necessary expenses incurred in the performance of the Superintendent's duties.

The footnotes should be removed before the material is used.

¹ This optional table must be customized to align with the district's practices.

Employment Position	Authorized Use and Other Limitations
	Expenses related to professional development.
Transportation Director	Expenses for maintaining and fueling District vehicles.
Assistant Superintendents	Actual and necessary expenses incurred in the performance of the job duties. Expenses related to professional development.
Building Principals	Purchases of materials and supplies for his or her building that must be made quickly and/or are too small to process through the regular procedure. Expenses from student activity funds for educational, recreational, or cultural purposes. Expenses related to professional development.

Operational Services

Administrative Procedure - Resource Conservation 1

Definitions

De-inked stock - Paper that has been processed to remove inks, clays, coatings, binders, and other contaminants.

High grade printing and writing papers - Includes offset-printing paper, duplicator paper, writing paper (stationery), tablet paper, office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock, and cotton fiber papers.

Paper and paper products - High-grade printing and writing papers, tissue products, newsprint, unbleached packaging, and recycled paperboard.

Postconsumer material - Only those products generated by a business or consumer, that have served their intended end uses, and that have been separated or diverted from solid waste; wastes generated during the production of an end product are excluded. Postconsumer material includes:

- Paper, paperboard, and fibrous waste from retail stores, office buildings, homes and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed-waste paper, tabulating cards, and used cordage; and
- All paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.

Recovered paper material - Paper waste generated after the completion of the papermaking process, such as postconsumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material," however, does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous by-products of harvesting, extraction or woodcutting processes, or forest residues such as bark. Recovered paper material includes:

- Postconsumer material;
- Dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming and other converting operations, or from bag, box, and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and
- Finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.

Recycled paperboard - Includes paperboard products, folding cartons and pad backings.

The footnotes should be removed before the material is used.

¹ With the exception of activities listed under "Solid Waste Reduction," these procedures re-state State law (105 ILCS 5/10-20.19c, ~~as amended by P.A. 95-741~~).

Tissue products - Includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags, and brown papers. These products shall also be unscented and shall not be colored.

Unbleached packaging - Includes corrugated and fiber storage boxes.

Procurement Procedures and Specifications for Products and Supplies

Procurement procedures and specifications for products and supplies shall be periodically reviewed to ensure that the District is: (a) purchasing products and supplies that are reusable, durable, or made from or contain recycled materials, if economically and practically feasible, and (b) giving preference to products and supplies containing the highest amount of recycled material and that are consistent with the effective use of the product or supply, if economically and practically feasible.

Recycled Paper and Paper Products Purchases

I. Whenever economically and practically feasible, recycled paper and paper products shall be purchased according to the following minimum percentages of the District's total dollar value of paper and paper products:

Beginning July 1, 2008	10%
Beginning July 1, 2011	25%
Beginning July 1, 2014	50%
Beginning July 1, 2020	75%

All paper purchased for publishing student newspapers must be recycled newsprint. Paper and paper products purchased from private sector vendors pursuant to printing contracts are exempted from this requirement.

II. Wherever economically and practically feasible, recycled paper and paper products shall contain postconsumer or recovered paper materials as follows:

- Recycled high grade printing and writing paper shall contain at least 50% recovered paper material and shall consist of the following percentages of deinked stock or postconsumer material on the dates listed:

Beginning July 1, 2008	25%
Beginning July 1, 2010	30%
Beginning July 1, 2012	40%
Beginning July 1, 2014	50%

- Recycled tissue products shall contain at least 45% postconsumer material.
- Recycled newsprint shall contain at least 80% postconsumer material.
- Recycled unbleached packaging shall contain at least 55% postconsumer material.
- Recycled paperboard shall contain at least 95% postconsumer material.

These regulations do not apply to art materials, nor to any newspapers, magazines, textbooks, library books or other copyrighted publications that are purchased or used by the District or any school or attendance center within the District, or that are sold in any school supply store operated by or within any such school or attendance center.

Solid Waste Reduction 2

The Superintendent will appoint a team of interested individuals representing various District departments to direct the District's efforts to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that the District generates. The team shall:

1. Periodically review methods and procedures to reduce solid waste generated by academic, administrative, and other institutional functions. These procedures must be designed to, when economically and practically feasible, recycle the District's waste stream, including without limitation landscape waste, computer paper, and white office paper.
2. Identify indicators to monitor the District's progress toward achieving the solid waste reduction goal. As necessary, the procedures and methods shall be adjusted and refined.
3. Make periodic progress reports to the Superintendent or designee.

The team shall devise and oversee methods for making the following activities part of the District culture:

1. Staff members actively pursue waste reduction and prevention activities. Examples include:
 - a. Printing and copying individual documents on both sides of the page.
 - b. Setting computer software for default two-sided printing including word processing, spreadsheets, electronic mail, and others.
 - c. Printing or copying only the pages needed.
 - d. Routing memos and newsletters.
 - e. Providing trays to collect and reuse one-sided paper.
 - f. Reducing unwanted mail and eliminate excess mailings.
2. Staff members and students seek to reuse or recycle materials to divert them from the waste stream whenever possible.
3. A training plan instructs staff members and students in waste reduction and recycling practices.
4. The District's solid waste reduction program is publicized and its benefits are emphasized, including cost savings by lowering supply acquisition and disposal costs.
5. An incentive program to reduce solid waste exists, e.g., through school recognition programs.
6. Staff and students are encouraged to be innovative and suggest improvements to procedures and practices.

LEGAL REF.: 105 ILCS 5/10-20.19c.

The footnotes should be removed before the material is used.

² This section contains several of the many ways a district may comply with 105 ILCS 5/10-20.19c, ~~as amended by P.A. 95-741~~. State law contains the goal stated in the first sentence but does not mandate its achievement. State law requires the periodic review of procedures to reduce solid waste. The activities #1-6 listed in the last paragraph are only ideas and should be customized.

Operational Services

Activity Funds 1

The School Board, upon the Superintendent or designee’s recommendation, establishes student activity funds to be managed by student organizations under the guidance and direction of a staff member for educational, recreational, or cultural purposes. 2

The Superintendent or designee shall be responsible for supervising student activity funds in accordance with Board policy, 4:80, *Accounting and Audits*; State law; and the Illinois State Board of Education rules for student activity funds. The Board will appoint a treasurer for each fund to serve as the fund’s sole custodian and be bonded in accordance with the School Code. 3 The treasurer shall have all of the responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, including the authority to make loans between activity funds. 4

Unless otherwise instructed by the Board, a student activity fund’s balance will carry over to the next fiscal year. An account containing student activity funds that is inactive for 12 consecutive months shall be closed and its funds transferred to another student activity fund or authorized fund with a similar purpose. 5

LEGAL REF.: 105 ILCS 5/8-2 and 5/10-20.19.
23 Ill.Admin.Code §§100.20 and 100.80.

CROSS REF.: 4:80 (*Accounting and Audits*), 7:325 (*Student Fund-Raising Activities*)

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

1 State law controls this policy’s content. See 105 ILCS 5/10-20.19 and 23 Ill.Admin.Code §100.80. ISBE’s rules in Part 125 (*Student Activity Funds and Convenience Accounts*) were in effect only through 6-30-08 after which they were replaced by Part 100. The rules in Part 100 do not provide for “convenience accounts.” Another policy, 7:325, *Student Fund-Raising Activities*, contains the elements required by State law for a policy on student fund-raising activities.

2 Student activity funds are established to account for money used to support the activities of student organizations and clubs, e.g., homeroom, yearbook, class year, choral or band group, class projects, student clubs, student council, and student-sponsored bookstore (23 Ill.Admin.Code §100.20). The funds are under the school board’s control giving it a fiduciary responsibility to safeguard them along with district assets.

3 105 ILCS 5/8-2. A board’s insurance carrier can assist the board with obtaining bonds for these individuals.

4 ISBE’s rule permits the activity fund treasurer to make loans between funds “if and as authorized by the board’s policy,” (23 Ill.Admin.Code §100.80). A board that does not want to allow loans between activity funds should choose one of these alternatives:

Alternative 1: The treasurer shall have all of the authority and responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, except that the treasurer is not authorized to make loans between activity funds.

Alternative 2: The treasurer shall have all of the authority and responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, except that the treasurer must have the Board’s approval before making a loan between activity funds.

5 The authority for this paragraph’s first sentence is 23 Ill.Admin.Code §100.80(c); the second sentence is up to the local board’s discretion. The following option may be inserted after the first sentence: “However, money remaining in the any Senior Class fund after graduation will automatically transfer to the next year’s class.”

Operational Services

Administrative Procedure - School Bus Post-Accident Checklist

Driver Post-Accident Procedures

1. The first consideration is whether it is safer to evacuate the students or to have them remain on the bus. 23 Ill.Admin.Code §1.510(1)(1).
2. Immediately notify the pre-designated emergency and police services, and administer first aid. As soon as possible, notify the District or transportation office.
3. When notifying the District or transportation office, give the following information:
 - Seriousness of the accident
 - Location and time of incident
 - Bus number and route number
 - School
 - Number of students on board
 - Extent of any injuries
 - Weather/road conditions
 - Any other pertinent information
4. Never leave your vehicle, either to check traffic or set out reflectors, when children are on board. Stay with the children until help arrives. Do not release any student, even to parents, unless instructed to do so by the District or transportation office.
5. Set out reflectors, flares, flags, etc. only when the safety of all children is secure.
6. Stay vigilant for the continued safety of everyone at the scene and:
 - Never** attempt to direct traffic.
 - Never** move the vehicle before the police arrive, unless absolutely necessary to avoid a traffic hazard.
 - Never** discuss liability or fault, or sign anything until someone from the District or transportation office arrives.
 - Never** move an injured person unless the person's life is in jeopardy.
7. If your vehicle strikes an animal (pet), continue until it is safe to stop, keeping in mind that the sight of an injured pet could upset the children on the bus. Park the vehicle and radio or call the District or transportation office with the information. The office will notify the proper authorities.
8. The District or transportation office, when notifying the school, may suggest that personnel follow-up with students to minimize trauma or emotional after-effects.

Information Gathering

While at the accident scene the driver and/or transportation supervisor shall:

1. Obtain the name and age of every passenger on the bus.
2. Obtain the name and address of all witnesses.
3. Regarding other vehicles involved in the accident, obtain the:
 - Other drivers' names

Other drivers' license numbers
Other drivers' addresses and phone numbers
Make, model, year, and license plate numbers of other involved vehicles
Other drivers' insurance carrier information
Name, address, and phone numbers of passengers in other involved vehicles

District or Transportation Office Responsibilities

1. Confirm that police and emergency services as appropriate were notified. An ambulance need not be called to the accident scene unless there are obvious injuries or complaints.
2. Send a transportation supervisor to the accident scene to assist the bus driver.
3. Arrange for the parents of children on the bus to be contacted.
4. Arrange alternate transportation for the children.
5. Contact the District's insurance carrier as soon as possible and follow its instructions.
6. Help the bus driver complete accident report forms, including insurance forms. Complete ISBE's *School Bus Accident Report*, www.isbe.net/funding/pdf/50-26_school_bus_accident.pdf, and forward to the Regional Superintendent immediately after any accident.
7. Obtain any accident reports completed by third parties, including police reports.

Post-Accident Alcohol and Drug Testing

1. This section's provisions are required by 49 C.F.R. §382.303. For drug and alcohol testing requirements, see policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*; and administrative procedure 5:285-AP, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.
2. School bus drivers shall be provided the necessary post-accident alcohol and drug testing information, procedures, and instructions before operating a bus.
3. As soon as practicable after an accident involving a school bus, the driver shall be tested for alcohol and controlled substances if:
 - a. The accident involved the loss of human life;
 - b. The driver receives a citation for a moving traffic violation arising from the accident; or
 - c. A law enforcement officer directs that such a test be given. 625 ILCS 5/6-516.
4. If a required alcohol test is **not** administered:
 - a. Within 2 hours, the District must prepare and maintain a file or record stating why the test was not properly administered.
 - b. Within 8 hours, the District shall cease attempts to administer an alcohol test and shall prepare the same record.
5. If a required controlled substance test is **not** administered within 32 hours, the District shall cease attempts to administer the test, and shall prepare and maintain a file or record stating why the test was not properly administered.
6. No driver required to take a post-accident alcohol test shall use alcohol for 8 hours following the accident, or until undergoing a post-accident alcohol test.

Vehicle Inspection

Following an accident, each damaged bus component must be inspected before the bus is returned to service. 625 ILCS 5/13-109.

Students
Operational Services

Exhibit - Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting

On District letterhead

Re: Preventing and Reducing Incidences of Sexting

Dear Parent(s)/Guardian(s):

Many parents are unfamiliar with *sexting*. It is generally defined as sending, sharing, viewing, receiving or possessing *indecent visual depictions* of oneself or another person using a cell phone. A student will be disciplined for sexting at school.

Discussing sexting and its legal and social consequences with your children may prevent and reduce incidences of it at school and elsewhere. A recent survey revealed that about 20 percent of teen boys and girls have sent sext messages. It can cause enormous emotional pain for the students involved, often with legal implications. The following talking points from the American Academy of Pediatrics may help start the discussion:

- Introduce the issue as soon as a child is old enough to have a cell phone. Even if the issue hasn't directly impacted your school building's community, ask "have you heard of sexting?" "Tell me what you think it is." Learn what your child's understanding is and add an age appropriate explanation. For more information about starting age appropriate discussions, see *The New Problem of Sexting* subhead on the American Academy of Pediatrics website at: www.aap.org/advocacy/releases/june09socialmedia.htm.
- Make sure children of all ages understand that the District's student discipline policy prohibits sexting at school, and that it is further punishable in Illinois through the Juvenile Court Act and The Criminal Code of ~~1961~~ 2012.
- Collect cell phones at gatherings of tweens and teens. Experts have noted that peer pressure can play a major role in ~~the sending of texts~~ sexting, with attendance at parties being a major contributing factor.
- Monitor the media for stories about sexting that illustrate the consequences for both senders and receivers of these images. Ask "Have you seen this story?" "What did you think about it?" "What would you do if you were this child?"
- Rehearse ways your child can respond if asked to participate in ~~inappropriate texting.~~ sexting.

For more information on sexting and how to talk to your children about it, please see the following links:

- www.aap.org/advocacy/releases/june09socialmedia.htm;
- www.education.com/magazine/article/child-sexting-parents/;
- www.athinline.org.

Sincerely,

Superintendent

General Personnel

Administrative Procedure - Workplace Accommodations for Nursing Mothers ¹

The School District accommodates mothers who choose to continue breastfeeding after returning to work. An employee who is a nursing mother may take reasonable unpaid breaks each day to express breast milk or breastfeed her infant. The employee's supervisor shall help the employee arrange a break schedule accommodating the nursing mother while minimizing disruption. The break time must, if possible, run concurrently with any break time already provided to the employee.

Each Building Principal or chief administrator in another District building shall identify a private room or space where, if a request is made, an employee may express milk or breastfeed her infant. The private space must: (1) be in close proximity to the work area and be other than a bathroom, and (2) be free from intrusion from coworkers and the public, and (3) include an electrical outlet for the use of an electric breast pump.

Supervisors should consider ways to accommodate an employee's needs with minimal disruption of the school environment. If possible, supervisors will ensure that employees are aware of these workplace accommodations prior to maternity leave.

The footnotes should be removed before the material is used.

¹ This procedure contains language appropriate for a personnel handbook. Its content is controlled by the laws described below; they must be read together so that the greatest protections of each are granted to the employee. Each accommodation listed in this procedure is required except for the provision regarding an electrical outlet.

The Right to Breastfeed Act provides that a "mother may breastfeed her baby in any location, public or private, where the mother is otherwise authorized to be, irrespective of whether the nipple of the mother's breast is uncovered during or incidental to the breastfeeding," (740 ILCS 137/). The Act allows a woman who was denied the right to breastfeed in a public or private location, other than a private residence or place of worship, to bring an action to enjoin future denials and, if she prevails, is awarded reasonable attorney's fees and litigation expenses.

The Nursing Mothers in the Workplace Act, 820 ILCS 260/, requires employers to make reasonable efforts to provide a location, in close proximity to the work area, other than a toilet stall, where an employee can express her milk in privacy.

The Fair Labor Standards Act, 29 U.S.C. §207(r), added by P.L. 111-148, requires employers to provide a reasonable unpaid break time "for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk." It also requires an employer to provide "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk." The federal law entitlement to a break applies to only those employees who are covered by overtime pay requirements. State law, as described above, covers all employees. For more information on the federal law requirements, see the U.S. Dept. of Labor's factsheet, "Break Time for Nursing Mothers under the FLSA,"

www.dol.gov/whd/regs/compliance/whdfs73.pdf.

Educational Support Personnel

Compensatory Time-Off ¹

This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act, 29 U.S.C. §201 et seq., and (2) are not represented by an exclusive bargaining representative.

Employees may be given 1-1/2 hours of compensatory time-off in lieu of cash payment for each hour of overtime worked. Other than as provided below, at no time may an employee's accumulated compensatory time-off exceed 240 hours, which represents compensation for 160 hours of overtime. ² An employee whose work regularly includes public safety, emergency response, or seasonal activities may accumulate a maximum of 480 hours of compensatory time, which represents compensation for 320 hours of overtime. ³ If an employee accrues the maximum number of compensatory time-off hours, the employee: (1) is paid for any additional overtime hours worked, at the rate of one and one-half times the employee's regular hourly rate of pay, and (2) does not accumulate compensatory time-off until the employee uses an equal amount of accrued time-off. ⁴

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

¹ The federal regulations implementing the Fair Labor Standards Act (FLSA) governs the use of "comp-time" (29 C.F.R. §§553.21-553.28 and 553.50, [e-CFR Data](#)). See IASB sample policy 5:35, *Compliance with the Fair Labor Standards Act*, for discussion of the FLSA. In order for a district to offer comp-time, it must have a compensatory time-off policy or the topic must be covered in an applicable collective bargaining agreement. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. School officials should consult with the board attorney before adopting this policy.

The terms "comp-time" and "compensatory time-off" mean paid time-off that is earned and accrued by a non-exempt employee in lieu of overtime pay for over 40 hours worked in one workweek. Compensatory time-off in lieu of overtime pay must be at the premium rate of 1.5 hours of compensatory time for each hour of overtime worked (just as the monetary rate for overtime is calculated at 1.5 times the regular rate of pay). As a condition for using comp-time in lieu of overtime pay, the employer and employee must have an "agreement or understanding" before the work is performed. Further, the employee's decision to accept comp-time must be made freely. For employees represented by an exclusive bargaining agent, the agreement to use comp-time must be between the district and the bargaining agent.

For non-exempt employees who are not covered by a collective bargaining agreement, the "agreement or understanding" concerning comp-time must be between the district and employee. See exhibit 5:310-E, *Agreement to Receive Compensatory Time-Off*. If the district had a regular practice of comp-time before April 15, 1986, that is deemed an "agreement." Notice to the non-exempt employees that comp-time will be given in lieu of overtime pay for overtime through bulletin board notices is sufficient to constitute an "agreement or understanding," provided that the decision to accept compensatory time-off is made freely.

² This sample policy contains the maximum hours that the FLSA allows an employee to accumulate. It is a ceiling that an employee may hit several times, but never go over without using some of the time-off. A school board may forfeit flexibility and set this ceiling lower.

³ "Seasonal activities" include activities during periods of significantly increased demand, that are of a regular and recurring nature. A seasonal activity is not limited strictly to those operations that are very susceptible to changes in the weather. However, mere periods of short but intense activity do not make an employee's job seasonal. However, the 480-hour accrual limit will not apply to office personnel or other employees who may perform such seasonal activities only in emergency situations, even if they spend substantially all of their time in a particular workweek engaged in such activities.

⁴ The FLSA permits a board to require that employees reduce their accumulated compensatory time or face having their supervisor schedule the compensatory time-off for them. Christensen et al. v. Harris County et al., 529 U.S. 576, 120 S.Ct. 1655, 146 L.Ed.2d 621 (2000). Such an optional provisions follows:

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District's operations. ⁵ The employee's supervisor must approve a request to use compensatory time-off.

Upon termination of employment, an employee will be paid for unused compensatory time at the higher of:

1. The average regular rate received by such employee during the last three years of employment; or
2. The final regular rate received by such employee.

Compensatory time-off is time during which the employee is not working and is, therefore, not counted as "hours worked" for purposes of overtime compensation.

Implementation

The Superintendent or designee shall implement this policy in accordance with the FLSA. In the event of a conflict between the policy and the FLSA, the latter shall control.

LEGAL REF.: Fair Labor Standards Act, 29 U.S.C. §201 et seq.; 29 C.F.R. Part 553.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act), 5:185 (Family and Medical Leave), 5:270 (Employment At-Will, Compensation, and Assignment)

Notwithstanding the above and to avoid hardship to the District, an employee's supervisor may require the employee to reduce accumulated compensatory time, or schedule the compensatory time-off for the employee, so that the employee does not accumulate more than 75 hours of compensatory time, which represents compensation for 50 hours of overtime.

⁵ Optional.

Educational Support Personnel

Exhibit - Agreement to Receive Compensatory Time-Off

The School Board has a policy of granting compensatory time-off to non-exempt employees in lieu of overtime pay for time worked in excess of 40 hours in any workweek. I have either received a copy of the policy or been told where it may be found or downloaded. I understand that:

1. I must obtain my supervisor’s express authorization to work overtime before working in excess of 40 hours in any workweek.
2. I will earn compensatory time-off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked.
3. I will be allowed to use accrued compensatory time-off within a reasonable period after making a request to use it, provided that my absence would not unduly disrupt operations considering factors like emergency requirements for staff and the availability of qualified substitute staff.
4. My supervisor may require that I use my accrued compensatory time-off within a certain time period, may prohibit my use of accrued compensatory time-off on certain days, may require that I cash out my compensatory time-off after a particular time period, and may otherwise limit my use of compensatory time-off.

I agree to receive compensatory time-off in lieu of overtime pay for time worked in excess of 40 hours in any workweek, and I accept this as a condition of my employment.

Employee Signature

Date

Supervisor Signature (or designee)

Date

Instruction

Administrative Procedure - Access to Classrooms and Personnel

Access to classrooms and personnel is permitted in limited situations by Section 105 ILCS 5/14-8.02(g-5). Guidelines follow:

1. These guidelines apply to access requested by the parent/guardian of a student receiving special education services or being evaluated for eligibility, an independent educational evaluator, or a qualified professional retained by or on behalf of a parent/guardian or child. A *qualified professional* means “an individual who holds credentials to evaluate the child in the domain or domains for which an evaluation is sought or an intern working under the direct supervision of a qualified professional, including a master’s or doctoral degree candidate.” These individuals are referred to in this procedure as *visitors*.
2. Visitors will be afforded reasonable access to educational facilities, personnel, classrooms, and buildings and to the child. To minimize disruption, reasonable access means that the parent(s)/guardian(s) or qualified professional retained by or on behalf of a parent/guardian or child is allowed access once per school quarter for up to one hour or one class period. ¹ A visitor may request the authorized administrator to grant longer or additional observations based on individual circumstances and provide any supporting documentation in support of such a request. A professional evaluator can request longer or additional observations in his or her initial request. The administrator may grant, deny, or modify the request, and the administrator’s decision shall be final.
3. Visitors must comply with:
 - a. School safety, security, and visitation policies at all times.
 - b. Applicable privacy laws, including those laws protecting the confidentiality of education records such as the federal Family Educational Rights and Privacy Act and the Illinois School Student Records Act.
 - c. Board policy 8:30, *Visitors to and Conduct on School Property*. Visitors may not disrupt the educational process.
4. If the visitor is a parent/guardian, he or she will be afforded reasonable access as described above for the purpose of:
 - a. Observing his or her child in the child’s current educational placement, services, or program, or
 - b. Visiting an educational placement or program proposed for the child by the IEP team.
5. If the visitor is an independent educational evaluator or a qualified professional retained by or on behalf of a parent or child, he or she must be afforded reasonable access of sufficient duration and scope for the purpose of conducting an evaluation of the child, the child’s performance, the child’s current educational program, placement, services, or environment, or

¹ State law is silent on the frequency and length of access. These provisions may be omitted or changed. If the frequency or length of access is limited, the procedure should allow a visitor to request longer or additional access (as in the next sentence).

any educational program, placement, services, or environment proposed for the child, including interviews of educational personnel, child observations, assessments, tests, or assessments of the child's educational program, services, or placement or of any educational program proposed by the IEP team, services, or placement. If one or more interviews of school personnel are part of the evaluation, the interviews must be conducted at a mutually agreed upon time, date, and place that do not interfere with the school employee's school duties. The Building Principal or designee may limit interviews to personnel having information relevant to the child's current educational services, program, or placement or to a proposed educational service, program, or placement.

6. Prior to visiting a school, school building, or school facility, a visitor must complete 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*. This form serves to:
 - a. Inform the Building Principal or designee in writing of the proposed visit(s), the purpose, and the duration, and
 - b. Identify requested dates/times for the visit(s) to facilitate scheduling.
7. The student's parent/guardian must consent in writing to the student being interviewed by the named evaluator as part of a visit. The parent/guardian will grant this consent by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
8. The student's parent/guardian, or the student, if he or she is over the age of 18, must execute an Authorization to Release Student Record Information before an independent educational evaluator or a qualified professional retained by or on behalf of a parent/guardian or child will be given access to student school records or to personnel who would likely release such records during discussions about the student. If a student is over the age of 12 and the records contain mental health and/or developmental disability information, the student must also be requested to sign the Authorization to Release information before any observation by or disclosure of school student records or information to a visitor.
9. The visitor must acknowledge, before the visit, that he or she is obligated to honor students' confidentiality rights and refrain from any re-disclosure of such records. The visitor will provide this acknowledgment and agreement by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
10. The Building Principal or designee will attempt to arrange the visit(s) at times that are mutually agreeable. The Building Principal or designee will accompany any visitor for the duration of the visit, including during any interviews of staff members.
11. If the visitor is a professional retained by the parent/guardian, the visitor must provide identification and credentials before the visit.
12. This procedure applies to any public school facility, building, or program and to any facility, building, or program supported in whole or in part by public funds. The student's case manager or other District designee must facilitate such visit(s) when the student attends a program outside of the School District, such as at a private day program or residential program, provided it is supported in whole or in part by public funds.

Instruction

Exhibit - Special Education Required Notice and Consent Forms

Below is the URL to ISBE's updated *Special Education Required Notice and Consent Forms and Instructions*. The forms are the official versions of the State-required forms and were updated in January 2008 to bring Illinois into compliance with IDEA 2004 and 23 Illinois Administrative Code Part 226. ISBE added three new forms: *Parent/Guardian Notification of Individualized Education Program Amendment*, *Parent/Guardian Excusal of an Individualized Education Program Team Member*, and *Delegation of Rights to Make Educational Decisions*. Each form contains useful instructions to understand the purpose and use of each form. The URL also provides access to each form in languages other than English.

www.isbe.net/spec-ed/html/consent.htm

Instruction

Exhibit - Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes

Student name: _____ DOB: _____

School attending: _____ Grade: _____

The following information must be completed by individuals requesting to access a school building, facility, and/or educational programs or to interview District personnel or the student named above for the purpose of assessing the student’s special education needs. Please complete this form and return it to the Building Principal or Program Director where the student is enrolled. He or she will contact you to coordinate your visit:

Parent/Guardian *(Complete this section if the person making the request is the parent/guardian.)*

Name: _____ Title: _____ Phone: _____

Address: _____

I am the parent/guardian of the above-named student and wish to observe my child in the following classroom/settings: _____
for the purpose of: _____

I am the parent/guardian of the above-named student and wish to observe the following classroom/settings which have been recommended for my child: _____
_____ for the purpose of: _____

Observations are limited to one hour or one class period per school quarter.

Parent’s Independent Evaluator or Other Qualified Professional *(Complete this section if the person making the request is not the parent/guardian.)*

Name: _____ Agency/Company: _____

Phone: _____ Email address: _____

Address: _____

My professional training and/or licensure or certification, if applicable, is (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Teacher, certified in the areas of: _____ | Illinois certified? <input type="checkbox"/> Y <input type="checkbox"/> N |
| <input type="checkbox"/> Clinical Psychologist | <input type="checkbox"/> School Psychologist |
| <input type="checkbox"/> Licensed Clinical Social Worker | <input type="checkbox"/> Licensed Social Worker |
| <input type="checkbox"/> School Social Worker | <input type="checkbox"/> Occupational Therapist |
| <input type="checkbox"/> Physical Therapist | <input type="checkbox"/> Speech/Language Pathologist |
| <input type="checkbox"/> Audiologist | <input type="checkbox"/> Psychiatrist |
| <input type="checkbox"/> Registered Nurse | <input type="checkbox"/> Certified School Nurse |
| <input type="checkbox"/> Other qualified professional (list credentials): _____ | |

I have been requested by the above named student’s parent/guardian to conduct an evaluation of the student for the purpose of: _____

As part of this evaluation, I am requesting the following for the length of time noted (check all that apply):

Observation of student in the following classroom(s)/setting(s): _____
_____ Duration: _____

Opportunity to interview the following personnel believed to work with the student: _____
_____ Duration: _____

Opportunity to interview the student.

I will need more than one hour or one class period for my visit for the following reason(s): _____

Student records, as noted in the attached, signed Authorization to Release Student Record Information.

Acknowledgement *(To be completed by the person making the access request.)*

I understand that the School District will allow me reasonable access to the school, school facilities, or educational programs or individual(s) I have requested as related to the purpose of my visit. I have been provided with a copy of 6:120-AP2, *Access to Classrooms and Personnel*, and agree to comply with its terms and conditions. I further understand that during my visit, I must honor all students' confidentiality rights and refrain from any re-disclosure of such records.

Individual Requesting Access Signature

Date

Parent/Guardian Verification *(Must be completed whenever an independent evaluator or other qualified professional requests access.)*

I, _____, am the parent/guardian of the above-named student, and I confirm that I have requested an evaluation of my child by the individual named herein, for the stated purpose(s). If requested above, I consent to my child being interviewed by the named evaluator as part of this visit understanding that the District has not conducted a background check on the evaluator. I have no reason to believe the evaluator poses a safety risk to my child or others. I further understand and agree that it is my responsibility to notify the School District in writing if I end my working relationship with the named evaluator prior to the completion of the tasks outlined herein and that the School District otherwise will work with the evaluator to provide reasonable access to the school, school building, school facility, personnel, or my child at mutually agreed upon times and in a manner that is least disruptive to the school setting or my child's academic program.

Parent/Guardian Signature

Date

Instruction

Exhibit - Application for a Diploma for Veterans of WW II, the Korean Conflict, or the Vietnam Conflict

Complete and submit to the Superintendent.

Please print:

_____			_____		
Name			Phone		
_____			_____		
Address			Birth Date		
_____			_____		
City	State	Zip			

The applicant is requesting a high school diploma and attests that he or she meets the following criteria as established by School Board policy:

1. Served in the U.S. Armed Forces during World War II or the Korean Conflict.

Please check one or more of the following:

- WW II: December 7, 1941 - September 2, 1945
- Korean Conflict: June 25, 1950 - July 27, 1953
- Vietnam Conflict: historians generally date U.S. Armed Forces involvement from late 1961-1975

2. Left high school in order to serve in the U.S. Armed Forces.
3. Resided within an area currently within the School District at the time he or she withdrew from high school.
4. Has not received a high school diploma or a GED (high school equivalency).

Applicant's Signature

Date

Students

Administrative Procedure - Placement of Nonpublic School Students Transferring Into the District

Actor	Action
Parent(s)/guardian(s) of a nonpublic school student transferring into the District	Shall perform all school admission requirements contained in School Board policy 7:50, <i>School Admissions and Student Transfers To and From Non-District Schools</i> , and administrative procedure 7:50-AP, <i>Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools</i> .
Building Principal or designee	<p>Meets with parent(s)/guardian(s) to discuss appropriate placement.</p> <p>Inquires about the student’s special interests, concerns, and goals.</p> <p>Administers a Student Home Language Survey. ISBE provides Sample Home Language Surveys that are available in English and twenty-nine other languages under the Home Language Surveys tab at: www.isbe.net/bilingual/htmls/forms-and-notifications.htm.</p> <p>Determines achievement level based on interviews, school records, achievement testing, and/or other appropriate means.</p> <p>Considers special circumstances, e.g., whether the student is: gifted, disabled, homeless, has limited English proficiency, is part of a migrant family, has special medical needs, or has other needs.</p> <p>Before making a placement decision, seeks input from appropriate school personnel.</p> <p>Awards credits and determines placement.</p> <p>Course credit awarded to students transferring from a non-graded school or a school that is not recognized by the state education agency, will be given the grade of “P” for passing with no letter or numerical designation for the level of proficiency.</p> <p>Completes other enrollment procedures.</p>

Students

Exhibit - Letter of Residence from Landlord in Lieu of Lease

A person seeking to enroll a child may use this form as evidence of residency when a signed lease is unavailable – other documents will also be required to establish residency. Return this completed form, signed by your landlord, to the Building Principal. The School District reserves the right to evaluate the evidence presented; completing this form does not guarantee admission.

To be completed and signed by the individual enrolling the child and returned to the Principal. Please print.

_____		_____
Child		School
_____		_____
Individual enrolling the child		Home Telephone

Relationship to the child		

Residence street address	City	Zip code
_____		_____
Landlord's name		Landlord's telephone

Landlord's address	City	Zip code
_____		_____
Signature of the individual enrolling the student		Date

To be signed by your landlord to verify that you are renting this residence.

I certify that the individuals named above are living in the residence named above for the lease term of ____ / ____ / ____ through ____ / ____ / ____.

_____	_____
Landlord's signature	Date

WARNING: If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the district is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding the residency of a student for the purpose of enabling that student to attend any school in that district without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Students

Exhibit - Letter of Residence to Be Used When the Person Seeking to Enroll a Student Is Living with a District Resident

A person seeking to enroll a child should use this form as evidence of residency when he or she cannot produce a lease, purchase property agreement, or other similar document – other documents will also be required to establish residency. The School District reserves the right to evaluate the evidence presented; completing this form does not guarantee admission.

To be completed by the individual enrolling the child and returned to the Principal. Please print.

Child School

Individual enrolling the child Home Telephone

Relationship to the child

Residence street address City Zip code

Signature of the individual enrolling the student Date

To be completed and signed by the individual who is responsible for the residence. Please print.

Name of the individual who is responsible for the residence Telephone

I am responsible for this residence by ownership, lease, or other _____

Total number of: Persons living at this residence _____ Rooms in residence _____ Bedrooms _____

State the reasons for this living arrangement, including your relationship to the individual enrolling the child:

I certify that this information is true and that the individuals named above are living in my residence.

Signature of the individual who is responsible for the residence Date

WARNING: If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the district is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding the residency of a student for the purpose of enabling that student to attend any school in that district without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Students

Exhibit - Evidence of Non-Parent’s Custody, Control, and Responsibility of a Student

This form establishes a child’s residency in the School District when the child is not living with a natural or adoptive parent. It must be completed by the individual who has assumed custody. Read **Important Warning** and submit this form with your signature to the Building Principal.

Student’s name

District attendance building

Name of individual completing this form (*Please print*)

Relationship to child

Please check all applicable boxes:

- The child lives with me at my residence address, as stated below, and is not living with me solely for the purpose of attending the District’s school.
- I have assumed and exercise full legal responsibility for and control of the child regarding daily educational and medical decisions, including responsibility for:
 - medical decisions and costs
 - discipline and restitution for vandalism or other crimes
 - food and clothing
 - school fees (books, bus, etc.)

At my residence the child regularly: (*Please explain any unchecked boxes*)

- Eats meals _____
- Sleeps _____
- Spends weekends and summers _____

Important Warning: The School District reserves the right to evaluate the evidence presented. Completing this form does not guarantee admission. If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the District is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding a student’s residency to enable that student to attend any school in the District without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Date

Signature of individual completing this form

Telephone

Address

Optional: *To be completed by the natural or adoptive parent(s), if one is available.*

Please check all applicable boxes:

- I am the natural or adoptive parent of the child.
- I have willingly transferred full custody and control of, as well as responsibility for this child to: _____
- The transfer of custody is not solely for the purpose of attending the District’s schools.

Date

Signature of individual completing this form

Telephone

Address

Students

Vandalism ¹

The School Board will seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to school property. ²

LEGAL REF.: 740 ILCS 115/.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

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

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

² The Parental Responsibility Law makes parents/guardians of unemancipated minors who are 11 through 18 years of age liable for actual damages. Parents/guardians may be liable up to \$20,000 for the first act or occurrence of a willful or malicious act. If a pattern or practice of willful or malicious acts by a minor is found by a court to exist for another separate act or occurrence, parents/guardians may be liable up to \$30,000 (740 ILCS 115/5).

Students

Suspension Procedures ¹

The Superintendent or designee shall implement suspension procedures that provide, at a minimum, for the following: ²

1. Before a student may be suspended, the student shall be provided a conference during which the charges will be explained and the student will be given an opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent(s)/guardian(s). A written notice of the suspension shall state the reasons for the suspension, including any school rule that was violated, and a notice to the parent(s)/guardian(s) of their right to a review of the suspension. The School Board must be given a summary of the notice, including the reason for the suspension and the suspension length.
4. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board. ³ At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate.

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

¹ State law requires districts to have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). State or federal law controls this policy's content. For information about administering student discipline, see the U.S. Dept. of Education's and the U.S. Dept. of Justice's 2014 jointly released school discipline package, *Guiding Principles*, at: www2.ed.gov/policy/gen/guid/school-discipline/faq.pdf.

Boards may authorize *by policy* the superintendent, building principal, assistant building principal, or dean of students to suspend students guilty of gross disobedience or misconduct from school, including all school functions (105 ILCS 5/10-22.6(b)). See 7:190, *Student Discipline*, for such an authorization.

² Suspension procedures are required by State law (105 ILCS 5/10-22.6(b)). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. *Goss v. Lopez*, 95 S.Ct. 729 (1975). Imposing a short deprivation of this property right by suspending a student for 10 or fewer days requires only minimal due process. The student must be generally informed of the reasons for the possible suspension, and be permitted to tell his/her version of the story. Making a decision to suspend before the hearing violates the basic due process requirement that the hearing be meaningful. *Sieck v. Oak Park-River Forest High School*, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

105 ILCS 5/10-22.6(b) allows a student who is suspended in excess of 20 school days to be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of the School Code. A student cannot be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

Consult the board attorney for assistance if a suspension will exceed 10 consecutive school days. Subsection 10-22.6(b) uses the phrase "is suspended in excess of 20 school days" even though a 20-consecutive day suspension should be treated as an expulsion. *Goss v. Lopez*, 95 S.Ct. 729 (1975). For further discussion, see f/n 34 in policy 7:190, *Student Discipline*.

³ A board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(~~B~~)(3c)(9)).

LEGAL REF.: 105 ILCS 5/10-22.6(b).
Goss v. Lopez, 95 S.Ct. 729 (1975).
Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D.,
1992).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

Students

Administrative Procedure - Extracurricular Drug and Alcohol Testing Program

Testing Procedures

1. The Building Principal or designee shall, from time-to-time throughout the school year, randomly select extracurricular participants for drug and alcohol testing. Testing may occur on any day, Monday through Saturday. Names will be drawn from a pool of all student participants. Each student participant may be tested at any time during the year.
2. No student will be given advance notice or early warning of the testing.
3. Drug and/or alcohol testing may be performed by breath alcohol testing and/or urinalysis. Upon being selected for breath alcohol testing, a student must provide an adequate amount of breath so that the measuring device can measure any alcohol concentration in the breath. Upon being selected for a urinalysis test, the student shall provide a sample of "fresh" urine according to the quality control standards and policy of the laboratory conducting the urinalysis.
4. A staff member will accompany the student until he or she produces an adequate urine specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If unable to produce a specimen within 2 hours, the student will be taken to the Building Principal's office and told he or she is ineligible for participation in any extracurricular activity. In addition, the parent(s)/guardian(s) will be telephoned and informed the student is unable to produce a sample for the testing procedure and he or she must be tested at a later date in order to be eligible.
5. All specimens registering below 90.5 degrees or above 99.8 degrees Fahrenheit will be invalid. The head strip on each specimen bottle indicates the validity of the urine specimen by temperature. If a specimen is invalid, the student must provide another specimen.
6. A student will be ineligible for all extracurricular activities for the remainder of the school year if he or she tampers or cheats during the collection. This will be reported to the parent(s)/guardian(s).
7. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he or she left the collection site.
8. Each specimen is given to the laboratory for testing for alcohol, controlled substances (that may include all drugs listed as controlled substances under Illinois law), and "performance enhancing" drugs, such as steroids.

Chain of Custody

1. The laboratory will provide training and direction to appropriate staff members, set up the collection environment, guarantee specimens, and supervise the chain of custody. To maintain anonymity, the student will be assigned a number.
2. The Building Principal or designee will escort students to the collection site. No student is allowed to go to his or her locker. The Building Principal or designee should minimize classroom interruptions. Student participants may be summoned after school, perhaps during practice time.
3. Before a student's urine is tested by the laboratory, he or she must sign any form that may be required by the testing laboratory. If a student chooses, he or she may notify the administrator that he or she is taking a prescription medication.

4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle and the student signs that the specimen is sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. Students will be instructed to remove all outerwear and wash their hands in the presence of the supervisor before entering the restroom stall. The stall door will be closed while the student provides a urine specimen. The supervisor will wait outside the restroom stall. The student will have 2 minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be shut off.
7. After it is sealed, the specimen will be transported to the testing laboratory by lab personnel. The testing laboratory will report the results to the Building Principal or designee.
8. In order to maintain confidentiality, the student's name will not be on the urine specimen container. Instead, the student's random identification number will appear on the container.

Test Results

1. The Building Principal or designee will be notified of a student testing "positive" (i.e., if the test shows that drug residues are in the student's system after using at least 2 different types of analyses). The Building Principal or designee will notify the student and his or her parent(s)/guardian(s). The student or his or her parent(s)/guardian(s) may submit any documented prescription or explanation of a "positive" test result.
2. In addition, the student or parent(s)/guardian(s) may request that the urine specimen be tested again by a certified laboratory at their cost.
3. If the test is verified "positive," the Building Principal or designee will meet with the student and his or her parent(s)/guardian(s). The student and parent(s)/guardian(s) will be given the names of counseling and assistance agencies. The student may not participate in extracurricular activities until a "follow-up" test is requested by the Building Principal or designee and the results are "negative."
4. A "follow up" test will be requested by the Building Principal or designee after such an interval of time that the substance previously found would normally be eliminated from the body. If this "follow up" test is negative, the student will be allowed to resume extracurricular activities. If a "positive" result is obtained from the "follow up" test, or any later test, the previous procedure shall be repeated. In addition, the School District reserves the right to continue testing at any time during the remaining school year any participating student who had a verified "positive" test.
5. Information on a verified "positive" test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of "negative" tests will be kept confidential.
6. Drug testing result sheets will be returned to the Building Principal or designee identifying students by number and not by name. Names will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the Building Principal or designee has access.

Financial Responsibility

1. Under this policy, the School District will pay for all initial random drug tests and all initial “follow up” drug tests. Once a student has a verified “positive” test result and has subsequently tested negative from a “follow up” test, any future “follow up” drug test that must be conducted will be paid for by the student’s parent(s)/guardian(s).
2. A request for another test of a “positive” urine specimen is the financial responsibility of the student’s parent(s)/guardian(s).
3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student’s parent(s)/guardian(s).

Confidentiality

Under this drug testing program, no staff, coach, or sponsor shall divulge any information to anyone about a particular student or disposition of the student involved, other than in response to a legal subpoena.

Other Rules

Apart from this drug testing program, the Illinois High School Association as well as each activity’s coaching staff or sponsor may have their own training rules and requirements. Coaches and sponsors have the necessary authority to enforce those rules. Any student-participant who violates a team or activity rule or requirement is subject to the consequences as defined in those rules and requirements.

Students

Administrative Procedure - Protocol for Responding to Students with Social, Emotional, or Mental Health Problems ¹

Student Support Committee

Each Building Principal shall annually appoint a building-level Student Support Committee that shall have the tasks described in this Administrative Procedure. Committee members must be school staff members who are qualified by professional licensing or experience to address issues concerning students who may have social, emotional, or mental health problems. As needed on a case-by-case basis, the Student Support Committee may request the involvement of the Building Principal, relevant teachers, and the parents/guardians. Records produced and shared among Committee members may be subject to laws governing student records. Confidential information given by a student to a therapist is governed by the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

Children's Mental Health Partnership's Plan and Annual Progress Reports

The Illinois Children's Mental Health Partnership (ICMHP) monitors the implementation of its statewide Children's Mental Health Plan (CMH Plan). The CMH Plan is a statewide strategic blueprint or "*roadmap*" to promote and improve the children's mental health system and covers a range of recommendations and strategies necessary to reforming the children's mental health system in Illinois. Every year, the ICMHP must submit an annual progress report to the Governor for approval. The Student Support Committee will monitor the annual CMH Plan (available at www.icmhp.org/aboutus/ICMHP_Strategic_Plan.pdf and updated at www.icmhp.org/aboutus/strategicplan.html) and decide how to implement its recommendations and strategies as appropriate within the resources available in the District.

Referrals

Staff members should refer a student suspected of having social, emotional, or mental health problems to the building-level Student Support Committee. The Student Support Committee will review information about a referred student, including prior interventions, and suggest appropriate steps for referral and follow-up. The Student Support Committee may offer strategies to a referred student's classroom teachers and parents/guardians about ways they can manage, address, and/or enhance the student's social and emotional development and mental health. In addition, the Student Support Committee may recommend coordinated educational, social work, school counseling, and/or student assistance services within the school as well as referrals to outside agencies.

The footnotes should be removed before the material is used.

¹ The Children's Mental Health Act of 2003, 405 ILCS 49/, requires districts to have a protocol for responding to children with social, emotional, or mental health problems, or a combination of such problems, that impact learning ability. The complexity and scope of such a protocol will vary from district to district. At minimum, the superintendent should consider including the first 3 sections of this sample procedure.

The Children's Mental Health Act also requires every district to have a policy for incorporating social and emotional development into the district's educational program. See IASB sample policy 6:65, *Student Social and Emotional Development*.

Referrals under this procedure are unrelated to the special education evaluation process and do not trigger the District's timeline for evaluations. However, the use of these procedures shall not circumvent the special education process. See Administrative Procedure 6:120-AP, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*.

School Counseling, Social Work, and Psychological Services

The Student Support Committee may request school counselors, social workers, psychologists, and school nurses to provide support and consultation to teachers and school staff about strategies to promote the social and emotional development and mental health of all students. They may also be requested to provide screening and early detection approaches to identify students with social, emotional, and mental health problems.

Written permission from the parent/guardian is required for any on-going social work and psychological services. **“On-going”** is defined as more than 5 contacts in which the student received these services. Written consent may be obtained through an IEP or other designated form. That consent does not entitle parents/guardians to know the contents of all that is discussed. School counselors, social workers, and psychologists will inform parents/guardians of all issues that pose a health and/or safety risk; they will inform the Building Principal of any health or safety risks that are present in the school.

Psycho-Educational Groups ²

As appropriate, the Student Support Committee may recommend that a student participate in a variety of psycho-educational groups. These groups are typically led by school counselors, social workers, or psychologists, but are not structured as therapeutic services. Groups are designed to help students better understand issues and develop strategies to manage issues of concern to them that may, if not addressed, interfere significantly with the students' educational progress or school adjustment. Groups have a written curriculum that guides discussion over a set period of time, generally 5 weeks. A student may participate in a group without parent/guardian permission for one such time period; subsequent enrollment in the same group requires parent/guardian permission.

Students in a group who present significant concern and for whom therapeutic services must be considered will be referred to the social workers, psychologists, or school counselors for individual consultation. (See above description of these services.)

School and Community Linkages

When possible, the Student Support Committee shall seek to establish linkages and partnerships with diverse community organizations with the goal of providing a coordinated, collaborative early intervention social and emotional development and mental health support system for students that is integrated with community mental health agencies and organizations and other child-serving agencies and systems.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/.

The footnotes should be removed before the material is used.

² Omit this section if the school does not have a psycho-educational program in place.

Students

Administrative Procedure - Managing Students with Communicable or Infectious Diseases

If a student’s communicable or infectious disease affects his or her ability to participate in the District’s educational programs, he or she shall be treated as a *disabled person* under Section 504 of the Rehabilitation Act of 1973, unless the student has already qualified for and is receiving services through an IEP under the Individuals with Disabilities in Education Act. For students with an IEP, the District’s Administrative Procedure, 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*, must also be followed and they will control whenever there is a conflict with these procedures.

Rules and guidance from the ISBE and IDPH should be consulted and supersede these procedures. Guidance documents and important information include:

1. *Communicable Disease Guide*, revised 2002, available at www.idph.state.il.us/health/infect/comm_disease_guide.pdf.
2. *Management of Chronic Infectious Diseases in Schoolchildren*, revised in 2003 by ISBE and IDPH, available at www.isbe.net/spec-ed/pdfs/chronic_diseases.pdf.
3. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois and the Department of Professional Regulation Law of the Civil Administrative Code both expanded the statutory authority of the governor and the IDPH to respond to significant threats to the public health.

Managing Students with Communicable or Infectious Diseases

Actor	Action
Parents/Guardians	Notifies the Building Principal where their child is enrolled if their child has a communicative or infectious disease. A communicative or infectious disease includes Acquired Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC), and Human Immunodeficiency Virus (HIV). See Exhibit 7:280-E2, <i>Reporting and Exclusion Requirements for Common Communicable Diseases</i> , for a list of communicative or infectious diseases.
Building Principal or designee	Upon having knowledge of a known or suspected case or carrier of a communicable disease: <ol style="list-style-type: none"> a. Notifies the <i>local health authority</i> as required by 77 Ill.Admin.Code §690.200. The <i>local health authority</i> is a full-time official health department, as recognized by the Department of Public Health, having jurisdiction over a particular area, including city, village, township, and county boards of health. If there is not a local health authority recognized by the Department, the local health authority is the Department (77 Ill.Admin.Code §690.90010). See also Exhibit 7:280-E2, <i>Reporting and Exclusion Requirements for Common Communicable Diseases</i>, identifying the diseases for which there is mandatory reporting. Note: The Communicable Disease Report Act, 745 ILCS 45, grants immunity from slander or libel to persons who in good faith make such reports.

Actor	Action
	<p>b. Follows directions for temporarily excluding a student from school according to the local health authority direction and 77 Ill.Admin.Code §690.</p> <p>Keeps the school open where a student with a communicable disease attended, except in the event of an emergency (77 Ill.Admin.Code §690.100030(c)(1)).</p>
District staff	<p>Observes all rules of the IDPH regarding communicable and chronic infectious disease. See the Legal References for a list of these rules.</p> <p>Collects and maintains the student’s medical information in a manner that ensures the strictest confidentiality and in accordance with federal and State laws regarding student records.</p>
Superintendent or designee	<p>Confirms that all required and appropriate notices are made.</p> <p>Convenes the Communicable and Chronic Infectious Disease Review Team. This Superintendent committee is composed of the District’s medical advisor, a school nurse, the Building Principal, and the Superintendent or designee (see 2:150-AP, <i>Superintendent Committees</i>).</p>
Communicable and Chronic Infectious Disease Review Team	<p>Arranges a meeting with the student’s parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of the meeting is to:</p> <ol style="list-style-type: none"> Determine when an excluded student will return to school. This determination shall be based on whether the student poses a high risk of transmission of a communicable and chronic infectious disease to other students and staff. A student suspected of being infected with a disease for which isolation is required shall be refused admittance while acute symptoms are present (77 Ill.Admin.Code §690.100030(c)(3)). Perform a pre-placement evaluation (34 C.F.R. §104.35). See 7:280-E1, <i>Placement of School Children with Acquired Immunodeficiency Syndrome (AIDS)</i>, published by the U.S. Dept. of Education Office for Civil Rights. Make a placement decision based on the pre-placement evaluation. The placement decision shall include any needed related services (34 C.F.R. §104.35). If there is a reason to believe that the student may have a disability requiring special education and related services, the child shall be referred for a special education evaluation. Referrals may also be made, at any time, by any concerned person, including but not limited to School District personnel, the child’s parent(s)/guardian(s), a community service agency employee, a professional having knowledge of a child’s problems, a child, or an ISBE employee. See the District’s <i>Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities</i> (23 Ill.Admin.Code §226.110). <p>Reports the meeting results to the Superintendent.</p>
Superintendent or designee	<p>Notifies the student’s parents/guardians when an excluded student can return to school and of the placement decision. If the student will not attend school, every reasonable effort shall be made to provide the student with an adequate alternative education. State regulations and school policy regarding homebound</p>

Actor	Action
	instruction shall apply.
Communicable and Chronic Infectious Disease Review Team	At least annually while a student has a contagious or infectious disease, arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the student's education placement and the provision of related services.

Managing a Student with a Communicable or Infectious Disease Who Demonstrates Behavior that Could Result In Infecting Other Students or Staff Members

Actor	Action
Parents/Guardians or any staff member	Notifies the Building Principal if a student with a communicable or infectious disease shows a lack of control of bodily secretions, has open sores that cannot be covered, or demonstrates behavior (e.g., biting) that could result in direct inoculation of potentially infected body fluids into the bloodstream.
Building Principal	Immediately notifies the Superintendent of the above.
Superintendent or designee	<p>Upon being notified that a student is demonstrating behavior that could spread his or her disease, convenes the Communicable and Chronic Infectious Disease Review Team.</p> <p>If appropriate, notifies parents of students of possible exposure if their student may have been exposed to a communicable or infectious disease due to behaviors exhibited by a student having such a disease.</p>
Communicable and Chronic Infectious Disease Review Team	<p>Arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of this meeting is to:</p> <ol style="list-style-type: none"> a. Determine whether the student's temporary removal from the classroom is appropriate because the student poses a high risk of transmitting a communicable and chronic infectious disease or whether another response exists to reduce the risk of transmission. A student suspected of being infected with a disease for which isolation is required shall be refused admittance while acute symptoms are present (77 Ill.Admin.Code §690.100030(c)(3)). b. Perform a pre-placement evaluation if the student will continue to attend school (34 C.F.R. §104.35). c. Make a placement decision based on the pre-placement evaluation. The placement decision shall include any needed related services (34 C.F.R. §104.35). If the student will continue to attend school, determine the student's appropriate educational placement. The team shall also determine if the student needs related services or placement outside the regular classroom. <p>Reports the meeting's results to the Superintendent.</p>
Superintendent or Designee	Notifies the student's parent(s)/guardian(s) whether the student will attend school. If the student will not attend school or participate in school activities with other students, every reasonable effort shall be made to provide the student

Actor	Action
	with an adequate alternative education; however, an individual student's IEP will control. State regulations and school policy regarding homebound instruction apply.
Communicable and Chronic Infectious Disease Review Team	At least once a month while a student is removed from normal school attendance, arranges a meeting with the student's parent(s)/guardian(s), personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the removal and to determine whether the condition precipitating the removal has changed.

General Post-Evaluation Procedures

Actor	Action
Parents/Guardians	May appeal their child's exclusion from school or educational placement to the School Board within 10 days of being notified of the action.
Parents/Guardians	When their child returns to school after an absence due to a communicable and chronic infectious disease, present a certificate from a physician licensed in Illinois stating that the child qualifies for re-admission to school under the rules of the IDPH that regulate periods of incubation, communicability, quarantine, and reporting.

LEGAL REF.: 105 ILCS 5/10-21.11 and 10/1 et seq.
410 ILCS 315/
23 Ill.Admin.Code Part 226.
77 Ill.Admin.Code Parts 665, 690, 693, 695, 696, and 697.
34 C.F.R. §§104.34 and 104.35.
Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.
Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g.
Rehabilitation Act of 1973, Section 504, 29 U.S.C. §701 et seq.

CROSS REF.: 2:150 (Committees), 5:40 (Communicable and Chronic Infectious Disease)

Students

Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Publications

A student or group of students seeking to distribute more than 10 copies of the same material on one or more days to students must comply with the following guidelines:

1. The student(s) must notify the Building Principal of the intent to distribute, in writing, at least 24 hours before distributing the material. No prior approval of the material is required.
2. The material may be distributed at times and locations selected by the Building Principal, such as, before the beginning or ending of classes at a central location inside the building.
3. The Building Principal may impose additional requirements whenever necessary to prevent disruption, congestion, or the perception that the material is school-endorsed.
4. Distribution must be done in an orderly and peaceful manner, and may not be coercive.
5. The distribution must be conducted in a manner that does not cause additional work for school personnel. Students who distribute material are responsible for cleaning up any materials left on school grounds.
6. Students must not distribute material that:
 - a. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
 - b. Violates the rights of others, including but not limited to, material that is libelous, invades the privacy of others, or infringes on a copyright;
 - c. Is socially inappropriate or inappropriate due to the students' maturity level, including but not limited to, material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by School Board policy and Student Handbooks; ¹
 - d. Is reasonably viewed as promoting illegal drug use; or
 - e. Is primarily prepared by non-students and distributed in elementary and/or middle schools.
7. A student may use School Board policy 2:260, *Uniform Grievance Procedure*, to resolve a complaint.
8. Whenever these guidelines require written notification, the appropriate administrator may assist the student in preparing such notification.

A student or group of students seeking to distribute 10 or fewer copies of the same publication on one or more days to students must distribute such material at times and places and in a manner that will

The footnotes should be removed before the material is used.

¹ Be sure that the definition for *sexting* in this procedure aligns with other definitions used throughout the board's policy manual. For an example of a definition, see sample administrative procedure 7:190-AP5, *Student Handbook-Electronic Devices*. There, sexting encompasses the term *indecent visual depiction* as defined by 705 ILCS405/3-40. It defines indecent visual depiction as a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the buttocks, or if such person is a female, a fully or partially developed breast of the person. A district may create or have another definition of sexting that may or may not encompass the statutory term indecent visual depiction.

not cause substantial disruption of the proper and orderly operation and discipline of the school or school activities and in compliance with paragraphs 4, 5, 6, and 7.

LEGAL REF.: Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).
 Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir.
 1993).
 Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969).

Community Relations

Administrative Procedure - Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

Requests from Community, Educational, Charitable, Recreational, or Other Organizations

Actor	Action
Community, Educational, Charitable, Recreational, or Other Organizations	<p>Direct to the Building Principal all requests to advertise events pertinent to students' interests or involvement.</p> <p>Specifically describe the material or literature proposed to be displayed, distributed, or included in the school's website.</p> <p>Request specific dates for the material to be posted or distributed.</p>
Building Principal	<p>Refers all materials to the Superintendent or designee for screening to ensure compliance with the District's policy and procedures.</p> <p>Note: An administrator in the central office enhances coordination and ensures that all buildings in the district are operating uniformly. For districts that wish to leave the screening of materials to building principals, replace: "Superintendent or designee" in the next row with "Building Principal" and delete this row.</p>
Superintendent or designee	<p>Screens all material before distributing or posting it to ensure compliance with the District's policy and procedures, including that all material and literature be student-oriented and have the sponsoring organization's name prominently displayed.</p> <p>Rejects all requests to post or distribute material or literature that would: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent.</p> <p><u>Note: Consult the Board Attorney. Allowing one organization to distribute non-religious materials at school, but prohibiting the distribution of religious materials by another, may negate indemnification for school administrators and the district. See Morgan v. Swanson, -- F.3d -- (5th Cir., 2014) (granting -after several years of reversals, remands, and procedural motions- qualified immunity to an elementary school principal who allowed parents to distribute non-religious materials but prohibited another parent from distributing religious materials during an in-class winter party).</u></p> <p>Determines the appropriate location for posting the material and/or distributing it, provided that any distribution by staff is done without discussion.</p> <p>Informs the organization whether its request is accepted or</p>

	<p>rejected.</p> <p>Removes all materials that are out-of-date from the building and/or website.</p>
Community, Educational, Charitable, Recreational, or Other Organizations	<p>Have the material or posters delivered to the school. The school will not make copies.</p> <p>Provide in electronic format any information that the Building Principal agreed to publish on the school's website.</p>

Requests from Commercial Companies to Advertise and/or Distribute Material

Actor	Action
Commercial Companies	<p>Direct to the Superintendent all requests to advertise on school grounds or in school publications.</p> <p>Specifically identify the requested location for advertisements, i.e.: (a) athletic field fence, (b) athletic, theater, or music programs, and/or (c) scoreboards.</p> <p>Prominently display the company's name on all advertising.</p> <p>Provide a copy of the proposed advertisement to the Superintendent.</p>
Superintendent	<p>Screens all proposed ads to ensure that they will not: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent.</p> <p>May approve a commercial request related to graduation, class pictures, or class rings.</p> <p>For all other commercial requests, makes a dispositional recommendation during an open School Board meeting.</p> <p>After the Board's decision, takes all appropriate steps.</p>
School Board	<p>From time-to-time, by Board resolution, determines minimum fees for advertising space. All fees are subject to negotiation and Board approval. Current minimum fees are:</p> <p>Athletic field fences \$ _____</p> <p>Athletic, theater, or music programs \$ _____</p> <p>Scoreboards \$ _____</p>

Community Relations

Relations with Other Organizations and Agencies

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

- 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 ¹
- Other school districts

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

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

¹ 105 ILCS 5/10-22.35.