

School District Organization

School District Legal Status ¹

The Illinois Constitution requires the State to provide for an efficient system of high quality public educational institutions and services in order to achieve the educational development of all persons to the limits of their capabilities.

The General Assembly has implemented this mandate through the creation of school districts. The District is governed by the laws for school districts serving a resident population of not fewer than 1,000 and not more than 500,000.

The School Board constitutes a body corporate that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

LEGAL REF.: Ill. Constitution, Art. X, Sec. 1.
105 ILCS 5/10-1 et seq.

CROSS REF.: 2:10 (School District Governance), 2:20 (Powers and Duties of the School Board)

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

School District Organization

District Organization, Operations, and Cooperative Agreements

The District is organized and operates as follows: ¹

[INSERT DISTRICT'S ORGANIZATION and OPERATIONS]

The District enters into and participates in joint programs and intergovernmental agreements with units of local government and other school districts in order to jointly provide services and activities in a manner that will increase flexibility, scope of service opportunities, cost reductions, and/or otherwise benefit the District and the community. ² The Superintendent shall manage these activities to the extent the program or agreement requires the District's participation, and shall provide periodic implementation or operational data and/or reports to the School Board concerning these programs and agreements. The District participates in the following joint programs and intergovernmental agreements: ³

[INSERT APPLICABLE JOINT PROGRAMS]

LEGAL REF.: Ill. Constitution, Art. VII, Sec. 10.
 5 ILCS 220/1 et seq.

¹ State law controls this policy's content. Boards may use the following sentence as the first sentence, customizing it as appropriate: "The District is organized and operates as a Unit District serving the educational needs of children in grades Pre-K through 12 and others as required by the School Code."

² Ill. Constitution, Art. VII, Sec. 10; 5 ILCS 220/1 et seq.

³ In some districts, the joint educational programs and intergovernmental agreements in which they participate change frequently; boards in those districts should omit this sentence and should not list the joint educational programs and intergovernmental agreements. While the intent of this listing is to list only educational programs, some boards may also choose to list insurance co-ops or other similar joint agreements.

School District Organization

School District Philosophy ¹

The School District, in an active partnership with parents and community, will promote excellence in a caring environment in which all students learn and grow. This partnership shall empower all students to develop a strong self-esteem and to become responsible learners and decision-makers. The School District is committed to developing and using a visionary and innovative curriculum, a knowledgeable and dedicated staff, and sound fiscal and management practices.

CROSS REF: 2:10 (School District Governance), 3:10 (Goals and Objectives), 6:10 (Educational Philosophy and Objectives)

¹ Replace the text in this sample policy with the district's mission statement, if any. A mission statement is a statement of purpose: why the district exists, what benefits it intends to deliver, and who will receive those benefits. See IASB's *Foundational Principles of Effective Governance*, at www.iasb.com/principles_popup.cfm.

School Board

School District Governance ¹

The District is governed by a School Board consisting of 7 members. ² The Board's powers and duties include the authority to adopt, enforce, and monitor all policies for the management and governance of the District's schools. ³

Official action by the Board may only occur at a duly called and legally conducted meeting at which a quorum is physically present. ⁴

As stated in the Board member oath of office prescribed by the School Code, a Board member has no legal authority as an individual. ⁵

LEGAL REF.: 5 ILCS 120/1.02.
 105 ILCS 5/10-1, 5/10-10, 5/10-12, 5/10-16.5, 5/10-16.7, and 5/10-20.5.

CROSS REF.: 1:10 (School District Legal Status), 2:20 (Powers and Duties of the School Board), 2:80 (Board Member Oath and Conduct), 2:120 (Board Member Development), 2:200 (Types of School Board Meetings), 2:220 (School Board Meeting Procedure)

¹ State law controls this policy's content. IASB sample policies are aligned with the IASB *Foundational Principles of Effective Governance*, www.iasb.com/principles_popup.cfm.

Sample policy 2:120, *Board Member Development*, as amended in the fall 2011, contains the board member training requirements.

² School districts having a population between 1,000 and 500,000 inhabitants are governed by a 7 member board of education (105 ILCS 5/10-10). A school district having a population of less than 1,000 inhabitants is governed by a 3 member board of school directors, unless it is governed by a special act, or is a consolidated district, or a district in which the membership was increased by the passage of a proposition (105 ILCS 5/10-1).

³ 105 ILCS 5/10-16.7 and 5/10-20.

⁴ 5 ILCS 120/2.01; see also 105 ILCS 5/10-12. The Open Meetings Act defines *meeting* as "any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business," (5 ILCS 120/1.02). A quorum must be physically present for all meetings (5 ILCS 120/2.01).

⁵ The oath is found in 105 ILCS 5/10-16.5. Specific board officers may have individual authority; for example, the president may call a special meeting (105 ILCS 5/10-16).

School Board

Board-Superintendent Relationship ¹

The School Board employs and evaluates the Superintendent and holds him or her responsible for the operation of the District in accordance with Board policies and State and federal law. ²

The Board-Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Superintendent.

The Board considers the recommendations of the Superintendent as the District's Chief Executive Officer. The Board adopts policies necessary to provide general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's operations.

LEGAL REF.: 105 ILCS 5/10-16.7 and 5/10-21.4.

CROSS REF.: 3:40 (Superintendent)

¹ State law controls this policy's content. 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." It 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."

The relationship between a board and superintendent can be improved through open and honest communication about expectations. The superintendent and board should periodically discuss, for example, the amount, type, and timing of information each expects to give and receive. Discussing each party's role and using a formal, written superintendent evaluation process will further clarify role expectations.

² Boards may want to incorporate additional governance concepts into the first sentence, e.g., by holding the superintendent responsible for progress toward district ends. See IASB's *Foundational Principles of Effective Governance*, www.iasb.com/principles_popup.cfm.

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General School Administration

Goals and Objectives 1

The Superintendent directs the administration in order to manage the School District and to facilitate the implementation of a quality educational program in alignment with School Board policy 1:30, *School District Philosophy*. Specific goals and objectives are to:

1. Provide educational expertise.
2. Plan, organize, implement, and evaluate educational programs that will provide for students' mastery of the Illinois Learning Standards. ²
3. Meet or exceed student performance and academic improvement goals established by the Board. ³
4. Develop and maintain channels for communication between the school and community.
5. Develop an administrative procedures manual and handbooks for personnel and students that are in alignment with Board policy. ⁴
6. Manage the District's fiscal and business activities to ensure financial health, cost-effectiveness, and protection of the District's assets.
7. Provide for the proper use, reasonable care, and appropriate maintenance of the District's real and personal property, including buildings, equipment, and supplies.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-21.4, and 5/10-21.4a.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board), 2:130 (Board Superintendent Relationship), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 6:10 (Educational Philosophy and Objectives)

¹ This policy provides an opportunity for a board to give the superintendent a big picture of its vision for the district by identifying some high-level goals. While sample policy 1:30, *School District Philosophy*, contains the district's mission statement (i.e., why the district exists), this policy contains progress expectations and desired results (i.e., goals). This policy is designed to contain goals for which the administration will be responsible, including goals concerning finances, instruction, property, connecting with the community, etc. The list of goals should be replaced with the board's goals and objectives for school administration, if any.

This policy is in alignment with State law. The superintendent and principal's general duties are listed in 105 ILCS 5/10-21.4 and 5/10-21.4a, respectively. See also 105 ILCS 5/10-16.7.

² See the State Goals for Learning, 23 Ill.Admin.Code §1, Appendix D.

³ School administrators may be employed under a multi-year contract only if it is performance-based and contains goals and indicators of student performance and academic improvement (105 ILCS 5/10-23.8 and 5/20-23.8a). Principal evaluations, on or after 9-1-2012, must use data and indicators on student growth as a significant factor (105 ILCS 5/24A-15). Thus, a policy statement that administrative staff shall "meet or exceed student performance and academic improvement goals" is consistent with legal requirements.

⁴ Staff and student handbooks provide a means to distribute important information and are referenced in many sample policies and procedures. Members of the Ill. Principals Assoc. may subscribe to the IPA's Model Student Handbook Service. While this service is not a handbook *per se*, it provides principals with quick, user-friendly access to model student handbook provisions that are attorney drafted and fully aligned with IASB's policy services. For more information, see:

www.ilprincipals.org/resources/model-student-handbook.

General School Administration

Chain of Command

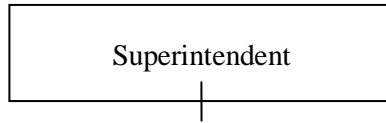
The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed except in unusual situations.

All personnel should refer matters requiring administrative action to the responsible administrator, and may appeal a decision to a higher administrative officer. Whenever possible, each employee should be responsible to only one immediate supervisor. When this is not possible, the division of responsibility must be clear.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:140 (Communications To and From the Board), 3:70 (Succession of Authority), 8:110 (Public Suggestions and Concerns)

General School Administration

Exhibit - Organizational Chart for Administration



General School Administration

Succession of Authority

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

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

¹ This policy is at the local board's discretion. A board may find it unreasonable and unnecessary to approve the succession plan in the event of an administrator's temporary absence and, if so, should delete this requirement. If a principal is absent due to extended illness or leave, an assistant principal may be assigned as acting principal for a period not to exceed 60 school days (105 ILCS 5/10-21.4a).

General School Administration

Administrative Procedure - Succession Plan

If the Superintendent, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall be as stated below. If the first person on the succession list is unavailable, the second person shall be the responsible person, and so on, in order through the list. The designated individual shall communicate with the School Board President in cases of importance and/or emergency.

Superintendent

Building Principal

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General Personnel

Personal Technology and Social Media; Usage and Conduct 1

Definitions

Includes - Means “includes without limitation” or “includes, but is not limited to.”

Social media - Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. ² This includes *Facebook, LinkedIn, MySpace, Twitter, and YouTube*. ³

Personal technology - Any device that is not owned or leased by the District or otherwise authorized for District use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. ⁴ This includes smartphones such as BlackBerry®, android®, iPhone®, and other devices, such as, iPads® and iPods®. ⁵

Usage and Conduct

All District employees who use personal technology and social media shall: ⁶

1. Adhere to the high standards for appropriate school relationships in policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District employees posting images or private information about themselves or others in a manner readily accessible to students and other employees

¹ This policy is optional. Consult the board attorney because personal technology and social media involve an unprecedented area of the law. Public employees’ First Amendment rights involve an unsettled area of the law. Personal technology and social media platforms change continually. Therefore, instead of prohibiting specific actions, this sample policy focuses on what will not change - maintaining appropriate behavior as outlined in 5:120, *Ethics and Conduct*, the Ill. Educators’ Code of Ethics at 23 Ill.Admin.Code §22.20, and 105 ILCS 5/21-23, amended by P.A. 97-8 (allows suspensions or revocations of certificates for *immorality* and *unprofessional conduct*, among other things). *Immoral* has been defined by one court to mean “shameless conduct showing moral indifference to the opinions of the good and respectable members of the community,” (see *Ahmad v. Board of Education of City of Chicago*, 847 N.E.2d 810, 819 (1st Dist. 2006).

Consult the board attorney when a board wants to prohibit more specific actions and/or specific speech, e.g., *friending* students on Facebook or similar social media, *tweeting* or otherwise communicating with students on Twitter or similar social media sites, and text messaging or emailing students. See also the discussion in f/n 6 below.

This policy also 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. When a policy’s subject matter is superseded by a bargaining agreement, the board policy can state, “Please refer to the current [*insert name of CBA*].”

² Several definitions of social media exist, and a board may wish to use another definition or create its own with the board attorney. This sample policy’s definition is very broad. It is adapted from a frequently cited Wikipedia definition at en.wikipedia.org/wiki/Social_media. Merriam-Webster’s definition is at www.merriam-webster.com/dictionary/social%20.

³ Optional. A board may want to add other sites. As of October 2010, the publication *eBizMBA Inc.* lists the top 4 social networking sites as Facebook, Myspace, Twitter, and LinkedIn, respectively.

⁴ *Personal technology* is not yet defined. It is the title of a weekly column in *The Wall Street Journal*. The column was created and is authored by Walt Mossberg, who frequently directs readers to his review of new technologies on a website titled *All Things Digital* at allthingsd.com. Many of the reviewed devices operate as described in this sample definition.

⁵ Optional.

⁶ The following list is optional and may contain items on which collective bargaining may be required (see f/n 1). To ensure that the listed expectations match local conditions, boards may want to initiate a conversation with the superintendent about these expectations. Expectations will be most effective when they reflect local conditions and circumstances. This conversation provides an additional opportunity for the board and superintendent to examine all current policies, collective bargaining agreements, and administrative procedures applicable to this subject (see f/n 2 of policy 5:120, *Ethics and Conduct*, for more discussion about how to initiate this conversation). Employee conduct issues may be subjects of mandatory collective bargaining, therefore consulting the board attorney should be a part of this process. After discussing these issues, the board may have further expectations and may choose to reflect those expectations here.

that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:120, *Ethics and Conduct*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.

2. Choose a District-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Comply with policy 5:130, *Responsibilities Concerning Internal Information*. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or District employees without proper approval. For District employees, proper approval may include implied consent under the circumstances. ⁷
5. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures. ⁸
6. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation. ⁹
7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the District employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media. ¹⁰
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy. ¹¹

⁷ Inherent dangers exist when district employees use personal technology and social media without understanding how the information is used within the chosen platform and what choices are available within the platform to control it. Some examples of laws that require the safekeeping of district and school records include: the Federal Educational Rights and Privacy Act, 20 U.S.C. §1232g and the Ill. School Student Records Act, 105 ILCS 10/ (both prohibit the unauthorized disclosure of student school records), 5 ILCS 140/7 (exempts personnel information and other items such as school security and response plans and maps from disclosure), 45 C.F.R. §164.502 (protects the employees' health information), and 820 ILCS 40/ (governs the release of an employee's disciplinary action). For district employees, implied consent may be sufficient in some circumstances, e.g., teachers taking pictures of each other at a birthday party in the teachers' lounge or at a social event off school grounds and later posting those pictures on Facebook.

⁸ 17 U.S.C. §101 *et seq.*

⁹ 105 ILCS 5/24-9; Fair Labor Standards Act, 29 U.S.C. §201 *et seq.* See also f/ns 1 and 6 above.

¹⁰ The Children's Internet Protection Act (CIPA), 47 U.S.C. §254, requires school districts to maintain a policy and provide Internet access that protects against access to websites containing material that is obscene, pornographic, or harmful to minors. See 6:235, *Access to Electronic Networks*. Because a district cannot subject its employees' usage of personal technology and social media to the same measures required under CIPA (i.e., content filters, blocking lists, or district monitoring of Internet website traffic for patterns of usage that could indicate inappropriate network usage), this statement seeks to balance the district's duty by shifting responsibility for inappropriate behavior to the individual employee.

¹¹ The Ill. Human Rights Act makes it a civil rights violation to fail to take remedial action, or to fail to take appropriate disciplinary action against any employee, when the district knows that the employee committed or engaged in sexual harassment of a student (775 ILCS 5/5A-102). Sexual harassment of a student is also prohibited by 7:20, *Harassment of Student Prohibited*, and of an employee by 5:20, *Workplace Harassment Prohibited*.

The Superintendent shall: **12**

1. Inform District employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Ethics and Conduct*.
2. Direct Building Principals to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

LEGAL REF.: 105 ILCS 5/21-23 and 5/21-23a.
Ill. Human Rights Act, 775 ILCS 5/5A-102.
Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.
Garcetti v. Ceballos, 547 U.S. 410 (2006).
Pickering v. High School Dist. 205, 391 U.S. 563 (1968).
Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:120 (Ethics and Conduct), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

Whether to discipline an employee for his or her speech is always highly fact sensitive and should always occur after a consultation with the board attorney (see f/ns 1 and 6). The discipline will require careful balancing of the District's obligations to protect its students with employees' rights. Further, a board may not discipline its employees for discussing the terms and conditions of their employment with co-workers and others or otherwise interfere with their employees' efforts to work to improve the terms and conditions of their workplace (29 U.S.C. §151 et seq.).

12 105 ILCS 5/10-16.7. The school board directs, through policy, the superintendent in his or her charge of the district's administration. One logical method for a board to address the issue of district employees' use of personal technology and social media is to include its expectations during its in-service trainings required by 105 ILCS 5/10-22.39. Many experts in social media risk management advocate training employees about the expectations concerning social media usage. For boards that do not want to include this as a part of the in-service, delete the phrase "during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Ethics and Conduct*."

Public employee First Amendment issues involve the balance between the importance of the speech and the district's interest in maintaining order and effective school operations. The First Amendment "does not entitle primary and secondary teachers, when conducting the education of captive audiences, to cover topics, or advocate viewpoints, that depart from the curriculum adopted by the school system." See Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007). Nor is the First Amendment likely to entitle a teacher to protection for purely personal speech that does not touch on a matter of public concern. See Pickering v. High School Dist. 205, 391 U.S. 563 (1968). However, when public employees speak as private citizens on their own time about matters of public concern, they may face only those speech restrictions that are necessary for their employers to operate efficiently and effectively (Garcetti v. Ceballos, 547 U.S. 410 (2006)).

General Personnel

Exhibit - Employee Receipt of Board Policy on Personal Technology and Social Media

I, the individual whose signature appears below, acknowledge receipt of the Board policy 5:125, *Personal Technology and Social Media; Usage and Conduct*. I affirm that I have read the policy and agree to comply with its requirements.

Name (*please print*)

Signature

Date

General Personnel

Copyright ¹

Works Made for Hire

The Superintendent shall manage the development of instructional materials and computer programs by employees during the scope of their employment in accordance with State and federal laws and School Board policies. Whenever an employee is assigned to develop instructional materials and/or computer programs, or otherwise performs such work within the scope of his or her employment, it is assured the District shall be the owner of the copyright.

Copyright Compliance

While staff members may use appropriate supplementary materials, it is each staff member's responsibility to abide by the District's copyright compliance procedures and to obey the copyright laws. The District is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the Superintendent or designee whenever the staff member is uncertain about whether using or copying material complies with the District's procedures or is permissible under the law, or wants assistance on when and how to obtain proper authorization. No staff member shall, without first obtaining the permission of the Superintendent or designee, install or download any program on a District-owned computer. At no time shall it be necessary for a District staff member to violate copyright laws in order to properly perform his or her duties.

LEGAL REF.: Federal Copyright Law of 1976, 17 U.S.C. §101 et seq.
105 ILCS 5/10-23.10.

CROSS REF.: 6:235 (Access to Electronic Networks)

¹ State or federal law controls this policy's content. Creators of original materials, including materials posted on the Internet, are granted exclusive rights, known as *copyrights* (17 U.S.C. §101 et seq.). These exclusive rights include reproducing and publicly performing the work. Congress granted some exceptions to exclusive rights for schools, including §107 on fair use, §108 on library reproduction and archiving, §109 on first sale, and §110 on classroom performance and display. If not covered by an exception, the copyright owner's permission must be sought before a work can be copied or performed. The fine for failing to comply with copyright law is steep making the cost of consulting with the board attorney a bargain.

General Personnel

Administrative Procedure - Copyright Compliance

These guidelines help staff members determine if they may use non-original work freely or whether permission is needed to use or copy it. Whenever a staff member is uncertain, has questions, or needs permission from a copyright-owner to use or copy a work, he or she should contact the Superintendent or designated copyright compliance officer. Appendix 1 is a *Fair Use Assessment Factors Checklist*. Appendix 2 contains use resources available online.

1. Is the work copyright protected? *A “no” means you may use the work freely; a “yes” or uncertain answer means you should proceed with the second query.*
 - a. No, if it is in the public domain.
 - b. No, if it is a U.S. Government publication.
 - c. No, if it is an idea or method described in copyrighted work.
 - d. The presence of a copyright notice is not determinative.
 - e. Yes, almost all other works.
2. Do you want to exercise one of the copyright owner’s exclusive rights? *A “yes” or uncertain answer means you should proceed with the third query.*
 - a. Yes, if you plan to copy the work.
 - b. Yes, if you plan to use the work as the basis for a new work.
 - c. Yes, if you plan to electronically distribute or publish copies.
 - d. Yes, if you plan to perform music or drama, recite prose or poetry, or if you plan to play a video and/or audio digital or tape recording or a CD-ROM or DVD.
 - e. Yes, if the plan is to publicly display the work.
3. Does your planned use of the work require the copyright owner’s permission? *A “no” means you may use the work, provided that any copies contain the copyright notice as it appears in the original work; a “yes” or uncertain answer means you should contact the Superintendent or designated copyright compliance officer.*
 - a. No, if your planned use of printed work is within the *fair use* exception as defined in 17 U.S.C. §107. See Appendix 1.
 - b. No, if your planned use of the work is within the *library’s special rules* exception as defined in 17 U.S.C. §108.
 - A library may make a single copy containing the copyright notice for the purpose of archiving lost, stolen, damaged, or deteriorating works.
 - A library may make a single copy containing the copyright notice for a student or staff member at no more than the actual cost of photocopying, provided that the library finds that the copyrighted work cannot be obtained elsewhere at a fair price.
 - c. No, if your planned use of the work is within the *educational performances and displays* exception as defined in 17 U.S.C. §110.

Performances by teachers or students are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.
 - d. No, if you plan to use it in an overhead or opaque projector for instructional purposes.
 - e. No, if you plan to copy and use music for academic purposes, other than performance.
 - f. Yes, notwithstanding the above, if you plan to create anthologies, compilations, or collective works.

- g. Yes, notwithstanding the above, if copies will be *consumed* during the course. *Consumable* works include: workbooks, exercises, standardized tests, test booklets, and answer sheets.
- h. Yes, notwithstanding the above, if you plan to substitute copies for the purchase of the work; likewise, if you yearly copy the same item.
- i. You must receive permission from the Superintendent or designated copyright compliance officer before showing the off-air recording of television programs, video rentals, or videos purchased for home use. You must follow any applicable license agreements.
- j. You must receive permission from the Superintendent or designated copyright compliance officer before using any non-District owned software and/or CD-ROM or DVD products in District owned equipment. No one may install or download any program on District owned equipment without the Superintendent or designee's permission.
- k. You must follow licensing agreements applicable to District owned software and CD-ROM or DVD products.
 - Licensing agreements with the manufacturer and vendor shall be followed.
 - Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment, to avoid the installation of privately purchased software on school equipment, and to avoid the use of single copy software or CD-ROM products across a network with multiple users unless the applicable license agreement permits.
 - A back-up copy shall be purchased for use as a replacement when a program is lost or damaged. If the vendor is not able to supply such, the District shall make a back-up program in accordance with the terms of the applicable licensing agreement or 17 U.S.C. §117.

Appendix 1: Copyright Fair Use Assessment Factors Checklist

Purpose and Character of Use of Copyrighted Work

Use this checklist to analyze whether material falls under the *fair use doctrine*. Factors favoring fair use will generally indicate that material may be used without seeking permission from the copyright owner. Factors opposing fair use require permission to reprint or adapt the material from the copyright owner. If a copyright owner is known, always request permission before using any material.

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Teaching	<input type="checkbox"/> Commercial activity - gain of financial rewards form use; e.g., sale of goods, services; advertising; fundraising, etc.
<input type="checkbox"/> Research/Scholarship/Academics	<input type="checkbox"/> Profiting from use
<input type="checkbox"/> Nonprofit educational institution	<input type="checkbox"/> Bad-faith behavior; e.g., misrepresentation of intended use
<input type="checkbox"/> Criticism	<input type="checkbox"/> Denying credit to original author or artist
<input type="checkbox"/> Comment	<input type="checkbox"/> Entertainment
<input type="checkbox"/> News reporting	
<input type="checkbox"/> Used to create something new	
<input type="checkbox"/> Restricted access given	

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Parody	

Nature of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Published work	<input type="checkbox"/> Unpublished work
<input type="checkbox"/> Factual or nonfiction based	<input type="checkbox"/> Highly creative work (art, music, novel)
<input type="checkbox"/> Out of print work	<input type="checkbox"/> Fiction

Amount and Substantiality of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Small amount used	<input type="checkbox"/> Large portion or whole work used
<input type="checkbox"/> Portion used not central or significant to entire work	<input type="checkbox"/> Portion used is the heart of the work

Impact on Market of Copyrighted Work

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> User owns lawfully acquired/purchased copy	<input type="checkbox"/> Could replace sale of copyrighted work
<input type="checkbox"/> One or few copies made	<input type="checkbox"/> Significantly impairs market/potential market of copyrighted work or derivative work
<input type="checkbox"/> No significant effect on market/potential market for copyrighted work	<input type="checkbox"/> Reasonable available licensing mechanisms
<input type="checkbox"/> No similar product marketed by copyright holder	<input type="checkbox"/> Affordable permission to use copyrighted work available
<input type="checkbox"/> No ready licensing or permission mechanism	<input type="checkbox"/> Numerous copies made
	<input type="checkbox"/> Made accessible on the internet or elsewhere
	<input type="checkbox"/> Repeated or long-term use

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Appendix 2: Copyright Resource List

U.S. Copyright Office
www.copyright.gov

Copyright Act, as amended, Title 17 of the United States Code
www.copyright.gov/title17/92chap1.html

Copyright Term and the Public Domain in the United States; updated every Jan. 1.
www.copyright.cornell.edu/resources/publicdomain.cfm
 Cornell University Copyright Information Center

Circular 21: Reproductions of Copyrighted Works by Educators and Librarians
www.copyright.gov/circs/circ21.pdf
 U.S. Copyright Office

Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with Respect to Books and Periodicals (see Circular 21: Reproductions of Copyrighted Works by Educators and Librarians, page 6) www.copyright.gov/circs/circ21.pdf

TEACH Act (Technology, Education and Copyright Harmonization Act of 2002)
www.copyright.gov/title17/92appviii.html

The TEACH Act and some Frequently Asked Questions
www.ala.org/ala/issuesadvocacy/copyright/teachact/faq.cfm

TEACH ACT - Amended Section 110(2) Comparison Chart, Sections 110(1)-(2)
www.unc.edu/~unclng/TEACH.htm
The University of North Carolina at Chapel Hill

WIPO (World Intellectual Property Organization)
www.wipo.org

MPAA (Motion Picture Association of America)
www.mpa.org

iCopyright.com (Automated copyright licensing system for digital content)
www.icopyright.com

Permissions Group (Negotiation of rights and fees for the use of copyrighted material in and for all media)
www.permissionsgroup.com

SIIA (Software & Information Industry Association)
www.spa.org

CCC Copyright Clearance Center (Copyright permission for publications worldwide)
www.copyright.com

ASCAP (American Society of Composers, Authors and Publishers)
www.ascap.com

BMI (Broadcast Music Inc.)
www.bmi.com

SESAC, Inc. (A performing rights organization)
www.sesac.com

The Harry Fox Agency, Inc. (Licensing agency for U.S. music publishers)
www.harryfox.com

The Authors Registry (Maintains an extensive directory of authors)
www.authorsregistry.org

Copyright & Fair Use (Stanford University Libraries)
fairuse.stanford.edu/

Copyright Society of the USA
www.csusa.org

The Copyright (Copyright Registration and Information Resource)
www.benedict.com

Crash Course in Copyright
University of Texas
copyright.lib.utexas.edu/

Kohn on Music Licensing
www.kohnmusic.com

National Writers Union
www.nwu.org

Poets & Writers, Inc.
www.pw.org

Project Gutenberg (Internet's oldest producer of FREE electronic books (eBooks or eTexts))
www.promo.net/pg

WATCH: Writers and Their Copyright Holders
tyler.hrc.utexas.edu/

World Intellectual Property Organization
www.wipo.int/portal/index.html.en

General Personnel

Administrative Procedure - Seeking Permission to Copy or Use Copyrighted Works

The following resources are a partial list of where to begin searching for permission to copy or use copyrighted work. Whenever it is unclear who the owner is, or if the owner is a legal entity of some kind (a business or organization), be sure that the person granting permission is authorized to do so. Once it is known whom to ask, initiate contact by writing a letter, calling, or emailing. Seek written permission that clearly describes its scope. Document the receipt of an oral permission and send the owner a confirming letter. A copyright protects materials regardless of whether the owner cares about protection or not. Thus, if required permission cannot be obtained, the work may not be used.

1. For information regarding how to find copyright owners, contact the Writers Artists and Their Copyright Holders (WATCH) program through the University of Texas, Austin's Harry Ransom Humanities Research Center at research.hrc.utexas.edu/watch/. Phone: 512/471-8944, Fax: 512/471-9646, Email: www.hrc.utexas.edu/contact/.
2. For a part of a book or a journal article, contact: Copyright Clearance Center, "CCC" Copyright Clearance Center, Inc., 222 Rosewood Drive, Danvers, MA 01923, Phone: 978/750-8400, Fax: 978/646-8600 Email: info@copyright.com, www.copyright.com.
3. For images, contact: The Film Foundation, 7920 Sunset Boulevard, 6th Floor, Los Angeles, CA 90046, Phone: 303/436-5060, Fax: 323/436-5061, Email: www.film-foundation.org; American Society of Media Photographers, 150 North Second Street, Philadelphia, PA 19106, Phone: 215/451-2767, Fax: 215/451-0880, Email: www.asmp.org.
4. If the author owns the copyright in a contribution to a periodical, magazine, or newspaper, permission may be obtained through The National Writers Union, PO Box 2424, Chicago, IL 60690, Phone: 312/924-1835, www.nwu.org; and the Society of Children's Book Writers and Illustrators, 8271 Beverly Blvd., Los Angeles, CA 90048, Phone: 323/782-1010, Fax: 323/782-1892, Email: scbwi@scbwi.org, www.scbwi.org.
5. For a musical work, contact: American Society of Composers, Authors and Publishers, (ASCAP) One Lincoln Plaza, New York, NY 10023, Phone: 212/621-6000, Email: www.ascap.com; Broadcast Music Incorporated, (BMI), 320 West 57th Street, New York, NY 10019-3790, Phone: 212/586-2000, Email: www.bmi.com/home/licensing; or SESAC, 55 Music Square East, Nashville, TN 37203, Phone: 615/320-0055, Fax: 615/329-9627, Email: www.sesac.com.
6. To record and distribute a musical composition recorded by someone else, or synchronize music with visual images, contact: The Harry Fox Agency, Inc., National Music Publishers Association, 711 Third Avenue, 8th Floor, New York, NY 10017, Phone: 212/370-5330, Fax: 646/ 487-6779, Email: www.harryfox.com, www.nmpa.org.

7. Play Rights

Samuel French, Inc.
45 West 25th Street
New York, NY 10010-2751
Phone: 212/206-8990
Fax: 212/206-1429
www.samuel french.com

Baker's Plays
c/o Samuel French, Inc.
45 W. 25th Street

Anchorage Press (Plays for young people)
c/o Dramatic Publishing
311 Washington St.
Woodstock, IL 60098-3308
Phone/Fax: 800/448-7469
customerservice@dpcplays.com
www.applays.com

Dramatists Play Service, Inc.
440 Park Avenue South
New York, NY 10016

New York, NY 10010
Phone: 323/876-0579
Fax: 323/876-5482
www.bakersplays.com

Phone: 212/683-8960
Fax: 212/213-1539
postmaster@www.dramatists.com
www.dramatists.com

8. For news archives, check the Web. Many of the largest news organizations have placed archives of their back issues online.
9. Movies
The Motion Picture Licensing Corporation, 5455 Centinela Avenue, Los Angeles, CA 90066, Phone: 800/462-8855, Fax: 310/822-4440, Email: mplc.org/index/contactform, info@mplc.com, www.mplc.com, grants public performance rights. If the author and the publisher are known, contact them directly. If the publisher is unknown contact: The Literary Marketplace, www.literarymarketplace.com (for books) or Ulrich's International Periodicals, www.ulrichsweb.com (for journals), both published by the R. R. Bowker Company, www.bowker.com.
10. Changed Owner
The apparent copyright owner may not be the real copyright owner. The U.S. Copyright Office of Internet Resources, www.loc.gov/copyright, provides online searching of its registration records and performs professional searches for a fee.
11. Software
Contact the software's manufacturer at the address given on the licensing agreement.

General Personnel

Administrative Procedure - Instructional Materials and Computer Programs Developed Within the Scope of Employment

Definitions ¹

The definitions used in this procedure are in accordance with State and federal law. In the event of a change, these procedures shall be deemed to be modified to the extent required by the change.

Works made for hire - Instructional materials and computer programs (including written, electronic, digital, audio, visual materials and tapes, films, and works of art) when an employee creates them:

1. Within the employee's scope of employment,
2. In whole or in part during hours of District employment (not including lunch periods or other similar free periods),
3. Under the District's supervision or control,
4. As a direct result of the employee's duties with the District, and/or
5. Using District resources or facilities.

Proceeds - Profits derived from the sale of instructional materials after deducting the expenses of developing and marketing these materials.

Computer program - A series of coded instructions or statements in a form acceptable to a computer, which causes the computer to process data in order to achieve a certain result.

Computer - An internally programmed, general purpose digital device capable of automatically accepting and processing data and supplying the results of the operation.

Instructional Material Prepared Within the Scope of Employment

All instructional materials developed by an employee within the scope of District employment are works made for hire and belong to the District. The District is entitled to all proceeds from the sale of works made for hire other than computer programs.

An employee must provide the Superintendent or designee with prior written notification of his or her intention to publish any computer programs developed within the scope of employment. The District has the exclusive right to register the copyrights for them. Unless the employee specifically states in writing to the contrary, the employee warrants that any programs developed and submitted to the District for publication are original.

Computer Programs Prepared Within the Scope of Employment

All computer programs developed by an employee within the scope of District employment are works made for hire and belong to the District.

An employee who develops a computer program is entitled to a share of the proceeds from its sale as agreed to by the District. Neither the employee nor the District may receive more than 90% of the proceeds. An employee's representative may conduct the negotiation; the School Board must approve all agreements. ²

The employee must provide the Superintendent or designee with prior written notification of his or her intention to publish any computer programs developed within the scope of District employment. The District has the exclusive right to register the copyrights for them. Unless the employee specifically states in writing to the contrary, the employee warrants that any programs developed and submitted to the District for publication are original.

¹ The definitions are derived from 105 ILCS 5/10-23.10(b) and 17 U.S.C. §101.

² The provisions contained in this paragraph are required by 105 ILCS 5/10-23.10(a).

The District shall compute proceeds. The proceeds of a computer program developed by more than one employee shall be equitably distributed among such employees, in proportion to their participation in the program's development.

LEGAL REF.: 17 U.S.C. §101.
105 ILCS 5/10-23.10.

General Personnel

Exhibit - Request to Reprint or Adapt Material

On District letterhead

Date

To: _____

On behalf of the School District, I am requesting permission to **reprint** [*to use without change*] or **adapt** [*to use and modify*] the following material:

No reprinted or adapted material will be used in a sales promotion or advertising campaign. If permission to reprint or adapt this material is granted, the material will be used for the following purpose(s): _____

The following credit line will appear on each reprint or adaption:

Reprinted/Adapted, with permission from (publication) _____ Copyright year of publication _____ Copyright owner _____ All rights reserved.
--

If you agree to grant permission for the School District to reprint or adapt the above listed material, please sign the **Permission to Reprint or Adapt Material** and return it to the requestor.

Please contact me at _____ if you have any questions. Thank you for your consideration.

School District Requestor (*please print*)

Email/Fax

Signature

Date

Permission to Reprint or Adapt Material

I hereby grant permission to the School District requestor to reprint or adapt material as requested on the terms and conditions stated herein.

Copyright owner (*please print*)

Signature

Date

**IASB POLICY REFERENCE MANUAL
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Instruction

Administrative Procedure - Care of Students with Diabetes

The Ill. Council of School Attorneys prepared material for implementing the Care of Students with Diabetes Act (105 ILCS 145/, added by P.A. 96-1485). This material includes:

1. Sample procedures for the care of students with diabetes
2. Answers to FAQs on: process for selecting a delegated care aide; training; developing a diabetes care plan; classroom management; and sample authorization, release, and acknowledgement

The material is posted on the IASB website, iasb.com/law/diabmats.cfm.

School officials should periodically check the IASB website for updates to the material that are made in response to legislation or other developments.

Instruction

Administrative Procedure - Acceptable Use of Electronic Networks

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

Terms and Conditions

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

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

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

- a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any State or federal law;
- b. Unauthorized downloading of software, regardless of whether it is copyrighted or de-virused;
- c. Downloading of copyrighted material for other than personal use;
- d. Using the network for private financial or commercial gain;
- e. Wastefully using resources, such as file space;
- f. Hacking or gaining unauthorized access to files, resources, or entities;
- g. Invading the privacy of individuals, that includes the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature including a photograph;
- h. Using another user's account or password;
- i. Posting material authored or created by another without his/her consent;
- j. Posting anonymous messages;
- k. Using the network for commercial or private advertising;
- l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and
- m. Using the network while access privileges are suspended or revoked.

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

- a. Be polite. Do not become abusive in messages to others.
- b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.
- c. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
- d. Recognize that email is not private. People who operate the system have access to all email. Messages relating to or in support of illegal activities may be reported to the authorities.
- e. Do not use the network in any way that would disrupt its use by other users.

- f. Consider all communications and information accessible via the network to be private property.

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

Indemnification - The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of these procedures.

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

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

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

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

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

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

- a. The District reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account's user. Unauthorized access by any student or staff member to an email account is strictly prohibited.
- b. Each person should use the same degree of care in drafting an email message as would be put into a written memorandum or document. Nothing should be transmitted in an email message that would be inappropriate in a letter or memorandum.

- c. Electronic messages transmitted via the School District's Internet gateway carry with them an identification of the user's Internet *domain*. This domain is a registered name and identifies the author as being with the School District. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of the School District. Users will be held personally responsible for the content of any and all email messages transmitted to external recipients.
- d. Any message received from an unknown sender via the Internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any Internet-based message is prohibited unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- e. Use of the School District's email system constitutes consent to these regulations.

Internet Safety

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

Staff members shall supervise students while students are using District Internet access to ensure that the students abide by the *Terms and Conditions* for Internet access contained in these procedures.

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

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

LEGAL REF.: No Child Left Behind Act, 20 U.S.C. §6777.
 Children's Internet Protection Act, 47 U.S.C. §254(h) and (l).
 Enhances Education Through Technology Act of 2001, 20 U.S.C §6751 et seq.
 Harassing and Obscene Communications Act, 720 ILCS 135/0.01.

Instruction

Exhibit - Student Authorization for Electronic Network Access

This form accompanies Administrative Procedure 6:235-AP1, Acceptable Use of Electronic Networks. It must be signed when students will have unsupervised Internet access or when supervision will be minimal. Please submit this form to the Building Principal.

Dear Parents/Guardians:

Our School District has the ability to enhance your child’s education through the use of electronic networks, including the Internet. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. Students and their parents/guardians need only sign this *Authorization for Electronic Network Access* once while the student is enrolled in the School District.

The District *filters* access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate in the school setting. If a filter has been disabled or malfunctions it is impossible to control all material and a user may discover inappropriate material. Ultimately, parents/guardians are responsible for setting and conveying the standards that their child or ward should follow, and the School District respects each family’s right to decide whether or not to authorize Internet access.

With this educational opportunity also comes responsibility. The use of inappropriate material or language, or violation of copyright laws, may result in the loss of the privilege to use this resource. Remember that you are legally responsible for your child’s actions. If you agree to allow your child to have an Internet account, sign the *Authorization* form below and return it to your school.

Authorization for Electronic Network Access Form

Students must have a parent/guardian read and agree to the following before being granted unsupervised access:

All use of the Internet shall be consistent with the District’s goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. **The failure of any user to follow the terms of the *Acceptable Use of Electronic Networks* will result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signatures at the end of this document are legally binding and indicate the parties who signed have read the terms and conditions carefully and understand their significance.

I have read this *Authorization* form. I understand that access is designed for educational purposes and that the District has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the District to restrict access to all controversial and inappropriate materials. I will hold harmless the District, its employees, agents, or Board members, for any harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child’s use is not in a school setting. I have discussed the *Acceptable Use of Electronic Networks* with my child. I hereby request that my child be allowed access to the District’s electronic network, including the Internet.

Parent/Guardian Name (please print)

Parent/Guardian Signature

Date

Students must also read and agree to the following before being granted unsupervised access:

I understand and will abide by the above *Authorization for Electronic Network Access*. I understand that the District and/or its agents may access and monitor my use of the Internet, including my email and downloaded material, without prior notice to me. I further understand that should I commit any violation, my access privileges may be revoked, and school

disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the School District and its Board members, employees, and agents from any claims and damages arising from my use of, or inability to use the District's electronic network, including the Internet.

Student Name (*please print*)

Student Signature

Date

Instruction

Exhibit - Staff Authorization for Electronic Network Access

This form accompanies Administrative Procedure 6:235-AP1, Acceptable Use of Electronic Networks. Each staff member must sign this Authorization as a condition for using the District's Electronic Network connection. Please submit this form to the Building Principal.

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. This *Authorization* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided.

The failure of any user to follow the terms of Administrative Procedure 6:235-AP1, Acceptable Use of Electronic Networks, will result in the loss of privileges, disciplinary action, and/or legal action. The signature at the end of this document is legally binding and indicates that the individual has read the terms and conditions carefully and understands their significance.

Staff members need only sign this *Authorization for Electronic Network Access* once while employed by the School District.

I understand and will abide by the *Acceptable Use of Electronic Networks*. I understand that the District and/or its agents may access and monitor my use of the District's electronic network, including the Internet, my email and downloaded material, without prior notice to me. I further understand that should I commit any violation, my access privileges may be revoked, and disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the School District and its School Board members, employees, and agents from any claims and damages arising from my use of, or inability to use the District's electronic network, including the Internet.

User Name *(please print)*

User Signature

Date

Instruction

Exhibit - Keeping Yourself and Your Kids Safe On Social Networks

For students:

- Put everything behind password protected walls, where only friends can see.
- Protect your password and make sure you really know who someone is before you allow them onto your friend's list.
- Blur or morph your photos a bit so they won't be abused by cyberbullies or predators.
- Don't post anything your parents, principal or a predator couldn't see.
- What you post online stays online - forever!!!! So ThinkB4UClick!
- Don't do or say anything online you wouldn't say offline.
- Protect your privacy and your friends' privacy too...get their okay before posting something about them or their pics online.
- Check what your friends are posting/saying about you. Even if you are careful, they may not be and may be putting you at risk.
- That cute 14-year old boy may not be cute, may not be 14 and may not be a boy! You never know!
- And, unless you're prepared to attach your blog to your college/job/internship/scholarship or sports team application...don't post it publicly!
- Stop, Block and Tell! (don't respond to any cyberbullying message, block the person sending it to you and tell a trusted adult).
- R-E-S-P-E-C-T! (use good netiquette and respect the feelings and bandwidth of others).
- Keep personal information private (the more information someone has about you, the more easily they can bully you).
- Google yourself! (conduct frequent searches for your own personal information online and set alerts ... to spot cyberbullying early).
- Take 5! (walk away from the computer for 5 minutes when something upsets you, so you don't do something you will later regret).

And for parents:

- Talk to your kids - ask questions (and then confirm to make sure they are telling you the truth!)
- Ask to see their profile page (for the first time)...tomorrow! (It gives them a chance to remove everything that isn't appropriate or safe...and it becomes a way to teach them what not to post instead of being a gotcha moment! Think of it as the loud announcement before walking downstairs to a teen party you're hosting.)
- Don't panic...there are ways of keeping your kids safe online. It's easier than you think!
- Be involved and work with others in your community. (Think about joining WiredSafety.org and help create a local cyber-neighborhood watch program in your community.)
- Remember what you did that your parents would have killed you had they known, when you were fifteen.
- This too will pass! Most kids really do use social networks just to communicate with their friends. Take a breath, gather your thoughts and get help when you need it. (You can reach out to WiredSafety.org.)
- It's not an invasion of their privacy if strangers can see it. There is a difference between reading their paper diary that is tucked away in their sock drawer...and reading their blog. One is between them and the paper it's written on; the other between them and 700 million people online!
- Don't believe everything you read online - especially if your teen posts it on her blog!

For more information, visit www.WiredSafety.org; www.stopcyberbullying.org.

Reprinted with permission from "Parry Aftab's Guide to Keeping Your Kids Safe Online, MySpace, Facebook and Xanga, Oh! My!" Parry Aftab, Esq., www.aftab.com.

Resources for Students and Parents

Resources for students:

Federal Trade Commission - Social Networking Sites: Safety Tips for Tweens and Teens
www.ftc.gov/bcp/edu/pubs/consumer/tech/tec14.shtm

Connect Safely - Social Web Tips for Teens www.connectsafely.com/Safety-Tips/social-web-tips-for-teens.html (2008).

Life online (Girls Scouts and Windows) - lmc.girlscouts.org/Online-Safety-Topics/Social-Networking/Is-It-Safe-/Test-Your-Knowledge-on-Social-Networking-Safety.aspx. Test for knowledge of networking safety.

Resources for parents:

Safety Web - Social Networking Safety Tips for Parents, Monitoring Social Networking of your Child www.safetyweb.com/social-networking-safety-tips. Great comprehensive article for parents.

Connect Safely - Social Web Tips for Parents www.connectsafely.com/Safety-Tips/social-web-tips-for-parents.html (2008).

National Cyber Security Alliance - Social Networking www.staysafeonline.org/in-the-home/social-networking (August 30, 2010).

National Consumers League - Social networking security and safety tips www.nclnet.org/technology/9-safe-computing/152-social-networking-security-and-safety-tips.

DHS U.S. CERT - Socializing Securely: Using Social Networking Services www.us-cert.gov/reading_room/safe_social_networking.pdf.

DHS U.S Computer Emergency Readiness Team - Staying Safe on Social Network Sites www.us-cert.gov/cas/tips/ST06-003.html (January 26, 2011).

Internet Safety: Social Networking Sites for Children www.privatewifi.com/internet-safety-social-networking-sites-for-children/ (March 30, 2011).

8 Safe Social Networks for Kids kommiein.com/8-safe-social-networks-for-kids/ (Jan. 5, 2011).
List of sites that are compliant with Children's Online Privacy Protection Act and have parental controls