

Operational Services

Accounting and Audits 1

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Ill. State Board of Education (ISBE), State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District's financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit 2

At the close of each fiscal year, the Superintendent shall arrange an audit of the District funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each Board member and to the Superintendent. The Superintendent shall annually, on or before October 15, submit an original and one copy of the audit to the Regional Superintendent of Schools.

Annual Financial Report 3

The Superintendent or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the ISBE. The Superintendent shall review and discuss the Annual Financial Report with the Board before it is submitted.

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. A board policy or resolution is required concerning revolving funds and petty cash. 23 Ill.Admin.Code §100.70. This policy is intended to facilitate the board's fiscal oversight role. The last sentence of the first paragraph should be modified to align with local conditions. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* at 23 Ill.Admin.Code Part 100 replaced 23 Ill.Admin.Code Part 110, *Program Accounting Manual* and 23 Ill.Admin Code Part 125, *Student Activity Funds and Convenience Accounts*.

² Audit requirements are found in 105 ILCS 5/3-7 and 5/3-15.1, and 23 Ill.Admin.Code §100.110. The federal Single Audit Act adds audit requirements for federal programs. 31 U.S.C. §7501 *et seq.*

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center."

The following optional sentence establishes an audit committee: "The Board will annually establish an audit committee to help the Board select an external auditor, confer with the auditor regarding the audit's scope, and oversee the audit process." **Note:** All board committees are subject to the Open Meetings Act.

The following optional sentence establishes a competitive process for selecting the external auditor; it prevents a long-term relationship with an auditor and reduces the possibility of audits being too routine or friendly: "The Board will annually advertise a request for proposals to perform the external audit." Substitute "periodically" for "annually" if desired.

³ Requirements for the annual financial report are found in 105 ILCS 5/2-3.27 and 5/3-15.1; 23 Ill.Admin.Code §100.100. The last sentence of this section should be modified to align with local conditions.

Inventories 4

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost, unless the supplies and equipment are acquired by the District pursuant to a federal or State grant award, in which case the inventory record shall also include the information required by 2 C.F.R. 200.313, if applicable.⁵ The Superintendent shall establish procedures for the management of property acquired by the District under grant awards that comply with federal and State law. ⁶

Capitalization Threshold 7

To be considered a capital asset for financial reporting purposes, a capital item must be at or above a capitalization threshold of \$5,000 and have an estimated useful life greater than one year.

Disposition of District Property 8

The Superintendent or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) District personal property (property other than buildings and land) that is no longer needed for school purposes, and (2) school site, building, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Superintendent or

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⁴ The Ill. Program Accounting Manual (IPAM) was repealed and replaced with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*. While these rules contain much of the IPAM information, the information about inventories was not included. That information is still useful and may be found at www.isbe.net/Documents/ipam.pdf. The last sentence of this section should be modified to align with local conditions.

⁵ 2 C.F.R. §200.313. The uniform federal rules that govern federal grant awards in 2 C.F.R. Part 200 apply to State grant awards through the Grant Accountability Transparency Act (GATA) (30 ILCS 708/), unless exempted in whole or in part by the Governor's Office of Management of Budget. 30 ILCS 708/55. See www.isbe.net/gata for further information about the scope of GATA's application to federal awards and State-funded grant programs administered by the Ill. State Board of Education (ISBE). See 4:80-AP3, *Inventory Management for Federal and State Awards*. ISBE guidance is available at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf and www.isbe.net/Pages/Audit-and-Monitoring-Review-Requirements-and-Tools.aspx.

⁶ Id. In connection with ISBE's grant monitoring function, ISBE published a *Checklist for Equipment and Inventory Review* which requires an approved policy (or procedure) related to the management of equipment at www.isbe.net/Pages/Audit-and-Monitoring-Review-Requirements-and-Tools.aspx.

⁷ Optional. 23 Ill.Admin.Code §100.60 requires school boards to adopt a capitalization threshold, which can be done through policy. The capitalization threshold is a dollar figure above which the cost of an item will be included on financial statements and depreciated. A minimum threshold of \$5,000 and useful life greater than one year complies with the definition of *equipment* under federal grant rules, but may be adjusted, and/or multiple thresholds can be established, for different categories of capital assets. 2 C.F.R. §§200.33 and 200.313(e). The Government Accounting Standards Board (GASB) Statement No. 34 at para. 115(e) states that a government should disclose its policy "for capitalizing assets and for estimating the useful lives of those assets." See GASB Statement 34 and *Guide to Implementation of GASB Statement 34 on Basic Financial Statements* (p.28), both available at www.gasb.org. There are no specific requirements for such policies; however, district auditors may require or recommend a district have a more comprehensive capitalization policy and/or procedure. Such an accounting policy or procedure should be developed in consultation with the district's accounting professional(s) and tailored to reflect local conditions.

⁸ The requirements in this section are specified in 105 ILCS 5/5-22, ~~amended by P.A. 99-794~~ (allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements), ~~and~~ 5/10-22.8; and 2 C.F.R. §200.313(e) for federal awards and State awards governed by GATA. See ^{1/n} 5, above, regarding grant award requirements. A board that desires to act on the disposition of property having any value should use the following alternative to this section's last sentence: "Notwithstanding the above, the Superintendent or designee may unilaterally dispose of worthless personal property."

The recipient (through either sale or donation) of any discarded school bus must immediately: (1) remove, cover, or conceal the "SCHOOL BUS" signs and any other insignia or words indicating the vehicle is a school bus; (2) render inoperable or remove entirely the stop signal arm and flashing signal system; and (3) paint the school bus a different color from those under Sec. 12-801 of the Ill. Vehicle Code. 625 ILCS 5/12-806(b), added by P.A. 100-277.

designee may unilaterally dispose of personal property of a diminutive value. The Superintendent shall establish procedures for the disposition of property acquired by the District under grant awards that comply with federal and State law.

Taxable Fringe Benefits ⁹

The Superintendent or designee shall: (1) require that all use of District property or equipment by employees is for the District's convenience and best interests unless it is a Board-approved fringe benefit, and (2) ensure compliance with the Internal Revenue Service regulations regarding when to report an employee's personal use of District property or equipment as taxable compensation.

Controls for Revolving Funds and Petty Cash ¹⁰

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Superintendent shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and ISBE rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Bank accounts for revolving funds are limited to a maximum balance of \$500.00. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Superintendent or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

Control Requirements for Checks ¹¹

The Board must approve all bank accounts opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number. All checks issued by

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⁹ The intent of this optional section is twofold: (1) to control personal use of district property and equipment; and (2) to ensure compliance with IRS rules. As to the first point, allowing personal use of district property or equipment is arguably prohibited by the Ill. Constitution, Art. VIII, Sec. 1 which states: "Public funds, property or credit shall be used only for public purposes." As to the second point, any fringe benefit an employer provides is taxable and must be included in the recipient's pay unless the law specifically excludes it. See Publication 15-B (2019~~7~~), *Employer's Tax Guide to Fringe Benefits*, www.irs.gov/pub/irs-pdf/p15b.pdf.

¹⁰ 105 ILCS 5/10-20.19(2); 23 Ill.Admin.Code §100.70. This paragraph's contents are mandatory, except for the \$500 cap on the maximum balance of revolving funds. The cap amount may be changed or the following alternative used: "Each revolving fund shall be maintained in a bank that has been approved by the Board and established in an amount approved by the Superintendent consistent with the annual budget."

The School Code defines petty cash as a type of revolving fund. *Id.* It and other revolving funds carry a standard balance and are regularly reimbursed to maintain the standard balance amount (generally referred to as an *imprest system* of financial accounting). In practice, petty cash is paid out of a de minimis cash amount maintained by a fund custodian. Disbursement from a revolving fund other than petty cash is typically made against an imprest checking account, by an authorized signor who is readily available in the district, e.g., a superintendent or building principal. The authorized signor manages the revolving fund and requests the board to reimburse the fund for expenses incurred to bring the imprest account back to its standard balance.

¹¹ This section is largely up to the local board's discretion; additional controls may be added. The following alternative to the second sentence will mandate two signatories for checks:

Two of the following individuals: the Treasurer, Board President, and/or Board Vice-President, shall sign all checks issued by the School District, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

A board must comply with State law requirements concerning the use of facsimile or electronic signatures on checks. The Secretary of State, Index Department, maintains certified manual signatures of officers authorized to sign checks. Uniform Facsimile Signature of Public Officials Act, 30 ILCS 320/. Electronic records and signatures are governed by the Electronic Commerce Security Act, 5 ILCS 175/5. Attorneys disagree about the applicability of these laws to school districts.

the School District must be signed by either the Treasurer or Board President, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

Internal Controls 12

The Superintendent is primarily responsible for establishing and implementing a system of internal controls for safeguarding the District's financial condition; the Board, however, will oversee these safeguards. The control objectives are to ensure efficient business and financial practices, reliable financial reporting, and compliance with State law and Board policies, and to prevent losses from fraud, waste, and abuse,¹³ as well as employee error, misrepresentation by third parties, or other imprudent employee action.

The Superintendent or designee shall annually audit the District's financial and business operations for compliance with established internal controls and provide the results to the Board. The Board may from time-to-time engage a third party to audit internal controls in addition to the annual audit.

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¹² This section is largely up to the local board's discretion. The annual audit must include a "review and testing of the internal control structure." 23 Ill.Admin.Code §100.110. This review's limited scope means that boards should not rely on it to reveal uncontrolled financial risks. The board's responsibility is to establish policy to safeguard the district's financial condition. Indeed, the oath of office includes this promise: "I shall respect taxpayer interests by serving as a faithful protector of the school district's assets." In this sample policy, the board sets the control objectives and the superintendent is responsible for developing an internal controls system. In addition, ISBE has issued guidance on internal controls pursuant to its administration of the Grant Accountability and Transparency Act (GATA), 30 ILCS 708/. See the *Fiscal Procedures Handbook*, at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf, which states that "to establish a strong control environment, grantees must...[d]esign internal controls that are in compliance with guidance in *Standards for Internal Control in the Federal Government* issued by the Comptroller General of the United States" (a free resource, available at: www.gao.gov/assets/670/665712.pdf) or the *Internal Control Integrated Framework* issued by the Committee of Sponsoring Organizations of the Treadway Commission (a fee-based resource, available at: www.coso.org/Pages/default.aspx). Boards that wish to take a larger oversight role regarding internal controls may list the numbered sentences in the IASB sample administrative procedure 4:80-AP1, *Checklist for Internal Controls*, as required inclusions in the superintendent's program for internal controls. This alternative, for insertion at the end of this section's first paragraph, follows:

The District's system of internal controls shall include the following:

1. All financial transactions must be properly authorized and documented.
2. Financial records and data must be accurate and complete.
3. Accounts payable must be accurate and punctual.
4. District assets must be protected from loss or misuse.
5. Incompatible duties should be segregated, if possible.
6. Accounting records must be periodically reconciled.
7. Equipment and supplies must be safeguarded.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
9. Any unnecessary weaknesses or financial risks must be promptly corrected.

¹³ Unless specifically exempted, grantees receiving funds from any State agency, including ISBE, must comply with GATA and annually complete a *Fiscal and Administrative Internal Controls Questionnaire* (ICQ). The ICQ covers a number of different topics related to internal controls. Districts that are identified as having one or more areas of elevated risk based on their answers to the ICQ are required to develop and implement corrective action to address the area(s). Districts that fail to take necessary corrective action to address weak areas of internal control put their grant funding at risk. One of the sections of the ICQ addresses a grantee's internal controls for fraud, waste, and abuse, including whether the grantee has a *fraud awareness program*. See 4:80-AP1, *Checklist for Internal Controls*, and 4:80-AP2, *Fraud, Waste, and Abuse Awareness Program*, which incorporate ISBE-recommended practices related to fraud, waste, and abuse.

LEGAL REF.: 2 C.F.R. §200 et seq.
30 ILCS 708/, Grant Accountability and Transparency Act, implemented by 44
Ill.Admin.Code 7000 et seq.
105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-
22.8, and 5/17-1 et seq.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:10 (Fiscal and Business Management), 4:50 (Payment Procedures), 4:55 (Use
of Credit and Procurement Cards), 4:90 (Activity Funds)

Operational Services

Administrative Procedure - Inventory Management for Federal and State Awards

This procedure applies to property acquired by the District under federal grant awards or State grant awards governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/). ¹

Definitions

Property - real or personal property. 2 C.F.R. §200.81.

Equipment - Tangible personal property (including information technology systems) having a useful life of more than one year and per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000. 2 C.F.R. §200.33

Supplies - All tangible personal property other than *equipment*. 2 C.F.R. §200.94

Acquisition Cost - The cost of the asset including the cost to ready the asset for its intended use. Acquisition cost for equipment, for example, means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Acquisition costs for software includes those development costs capitalized in accordance with generally accepted accounting principles (GAAP). Ancillary charges, such as taxes, duty, protective in transit insurance, freight, and installation may be included in or excluded from the acquisition cost in accordance with the District’s regular accounting practices. 2 C.F.R. §200.2

Roles and Responsibilities

Actor	Responsibility
Business Manager and/or Designee	Recordkeeping – 2 C.F.R. §200.313(d)(1) and (2) <ol style="list-style-type: none"> 1. Ensures all equipment purchased with grant funds is identified and marked as such. 2. Maintains an inventory list that includes the following: <ol style="list-style-type: none"> a. a description of the property b. a serial number or other identification number c. the source of funding for the property (including the Federal Award Identification Number (FAIN), if applicable) d. who holds title e. the acquisition date f. cost of the property g. percentage of federal or State participation in the cost of the property h. the location, use and condition of the property

The footnotes should be removed before the material is used.

¹ The Grant Accountability and Transparency Act (GATA) adopts the federal uniform guidance applicable to federal grant awards for all State grant awards, unless the Office of the Governor grants an exception. 30 ILCS 708/55; 44 Ill.Admin.Code §7000.60. For information about the scope of GATA as it pertains to grants administered by the Ill. State Board of Education, see www.isbe.net/gata.

Actor	Responsibility
	<ul style="list-style-type: none"> i. any ultimate disposition data including the date of disposal and sale price of the property. 3. Takes a physical inventory of the property and reconciles the results with the records at least once every two years. <p>Maintenance and Safeguarding – 2 C.F.R. §200.313(d)(4)</p> <ul style="list-style-type: none"> 1. Budgets for and schedules regular maintenance of the equipment when it is recommended by the manufacturer and arranges for repair of equipment when economically feasible. 2. Oversees implementation of the internal controls for the safeguarding of equipment and supplies required by 4:80-AP1, <i>Internal Control Checklist</i>. 3. Reports (or receives reports, if so designated) any fraud, waste, or abuse of property in accordance with 4:80-AP2, <i>Fraud, Waste, and Abuse Awareness Program</i>. 4. Investigates reports of property loss, damage, or theft. If appropriate, and in consultation with the Superintendent, makes a report to law enforcement for further investigation. <p>Title and Use – 2 C.F.R. §200.313(a) and (c)</p> <ul style="list-style-type: none"> 1. Ensures the equipment is used for the authorized purposes of the grant during the period of the grant, or until the property is no longer needed for the purposes of the project. 2. During the time that equipment is used on the project or program for which it was acquired, designates equipment available for use on other projects or programs currently or previously supported by the federal or State government, provided such use will not interfere with the work for which it was originally acquired, in the following order of priority: <ul style="list-style-type: none"> a. First preference is given to other programs or projects supported by the awarding agency that financed the equipment. b. Second preference is given to programs or projects under awards from other awarding agencies (in the case of federal awards, to activities under federal awards from other federal awarding agencies; this includes consolidated equipment for information technology systems). 3. If the equipment is to be used for non-federally or non-State-funded programs or projects, considers charging user fees. Any fees charged for equipment services acquired under an award must be equal to or greater than what private companies charge for equivalent services, unless specifically authorized by statute, for as long as the government retains an interest in the

Actor	Responsibility
	<p>equipment.</p> <p>4. Ensures that title to the property is not encumbered without the approval of the awarding agency.</p> <p>Disposition – 2 C.F.R. §200.313(e)</p> <ol style="list-style-type: none"> 1. Unless the awarding agency requires an equipment transfer, when equipment acquired under an award is no longer needed for the original project or program or for any other activities supported by a federal or State awarding agency, requests disposition instructions from the awarding agency, if required by the terms and conditions of the award. 2. If an item of equipment has a current per unit fair market value of \$5,000 or less, arranges for the retention, sale, or disposal of the equipment with no further obligation to the awarding agency. Notes the disposition of such items in the District's property records. 3. Except for awards exempted under 2 C.F.R. §200.312(b), or if the awarding agency fails to provide requested disposition instructions within 120 days, arranges for the retention or sale of items of equipment with a current per-unit fair-market value in excess of \$5,000. <p>The awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the awarding agency may permit the District to deduct and retain from the agency share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.</p> <ol style="list-style-type: none"> 4. If applicable, arranges for the transfer of title to the property to the federal or State government or to an eligible third party, provided that in such cases, the District is entitled to compensation for its attributable percentage of the current fair market value of the property. 5. If the District is authorized or required to sell the property, ensures compliance with Board policy 4:80, <i>Accounting and Audits</i>, regarding the disposition of property, and follows proper sales procedures to ensure the highest possible return. 6. For items of equipment with an acquisition cost of \$5,000 or more: <ol style="list-style-type: none"> a. Obtains two signed bids from potential purchasers or two appraisals from authorized appraisers to determine the per unit current fair market value. b. If the per unit current fair market value is \$5,000 or more, follows the procedures outlined in the Ill. State Board of Education's <i>State and Federal Grant Administration Policy</i>,

Actor	Responsibility
	<p><i>Fiscal Requirements, and Procedures</i> to obtain ISBE's approval, available at: www.isbe.net/Documents/fiscal_procedure_handbk.pdf.</p> <p>7. When appropriate, arranges for the trade-in of equipment to be replaced or sale of the property when acquiring replacement equipment. Proceeds from the trade-in or sale may be used to offset the cost of the replacement equipment.</p> <p>Note: If the District fails to take appropriate disposition actions, the awarding agency may direct the District to take disposition actions.</p>
<p>Staff Members Who Receive Equipment/Supplies as Part of Their Job Duties</p>	<p>Use the equipment/supplies for the purposes authorized by the grant during the grant period, or until the property is no longer needed for the purposes of the project.</p> <p>Properly use the equipment in accordance with the manufacturer's instructions.</p> <p>Produce the equipment/supplies when requested by the Business Manager or designee, whether for inventory, scheduled maintenance, repair, or other purposes.</p> <p>Take reasonable steps to prevent damage to equipment and supplies in accordance with 4:80-AP1, <i>Internal Control Checklist</i>.</p> <p>Report any fraud, waste, or abuse of property in accordance with 4:80-AP2, <i>Fraud, Waste, and Abuse Awareness Program</i>.</p> <p>Immediately report lost or stolen equipment/supplies to the Business Manager or designee.</p> <p>Return the equipment/supplies when requested by the Business Manager or designee or if it is no longer needed.</p>

Operational Services

Transportation ¹

The District shall provide free transportation for any student in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, unless the School Board has certified to the Illinois State Board of Education that adequate public transportation is available,² or (2) if adequate public transportation is not available, within one and one-half miles from his or her assigned school where walking to or from school or to or from a pick-up point or bus stop would constitute a *serious safety hazard* due to either (a) vehicular traffic or rail crossing or (b) a *course or pattern of criminal activity*, as defined in the Ill. Streetgang Terrorism Omnibus Prevention Act, 740

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¹ State law controls this policy's content. 105 ILCS 5/29-1 *et seq.* and 23 Ill.Admin.Code Part 120. **Important: The board of a district that does *not* provide transportation must amend this policy.** F/n 2 discusses when districts must provide free transportation. Please contact an IASB Policy Consultant for *gratis* help customizing this policy. You may also need to consult the board attorney.

A district that chooses to consider locations other than individual students' residences as pick-up and drop-off locations must adopt a policy establishing this practice to receive State reimbursement. 23 Ill.Admin.Code §120.30(a)(1)(B).

Each district must have a pre-trip and post-trip inspection policy. 625 ILCS 5/12-816(a). An [Ill. State Board of Education \(ISBE\)](#) rule requires boards to "institute policies and practices that promote the safety and well-being of school bus passengers." 23 Ill.Admin.Code §1.510(g). To comply with these requirements, this policy lists relevant administrative procedures at the end.

The policy does not address an *automatic traffic enforcement* system which may be enacted by a municipality or county. An *automatic traffic law enforcement system* is a device that senses and records a motor vehicle that illegally fails to stop for a school bus. 625 ILCS 5/11-208.9. Each school board within that municipality or county's jurisdiction may approve the system's implementation. The board is then required to enter into an intergovernmental agreement with the municipality or county and contract with vendors for the system's installation, maintenance, and operation. Each applicable school bus must be posted with a sign indicating that it is being monitored by an automated traffic law enforcement system. The proceeds from a school district's automated traffic law enforcement system's fines shall be divided equally between the school district and the municipality or county administering the automated traffic law enforcement system.

² The one and one-half miles distance is measured from the exit of the property where the student resides to the point where pupils are normally unloaded at the attendance center to which they are assigned. 105 ILCS 5/29-3; 23 Ill.Admin.Code §120.30(a)(1)(A). Only the following districts must provide free transportation as described in the sample policy: community consolidated districts, community unit districts, consolidated districts, consolidated high school districts, and combined school districts if the combined district includes any district that was previously required to provide transportation. 105 ILCS 5/29-3, amended by P.A. 100-1142, and 23 Ill.Admin.Code §1.510(a). Districts that are not required to provide free transportation may do so. *Id.* To qualify for State reimbursement, districts electing to provide transportation when they are not required to do so must afford the same service to all students in that same situation. 23 Ill.Admin.Code §1.510(b). Districts may provide transportation within one and one-half miles and may charge for such transportation. 105 ILCS 5/29-2.

Optional provision: (105 ILCS 5/29-3.1)

The District may provide transportation to and from school-sponsored activities and may charge for such transportation.

ILCS 147/3 A student's parent(s)/guardian(s) may file a petition with the Board requesting transportation due to the existence of a serious safety hazard.⁴ Free transportation service and vehicle adaptation is provided for a special education student if included in the student's individualized educational program.⁵ Non-public school students shall be transported in accordance with State law.⁶ Homeless students shall be transported in accordance with Section 45/1-15 of the Education for Homeless Children Act.⁷ Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act.⁸

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³ 105 ILCS 5/29-3, amended by P.A. 100-1142 and 23 Ill.Admin.Code §1.510. The determination as to what constitutes a *serious safety hazard* regarding vehicular traffic or rail crossings is made by the board, in accordance with guidelines issued by the Ill. Dept. of Transportation, in consultation with the State Superintendent of Education. The Ill. Streetgang Terrorism Omnibus Prevention Act defines *course or pattern of criminal activity* as two or more gang-related criminal offenses committed in whole or in part within Illinois when: (1) one or more of the offenses was committed after 1-25-1993, (2) both offenses were committed within five years of each other; and (3) at least one offense involved a felony or forcible felony under the Ill. Criminal Code of 1961 or 2012. 740 ILCS 147/10. It also includes criminal defacement of property that includes a streetgang sign or symbol. *Id.* The determination as to what constitutes a *serious safety hazard* due to a *course or pattern of criminal activity* under 105 ILCS 5/29-3 is made by the board, in accordance with guidelines determined by local law enforcement, in consultation with the State Superintendent of Education. Ill. State Board of Education SBE guidance on safety hazards due to criminal gang activity is available at: [-www.isbe.net/transportation](http://www.isbe.net/transportation).

⁴ Required by 105 ILCS 5/29-3, amended by P.A. 100-1142. Another statute provides a process for *qualifying students* to seek reimbursement from ISBE for *qualified transportation expenses*. 105 ILCS 5/29-5.2; 23 Ill.Admin.Code §120.240. 23 Ill.Admin.Code §120.230 requires, among other things, that each attendance center designate a representative to assist parents/guardians with this process. This process does not need to be in board policy and is not covered herein.

⁵ 34 C.F.R. §300.34 and 23 Ill.Admin.Code §226.750.

⁶ 105 ILCS 5/29-3.2 and 5/29-4.

⁷ 105 ILCS 45/. State law implements the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 *et seq.*

P.A. 100-332 amended the School Code and the Education for Homeless Children Act to permit school districts to use their State transportation funds to provide financial assistance to children that are defined as homeless or *at risk of becoming homeless*, provided certain criteria are satisfied. 105 ILCS 5/29-5; 105 ILCS 45/1-17. Financial assistance may include: (1) mortgage or rental assistance that will allow a child to remain permanently in his/her living situation or obtain a new living situation; and/or (2) assistance with unpaid bills, loans, or other financial debts that result in housing being inadequate. 105 ILCS 45/1-17(a). For further detail, see 6:140-AP, *Education of Homeless Children*.

⁸ Required if the district receives Title I funds. 20 U.S.C. §6312(c)(5)(B). The Elementary and Secondary Education Act (ESEA) requires the district to collaborate with the State or local child welfare agency to develop and implement clear written procedures governing how transportation to maintain children in foster care in the school of origin (when in their best interest) will be provided, arranged, and funded for the duration of their time in foster care. ISBE guidance on transportation procedures for students in foster care is available at: www.isbe.net/Documents/Guidance_on_Foster_Care_Transportation_Procedures.pdf#search=guidance%20on%20transportation%20procedures%20for%20students www.isbe.net/Pages/Funding_and_Disbursements_Transportation_Programs.aspx. The U.S. Depts. of Education and Health and Human Services, in *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care* (6-23-16) at: www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf, opine that ESEA requirements apply to students who meet the definition of *foster care* set forth at 45 C.F.R. §1355.20(a):

Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the title IV-E agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.

ESEA foster care transportation requirements also apply to students *awaiting* foster care placement.

105 ILCS 5/10-20.59 added by ~~P.A. 100-201~~ ~~P.A. 99-784~~, permits school boards to appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Department of Children and Family Services (DCFS) when enrolling in or changing schools. Liaison responsibilities may include, among other things, working with DCFS to help students maintain their school placement, if appropriate.

If a student is at a location within the District, other than his or her residence, for child care purposes at the time for transportation to and/or from school, that location may be considered for purposes of determining the one and one-half miles from the school attended. Unless the Superintendent or designee establishes new routes, pick-up and drop-off locations for students in day care must be along the District's regular routes. The District will not discriminate among types of locations where day care is provided, which may include the premises of licensed providers, relatives' homes, or neighbors' homes. ⁹

Bus schedules and routes shall be determined by the Superintendent or designee and shall be altered only with the Superintendent or designee's approval and direction. In setting the routes, the pick-up and discharge points should be as safe for students as possible. ¹⁰

No school employee may transport students in school or private vehicles unless authorized by the administration. ¹¹

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Illinois Department of Transportation regulations.¹² The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) is bearing one or more students.¹³ The Superintendent shall implement procedures in accordance with State law for accepting comment calls about school bus driving. ¹⁴

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers. ¹⁵

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⁹ This paragraph should be deleted if a district will not seek State reimbursement for transportation to and from locations other than individual students' residences. As a condition for receiving State reimbursement, an ISBE rule requires boards to have a policy with the provisions in this paragraph. 23 Ill.Admin.Code §120.30(a)(1)(B). This rule also contains the non-discrimination language.

¹⁰ The paragraph is optional. As an alternative, a board may state that pick-up and discharge points "should be as safe and convenient as possible."

¹¹ Optional. This presents an opportunity for each board to discuss this issue with the superintendent and direct the superintendent to include it in the curriculum for the required in-service on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel. 105 ILCS 5/10-22.39. See 5:100, *Staff Development Program* (f/n 3), and 5:120, *Employee Ethics; Conduct; and Conflict of Interest* (f/n 2), for more detailed discussions. Include policies 5:100, *Staff Development Program*, and 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, in the Cross References when this sentence is used.

¹² 625 ILCS 5/13-109. The vehicle and other requirements for transporting students to and from interscholastic or school-sponsored activities, including curriculum-related activities, are found in 105 ILCS 5/29-6.3 and 625 ILCS 5/11-1414.1. These statutes also contain requirements for the use of multi-function school activity buses (defined at 625 ILCS 5/1-148.3a-5). The legislature frequently amends these statutes, along with many transportation laws; they should be double-checked before relying on them.

¹³ 625 ILCS 5/12-815. The statute, like the policy, identifies the conditions in which illuminating the strobe light is permissible instead of mandating when they must be illuminated.

¹⁴ 625 ILCS 5/12-821(b) requires districts that own school buses and multifunction school activity buses to establish procedures for accepting comment calls and responding to them. In accordance with good governance principles, this duty is delegated to the superintendent. For a sample procedure, see 4:110-AP2, *Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments*.

¹⁵ 105 ILCS 5/10-20.21a, requires all contracts for providing charter bus services to transport students to or from interscholastic athletic or interscholastic or school sponsored activities to contain clause (A) except that a contract with an out-of-state company may contain clause (B) or clause (A). The clause must be set forth in the contract's body in at least 12-point typeface and all upper case letters:

(A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:

Pre-Trip and Post-Trip Vehicle Inspection 16

The Superintendent or designee shall develop and implement a pre-trip and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio or cellular radio telecommunication device and ensures that it is functioning properly before the bus is operated, and (2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day, to check the bus for children or other passengers in the bus.

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(1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS DATABASES. THE FINGERPRINTING CHECK HAS RESULTED IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY.”

(B) “NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:

(1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS DATABASES. THE FINGERPRINTING CHECK HAS RESULTED IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY.”

16 625 ILCS 5/12-816(a) requires school districts to have a school bus pre- and post-trip inspection policy with the components as contained in this policy. See also 23 Ill.Admin.Code §1.510(i)(3) and 92 Ill.Admin.Code §458.1030. For a sample procedure, see 4:110-AP2, *Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments*. School districts that contract with a private sector school bus company must require the company to have a pre- and post-trip inspection policy that is equivalent to this section of the policy. 625 ILCS 5/12-816(b).

Each school bus must contain an operating two-way radio or cellular radio telecommunication device while the school bus driver is in possession of a school bus. 625 ILCS 5/12-813.1(e). “Cellular radio telecommunication device” means a device capable of sending or receiving telephone communications without an access line for service and which requires the operator to dial numbers manually; it does not include citizens band radios or citizens band radio hybrids. 625 ILCS 5/12-813.1(a). The two-way radio or cellular radio telecommunication device must be turned on and adjusted in a manner that would alert the driver of an incoming communication request. 625 ILCS 5/12-813.1(e). A school bus driver may not operate a school bus while using a cellular radio telecommunication device except in the following situations: (1) in an emergency situation to communicate with an emergency response operator; a hospital; a physician’s office or health clinic; an ambulance service; a fire department, fire district, or fire company; or a police department; (2) in the event of a “mechanical breakdown or other mechanical problem;” (3) to communicate with school authorities about bus operation or the safety of a passenger on the bus; and (4) when the bus is parked. 625 ILCS 5/12-813.1(c). However under no circumstances may the cellular radio telecommunication device be used for anything else including personal use. 625 ILCS 5/12-813.1(c)(2).

- LEGAL REF.: 20 U.S.C. §6312(c)(5)(B), Elementary and Secondary Education Act.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/10-22.22 and 5/29-1 et seq.
105 ILCS 45/1-15 and /1-17.
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813.1, 5/12-815, 5/12-816,
5/12-821, and 5/13-109.
23 Ill.Admin.Code §§1.510 and 226.750; Part 120.
92 Ill.Admin.Code Part 440.
- CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Employee Ethics;
Conduct; and Conflict of Interest), 5:280 (Educational Support Personnel -
Duties and Qualifications), 6:140 (Education of Homeless Children), 6:170 (Title
I Programs), 7:220 (Bus Conduct)
- ADMIN. PROC.: 4:110-AP2 (Bus Driver Communication Devices; Pre-Trip and Post-Trip
Inspection; Bus Driving Comments), 4:110-AP3 (School Bus Safety Rules),
4:110-E (Emergency Medical Information for Students Having Special Needs or
Medical Conditions Who Ride School Buses), 6:140-AP (Education of Homeless
Children)

Operational Services

Waiver of Student Fees ¹

The Superintendent will recommend to the School Board a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education are waived for students who meet the eligibility criteria for a fee waiver as described in this policy.² In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees, the Superintendent will recommend to the Board which additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver.³ Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment. ⁴

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 this subject matter be covered by policy and controls its content. 105 ILCS 5/10-20.13; 23 Ill.Admin.Code §1.245. State law provides that “[n]o discrimination or punishment of any kind, including the lowering of grades or exclusion from classes, may be exercised against a student whose parents or guardians are unable to purchase required textbooks or instructional materials or to pay required fees,” 105 ILCS 5/28-19.2. This policy concerns an area in which the law is unsettled (see footnotes 2 and 3).

² Districts must waive textbooks fees (105 ILCS 5/10-20.13) and driver education fees (105 ILCS 5/27-24.2) for students whose parents/guardians are unable to afford them. In order to effectuate the law’s intent, the term “textbook” should be interpreted broadly to include fees for instructional materials, laboratory fees, and workbooks. The enforceability of 105 ILCS 5/10-20.13(b) and ISBE regulations (23 Ill.Admin.Code §1.245) requiring districts to waive “other fees” is questionable because they are unfunded mandates. ISBE regulations on school fees may not be enforceable because the General Assembly failed to make necessary appropriations. See the Weekly Message from State Superintendent Robert Schiller, 8-15-03.

A school district may charge up to \$50 to students who participate in the driver education course. The fee may be increased up to \$250, provided the district completes the requirements in Section 27-24.2. The fee must be waived for any student who is unable to pay. 105 ILCS 5/27-24.2; 23 Ill.Admin.Code §252.30.

Resident tuition fees are not permissible, but a board’s authority under 105 ILCS 5/10-20.13 to charge for textbooks and towel fees does not violate the Ill. Constitution’s provision guaranteeing free public education through the secondary level. *Hamer v. Board of Ed., Sch. Dist. No. 109*, 9 Ill.App.3d 663 (2nd Dist. 1973).

³ 105 ILCS 5/10-20.13(b) was added in 1983 to require districts to waive “other fees” in addition to the costs of textbooks. P.A. 83-603. The General Assembly, however, never appropriated the necessary funds. Thus, the amendment may be unenforceable because it violated the State Mandates Act. 30 ILCS 805/1; see above footnote. Use the following alternative if the board wants to make a longstanding commitment to waive specific fees, amending the list of fees that will be waived as desired:

In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay fees, the following fees are also waived for students who meet the eligibility criteria for fee waiver: athletic participation fees, lock fees, towel fees, shop fees, laboratory fees, and registration fees.

Alternatively, a board may decide to waive all school student fees and substitute the following sentence for the first two sentences of this paragraph:

All school student fees as defined by the Ill. State Board of Education (ISBE) are waived for students who meet the eligibility criteria for a fee waiver contained in this policy.

⁴ ~~Districts in which a referendum was approved to provide students with free textbooks must have a policy on textbook care and preservation. 105 ILCS 5/28-17. The textbook loan-block grant program operated by the ISBE is found at 105 ILCS 5/48-172-3.155, amended by P.A. 101-227, eff. 7-1-20.~~

Notification

The Superintendent shall ensure that applications for fee waivers are widely available and distributed according to State law and Ill. State Board of Education (ISBE) rule and that provisions for assisting parents/guardians in completing the application are available.

Eligibility Criteria

A student shall be eligible for a fee waiver when the student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program. ⁵

The Superintendent or designee will give additional consideration where one or more of the following factors are present: ⁶

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

Verification ⁷

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees in accordance with State law requirements. The Superintendent or designee may require family income verification at the time an individual applies for a fee waiver and anytime thereafter, but not more often than once every 60 calendar days. The Superintendent or designee shall not use any information from this or any independent verification process to determine free or reduced-price meal eligibility.

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

⁵ Required by 105 ILCS 5/10-20.13. The federal free meals program is found at 42 U.S.C. §1758; 7 C.F.R. Part 245. A board has a choice regarding verification – it may: (1) establish a process to determine eligibility for fee waivers that is completely independent of the federal free meals eligibility guidelines, or (2) tie the application for fee waivers to the free meals program and only ask for *verification* in accordance with the free or reduced-price meals program. See www.isbe.net/Pages/School-Fee-Waivers.aspx for further explanation. This sample policy assumes that option #1 will be chosen but would allow for option #2 if the alternative is used in the *Verification* section. See ¶n 7.

⁶ This paragraph is optional and may be omitted.

⁷ By using a process for determining eligibility for fee waivers that is completely separate from the process for determining eligibility for free meals, a district may require income verification at the time an application is submitted for a fee waiver and may do so thereafter, but not more than once every 60 calendar days. 105 ILCS 5/10-20.13; 23 Ill.Admin.Code §1.245(d). Income verification may include such things as payroll stubs, tax returns, or evidence of receipt of food stamps or Temporary Assistance for Needy Families.

An application for fee waivers that is completely separate from the application for free lunches cannot ask whether a student lives in a household that meets free lunch eligibility guidelines and request income verification with reference to *free lunch* eligibility guidelines. In the completely separate fee waiver application, the district should supply its own income guidelines with the same limits based on household size that are used for the federal meals program and have the parents indicate if they meet the income guidelines used to determine eligibility for *fee waivers*. The independent fee waiver income guidelines should not be any higher than those for eligibility for free lunch (or reduced-price, if the district voluntarily provides fee waivers for those students who qualify), but the district should not reference or indicate that the guidelines are for the free meals program. In this completely separate application process for fee waivers, the district may ask for verification, but cannot use any information it receives for fee waiver verification though this process for determining eligibility for free or reduced meals.

Alternatively, a board should replace both paragraphs in this section with the following alternative if it wants to use eligibility guidelines for free meals as the basis for waiving school fees:

The Superintendent or designee must follow the verification requirements of 7 C.F.R. §245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s).

If a student receiving a fee waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student a prorated amount based upon the number of school days remaining in the school year.

Determination and Appeal ⁸

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the ISBE rule on waiver of fees.

LEGAL REF.: 105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.
23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct)

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⁸ An ISBE rule requires that the policy state that the district will mail a copy of a denial notice within 30 calendar days after the receipt of the waiver request. 23 Ill.Admin.Code §1.245(c)(3). This rule also specifies timelines and procedures, including a requirement that "the person who decides the appeal shall not be the person who initially denied the fee waiver or a subordinate of this person." Thus, a board may be required to hear an appeal if the superintendent made the initial decision to deny a fee waiver. The board's participation is avoided by the principal making initial fee waiver decisions and the superintendent or other main office administrator deciding the appeals.

Operational Services

Facility Management and Building Programs ¹

The Superintendent shall manage the District's facilities and grounds as well as facility construction and building programs in accordance with the law, the standards set forth in this policy, and other applicable School Board policies. The Superintendent or designee shall facilitate: (1) inspections of schools by the Regional Superintendent and State Fire Marshal or designee, (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district, and (3) compliance with the 10-year safety survey process required by the School Code. ²

Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Superintendent or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed \$12,500, including the

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¹ Each district with a school having 50 or more students must have a green school cleaning policy. Green Cleaning School Act, 105 ILCS 140/. See policy 4:160, *Environmental Quality of Buildings and Grounds*, which fulfills the requirement to have a procedure on compliance with the Chemical Safety Acts. 105 ILCS 5/10-20.49. Many other State and federal laws control facility management and building programs. Good subjects for administrative procedures include management of custodial services, security, and green cleaning, among others.

The federal rules implementing the Americans with Disabilities Act of 1990 (ADA), (42 U.S.C. §12101 et seq.) prohibit discrimination on the basis of disability in services and facilities. 28 C.F.R. Parts 35 and 36. The 2010 ADA Standards for Accessible Design (28 C.F.R. Part 36, Appendix) are available from a link on the ADA home page, www.ada.gov/. Consult the board attorney about how these standards apply to alterations and new construction.

The Prevailing Wage Act is generally applicable to all construction projects. 820 ILCS 130/, amended by P.A. 100-1177, eff. 6-1-19. It requires, among other things, that: (1) all workers on a public works project be paid no less than the prevailing hourly rate (820 ILCS 130/1); (2) the district specify in all public works contracts that the prevailing rate must be paid (820 ILCS 130/4(e), amended by P.A. 100-1177, eff. 6-1-19); and (3) until such time as the Ill. Dept. of Labor activates an electronic database for certified payrolls, all contractors must submit certain employment records to the district, and the district must keep these records as required by law (820 ILCS 130/5, amended by P.A. 100-1177, eff. 6-1-19).

105 ILCS 5/10-20.63, added by P.A. 100-163, requires school districts to make feminine hygiene products (defined as tampons and sanitary napkins for use in connection with the menstrual cycle) available, at no cost to students, in the bathrooms of school buildings serving students in grades 6 through 12. **Note:** The statute does not delineate between types of bathrooms (student, staff, girls, boys, unisex, etc.). Consult with the board attorney about implementing this law.

410 ILCS 35/25, added by P.A. 101-165, eff. 1-1-20, requires schools to identify all single-occupancy restrooms as all-gender and designated for use by no more than one person at a time or for family or assisted use. Eff. 1-1-20, all single-occupancy restrooms must have an exterior sign that marks it as a restroom and does not indicate any specific gender, e.g., signage which reads *all genders*. Id. at 35/20 and 35/25. It is unclear if this law will apply only to those restrooms made available to members of the public in schools, or if it will also include facilities designated as employee-only. The Ill. Dept. of Public Health enforces this requirement and may issue regulations to address this issue.

² 105 ILCS 5/2-3.12, 105 ILCS 5/3-14.20, and 5/3-14.21, amended by P.A. 100-465.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center."

105 ILCS 5/2-3.12 and 23 Ill.Admin.Code Part 180 contain the school building code and Health/Life and Safety Code for Public Schools (HLS Code), respectively. The board must hire a licensed architect or engineer to conduct a decennial inspection of its school buildings and produce a ten-year safety survey report, which is submitted to the Regional Superintendent (ROE) or Intermediate Service Center (ISC) and the State Superintendent for approval. The board must also report to the ROE or ISC annually on its completion of the report recommendations to comply with the HLS Code. See the Health Life Safety Handbook at www.isbe.net/Pages/Health-and-Life-Safety.aspx for more information about the safety survey process.

cost equivalent of staff time.³ This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

Standards for Green Cleaning 4

For each District school with 50 or more students, the Superintendent or designee shall establish and supervise a green cleaning program that complies with the guidelines established by the Illinois Green Government Coordinating Council.

Standards for Facility Construction and Building Programs 5

As appropriate, the Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Superintendent or designee shall provide the Board with projected facility needs, enrollment trends, and other data impacting facility use. Board approval is needed for all new facility construction and expansion.

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³This provision is optional and the amount may be changed. The \$12,500 spending limit is one-half of the bidding threshold for purchases or contracts. 105 ILCS 5/10-20.21. This provision's intent is to ensure that the board is kept informed about significant renovations and permanent alterations. A board should discuss this provision with its superintendent before including it in the policy.

⁴ Required by the Green Cleaning School Act (105 ILCS 140/) and Green Cleaning for Elementary and Secondary Schools (23 Ill.Admin.Code Part 2800). The Ill. Green Government Coordinating Council established *Guidelines and Specifications for the Green Cleaning Schools Act* which state: "While not mandatory, schools should implement the practices set forth in the Recommendations section of these guidelines where applicable and appropriate." See *Guidelines and Specifications for the Green Cleaning Schools Act* at: <http://www.newssystemonline.com/wp-content/uploads/2014/05/Illinois-GreenCleanFinalGuidelines.pdf>
<https://www2.illinois.gov/sites/green/Pages/GreenCleaning.aspx>.

⁵ The inclusion and identification of the facility goals listed in the second paragraph are at the board's discretion.

After 1-1-15, all "new school building construction" must include a storm shelter that meets or exceeds the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC-500) published jointly by the International Code Council and the National Storm Shelter Association. 105 ILCS 5/2-3.12(e-5); 23 Ill.Admin.Code §180.60(b)(3). Any facility project for which the design contract is executed after 7-1-16 must meet standards of the 2015 International Building Code and its subcodes. 23 Ill.Admin.Code 180.60(a).

The Ill. Environmental Barriers Act (IEBA) (410 ILCS 25/) and the Ill. Accessibility Code (IAC) (71 Ill.Admin.Code Part 400) ensure that "the built environment in the State of Illinois is designed, constructed, and altered to be accessible to and usable by all, including individuals with disabilities." 71 Ill.Admin.Code §400.110(a). **Note:** Press boxes constructed on school property do not have to comply with the IAC if the press boxes are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet. 105 ILCS 5/10-20.51; 23 Ill.Admin.Code 180.60(b)(4).

A building intended for classroom or instructional use may be constructed only after voter approval at a referendum unless the building is: (1) leased by the district, or (2) purchased with funds from the sale or disposition of other buildings or structures, or with funds received as a grant under the School Construction Law or as a gift, provided that no funds (other than lease payments) are derived from the district's bonded indebtedness or its tax levy. 105 ILCS 5/10-22.36, amended by P.A. 101-455.

A district may levy a tax for "fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes." 105 ILCS 5/17-2.11. An expedited process may be available in emergency situations. ~~105 ILCS 5/17-2.11(a).~~ A district may levy a tax or issue bonds if it determines: (1) it is necessary for school security purposes and the protection and safety of students and staff to hire a school resource officer, or that personnel costs for school counselors, mental health experts, or school resources officers are necessary; and (2) it does not need funds for any other purpose set forth in 105 ILCS 5/17-2.11(d), amended by P.A. 101-455. A board may, subject to certain notice requirements, transfer surplus life safety taxes and interest earnings on them to the Operations and Maintenance Fund for building repair work until June 30, 2020. ~~105 ILCS 5/17-2.11(j).~~, amended by P.A. 100-465.

The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements. 20 ILCS 3130/. Waivers may be granted by the Capital Development Board in certain situations. 20 ILCS 3130/15(e). For environmental impact laws, see policy 4:160, *Environmental Quality of Buildings and Grounds*.

When making decisions pertaining to design and construction of school facilities, the Board will confer with members of the staff and community, the Ill. State Board of Education, and educational and architectural consultants, as it deems appropriate. The Board's facility goals are to:

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school buildings on identifiable student needs.
3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Design buildings for maximum potential for community use.
5. Meet or exceed all safety requirements.
6. Meet requirements on the accessibility of school facilities to disabled persons as specified in State and federal law.
7. Provide for low maintenance costs, energy efficiency, and minimal environmental impact.

Naming Buildings and Facilities ⁶

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. Any request to name or rename an existing facility should be submitted to the Board.⁷ When a facility is to be named or renamed, the Board President will appoint a special committee to consider nominations and make a recommendation, along with supporting rationale, to the Board. The Board will make the final selection. The Superintendent or designee may name a room or designate some area on a school's property in honor of an individual or group that has performed outstanding service to the school without using the process in this policy.

LEGAL REF.: 42 U.S.C. §12101 et seq., Americans with Disabilities Act of 1990, implemented by 28 C.F.R. Parts 35 and 36.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/10-20.63, and 5/17-2.11.
105 ILCS 140/, Green Cleaning Schools Act.
105 ILCS 230/, School Construction Law.
410 ILCS 25/, Environmental Barriers Act.
410 ILCS 35/25, Equitable Restrooms Act.
820 ILCS 130/, Prevailing Wage Act.
23 Ill.Admin.Code Part 151, School Construction Program; Part 180, Health/Life Safety Code for Public Schools; and Part 2800, Green Cleaning for Elementary and Secondary Schools.
71 Ill.Admin.Code Part 400, Ill. Accessibility Code.

CROSS REF.: 2:150 (Committees), 2:170 (Procurement of Architectural, Engineering, and Land Surveying Services), 4:60 (Purchases and Contracts), 8:70 (Accommodating Individuals with Disabilities)

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

⁶ This section is optional and its contents are at the board's discretion.

⁷ The board may want to include criteria for the committee, in which case the following is an option:

1. The committee will encourage input from the community, staff members, and students.
2. Consideration will be given to names of local communities, neighborhoods, streets, landmarks, historical considerations, and individuals who have made a contribution to the District, community, State, or nation.
3. The name will not duplicate or cause confusion with the names of existing facilities in the District.

Operational Services

Safety ¹

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event.² The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations and crisis response plan(s) addressing prevention, preparation, response, and recovery for each school;³
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;
4. Instruction in safe bus riding practices;⁴ and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

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 a policy on several topics in this policy and otherwise controls this policy's content. Topics previously assigned to this code number were moved in May 2014 and placed in 4:100, *Insurance Management* and 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

Grants may be available from the Ill. State Board of Education (ISBE) to support school security improvements, including professional development, safety-related upgrades to school buildings, equipment, and facilities. 105 ILCS 5/2-3.176, added by P.A. 101-413, eff. 1-1-20.

² This simple end statement should be discussed and altered accordingly before board adoption. Ask: what effect or impact will this statement have on the students and the community?

³ The term *emergency operations and crisis response plan* is used because federal agencies refer to school *emergency operations plans* and the School Safety Drill Act (105 ILCS 128/) refers to *emergency and crisis response plans*.

See administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. This procedure follows the recommendations in the *Guide for Developing High-Quality School Emergency Operations Plans*, produced by a collaboration of federal agencies in June 2013 at: www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

~~The Ill. State Board of Education (ISBE) maintains a comprehensive website on school emergency and crisis response planning in compliance with the School Safety Drill Act and Joint Rules of the Office of the State Fire Marshal and ISBE (29 Ill.Admin.Code Part 1500), at www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. ISBE's website includes a *Sample School Emergency Operations Plan* which aligns with the federal *Guide for Developing High-Quality School Emergency Operations Plans*.~~

105 ILCS 128/45, added by P.A. 101-455, requires school districts to implement a threat assessment procedure by 12-6-19, and to establish a threat assessment team by 2-19-20. The threat assessment procedure may be part of a board policy on targeted school violence prevention that includes the creation of a threat assessment team. For more discussion, see policy 4:190, *Targeted School Violence Prevention Program*.

105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-548, allows school districts to install a door security locking means on a door of a school building to prevent unwanted entry through the door only if the door security locking means is used: (1) by a trained school district employee; (2) during an emergency that threatens the health and safety of students and employees or during an active shooter drill; and (3) when local law enforcement officials and the local fire department have been notified of its installation prior to its use. Id.

⁴ Required by 105 ILCS 128/20(b) and 105 ILCS 5/10-20.14(c) for all students. See 4:110-AP3, *School Bus Safety Rules*.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones. ⁵

School Safety Drill Plan ⁶

During every academic year, each school building that houses school children shall conduct, at a minimum, each of the following in accordance with the School Safety Drill Act (105 ILCS 128/):

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators or school support personnel. ⁷

Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school safety drill plan. This annual review shall be in accordance with the School Safety Drill Act

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

⁵ 105 ILCS 5/10-20.28. Consider discussing with local law enforcement what its preference would be and encourage staff and students to follow the recommendation. A wave of 911 cell phone calls can jam phone lines. Student use of cell phones is addressed in 7:190, *Student Behavior*.

625 ILCS 5/12-610.1(e) prohibits wireless telephone use at any time while operating a motor vehicle on a roadway in a school speed zone except for: (1) highway construction or maintenance workers within their work zones; (2) any use for emergency purposes; (3) law enforcement officers or emergency responders performing their duties; (4) a person using a wireless telephone in voice-operated mode with or without use of a headset; (5) a person with technology that uses a single button to initiate or terminate a voice communication, e.g., *HandsFreeLink*®; and (6) a person using an electronic communication device solely to report an emergency and for continued communication with emergency personnel. 625 ILCS 5/12-813.1 limits cell phone use by school bus drivers; see policy 4:110, *Transportation*.

⁶ Each of the listed drills is required by the School Safety Drill Act. Each drill's requirements are comprehensively covered in 4:170-API, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx.

105 ILCS 5/2-3.12(f) authorizes the Ill. State Fire Marshal or a qualified fire official to whom the Ill. State Fire Marshal has delegated his or her authority to conduct an annual fire safety inspection of each school building, provided the inspection is coordinated with the regional superintendent. See also 105 ILCS 5/3-14.21(c) and 23 Ill.Admin.Code §180.300(b). To effectively implement this law and ensure the education of students in the district is not disturbed, school officials should discuss with the Ill. State Fire Marshal and regional superintendent whether written notice may be provided to the principal requesting to schedule a mutually agreed upon time.

⁷ 105 ILCS 128/20(c), amended by P.A. 100-996, eff. 1-1-19.

(105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Ill. State Board of Education (ISBE). 29 Ill.Admin.Code Part 1500. 8

Automated External Defibrillator (AED) 9

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one automated external defibrillator (AED) to be available at every physical fitness facility on the premises according to State law requirements.

The District shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by the District.¹⁰ The Superintendent or designee shall ensure that every AED on the District's premises is properly tested and maintained in accordance with rules developed by the IDPH.¹¹ This policy does not create an obligation to use an AED.

Carbon Monoxide Alarms 12

The Superintendent or designee shall implement a plan with the District's local fire officials to:

1. Determine which school buildings to equip with approved *carbon monoxide alarms* or *carbon monoxide detectors*,

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⁸ The School Safety Drill Act requires each school board or its designee to conduct one annual meeting at which it reviews each building's emergency and crisis response plan, protocols, and procedures, including procedures regarding the school district's threat assessment team, and each building's compliance with the school safety drill plan. 105 ILCS 128/25, amended by P.A. 101-455, and 128/30; 29 Ill.Admin.Code Part 1500. If the board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The statute contains detailed requirements. The board or its designee must: (1) complete a one-page report certifying that the review took place, among other things; (2) send a copy of the report to each participating party; and (3) send a copy of the report to the appropriate Regional Superintendent. 105 ILCS 128/25(c), (d). ISBE's website contains a suggested annual review checklist and a report form to document compliance at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx.

⁹ Each indoor and outdoor physical fitness facility serving at least 100 individuals must "adopt and implement a written plan for responding to medical emergencies that occur at the facility during the time that the facility is open for use by its members or by the public." 210 ILCS 74/10(a). The facility must file the plan with the Ill. Dept. of Public Health (IDPH). Id. In addition, each indoor facility must have at least one AED on the premises, and each outdoor facility must house an AED in a building, if any, that is within 300 feet of the outdoor facility. 210 ILCS 74/15. See the statute and administrative rules for the other numerous mandates: 210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act; 77 Ill.Admin.Code Part 527. Also see 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*.

¹⁰ 77 Ill.Admin.Code §527.600(d), (f).

¹¹ 210 ILCS 74/15(c); 77 Ill.Admin.Code §527.700.

¹² 105 ILCS 5/10-20.57, added by P.A. 99-470 and amended by P.A. 99-642. *Carbon monoxide detector* and *detector* mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the Ill. State Fire Marshal. 105 ILCS 5/10-20.57(a). *Approved carbon monoxide alarm* or *alarm* means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Ill. State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association. 430 ILCS 135/5.

Consult both the board attorney and the local fire officials about whether a school building is exempt from this law. Remove this subhead if the board attorney determines that every building across the entire school district is exempt. The law applies to school buildings that have or are close to any *sources of carbon monoxide*; however, it does not specifically define what that means. 430 ILCS 135/20 defines exemptions for residential units and may provide guidance on the exemption for schools. The law also fails to define *carbon monoxide emitting device*, which triggers the placement point in a school building for a carbon monoxide alarm or carbon monoxide detector.

2. Locate the required carbon monoxide alarms or carbon monoxide detectors within 20 feet of a carbon monoxide emitting device, and
3. Incorporate carbon monoxide alarm or detector activation procedures into each school building that requires a carbon monoxide alarm or detector. The Superintendent or designee shall ensure each school building annually reviews these procedures.

Soccer Goal Safety ¹³

The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the IDPH. Implementation of the Act shall be directed toward improving the safety of movable soccer goals by requiring that they be properly anchored.

Unsafe School Choice Option ¹⁴

The unsafe school choice option allows students to transfer to another District school or to a public charter school within the District. The unsafe school choice option is available to:

1. All students attending a persistently dangerous school, as defined by State law and identified by the ISBE.
2. Any student who is a victim of a violent criminal offense, as defined by 725 ILCS 120/3, that occurred on school grounds during regular school hours or during a school-sponsored event.

The Superintendent or designee shall develop procedures to implement the unsafe school choice option.

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

¹³ Include this section **only if** the school district owns and controls a movable soccer goal Movable Soccer Goal Safety Act, a/k/a *Zach's Law*, 430 ILCS 145/. The Act requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals; and (2) the IDPH to provide technical assistance materials. 430 ILCS 145/10, 20. See <http://dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety> www.dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety.

¹⁴ This topic must be covered in board policy. 105 ILCS 5/10-21.3a. See also 20 U.S.C. §7912. ISBE maintains a list of persistently dangerous schools. Districts having only one school may substitute the following for this paragraph:

The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because the District has only one school or attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

Districts with each grade in only one attendance center may substitute the following for this paragraph:

The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because each grade is in only one attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

Lead Testing in Water 15

The Superintendent or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Ill. Plumbing License Law and guidance published by the IDPH.¹⁶ The Superintendent or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective school buildings. ¹⁷

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property. ¹⁸

LEGAL REF.: 105 ILCS 5/10-20.2, 5/10-20.57, 5/18-12, and 5/18-12.5.
105 ILCS 128/, School Safety Drill Act, implemented by 29 Ill.Admin.Code Part 1500.
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.
225 ILCS 320/35.5, Ill. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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

¹⁵ 225 ILCS 320/35.5, added by P.A. 99-922 and amended by P.A. 100-103. Requires that each source of potable water in school buildings constructed on or before 1-1-00, which may be occupied by more than 10 children in grades pre-K through 5, be tested for lead. Testing for buildings constructed prior to 1-1-87 must have been conducted by 12-31-17. 225 ILCS 320/35.5(c)(4). Testing for buildings constructed between 1-2-87 and 1-1-00 must have been conducted by 12-31-18. Id. By 6-30-19, the IDPH will was to determine whether it is necessary and appropriate to require testing for buildings constructed after 1-1-00; however, no determination was made as of the publication of PRESS Issue 102 (Oct. 2019). 225 ILCS 320/35.5(d).

Boards may, by resolution, use excess taxes levied for fire prevention, safety, energy conservation, and school security purposes for sampling lead in drinking water in schools and for repair and mitigation due to lead levels in the drinking water supply. 105 ILCS 5/17-2.11(j)(1), amended by P.A. 99-922.

¹⁶ 225 ILCS 320/35.5(e) requires the IDPH to post on its website guidance on mitigation actions for lead in drinking water, and ongoing water management practices, in schools. On 5-9-17, the IDPH posted *Mitigation Strategies for Lead Found in School Drinking Water* at: www.dph.illinois.gov/sites/default/files/publications/school-lead-mitigation-strategies-050917.pdf. **Note:** Page 2 of *Mitigation Strategies* states "IDPH is requiring the mitigation strategies and requirements contained in this guidance document to be followed for all plumbing fixtures identified with any level of lead," however the statute does not authorize the IDPH to impose such additional requirements.

¹⁷ If any samples taken in the school exceed five parts per billion, a district must provide individual notification of sampling results, via written or electronic communication, to parent(s)/guardian(s) of all enrolled students that must include: (1) the corresponding sampling location within the school building; and (2) the U.S. Environmental Protection Agency's website for information about lead in drinking water at: www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water. 225 ILCS 320/35.5(c)(3). If any samples taken in the school are at or below five parts per billion, notification may be made in the same manner or by posting on the school's website. Id.

¹⁸ When a school is closed or its starting time is delayed due to adverse weather conditions or a health or safety threat, the district may count a partial day of attendance as a full day for State aid purposes, provided: (1) at least one hour of instruction was provided or the normal start time was delayed; and (2) the superintendent provides the Regional Superintendent or the Suburban Cook County Intermediate Service Center, whichever is appropriate, with a written report in support of the partial day within 30 days. 105 ILCS 5/18-12, amended by P.A. 100-863.

105 ILCS 5/18-12.5 governs claiming State aid if a district closes one or more schools, but not all schools, during the public health emergency, as determined by ISBE in consultation with the IDPH.

Operational Services

Administrative Procedure - Comprehensive Safety and Security Plan ¹

Contents:

- A. Safety- and Security-Related Administrative Procedures and Forms
- B. Definitions
- C. District Safety Coordinator and Safety Team; Responsibilities
- D. Safety Team Meetings
- E. Annual Safety Review
- F. School Safety Drill Plan
- G. School Emergency Operations and Crisis Response Plan (SEOCR)
- H. Material to be Included in Each SEOCR
- I. Managing Communications During and About an Emergency or Crisis
- J. Required Notices
- K. Resources

Attachment **A** – School Emergency Operations and Crisis Response Plan Format

Attachment B – Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program

A. Safety and Security Related Administrative Procedures and Forms

Administrative material on school safety and security may be implemented under this plan, including, without limitation, any in the following list.

- 4:60-AP3 *Criminal History Records Check of Contractor Employees*
- 4:110-API *School Bus Post-Accident Checklist*
- 4:110-AP3 *School Bus Safety Rules*
- 4:110-E *Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses*
- 4:160-AP *Environmental Quality of Buildings and Grounds*
- 4:170-API, E1 *Accident or Injury Form*
- 4:170-API, E2 *Memo to Staff Members Regarding Contacts by Media About a Crisis*
- 4:170-AP2 *Routine Communications Concerning Safety and Security*
- 4:170-AP2, E1 *Letter to Parents/Guardians Regarding Student Safety*
- 4:170-AP2, E2 *Letter to Parents/Guardians Regarding the Dangers of Underage Drinking*
- 4:170-AP2, E3 *Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers*

The footnotes should be retained.

¹ This procedure follows the recommendations in the *Guide for Developing High-Quality School Emergency Operations Plans*, produced by a collaboration of federal agencies in 2013, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

4:170-AP4	<i>National Terrorism Advisory System</i>
4:170-AP5	<i>Unsafe School Choice Option</i>
4:170-AP6	<i>Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED</i>
4:170-AP6, E1	<i>School Staff AED Notification Letter</i>
4:170-AP6, E2	<i>Notification to Staff and Parents/Guardians of CPR and AED Video</i>
4:170-AP8	<i>Movable Soccer Goal Safety</i>
4:175-AP1	<i>Criminal Offender Notification Laws; Screening</i>
4:175-AP1, E1	<i>Informing Parents/Guardians About Offender Community Notification Laws</i>
4:180-AP1	<i>School Action Steps for Pandemic Influenza</i>
4:180-AP2	<i>Pandemic Influenza Surveillance and Reporting</i>
4:190	<i>Targeted School Violence Prevention Program</i>
4:190-AP1	<i>Targeted School Violence Prevention Program</i>
4:190-AP1, E1	<i>Targeted School Violence Prevention Program Resources</i>
4:190-AP2	<i>Threat Assessment Team (TAT)</i>
4:190-AP2, E1	<i>Principles of Threat Assessment</i>
4:190-AP2, E2	<i>Threat Assessment Documentation</i>
4:190-AP2, E3	<i>Threat Assessment Key Areas and Questions; Examples</i>
4:190-AP2, E4	<i>Responding to Types of Threats</i>
4:190-AP2, E5	<i>Threat Assessment Case Management Strategies</i>
4:190-AP2, E6	<i>Targeted School Violence Prevention and Threat Assessment Education</i>
6:235-E4	<i>Keeping Yourself and Your Kids Safe On Social Networks</i>
6:235-E5	<i>Children's Online Privacy Protection Act</i>
7:280-AP	<i>Managing Students with Communicable or Infectious Diseases</i>
7:290-AP	<i>Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program</i>

B. Definitions

SEOCR is a School Emergency Operations and Crisis Response Plan² (formerly *Emergency Operations Plan*). Each school or facility has an *SEOCR*.

First responders are local law enforcement, fire department officials, emergency medical services personnel, and any other entity in the community that provides emergency assistance.

Incident means any event or occurrence that threatens the safety and security of individuals on school property or at school events.

District Safety Coordinator is the individual who manages the District's safety and security efforts.

The footnotes should be retained.

² The term *emergency operations and crisis response plan* is used because federal agencies refer to school *emergency operations plans*, and the School Safety Drill Act (105 ILCS 128/, amended by P.A. 100-996, ~~eff. 1-1-19~~) refers to *emergency and crisis response plans*.

Safety Team is the Superintendent's administrative committee that is responsible for its respective SEOCR. Each school or facility has a Safety Team.

SRO means school resource officer, defined as a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency. ³

C. District Safety Coordinator and Safety Team; Responsibilities

The Superintendent appoints an administrator to be the **District Safety Coordinator** to manage the District's safety and security efforts and serve as the District's spokesperson during a crisis or emergency.

The Superintendent appoints members of a **Safety Team** for each school or facility, with input from the District Safety Coordinator and each school's Building Principal. The Building Principal and SRO, if any, shall be members of the Safety Team.

The District Safety Coordinator and each school's Safety Team are responsible for developing, implementing, and maintaining a **SEOCR** with the following objectives as explained in FEMA's *Guide to Developing High-Quality School Emergency Operations Plans (2013)*, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

- **Prevention**, meaning the capabilities needed to avoid, deter, or stop an incident. Prevention requires the use of: (a) research-based principles of safety and security, (b) an ongoing analysis of data (e.g., incident and inspection reports, complaints, suggestions), and (c) an ongoing program for identifying and evaluating unreasonable risks.
- **Protection**, meaning the capabilities needed to secure schools against violence and manmade or natural disasters. Protection focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.
- **Mitigation**, meaning the capabilities needed to reduce the likelihood or impact of an incident or emergency. Mitigation requires, among other things, high-quality training and instruction programs to execute and improve the SEOCR.
- **Response**, meaning the capabilities needed to stabilize an incident, save lives, establish a safe and secure environment, and facilitate the transition to recovery. Effective response requires, among other things, a clear, rapid, factual, and coordinated system of internal and external communication.
- **Recovery**, meaning the capabilities needed to restore the learning environment.

D. Safety Team Meetings

The District Safety Coordinator chairs the Safety Team meetings. The meetings are held as determined by the District Safety Coordinator. **At least once annually, the Safety Team shall request the participation of first responders and the Board Attorney in a meeting to review and provide input.** The following matters are suggested agenda items:

- Review the agenda and determine who will take meeting notes.
- Review the notes from the previous meeting.
- Discuss the status of previously submitted recommendations.
- Receive, review, and discuss individual and Safety Team committee reports and recommendations concerning one or more items below.

The footnotes should be retained.

³ 105 ILCS 5/10-20.6~~87~~ (final-citation-pending), added by P.A. 100-984, eff. 1-1-19.

1. Safety and security data from incidents, investigations, audits, etc.
 2. Recommendations received from stakeholders and first responders
 3. Emerging issues
 4. Status of the SEOCRCP
 5. Status of the safety and security communication system
 6. Status of training programs
 7. Status of programs to build awareness of, and support for, the SEOCRCP (contests, posters, drives, etc.)
- Clarify information and recommendations for a report to the Superintendent.
 - Confirm the Safety Team meeting schedule and review upcoming meeting dates.

E. Annual Safety Review

The District Safety Coordinator facilitates the annual safety review meeting conducted by the School Board or its designee, as required by 105 ILCS 128/25, amended by P.A. 101-455, and 128/30. During the annual safety review, the law requires the School Board or its designee to “review each school building’s emergency and crisis response plans, protocols, and procedures, including procedures regarding the District’s threat assessment team, and each building’s compliance with the school safety drill programs.” If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The District Safety Coordinator assists the Board or its designee to comply with annual review requirements, including without limitation, the completion of a report certifying that the review took place. See ISBE’s website for an annual review checklist and report at www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. The Open Meetings Act (OMA) allows the Board to enter closed session to discuss security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property (5 ILCS 120/2(c)(8), amended by P.A. 99-235). Consult the Board Attorney for assistance with this OMA exception.

F. School Safety Drill Plan

The School Safety Drill Act (105 ILCS 128/, amended by P.A.s 100-996 and 101-455, eff. 1-1-19) and any implementing State administrative rules shall supersede this procedure in the event of a conflict.

The Building Principal shall keep the Superintendent or designee informed of when drills are scheduled and/or accomplished. ISBE’s fillable *School Drill Documentation* form for documenting the completion of minimum drill requirements may be used (see www.isbe.net/Documents/91-02_school_drill_documentation.pdf).

Each academic year, each school building that houses students must conduct a minimum of:

1. **Three school evacuation drills.** These drills prepare students and personnel for situations that occur when conditions outside of a school building are safer than inside a school building. Evacuation may be necessary depending on the circumstances. They may include a fire, suspicious item or person, or incident involving a hazardous material, including but not limited to a chemical, incendiary, explosive, and bomb threat.

One of the three school evacuation drills requires the participation of the appropriate local fire department, unless waived as provided below. A date is selected according to the following timeline:

- No later than **September 1** of each year, the local fire department or fire district must contact the Building Principal in order to make arrangements.
- No later than **September 14** of each year, the Building Principal or designee and the local fire department or fire district may agree to waive the provisions concerning participation by the local fire department in a school evacuation drill.
- No later than **September 15** of each year, each Building Principal or designee must contact the responding local fire official and propose to the local fire official four dates within the month of October, during at least two different weeks of October, on which to hold the drill. The fire official may choose any of the four available dates, and if he or she does so, the drill occurs on that date.
- Alternatively, the Building Principal or designee and the local fire official may, by mutual agreement, set any other date for the drill, including a date outside of the month of October.
- If the fire official does not select one of the four offered dates in October or set another date by mutual agreement, the school does not need to include the local fire service in one of its mandatory school evacuation drills.

After a drill in which the local fire service participated, the Building Principal should request certification from the local fire service that the school evacuation drill was conducted. Additional school evacuation drills for fire incidents may involve the participation of the appropriate local fire department. In addition, schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation, suspicious items or bomb threats.

2. **One school bus evacuation drill.** This drill prepares students and school personnel for situations that occur when conditions outside of the bus are safer than inside the bus. Evacuation may be necessary, depending on the circumstances, in the event of a fire, suspicious items, and incidents involving hazardous materials. Schools may conduct additional bus evacuation drills.

In addition, instruction on safe bus riding practices should be provided for all students. See 4:110-AP3, *School Bus Safety Rules*.

3. **One severe weather and shelter-in-place drill.** This drill prepares students for situations involving severe weather emergencies or the release of external gas or chemicals. Severe weather and shelter-in-place drills must address and prepare students and school personnel for possible tornado incidents. Other drills shall be based on the needs and environment of particular communities, including severe weather (such as tornadoes, wind shears, lightning, and earthquakes), incidents involving hazardous materials, and incidents involving weapons of mass destruction.
4. **One law enforcement drill.**⁴ This drill addresses a school shooting incident and evaluates the preparedness of school personnel and students for situations calling for the involvement of law enforcement when there is an active threat or an active shooter within a school building. A law enforcement drill must occur no later than 90 days after the first day of each school year. This drill must be conducted: (a) according to the District's emergency operations and crisis response plan(s), (b) on days and times when students are normally present in the school building, and (c) with the participation of all school personnel and

The footnotes should be retained.

⁴ 105 ILCS 128/20(c), amended by P.A. 100-996, eff. 1-1-19.

students present at school at the time of the drill, except for those exempted at the discretion of administrators or school support personnel. The appropriate local law enforcement agency must observe administration of the drill. In addition, a law enforcement drill must meet each of the following criteria:

- During each calendar year, the appropriate local law enforcement agency contacts the Building Principal to request participation in the law enforcement drill. The Building Principal and the local law enforcement agency shall set, by mutual agreement, a date for the drill.
- The drill involves the onsite participation of the local law enforcement agency, provided that an agreeable date can be reached between the Building Principal and the local law enforcement agency. If the parties cannot reach an agreeable date, the school shall hold the drill without participation from the local law enforcement agency.
- After a drill in which local law enforcement participated, the Building Principal should request a certification from local law enforcement that the law enforcement drill was conducted. The local law enforcement agency shall also notify the school of any deficiencies noted during the drill.

The District Safety Coordinator, in cooperation with the Building Principal, shall encourage local law enforcement agencies to establish a school walk-through program. This program encourages local law enforcement officials to walk through school properties during their patrols with the goal of increasing security (school districts are encouraged, but not mandated, to do this by House Resolution 153 (98th General Assembly, 2013)).

G. School Emergency Operations and Crisis Response Plan (SEOCR)

Each Safety Team shall develop, implement, and maintain a SEOCR using the process below, as explained in FEMA's *Guide to Developing High-Quality School Emergency Operations Plans (2013)*, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

1. Develop a schedule and invite the participation of first responders.
2. Identify threats and hazards, assess risks, and prioritize threats and hazards.
3. Determine goals and objectives.
4. Develop, review, evaluate, and maintain the SEOCR.
5. Share the SEOCR with stakeholders and train them. This includes, without limitation, having the SEOCR accessible in a digital format.

Each SEOCR shall be in the format suggested by and explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013)*, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. See the **Attachment** to this procedure.

H. Material to be Included in Each SEOCR

Each school Safety Team annually gathers and/or renews the following material for inclusion in the SEOCR:

1. District-level Targeted School Violence Prevention Plan. See Board policy 4:190, Targeted School Violence Prevention Program, and 4:190-AP1, Targeted School Violence Prevention Program.
2. Building-level Threat Assessment Team procedures. See 4:190-AP2, Threat Assessment Team (TAT).

- ~~1.3.~~ Building evacuation protocol. The Building Principal or designee shall: (a) keep a comprehensive evacuation map - describing main and alternate routes - in the main office, (b) post signs containing main and alternate evacuation routes for each occupied area in a conspicuous place, preferably near the exit, (c) prepare evacuation plans for outdoor areas (playgrounds and stadiums), and (d) keep all staff informed of the evacuation plans.
- ~~2.4.~~ Documents concerning safety drills. The Principal shall schedule, execute, and document safety drills as per the School Safety Drill Act (105 ILCS 128/, amended by P.A.s 100-996 and 101-455, eff. 1-1-19) and this procedure.
- ~~3.5.~~ Maps and layouts, including: (a) campus map, (b) building floor plan, (c) location of first aid kits, AEDs, and fire extinguishers, and (d) map or plan describing the areas to be used in the event of an emergency or crisis for triage, emergency helicopter landing, media center, non-victim students, and parents/guardians. The Safety Team or Principal shall annually give a copy of these to first responders.
- ~~4.6.~~ A protocol to secure a list of people present in the building at any time.
- ~~5.7.~~ Tornado response plan, including a map showing tornado wall locations (105 ILCS 128/25).
- ~~6.8.~~ Carbon monoxide alarm or detector activation plans, protocols and procedures (105 ILCS 5/10-20.57, amended by P.A. 99-470, and 430 ILCS 135/).
- ~~7.9.~~ The safety equipment's maintenance schedule and the person(s) responsible.
- ~~8.10.~~ An emergency early dismissal protocol.
- ~~9.11.~~ A plan for inviting warnings or tips, e.g., a hotline or website for individuals to make anonymous tips.
- ~~10.12.~~ A protocol for student supervision in the event of an emergency or crisis.
- ~~11.13.~~ A safety patrol plan (105 ILCS 5/10-22.28).
- ~~12.14.~~ Bicycle use rules.
- ~~13.15.~~ Roadway and parking rules.
- ~~14.16.~~ Procedures on student illness and injuries at school and school events (23 Ill.Admin.Code §1.530(c)).
- ~~15.17.~~ A plan for giving students instructions on safe school bus riding practices, including the operation and use of emergency doors and windows (as a means of escape), seat belts, and fire extinguisher (105 ILCS 128/20(b)). The District's parent-teacher advisory committee, in cooperation with school bus personnel, establishes and maintains bus safety rules (105 ILCS 5/10-20.14). See 4:110-AP3, *School Bus Safety Rules*.
- ~~16.19.~~ The location of any door security locking means and the use of the locking and unlocking means from within and outside the room(s) (105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-548).
- ~~17.20.~~ Other documents identified by the Safety Team.

I. Managing Communications During and About an Emergency or Crisis

The District Safety Coordinator, with assistance from the Safety Team, is responsible for compiling information and preparing communications concerning an emergency or crisis. The

District Safety Coordinator serves as the spokesperson during a crisis or emergency. All District communications should come from this source to ensure accuracy, creditability, and compliance with laws granting confidentiality to student records.

The spokesperson shall follow best practices for spokespersons during an emergency or crisis and receive training on public relations. The Board Attorney serves as a resource to the spokesperson. The objective is:

- To provide the maximum amount of verified information to staff members, students' family members, and the media as quickly as possible,
- While simultaneously respecting student privacy and complying with laws granting confidentiality to student records (Ill. School Student Records Act, 105 ILCS 10/; Family Educational Rights and Privacy Act, 20 U.S.C. §1232g). See 7:340-AP1, *School Student Records*.

All staff members are requested to refrain from spreading information about an emergency or crisis unless the information is from the District Safety Coordinator. All inquiries should be directed to the spokesperson.

Everyone in the school community can positively affect an emergency or crisis situation by:

1. Avoiding speculation as to the cause.
2. Avoiding allocation of blame.
3. Helping school and law enforcement officials gather the facts.
4. Sticking to the facts during discussions.
5. Deferring all media requests to the spokesperson.
6. Comforting and supporting each other.

J. Required Notices

A school staff member shall immediately notify the Building Principal when he or she:

1. Observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision. 105 ILCS 5/10-27.1A(a).
2. Has reason to suspect that any person on school grounds is or was involved in a drug-related incident. 105 ILCS 5/10-27.1B.
3. Observes an attack on any staff member or is subject to an attack. 105 ILCS 5/10-21.7

Upon receiving a report on any of the above, the Building Principal or designee shall immediately notify local law enforcement. See 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*. In addition, he or she must notify the Superintendent and, within one to three days of the incident's occurrence, one or both of them must notify the Ill. Dept. of State Police (ISP). Notification to the ISP may be accomplished using ISBE's web-based School Incident Reporting System (SIRS) to report incidents electronically. SIRS is available at www.isbe.net/Pages/School-Incident-Reporting-System.aspx or by going to ISBE's home page and accessing the District's Web Application Security (IWAS) account.

K. Resources

Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center;
Guides for Developing Emergency Operations Plans www.rems.ed.gov/EOPGuides.aspx

Guide for Developing High-Quality School Emergency Operations Plans: At a Glance
www.rems.ed.gov/K12GuideForDevelHQSchool.aspx

Guide for Developing High-Quality School Emergency Operations Plans
www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf

Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center
www.rems.ed.gov/toolbox.aspx

ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Training Institute www.alicetraining.com

SBE/OSFM All Hazard Preparedness Guide for Illinois Schools www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx

Illinois Emergency Management Agency (IEMA) www2.illinois.gov/ready/Pages/default.aspx

Schools/Campus - Resources <https://www2.illinois.gov/ready/plan/Pages/Schools.aspx>

School Safety Information Sharing Program (SSISP)
www2.illinois.gov/ready/plan/Pages/Schools.aspx

Illinois Terrorism Task Force www2.illinois.gov/iema/ITTF/Pages/default.aspx

National Association of School Psychologists (NASP) - Recommendations for Comprehensive School Safety Policies www.nasponline.org/resources-and-publications/resources/school-safety-and-crisis

U.S. Secret Service (USSS) Active Shooter Related Research Prior Knowledge of Potential School-Based Violence: Information Students Learn May Prevent a Targeted Attack
www.secretservice.gov/data/protection/ntac/bystander_study.pdf

Bomb Threat Response Planning Tool, developed by the U.S. Dept. of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives and the U.S. Dept. of Education's Office of Safe and Drug Free Schools www.threatplan.org/default.htm

School Crisis Guide - Help and Healing in a Time of Crisis, published by NEA Health Information Network healthyfutures.nea.org/wp-content/uploads/2015/05/schoolcrisisguide.pdf www.nea.org/assets/docs/NEA%20School%20Crisis%20Guide%202018.pdf <http://nvasb.org/assets/handout-nea-school-crisis-guide.pdf>

Attachment **A**

School Emergency Operations and Crisis Response Plan Format

Basic Plan

- | | |
|--|---|
| 1. Introductory Material | 3. <u>Concept of Operations</u> |
| 1.1 Promulgation Document and Signatures | 4. <u>Organization and Assignment of Responsibilities</u> |
| 1.2 Approval and Implementation | 5. <u>Direction, Control, and Coordination</u> |
| 1.3 Record of Changes | 6. <u>Information Collection, Analysis, and Dissemination</u> |
| 1.4 Record of Distribution | 7. <u>Training and Exercises</u> |
| 1.5 Table of Contents | 8. <u>Administration, Finance, and Logistics</u> |
| 2. Purpose, Scope, Situation Overview, and Assumptions | 9. <u>Plan Development and Maintenance</u> |
| 2.1 Purpose | 10. <u>Authorities and References</u> |
| 2.2 Scope | |
| 2.3 Situation Overview | |
| 2.4 <u>Planning Assumptions</u> | |

Functional Annexes

Note: This is not a complete list, but it is recommended that all SEOCRPs include at least the following functional annexes:

- | | |
|-------------------------------|------------------------------------|
| 1. Communications | 6. Reunification |
| 2. Evacuation | 7. Continuity of Operations (COOP) |
| 3. Shelter-in-Place | 8. Security |
| 4. Lockdown | 9. Recovery |
| 5. Accounting for All Persons | 10. Health and Medical |

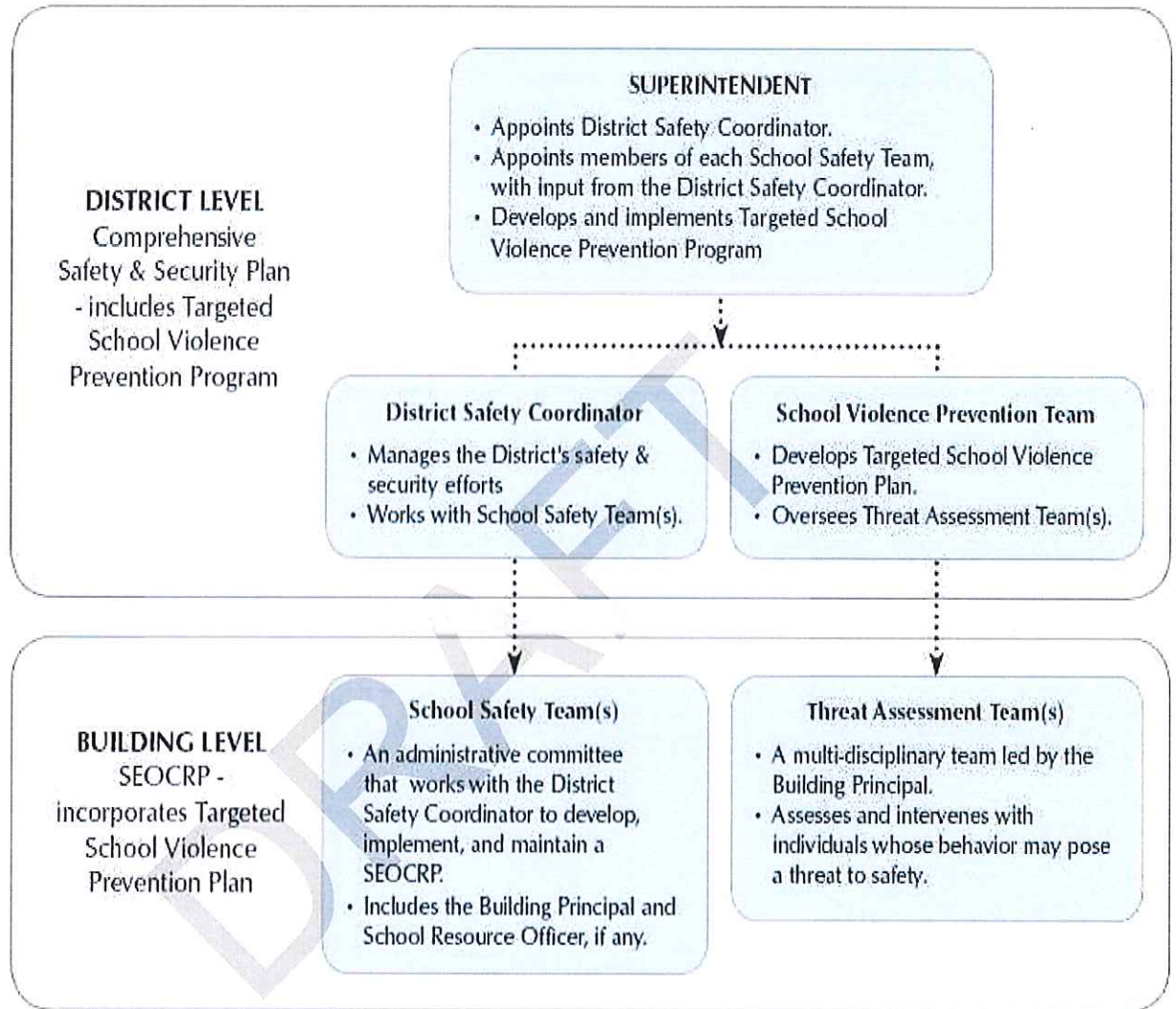
Threat- or Hazard-Specific Annexes

Note: This is not a complete list. Each school's annexes will vary based on its hazard analysis.

- | | |
|---------------------------------|---------------------------------|
| 1. Hurricane or Severe Storm | 5. Mass Casualty Incident |
| 2. Earthquake | 6. Active Shooter |
| 3. Tornado | 7. Pandemic or Disease Outbreak |
| 4. Hazardous Materials Incident | |

Attachment B

Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program



Operational Services

Convicted Child Sex Offender; Screening; Notifications ¹

Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions: ²

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the School Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child's vicinity.³ If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school. ⁴

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

¹ The topic covered by this policy was previously a part of 4:170, *Safety*.

² ~~The Criminal Code, 720 ILCS 5/11-9.3,~~ contains these requirements concerning a child sex offender's presence on school property. An Illinois federal court denied a father's request to enjoin a school's policy that prohibited him, as a child sex offender, from attending his children's school activities in *Doe v. Paris Union School Dist.*, No. 05-2249, 2006 WL 44304 (C.D.Ill., 2006). -See also 8:30, *Visitors to and Conduct on School Property*.

³ 720 ILCS 5/11-9.3(a). The statute assigns the child sex offender the "duty to remain under the direct supervision of a school official." In order to ensure this happens and to protect students, the sample policy requires the superintendent or designee to supervise a child sex offender whenever the offender is in a child's vicinity. See also 8:30, *Visitors to and Conduct on School Property*.

⁴ Aside from rumor and notoriety, there are three ways that school officials may learn that an enrolled student is a sex offender or a violent offender against youth:

1. By being informed by the student or the student's parent/guardian.
2. Through the Illinois Dept. of State Police (ISP) Sex Offender Registry, www.isp.state.il.us/sor. A juvenile sex offender is listed there after the juvenile becomes 17 years old and will be listed for the remaining registration period. (730 ILCS 150/2). The database is updated daily and allows searching by name, city, county, zip code, compliance status, or any combination thereof.
3. By receiving notification from a law enforcement agency that a juvenile sex offender or juvenile violent offender against youth is enrolled in a school. The law enforcement agency having jurisdiction to register the juvenile must provide a copy of the offender registration form to the building principal and guidance counselor designated by the principal; the school must keep the registration form separately from the student's school records. (730 ILCS 152/121(b)).

If a sex offender is enrolled in a school, guidelines for managing the sex offender's presence in school should be prepared. The components will depend on the situation but generally should include asking the parent/guardian of a sex offender below the age of 17 years for permission to share the information with certain staff for the protection of both the student and other students. In addition, the guidelines should include a supervision plan providing supervision for the student during all aspects of his or her school day. Finally, the guidelines must respect the privacy of juvenile records and comply with the Ill. School Student Records Act. (105 ILCS 10/). The board attorney should be consulted.

Screening 5

The Superintendent or designee shall perform fingerprint-based criminal history records information checks and/or screenings required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. He or she shall take appropriate action based on the result of any criminal background check and/or screen. 6

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law.⁷ The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender

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

⁵ The law is silent with regard to *screening* volunteers and individuals in the proximity of a school. Screening and *fingerprint-based criminal history records checks* are different. See procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*, for further distinctions.

The School Code requires school districts to perform a *fingerprint-based criminal history records check* through (a) the ~~Illinois State Police (ISP)~~ for an individual's Criminal History Records Information (CHRI) and (b) the Federal Bureau of Investigation's national crime information databases, (105 ILCS 5/10-21.9(a), (a-5) and (a-6), amended by P.A. 101-531).

Screening only involves checking an individual's name and address against publicly-available databases and information provided for local law enforcement like the: (1) Illinois Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the ~~ISP/State Police~~, www.isp.state.il.us/cmvo/. Screening must be done for employment applicants and repeatedly at least once every five years that an individual remains employed by the district. 105 ILCS 5/10-21.9(a-5) and (a-6), amended by P.A. 101-531. See policy 5:30, Hiring Process and Criteria; procedure 5:30-AP2, Investigations; policy 6:250, Community Resource Person and Volunteers; and procedure 6:250-AP, Securing and Screening Resource Persons and Volunteers.

⁶ If permitted by federal or State law, when a fingerprint-based criminal history records check returns a conviction of a crime set forth in 105 ILCS 5/21B-80 or when a screening finds a registration for an individual licensed by the Ill. State Board of Education (ISBE), the superintendent or regional superintendent must notify the ISBE Superintendent in writing within 15 business days. 105 ILCS 5/21.9(e), amended by P.A. 101-531. Contact the board attorney for guidance regarding disclosures permitted by federal or State law.

If an indicated report by the Ill. Dept. of Children and Family Services or by a child welfare agency of another jurisdiction is found, the board must consider the individual's status as a condition of student teaching or employment. 105 ILCS 5/10-21.9(c) and (g), amended by P.A. 101-531. The statute does bar an individual with an indicated finding from student teaching; however, that is the most logical interpretation.

⁷ Sex Offender Community Notification Law, 730 ILCS 152/; ~~and~~ Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-~~154/105~~. Law enforcement officials must notify school districts of the names, addresses, and offenses of registered offenders residing in their respective jurisdictions who have committed sex offenses and violent offenses against youth, (730 ILCS 152/120 and 154/95). These laws are silent with regard to what, if anything, districts do with the information. The Sex Offender Community Notification Law, however, provides immunity for "any person who provides, or fails to provide, information relevant to the procedures set forth in this Law." (730 ILCS 152/130).

Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person, and boards may wish to have a contact person from each building. See administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*, for implementing procedures.

Upon arrest after commencement of a prosecution for a sex offense against an individual known to be a school employee, the State's Attorney must provide the superintendent or school administrator of the employing school with a copy of the complaint, information, or indictment. 725 ILCS 5/111-1(e), added by P.A. 101-521.

Community Notification Law.-⁸ This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

LEGAL REF.: 20 ILCS 2635/, Uniform Conviction Information Act.
720 ILCS 5/11-9.3.
730 ILCS 152/, Sex Offender Community Notification Law.
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community Notification Law.

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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

⁸ State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law, ~~730 ILCS 152/~~. In an effort to keep this policy aligned with good governance practices, the responsibility is given to the superintendent and building principal to manage. While State law allows the notification to be made during registration or parent-teacher conferences, the sample policy makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

Operational Services

Administrative Procedure - Criminal Offender Notification Laws; Screening

Laws Protecting Students on School Grounds

The following list describes laws protecting students on school grounds from individuals convicted of serious crimes:

1. A child sex offender is prohibited from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present unless specifically permitted by statute. (720 ILCS 5/11-9.3). See School Board policies 4:175, *Convicted Child Sex Offender; Screening; Notifications*; 8:30, *Visitors to and Conduct on School Property*; and administrative procedure 8:30-AP, *Definition of Child Sex Offender*.
2. Law enforcement must notify schools of offenders who reside or are employed in the county. See: (a) Sex Offender Community Notification Law, 730 ILCS 152/ and (b) Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-154/105. These laws are hereafter referred to as “offender notification laws.” See also policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

The School Code (105 ILCS 5/10-21.9, 5/21B-5 and 5/21B-80) lists criminal offenses that disqualify an individual from District employment if the individual was convicted. 105 ILCS 5/20-21.9 requires any person hired by the District to submit to a fingerprint-based criminal history records check through (a) the Illinois Dept. of State Police (ISP) for an individual’s Criminal History Records Information (CHRI), and (b) the Federal Bureau of Investigation (FBI)’s national crime information databases. The law also requires a school district to initially check two publicly-available Illinois offender databases for each applicant being considered for hire and, if hired, repeatedly at least once every five years that an individual remains employed by the District, which are (a) the Statewide Sex Offender Registry, www.isp.state.il.us/sor/, and (b) the Statewide Murderer and Violent Offender Against Youth Registry, www.isp.state.il.us/cmvo/. Obtaining the results of the fingerprint-based criminal history records check and review of the database registries is a *complete criminal history records check* as required by the School Code. See ~~Board~~ policy 5:30, *Hiring Process and Criteria*; administrative procedure 5:30-AP2, *Investigations*; and ISBE’s non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf

3. **Note:** A District may also check the National Sex Offender Public Website Registry, www.nsopw.gov/www.nsopr.gov; however, the same information will likely appear in the information furnished by the FBI.
4. The provisions in the School Code described above also apply to employees of persons or firms holding contracts with a school district who have direct, daily contact with students. (105 ILCS 5/10-21.9(f)). See administrative procedures 4:60-AP3, *Criminal History Records Check of Contractor Employees*; and 5:30-AP2, *Investigations*.

The footnotes should be removed before the material is used

1 105 ILCS 5/10-21.9(a-5) and (a-6), amended by P.A. 101-531. Note: the statute uses the term applicant even though a person who “remains employed by the school district” is commonly referred to as an employee.

5. Being charged with attempting to commit, conspiring to commit, soliciting, or committing any offense listed in 105 ILCS 5/21B-80(b-5) results in the automatic suspension or revocation of the individual's license until the individual's criminal charges are adjudicated through a court of competent jurisdiction. If the individual is acquitted, his or her license or application shall be immediately reinstated. ²

5.6. Conviction of an offense listed in 105 ILCS 5/21B-80(c) results in the automatic suspension or revocation of the individual's license. Conviction of an offense listed in 105 ILCS 5/21B-80(b), depending upon whether the individual's sentence has been satisfactorily completed and seven years have passed since that date, may result in automatic suspension or revocation of the individual's license.

6.7. The offender notification laws require law enforcement to ascertain whether a juvenile sex offender or violent offender against youth is enrolled in a school and, if so, to provide a copy of the registration form to the Building Principal and any guidance counselor designated by him or her. This registration form must be kept separately from any and all school records maintained on behalf of the juvenile sex offender. See Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

Receipt of Information from Law Enforcement ³

Offender Notification Laws: The Superintendent or designee shall notify the local law enforcement official or county sheriff that he or she is the District's official contact person for purposes of the offender notification laws.⁴ The Superintendent and/or Building Principal may at any time request information from law enforcement officials regarding sex offenders or violent offenders against youth.

The Superintendent will provide Building Principals and other supervisors with a copy of all lists received from law enforcement officials containing the names and addresses of sex offenders and violent offenders against youth.

The Building Principal or designee shall provide the lists to staff members in his or her building on a need-to-know basis, but in any event:

- A teacher will be told if one of his or her students, or a student's parent/guardian, is on a list.
- The school counselor, nurse, social worker, or other school service personnel will be told if a student or the parent/guardian of a student for whom he or she provides services is on a list.

No person receiving a list shall provide it to any other person, except as provided in these procedures, State law,⁵ or as authorized by the Superintendent. Requests for information should be referred to the local law enforcement officials or State Police.

The footnotes should be removed before the material is used

² 105 ILCS 5/21B-80(b-5), added by P.A. 101-531.

³ The law is silent with regard to what, if anything, districts do with the information (except for records provided to a school district by a state's attorney's office under the Juvenile Court Act at 705 ILCS 405/5-901(8)). It does, however, provide that "any person who provides, or fails to provide, information relevant to the procedures set forth in this Law shall not be liable in any civil or criminal action;" (730 ILCS 152/130).

⁴ Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person and the superintendent may wish to have a contact person from each building.

⁵ The list of child sex offenders may be a *public record* subject to disclosure under the Illinois Freedom of Information Act. (5 ILCS 140/1-et-seq-). Consult the board attorney when a request is made using this Act.

Juvenile Delinquency Adjudication Notifications: The Superintendent or designee shall contact the Juvenile Division of the County State’s Attorney Office(s) having jurisdiction over the District’s school(s) to discuss how the State’s Attorney shall inform the Superintendent or designee of any students adjudicated as delinquent minors for offenses that would be felonies and/or certain weapons offenses under the Criminal Code of 2012. ~~(705 ILCS 405/5-901(8)).~~ The Superintendent and/or designee(s) shall ensure the dissemination of such information is limited to the Building Principal and any guidance counselor designated by the Building Principal. ~~(Id.)~~

Informing Staff Members and Parents/Guardians About the Law ⁶

Building Principals or their designees shall inform parents/guardians about the availability of information concerning sex offenders during school registration and, if feasible, during parent-teacher conferences. Information should be distributed about the Statewide Sex Offender Registry, www.isp.state.il.us/sor/, and the Statewide Murderer and Violent Offender Against Youth Registry, www.isp.state.il.us/cmvo/. Information may also be included in the Student Handbook. See the Sex Offender Community Notification Law, 730 ILCS 152/, and exhibit 4:175-API, E1, *Informing Parents/Guardians About Offender Community Notification Laws*.

Requests for additional information shall be referred to local law enforcement officials.

Screening Individuals Who Are Likely to Have Contact with Students at School or School Events ⁷

The law is silent with regard to *screening* volunteers and individuals in the proximity of a school. *Screening* is not the same as the School Code’s requirement to perform a *fingerprint-based criminal history records check* through (a) the ~~Illinois State Police (ISP)~~ for an individual’s *Criminal History Records Information (CHRI)*, and (b) the FBI’s national crime information databases. ~~(105 ILCS 5/10-21.9).~~

Screening involves checking an individual’s name and address against the: (1) ~~Illinois~~ Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the State Police, www.isp.state.il.us/cmvo/. 105 ILCS 5/10-21.9(a-5), (a-6).

1. For employees and student teachers, the Superintendent or Building Principal(s):
 - a. Completes the required forms to request the *fingerprint-based criminal history records check*; see 5:30-AP2, *Investigations*. 105 ILCS 5/10-21.9(a).
 - b. *Screens* the individual’s name and address against the: (1) ~~Illinois~~ Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the State Police, www.isp.state.il.us/cmvo/. 105 ILCS 5/10-21.9(a-5), (a-6). This screening must be done for applicants being considered for hire and, if hired, repeatedly at least once every five years that an individual remains employed by the District. ⁸

~~The footnotes should be removed before the material is used~~

⁶ State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law, (730 ILCS 152/101 *et seq.*). ~~(730 ILCS 152/120(g)).~~ While State law allows the notification to be made during registration *or* parent-teacher conferences, the sample procedure makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

⁷ The law is silent with regard to screening volunteers and individuals in the proximity of a school. *Screening* is not the same as the School Code’s requirement to perform a *fingerprint-based criminal history records check* through (a) the ~~Illinois State Police (ISP)~~ for an individual’s *Criminal History Records Information (CHRI)*, and (b) the FBI’s national crime information databases. ~~(105 ILCS 5/10-21.9).~~

⁸ See *f/n 1*.

- c. Reviews the lists of sex offenders and violent offenders against youth as the lists are received from law enforcement. If a match is found, the Superintendent immediately contacts the local police officials to confirm or disprove the match. The Superintendent immediately notifies the Board if a match is confirmed. The Board President will contact the Board Attorney and the Board will take the appropriate action to comply with State law that may include terminating the individual's employment.
- d. May request the individual to authorize a clearance of his or her name through the Ill. Dept. Of Children and Family Services (DCFS) CANTS system. This check documents that the person does not have an indicated report or record on DCFS' registry of child abuse and/or neglect. 325 ILCS 5/11.1(a)(11) and (c). Clearances must be requested using the DCFS form at www.dhs.state.il.us/page.aspx?item=48125. [www.illinois.gov/defcs/aboutus/notices/Documents/efs-689-authorization-for-background-check-for-programs-not-licensed-by-defcs-\(fillable\).pdf](http://www.illinois.gov/defcs/aboutus/notices/Documents/efs-689-authorization-for-background-check-for-programs-not-licensed-by-defcs-(fillable).pdf).
If an indicated report by DCFS or by a child welfare agency of another jurisdiction is found, the Board must consider the individual's status as a condition of employment.
eContact the Board Attorney for guidance.
- c. Notifies the State Superintendent of Education in writing within 15 business days when a fingerprint-based criminal history records check returns a conviction of a crime set forth in 105 ILCS 5/21B-80 or when a publicly-available Illinois offender database check finds a registration. 10

2. For students doing field or clinical experience other than student teaching, the Superintendent or Building Principal(s):
 - a. May require the same fingerprint-based criminal history records check required of student teachers. The cost of this check will be reimbursed by the student seeking the experience.
 - b. Performs the responsibilities listed in 1. b. & c., above.
3. For volunteers, see 6:250-AP, *Securing and Screening Resource Persons and Volunteers*. The Superintendent or Building Principal(s):
 - a. May require the same fingerprint-based criminal history records check required of student teachers.
 - b. Performs the responsibilities listed in 1. b. & c., above.
4. For contractors' employees, see 4:60-AP3, *Criminal History Records Check of Contractor Employees*; 5:30-AP2, *Investigations*.
5. For individuals in the proximity of a school or bus stop, the Building Principal(s) review(s) the lists of sex offenders and violent offenders against youth as they are received from law enforcement. The Building Principal or designee shall: (a) notify staff members according to the section of this procedure on **Receipt of the Information from Law Enforcement**, and (b) attempt to alter school bus stops and the route students travel to and from school in order to avoid contact with an individual on such a list.

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9 105 ILCS 5/10-21.9(c) and (g), amended by P.A. 101-531.
10 105 ILCS 5/10-21.9(e), amended by P.A. 101-531.

CROSS REF.: 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property)

ADMIN. PROC.: 4:60-AP3 (Criminal History Records Check of Contractor Employees), 4:175-API, E1 (Informing Parents/Guardians About Offender Community Notification Laws), 5:30-AP2 (Investigations), 6:250-AP (Securing and Screening Resource Persons and Volunteers), 6:250-E (Resource Person and Volunteer Information Form and Waiver of Liability), 8:30-AP (Definition of Child Sex Offender), 8:30-E1 (Letter to Parent Regarding Visits to School by Child Sex Offenders), 8:30-E2 (Child Sex Offender's Request for Permission to Visit School Property)

Operational Services

Targeted School Violence Prevention Program¹

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment.

The Superintendent or designee shall develop and implement the Program.² The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

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

¹ While this sample policy is optional, 105 ILCS 128/45, added by P.A. 101-455, requires school districts to implement a threat assessment procedure by 12-6-19 that may be part of a school board targeted school violence prevention policy. Thus, regardless of whether the board adopts a policy, an administrative procedure must exist to comply with the law. See the first sentence in *f/n 2* below. It contains items from *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Second Edition (August 2016), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: www.dcss.virginia.gov/sites/dcss.virginia.gov/files/publications/law-enforcement/threat-assessment-model-policies-procedures-and-guidelinespdf.pdf. *Threat Assessment in Virginia Public Schools* is based upon a synthesis of established research and recognized standards of practice regarding threat assessment and management in school and workplace settings, including *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, a 2002 publication of the U.S. Secret Service and the U.S. Dept. of Education, at: www.secretservice.gov/data/protection/ntac/ssi_guide.pdf. The July 2018 update of this document was renamed *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: www.dhs.gov/sites/default/files/publications/18_0711_USSS_NTAC-Enhancing-School-Safety-Guide.pdf.

Boards are authorized to adopt a policy on targeted school violence prevention programs even though State and federal law provide little guidance. State law grants boards broad authority to formulate, adopt, and modify school board policies, at the board's sole discretion, subject only to mandatory collective bargaining agreements and State and federal law. 105 ILCS 5/10-20.5 and 115 ILCS 5/1 et seq. See policies 2:20, *Powers and Duties of the School Board: Indemnification*, and 2:240, *Board Policy Development*.

Adopting a policy that addresses targeted school violence prevention provides (a) a way for boards to monitor that it is being done, and (b) an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Before adoption of this policy, each board may want to have a conversation with the superintendent to determine whether how local conditions and resources and current practices will support the full implementation requirements of 105 ILCS 128/45, added by P.A. 101-455 this policy and its accompanying administrative procedures. Its goals and program will be most effective when they reflect local conditions and circumstances.

² To balance the requirement to implement a threat assessment procedure (105 ILCS 128/45, added by P.A. 101-455) with the practicalities of managing a district and to align with the best practices outlined in IASB's *Foundational Principles of Effective Governance* (www.iasb.com/principles_popup.efmwww.iasb.com/pdf/found_prin.pdf), this sentence delegates the duty to implement a procedure to the superintendent. See 4:190-API, *Targeted School Violence Prevention Program*, for a sample implementation procedure. Ensuring school safety begins with establishing a comprehensive targeted school violence prevention program, which "includes forming a multidisciplinary threat assessment team, establishing central reporting mechanisms, identifying behaviors of concern, defining the threshold for law enforcement intervention, identifying risk management strategies, promoting safe school climates, and providing training to stakeholders." *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: www.dhs.gov/sites/default/files/publications/18_0711_USSS_NTAC-Enhancing-School-Safety-Guide.pdf.

1. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s).³
2. Establish Building-level Threat Assessment Team(s)⁴ to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
3. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors.⁵

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-21.7, 5/10-27.1A, 5/10-27.1B, 5/24-24, and 5/27-23.7.
105 ILCS 128/, School Safety Drill Act.
745 ILCS 10/, Local Governmental and Governmental Employees Tort Immunity Act.
29 Ill.Admin.Code Part 1500.

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), [6:270 \(Guidance and Counseling Program\)](#), 7:140 (Search and Seizure), ~~6:270 (Guidance and Counseling Program)~~, 7:150 (Agency and Police Interviews), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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

³ The establishment of threat assessment teams in K-12 public schools is Recommendation #1 of the *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, presented to the Office of the Governor on 4-5-18, at: www.iasb.com/safety/. Illinois higher education institutions have required threat assessment teams since the passage of the Campus Security Enhancement Act of 2008 (110 ILCS 12/20(b)(2), eff. 1-1-09) in response to the shootings that took place at Virginia Polytechnic Institute and State University on 4-16-07 and Northern Illinois University on 2-14-08.

⁴ 105 ILCS 128/45, added by P.A. 101-455, requires school districts to establish a threat assessment team by 2-19-20. If a school district is unable to establish a threat assessment team with school district staff and resources, it may use a regional behavioral threat assessment and intervention team. Id. See 4:190-AP2, *Threat Assessment Team (TAT)*, and its accompanying exhibits for further information on threat assessment teams and how to connect with a regional behavioral threat assessment team.

⁵ Consult the board attorney for guidance concerning liability in this area. Except for cases of willful and wanton conduct, the Local Governmental and Governmental Employees Tort Immunity Act (TIA) likely protects districts from liability for failure to properly identify and/or respond to a student's behavior that results in injury or suicide. See 745 ILCS 10/3-108 and *Grant v. Board of Trustees of Valley View School Dist. No. 365-U*, 286 Ill.App.3d 642 (3rd Dist. 1997). Every situation is fact specific, and the issues require careful evaluation. A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its board attorney, to minimize liability, such as adding limiting phrases and ensuring other policies are followed.

In addition to the TIA, school officials and districts may also be entitled to qualified immunity in civil rights lawsuits that seek to hold them liable for a suicide. For further discussion, see fn 13 in policy 7:290, *Suicide and Depression Awareness and Prevention*.

Operational Services

Administrative Procedure - Threat Assessment Team (TAT) ¹

This procedure implements Threat Assessment Teams (TATs). TAT members are professional educators, mental health professionals, law enforcement professionals, and professionals from other disciplines as necessary who are trained in behavioral threat assessment. See p. 3 of 4:190-AP1, *Targeted School Violence Prevention Program*, for authority encouraging the establishment of TATs.

TATs function at the Building level, taking direction from the District-level School Violence Prevention Team. They address potential or developing threatening behavior exhibited not only by students, but from a broad range of individuals affecting the District environment, including: ²

- Students: current and former (and potentially prospective)
- Employees: current and former (and potentially prospective)
- Parents/guardians of students
- Persons who are (or have been) in relationships with staff or students
- Contractors, vendors or other visitors
- Unaffiliated persons

Customize this procedure to each TAT's building-specific needs, and use it in conjunction with 4:190-AP1, *Targeted School Violence Prevention Program*; 4:190-AP2, E1, *Principles of Threat Assessment*; 4:190-AP2, E2, *Threat Assessment Documentation*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*. This procedure contains five sections as follows:

1. Glossary of Terms
2. TAT Formation, Development, and Responsibilities
3. Assessing and Classifying Threats
4. Responding to and Managing Threats
5. Reporting Threats to Outside Agencies

Glossary of Terms

Subject of Concern (Subject) – an individual who has been identified to pose a threat of violence or serious harm to self/others.

Target – an individual who is the intended target of the threat posed by the subject of concern.

Threat Assessment – A fact-based process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially dangerous or violent individuals/situations, to assess them, and to manage/address them.

Threat Assessment Team (TAT) – A multidisciplinary Building-level team lead by the Building Principal to perform specific threat assessments that, if available to serve, must include the following

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¹ Required by 105 ILCS 128/45, added by P.A. 101-455. School districts must implement a threat assessment procedure by 12-6-19 and establish a threat assessment team by 2-19-20. Id.

Adapted from *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Second Edition (2016), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/threat-assessment-model-policies-procedures-and-guidelinespdf.pdf.

² See *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, p. 2.

members: an administrator, a teacher, a school counselor, a school psychologist, a school social worker, and at least one law enforcement official. ³

TAT Triage Team – Consists of at least two members of the TAT designated by the Building Principal to triage reported cases of threatening behavior. Screens cases to determine if sufficient resources exist to address concerns or if review and/or action by the full TAT is appropriate.

Types of Threats –

Low-Risk Threat: Subject/situation does not appear to pose a threat of violence or serious harm to self/others, and any exhibited issues/concerns can be resolved easily.

Moderate-Risk Threat: Subject/situation does not appear to pose a threat of violence or serious harm to self/others at this time, but exhibits behaviors that indicate a continuing intent and potential for future violence or serious harm to self/others, and/or exhibits other concerning behaviors that require intervention.

High-Risk Threat: Subject/situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan, and may also exhibit other concerning behaviors that require intervention.

Imminent Threat: Subject/situation appears to pose a clear and immediate threat of serious violence toward self/others that requires containment and action to protect the District’s environment and/or identified or identifiable target(s), and may also exhibit other concerning behaviors that require intervention.

TAT Formation, Development, and Responsibilities

Following are tasks to integrate TATs into the District’s Targeted School Violence Prevention Plan.

Actor	Action
Superintendent or designee	Ensures TATs are trained in threat assessment by a threat assessment expert. ⁴ Free statewide training is available through the Ill. School and Campus Safety Program, at: www2.illinois.gov/ready/plan/Pages/schools-training.aspx .
Building Principal	Selects TAT members with expertise in: School administration, e.g., a principal or other senior administrator from the school(s) covered by the TAT and human resource professionals; Instruction, e.g., a teacher or administrator with recent instructional experience; Counseling, e.g., a school counselor, school psychologist and/or school social worker; Law enforcement, e.g., a school resource officer; Being a staff member in the building; and Other community resource persons (as members or consultants as determined by the TAT).

The footnotes should be removed before the material is used.

³ 105 ILCS 128/45(a), added by P.A. 101-455. Districts that are unable to establish a threat assessment team with school district staff and resource may use a regional behavioral threat assessment and intervention team that includes mental health professionals, a representative from the Ill. Law Enforcement Alarm System, a safety education officer from the Ill. Dept. of State Police, and local law enforcement representatives. *Id.*

⁴ Many threat assessment publications outline that the best practice is for the entire TAT, as a team, to attend in-person threat assessment training by a threat assessment expert.

Actor	Action
	<p>Designates a TAT triage team. See 4:190-AP2, E2, <i>Threat Assessment Documentation</i>.</p> <p>When a tip or concern is raised, activates the TAT and uses this procedure.</p>
TAT	<p>Receives education and seeks training resources, including 4:190-AP2, E1, <i>Principles of Threat Assessment</i>.</p> <p>Receives threat assessment training by a threat assessment expert.</p> <p>Commits to work collaboratively with each other, with other school staff, and (as appropriate) with community resource persons to support the safety of the school, its students, and its staff.</p> <p>Actively, lawfully, and ethically communicates with each other, District administrators, and other school staff who have a need to know particular information to support the safety of the school, its students, and its staff.</p> <p>Trains staff, students, parents/guardians, and other members of the school community to recognize and report possible threats by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from the TAT.</p> <p>Identifies and trains members of the school community who can take reports of possible threats.</p> <p>Effectively implements Board policy 4:190, <i>Targeted School Violence Prevention Program</i>.</p>

Assessing and Classifying Threats

When a threat is reported, the Building Principal and TAT assess and classify the threat using the criteria and process outlined below.

Actor	Action
Building Principal	<p>Educates him/herself about <i>types</i> of threats.</p> <p>Determines if an imminent threat exists. If an imminent threat exists, notifies law enforcement in accordance with 4:170-API, <i>Comprehensive Safety and Security Plan, Part G, School Emergency Operations and Crisis Response Plan (SEOCR)</i>.</p>
Building Principal and/or TAT Triage Team	<p>If no imminent threat exists, or once an imminent threat is contained, triages threat (with the TAT Triage Team, if one is designated by the Building Principal) to determine if the full TAT must be involved. See 4:190-AP2, E2, <i>Threat Assessment Documentation</i>.</p> <p>Triage may include:</p> <ul style="list-style-type: none"> Reviewing the threatening communication and/or behavior. Reviewing school and other records for any prior history or interventions with the individual(s) involved. Evaluating the threat in context so that the meaning of the threat and intent can be determined by, among other things, conducting timely and thorough interviews (as necessary) with the person(s)

Actor	Action
	<p>who reported the threat, the threat recipient(s)/target(s), other witnesses who have knowledge of the threat, and when reasonable, the subject of concern (subject) who allegedly engaged in the threatening communication and/or behavior.</p> <p>If the full TAT needs to be involved, convenes it as soon as possible.</p>
TAT	<p>Assesses the threat. See 4:190-AP2, E3, <i>Threat Assessment Key Areas and Questions; Examples</i>, for key questions to ask the person(s) who reported the threat, the threat recipient(s)/target(s), other witnesses, and the subject in order to assess the threat.</p> <p>Once the assessment is complete, classifies the threat using the following basic criteria:</p> <p>Documents the threat assessment and classification using 4:190-AP2, E2, <i>Threat Assessment Documentation</i>, and ensures that TAT documentation follows the acronym FORT: 5</p> <ul style="list-style-type: none"> F Fair – sought to understand situations and give individuals an opportunity to be heard and understood; O Objective – sought information based on facts and observations of the case and not speculation or bias; R Reasonable – engaged in responses that were effective and proportionate to the situation; and T Timely – quickly and responsively addressed reports of threatening behavior.

Responding to and Managing Threats

Actor	Action
TAT	<p>Identifies appropriate responses to the threat based upon its level. See 4:190-AP2, E4, <i>Responding to Types of Threats</i>, for guidance on responses to each threat level.</p> <p>Develops, implements, and monitors an individualized, fact-based case management plan to intervene with, address, and reduce the threat by:</p> <ul style="list-style-type: none"> Designating a TAT member as case manager to monitor the status of the subject and to notify the TAT of any change in status, response to interventions/referrals, or additional information that would be cause for reassessment and/or changes in interventions strategies; Assisting the subject, and any impacted staff or students, in accessing appropriate school and community-based resources for support and/or further intervention; Appointing one or more TAT members to engage directly with the subject to prevent the subject from becoming isolated; and Using the least intrusive interventions and strategies that are sufficient, fair, and reasonable to address the concerns identified. <p>See 4:190-AP2, E5, <i>Threat Assessment Case Management</i></p>

The footnotes should be removed before the material is used.

⁵ Source: © G. Deisinger (1996).

Actor	Action
	<p><i>Strategies</i>, for interventions and strategies, including those that are subject-based, target-based, and environmental/systems-based.</p> <p>Documents this process and any case updates using 4:190-AP2, E2, <i>Threat Assessment Documentation</i>.</p> <p>Submits updates regularly, e.g., at least every 30 days, until the case is resolved and the subject no longer poses a threat to the school, its students, or its staff.</p> <p>Maintains documentation in accordance with Board policy, State records laws, and administrative procedures.</p>

Reporting Threats to Outside Agencies

Following is the process to notify the Local Law Enforcement Agency (LLEA) and/or the Ill. Dept. of State Police (ISP) about certain types of threats:

Actor	Action
<p>Superintendent or designee</p>	<p>Reports to the LLEA batteries committed against teachers, teacher personnel, administrative personnel, or educator support personnel. 105 ILCS 5/10-21.7.</p> <p>Immediately notifies the LLEA and the ISP upon receiving a report from any school personnel regarding a verified incident involving:</p> <ul style="list-style-type: none"> A firearm in a school or on school-owned or leased property. 105 ILCS 5/10-27.1A). Drugs in a school or on school-owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel. 105 ILCS 5/10-27.1A(b).
<p>Building Principal</p>	<p>Reports to the LLEA threats to the safety and welfare of students and teachers by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by gang activity. 105 ILCS 5/10-21.4a.</p> <p>Reports other threats to the LLEA as necessary and appropriate.</p> <p>Immediately notifies the LLEA upon receiving a report that any person has been observed in possession of a firearm on school grounds (other than a law enforcement official engaged in the conduct of his or her official duties).</p> <ul style="list-style-type: none"> If the person found to be in possession of a firearm on school grounds is a student, the Building Principal or designee shall also immediately notify the student's parent/guardian. 105 ILCS 5/10-21.7A(b). <p>Reports directly to the ISP within 24 hours of a determination that a student or other person poses a clear and present danger to himself, herself, or others. 430 ILCS 66/105 and 405 ILCS 5/6-103.3; 20 Ill.Admin.Code §1230.120(b).</p>