

Students

Attendance and Truancy ¹

Compulsory School Attendance ²

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades kindergarten through 12 in the public school regardless of age.

Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness, observance of a religious holiday, death in the immediate family, family emergency, other situations beyond the control of the student as determined by the Board, voting pursuant to policy 7:90, Release During School Hours (10 ILCS 5/7-42 and 5/17-15), other circumstances that cause reasonable concern to the parent/guardian for the student's mental, emotional, or physical safety or health or safety, or other reason as approved by the Superintendent or designee. ³

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 boards to adopt a policy covering some of the topics herein and controls this policy's content. 105 ILCS 5/26-13 requires a policy identifying supportive services and available resources for *truants* and *chronic truants* (defined in 105 ILCS 5/26-2a, amended by P.A. 100-918). 23 Ill.Admin.Code §1.290 requires the same plus that the policy contain a definition of *valid cause* for absence in accordance with 105 ILCS 5/26-2a and a description of diagnostic procedures to identify the cause(s) of unexcused student absenteeism.

² 105 ILCS 5/26-2, amended by P.A. 100-825, addresses enrolled students below or over set compulsory attendance ages. The law also requires any persons having custody or control of a child who is enrolled in grades kindergarten through 12 in the public school to cause the child to attend school.

105 ILCS 5/26-1 contains the compulsory school age exemptions. Each listed exception is specifically included in the statute, except the reference to *home school*. See 7:40, *Nonpublic School Students, Including Parochial and Home-Schooled Students*, regarding assigning students who enroll from a non-public school. See 6:150, *Home and Hospital Instruction*, regarding providing instruction to a pregnant student or other student who is medically unable to attend school.

³ These reasons are in 105 ILCS 5/26-2a, amended by P.A. 100-810, except that (1) "other reason as approved by the Superintendent," and (2) absences for students to vote authorized by 10 ILCS 5/7-42 and 5/17-15, amended by P.A. 101-624, eff. 6-1-20 were added. An Ill. State Board of Education (ISBE) rule requires that the absenteeism and truancy policy defines valid causes for absence. 23 Ill.Admin.Code §1.290.

For elementary districts, delete the following phrase from the second sentence of this paragraph: "voting pursuant to policy 7:90, Release During School Hours (10 ILCS 5/7-42 and 5/17-15)," and delete 7:90, Release During School Hours, from the Cross References.

For high school and unit districts that do not wish to include the Voting subhead in policy 7:90, Release During School Hours, amend the second sentence of this paragraph as follows: "policy 7:90, Release During School Hours (the Election Code, 10 ILCS 5/7-42 and 5/17-15.)" and delete 7:90, Release During School Hours from the Cross References.

Absenteeism and Truancy Program

The Superintendent or designee shall manage an absenteeism and truancy program in accordance with the School Code and School Board policy. The program shall include but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified. ⁴
2. A protocol for excusing a student in grades 6 through 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran. ⁵
3. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. ⁶
4. A process to telephone, within two hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification. ⁷
5. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in [the School Code, Section 105 ILCS 5/26-2a](#).
6. A description of diagnostic procedures for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information about the reasons for the student's attendance problem. ⁸

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⁴ Any child "necessarily and lawfully employed" may be exempted from attendance by the superintendent "on certification of the facts by and the recommendation of the school board." 105 ILCS 5/26-1. The policy's language serves to delegate this "certification of the facts" to the superintendent or designee. The following option allows a board to consider and include specific criteria in the policy:

A student may be excused, at the Superintendent's discretion, when: (1) the student has a last period study hall, (2) the parent/guardian provides written permission, (3) the student's employer provides written verification of employment, (4) the student provides evidence of a valid work permit, or (5) other reason deemed justifiable by the Superintendent.

Child Labor laws include: 29 C.F.R. Part 570 (minimum age standards, occupations, conditions, etc.); 820 ILCS 205/ (child labor laws); 56 Ill.Admin.Code Part 250 (child labor regulations).

⁵ 105 ILCS 5/26-1, ~~amended by P.A. 99-804~~. A student must notify the building principal or other administrator at least two days prior to the absence providing the date, time, and location of the military honors funeral. This requirement may be waived if the student did not receive notice at least two days in advance, but the student shall notify the administration as soon as possible of the absence.

A student whose absence is excused to sound *Taps* shall be counted in attendance for purposes of calculating the average daily attendance of students in the district. The district must allow the student reasonable time to make up school work and if school work is satisfactorily completed, the day of absence is counted as an attendance day for the student.

⁶ 105 ILCS 5/26-1, amended by P.A. 100-185. Such a student must be granted five days of excused absences in any school year and, at the board's discretion, may be granted additional excused absences to visit the student's parent/guardian. The student and his/her parent/guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his/her return to school from the excused absence period. *Id.*

⁷ This notification is required by 105 ILCS 5/26-3b.

⁸ 23 Ill.Admin.Code §1.290(b)(2).

~~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. The General Assembly found this requirement necessary because "when students do not have access to affordable feminine hygiene products, they may miss multiple days of school every month." 105 ILCS 5/10-20.63(a)(3).~~

7. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent students, including parent-teacher conferences, student and/or family counseling, or information about community agency services.⁹ See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
8. Reasonable efforts to provide ongoing professional development to teachers, administrators, Board members, school resource officers, and staff on the appropriate and available supportive services for the promotion of student attendance and engagement. ¹⁰
9. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered. ¹¹
10. A protocol for cooperating with non-District agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records. ¹²

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⁹ 23 Ill.Admin.Code §1.290(b)(3). The School Code references to dropout prevention include: 105 ILCS 5/26-3a (regional superintendent activities and annual report); 105 ILCS 5/10-20.25a (annual report by boards); and 105 ILCS 5/1A-4(E) (ISBE report).

105 ILCS 5/26-18, added by P.A. 100-156, requires ~~that, beginning 7-1-18,~~ districts to collect and review chronic absence data and determine what systems of support and resources are needed to engage chronically absent students and their families to encourage the habit of daily attendance and promote success. 105 ILCS 5/26-18(c). The review must include an analysis of chronic absence data from each attendance center. *Id.* Districts are also encouraged to: (1) provide a system of support to students at risk of reaching or exceeding chronic absence levels, i.e., those available through the Illinois Multi-tiered Systems of Support Network; and (2) make resources available to families, i.e., those available through ISBE's Family Engagement Framework, to support and engage students and their families. 105 ILCS 5/26-18(d). *Chronic absence* means "absences that total 10% or more of school days of the most recent school year, including absences with and without valid cause, as defined in Section 26-2a of this Code, and out-of-school suspensions for an enrolled student." 105 ILCS 5/26-18(a). In contrast, a *chronic or habitual truant* is "a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 5% or more of the previous 180 regular attendance days." 105 ILCS 5/26-2a.

¹⁰ 105 ILCS 5/10-22.6(c-5), amended by P.A. 100-810, ~~eff. 1-1-19~~.

¹¹ Use this alternative for districts in suburban Cook County: replace "Regional Office of Education" with "appropriate Intermediate Service Center."

¹² 105 ILCS 5/26-9 requires school officers and superintendents to assist truant officers. A minor who is reported by the regional superintendent as a chronic truant may be adjudicated a "truant minor in need of supervision" if the minor declines or refuses to fully participate in truancy intervention services. 705 ILCS 405/3-33.5.

Counties may regulate truants by ordinance and impose fines and/or community services on truants or, if the truant is under 10 years of age, on the parent or custodian. 55 ILCS 5/5-1078.2. Municipalities may regulate truants by ordinance and impose fines and/or community services on truants or, if the truant is under 13 years of age, on the parent or custodian. 65 ILCS 5/11-5-9. Local officials or authorities that enforce, prosecute, or adjudicate municipal ordinances adopted under 65 ILCS 5/11-5-9, or that work with school districts to address truancy problems, are designated as: (a) part of the juvenile justice system, established by the Juvenile Court Act of 1987, and (b) *juvenile authorities* within the definition set forth in subsection (a)(6.5) of Section 10-6 of the Ill. School Student Records Act. ~~(105 ILCS 10/6(a)(6.5)).~~ *Id.* **A superintendent should consult with the board attorney before disclosing school student records to non-district entities.** See 7:340-API, *School Student Records*, for a sample procedure for release of such records to juvenile authorities.

11. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student. ¹³
12. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies. ¹⁴

[For high school and unit districts only]

13. A process for a 17-year-old resident to participate in the District's various programs and resources for truants.¹⁵ The student must provide documentation of his/her dropout status for the previous six months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in 7:50, ~~Students School Admissions and Student Transfers To and From Non-District Schools~~.
14. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student. ¹⁶

LEGAL REF.: 105 ILCS 5/26-1 through 16.
705 ILCS 405/3-33.5, Juvenile Court Act of 1987.
23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 5:100 (Staff Development Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious

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¹³ 105 ILCS 5/26-12, amended by P.A. 100-825, prohibits punitive action "unless available supportive services and other school resources have been provided to the student." In addition, "a truant minor may not be expelled for nonattendance unless he or she has accrued 15 consecutive days of absences without valid cause and the student cannot be located by the school district or the school district has located the student but cannot, after exhausting all available support services, compel the student to return to school." *Id.*

¹⁴ 105 ILCS 5/26-3a requires the district to "establish, in writing, a set of criteria for use by the local superintendent of schools in determining whether a pupil's failure to attend school is the result of extraordinary circumstances, including but not limited to economic or medical necessity or family hardship."

This statute also requires the "clerk or secretary" of the board to quarterly report to the regional superintendent and Secretary of State the identity of students who were removed from the regular attendance roll, exclusive of transferees, because they were expelled; have withdrawn; left school; withdrew due to extraordinary circumstances; have re-enrolled in school since their names were removed from the attendance rolls; were certified to be chronic or habitual truants; or were previously certified as chronic or habitual truants who have resumed regular school attendance. The statute provides that the status of a driver's license or instructional permit will be jeopardized for a student who is the subject of this notification because of non-attendance unless the non-attendance is due to extraordinary circumstances as determined by the local district. State Superintendent Koch announced in his *Weekly Message*, 8-28-07, see **Funding & Disbursements** subhead, p.2, at: www.isbe.net/Documents_Superintendent_Weekly_Message/message_082807.pdf, that ISBE is delaying implementing this statute based upon legal guidance from the U.S. Dept. of Education's Family Policy Compliance Office that its implementation would violate the federal Family Educational Rights and Privacy Act.

¹⁵ A district must allow this participation; the length of the drop-out period and the documentation requirement contained in the next sentence are permissive. 105 ILCS 5/26-14.

¹⁶ Optional, but provided in 105 ILCS 5/26-2(c)(3), amended by P.A. 100-825; ISBE's rule controls the appeal process, 23 Ill.Admin.Code §1.242.

Instruction/Observance), [7:90 \(Release During School Hours\)](#), 7:190 (Student Behavior), 7:340 (Student Records)

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Students

Release During School Hours ¹

For safety and security reasons, a prior written or oral consent of a student's custodial parent/guardian is required before a student is released during school hours: (1) at any time before the regular dismissal time or at any time before school is otherwise officially closed, and/or (2) to any person other than a custodial parent/guardian.

Early Dismissal Announcement

The Superintendent or designee shall make reasonable efforts to issue an announcement whenever it is necessary to close school early due to inclement weather or other reason.

[For high school and unit districts only]

Voting ²

The Superintendent or designee shall specify the hours during which students who are entitled to vote at a primary, general, or special election, or any election at which propositions are submitted to a popular vote in Illinois, may be absent from school for a period of two hours to vote. Students are entitled to be absent from school to vote beginning the 15th day before the primary, general, or

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¹ This sample policy and its contents are discretionary with each school board. Sample PRESS policy 4:170, *Safety*, authorizes the Superintendent to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property.

Planning for unforeseen early dismissals furthers a positive parent-school relationship and reduces the possibility of unsupervised children. According to this sample policy's introductory section, the school does not need prior parental consent before releasing students for an early dismissal even when it is unforeseen. The second section, however, requires the superintendent or designee to use *reasonable efforts* to announce an early dismissal. The *reasonable efforts* could be satisfied, for example, by a website posting, telephone chain notification, or recorded message on the school's telephone.

² Optional. While 10 ILCS 5/7-42(b) and 5/17-15(b), amended by P.A. 101-624, eff. 6-1-20, do not require this information to be in policy, including it aligns with best practice (ensuring compliance and aligning with good governance principles).

Including it also serves several policy functions and purposes: ensuring legal compliance, directing or authorizing the superintendent or staff members, and/or providing information.

To implement this law, each board and superintendent may wish to engage in a conversation about balancing the students' right to be absent from school with the district's attendance and safety and security goals and its right to minimize disruption to the educational process and/or ensure orderly operation of a school. Factors affecting implementation will depend upon a board's local conditions and the community expectations that may include, but not be limited to: (1) the board attorney's recommendations, (2) the district's budget parameters, if any, for any increased security needs during the 15 days before and the day of the qualifying elections, (3) each individual building's unique needs, and (4) the community's expectations.

The superintendent and building principal may implement this policy differently in different buildings. Once the board and superintendent or designee determine implementation logistics, these should be communicated in student handbooks. A comprehensive student handbook can provide notice of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. The Ill. Principals Association maintains a handbook service that coordinates with PRESS material. *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/resources/model-student-handbook.

For high school and unit districts not wanting to include this subhead, delete it and the Legal Reference to it in this policy, delete it from the Cross References in policy 7:70, *Attendance and Truancy*, and follow the instructions listed in paragraph three of f/n 3 of policy 7:70, *Attendance and Truancy*.

special election, or any election at which propositions are submitted to a popular vote in Illinois, or on the day of such election.

LEGAL REF.: 10 ILCS 5/7-42(b) and 5/17-15(b), Election Code.

CROSS REF.: 4:170 (Safety)

DRAFT

Students

Student Rights and Responsibilities 1

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.² Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.³

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee.⁴ *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.⁵

LEGAL REF.: 20 U.S.C. §7904.
105 ILCS 20/5.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:190 (Student Behavior)

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

² In 1969 the U.S. Supreme Court changed the relationship between schools and students by finding that students "do not shed their constitutional rights at the schoolhouse door." Tinker v. Des Moines Independent Sch. Dist., 89 S.Ct. 733 (1969).

³ Consult the board attorney to ensure the district's non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon bullying and/or sexual violence under Title IX's sexual harassment umbrella. The U.S. Dept. of Education's guidance states that while acts of sexual violence are crimes, they may also be discrimination under Title IX. See *Dear Colleague Letter: Sexual Violence Background, Summary, and Fast Facts*, U.S. Dept. of Education Office for Civil Rights, 111 LRP 23852 (OCR—04/04/April 4, 2011), at www2.ed.gov/about/offices/list/oeo/letters/colleague-201104.html www.ed.gov/about/offices/list/ocr/letters/colleague-201104.html.

⁴ This language is from 105 ILCS 20/5, ~~amended by P.A. 99-410~~. The statute provides these examples of religious-based meetings: prayer groups, B I B L E (Basic Instruction Before Leaving Earth) clubs, and *meet at the flagpole for prayer* days. **Districts with secondary schools should amend the Cross References by adding "7:330 (Student Use of Buildings - Equal Access)."**

In addition, federal law requires districts to certify that "no [district] policy... prevents, or otherwise denies participation in, constitutionally protected prayer in both public elementary and secondary schools," (20 U.S.C. §7904(b)). The State provides certification instructions and the U.S. Dept. of Education provides guidance on constitutionally protected prayer in public schools. (See *Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools*, www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html). Certification with the Ill. State Board of Education occurs through the signed assurances that a superintendent provides through the grant application process.

⁵ 105 ILCS 20/5.

Students

Exhibit - Student Handbook Checklist

The Checklist contains mandatory and recommended notices that schools should give to their students and the students' parents/guardians.¹ *Mandatory* means the notices are legally required. *Recommended* means including the notices are a best practice. The Checklist is in the IASB Policy Reference Manual (PRM) format, and it lists corresponding policies, procedures, and exhibits in numerical order within each sub-headed category. A corresponding citation to the Illinois Principals Association **Online Model Student Handbook (MSH)** is also listed, if one exists. Any handbook should be reviewed by the Board Attorney before distribution to ensure that all mandatory notices are included as this Checklist is subject to change without notice. This Checklist is not a substitute for legal advice.

Mandatory Notices

Student Services

Mandatory Topics	IASB PRM	IPA MSH
Transportation	4:110, <i>Transportation</i>	4.10, <i>Bus Transportation</i>
Transportation reimbursement eligibility and dispute resolution Note: this program has been withdrawn due to lack of funding	4:110, <i>Transportation</i>	4.10, <i>Bus Transportation</i>
Eligibility criteria for free and reduced lunch	4:130, <i>Free and Reduced-Price Food Services</i> 4:130-E, <i>Free and Reduced-Price Food Services; Meal Charge Notifications</i>	3.10, <i>Fees, Fines & Charges; Waiver of Student Fees</i>
Waiver of school fees along with the fee waiver application form	4:140, <i>Waiver of Student Fees</i> 4:140-AP, <i>Fines, Fees, and Charges - Waiver of Student Fees</i> 4:140-E1, <i>Application for Fee Waiver</i> 4:140-E2, <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i>	3.10, <i>Fees, Fines & Charges; Waiver of Student Fees</i> 3.10-E1, <i>Application for Fee Waiver</i>
<u>School Wellness</u> (required if the District participates in the National School Lunch Pro-	<u>6:50, School Wellness</u>	

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¹ In its continuing commitment to help school districts comply with legal requirements for all policies and procedures, the Illinois Principals Association (IPA) in conjunction with the Illinois Association of School Boards' (IASB) PRESS, have prepared this checklist to assist school administrators in preparing their student handbooks. A special thank you also goes to the law firm of Hodges, Loizzi, Eisenhammer, Rodick and Kohn LLP for allowing IPA and IASB to cross check this *Student Handbook Checklist* against its annual version.

Mandatory Topics	IASB PRM	IPA MSH
<u>gram or Breakfast Program)</u>		
Alternative learning opportunities	6:110, <i>Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program</i>	2.90, <i>Course Alternatives & Substitutions</i> <i>Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement</i>
Notification to parents/guardians of English Learners regarding their child's placement in, and information about, the District's English Learners programs	6:160, <i>English Learners</i>	12.60, <i>English Learners</i>
Parental involvement under Title I (only when the district receives Title I funds)	6:170, <i>Title I Programs</i> 6:170-AP1, <i>Checklist of Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs</i> 6:170-AP1, E1, <i>District-Level Parent and Family Engagement Compact</i> 6:170-AP1, E2, <i>School-Level Parent and Family Engagement Compact</i> 6:170-AP2, <i>Notice to Parents Required by Elementary and Secondary Education Act, McKinney-Vento Homeless Assistance Act, and Protection of Pupil Rights Act</i>	12.50, Parent Involvement Compact 12.130, <i>Parent Notices Required by the Every Student Succeeds Act</i>
Notice to parents required by <u>the Elementary and Secondary Education Act</u> No Child Left Behind Act of 2001	6:170-AP2, <i>Notice to Parents Required by Elementary and Secondary Education Act, McKinney-Vento Homeless Assistance Act, and protections Protection of Pupil Rights Act</i>	
Surveys that request personal information from students	7:15, <i>Student and Family Privacy Rights</i>	11.10, <i>Student Privacy Protections</i>
Birth certificate requirements for enrollment	7:50, <i>School Admissions and Student Transfers To and From Non-District Schools</i> 7:50-AP, <i>School Admissions and</i>	

Mandatory Topics	IASB PRM	IPA MSH
	<i>Student Transfers To and From Non-District Schools</i>	
<u>Dental examinations</u>	<u>7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students</u>	
<u>Eye examinations (K and students enrolling in public school for the first time only)</u>	<u>7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students</u>	
<u>Vaccinations (influenza and meningococcal)</u>	<u>7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students</u>	
Administration of medications (includes asthma inhalers and epinephrine injectors, <u>opiod antagonists</u> , and <u>glucagon</u>)	7:270, Administering Medicines to Students 7:270-AP1, Dispensing Medication 7:270-E1, School Medication Authorization Form	5.20, Student Medication 5.20-E1, Student Medication Authorization Form 5.20-E2, Authorization for Student Self Medication Form

Commented [DJ1]: Parent notice requirements for dental examinations, eye examinations, and vaccinations are found in 105 ILCS 5/27-8.1.

Student Programs

Mandatory Topics	IASB PRM	IPA MSH
Notice of instruction in recognizing and avoiding sexual abuse (K-8 only)	6:60-AP, Comprehensive Health Education Program 6:60-AP, E1, Notice to Parents/Guardians of Students Enrolled in Family Life and Sex Education Classes	12.40, Sex Education Instruction 12.40-E1, Notice to Parents on Sex Education Instruction
Free appropriate public education to students with disabilities Special education services to eligible children whether or not enrolled in the District	6:120, Education of Children with Disabilities 6:120-AP1, Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities (downloadable from IASB website, www.iasb.com) <u>6:120-AP1, E1, Notice to Parents/Guardians Regarding Section 504 Rights</u>	10.10, Education of Children with Disabilities

Student Responsibilities

Mandatory Topics	IASB PRM	IPA MSH
IHSA policy on banned substances	6:190, Extracurricular and Co-	9.10, Athletic Rules

7:190-E2

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Mandatory Topics	IASB PRM	IPA MSH
(required only for IHSA schools)	<i>Curricular Activities</i> 6:190-AP, <i>Academic Eligibility for Participation in Extracurricular Activities</i> 7:240, <i>Conduct Code for Participants in Extracurricular Activities</i> 7:240-AP1, <i>Code of Conduct for Extracurricular Activities</i>	<u>& Extracurricular and Athletic Activities - Code of Conduct</u>
Absentecism and truancy	7:70, <i>Attendance and Truancy</i>	2.10, <i>Attendance</i> 2.50, <i>Truancy</i>
Statement of district ownership of and right to search student lockers	7:140, <i>Search and Seizure</i>	8.10, <i>Search and Seizure</i>
Search procedures for school grounds and lockers	7:140, <i>Search and Seizure</i>	8.10, <i>Search and Seizure</i>
Notification regarding access to student accounts or profiles on social networking websites	7:140, <i>Search and Seizure</i> <u>7:140-E, Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act</u>	8.10, <i>Search and Seizure</i>
Bullying prohibited and reporting encouraged	7:180, <i>Prevention of and Response to Bullying, Intimidation, and Harassment</i>	6.40, <i>Prevention of and Response to Bullying, Intimidation, & Harassment</i> 6.40-E1, <i>Aggressive Behavior Reporting Letter & Form</i>
Teen dating violence prohibited and reporting encouraged	7:185, <i>Teen Dating Violence Prohibited</i>	
Prohibition of electronic paging devices and making threat by Internet	7:190, <i>Student Behavior</i>	6.30, <i>Student Behavior Discipline</i>
All prohibited conduct in the school discipline code, including, but not limited to: 1. Controlled substances 2. Firearms and other weapons 3. E-cigarettes 4. Gangs and gang-related activity 5. Sexting prohibited	4:170-AP2, E4, <i>Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting</i> 7:190, <i>Student Discipline Behavior</i> 7:190-AP5, <i>Student Handbook - Electronic Devices</i> 7:190-AP6, <i>Guidelines for Investigating Sexting Allegations</i>	6.30, <i>Student Behavior Discipline</i>

Mandatory Topics	IASB PRM	IPA MSH
Inform parents/guardians when their child engaged in aggressive behavior along with the school's early intervention procedures	7:190-E1, <i>Aggressive Behavior Reporting Letter and Form</i>	6.40-E1, <i>Aggressive Behavior Reporting Letter & Form</i>
Suspension and expulsion, and due process requirements	7:200, <i>Suspension Procedures</i> 7:210, <i>Expulsion Procedures</i>	
School bus safety	7:220, <i>Bus Conduct</i> 4:110-AP3, <i>School Bus Safety Rules</i>	4.10, <i>Bus Transportation</i>
Videotape surveillance of buses (if applicable)	7:220, <i>Bus Conduct</i> 7:220-AP, <i>Electronic Recordings on School Buses</i>	4.10, <i>Bus Transportation</i>
Behavior interventions (these may be developed through the Spec. Ed. Coop if the district belongs to one)	7:230, <i>Misconduct by Students With Disabilities</i>	
Dress code	7:160, <i>Student Appearance</i>	6.20, <i>School Dress Code & Student Appearance</i>
All other conduct prohibited by Board policy - school discipline code	7:190, <i>Student Behavior</i>	6.30, <i>Student Behavior Discipline</i>

Student Rights

Mandatory Topics	IASB PRM	IPA MSH
Notice of non-discrimination coordinator(s) and making complaint of discrimination or sexual harassment	2:260, <i>Uniform Grievance Procedure</i>	6.40, <i>Prevention of and Response to Bullying, Intimidation & Harassment</i>
Prohibition of discrimination on the basis of race, color, national origin, sex, sexual orientation, ancestry, age, religious beliefs, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy	7:10, <i>Equal Educational Opportunities</i>	1.50, <i>Equal Opportunity & Sex Equity</i>
Sex equity and grievance procedures	2:260, <i>Uniform Grievance Procedure</i> 7:10, <i>Equal Educational Opportunities</i>	1.50, <i>Equal Opportunity & Sex Equity</i>
Sexual harassment prohibited and grievance procedures <u>and age-appropriate information about the sexual harassment policy</u>	2:260, <i>Uniform Grievance Procedure</i> 7:20, <i>Harassment of Students Prohibited</i>	6.450, <i>Bullying, Intimidation & Harassment Sexual Harassment & Teen</i>

Mandatory Topics	IASB PRM	IPA MSH
		<u>Dating Violence Prohibited</u>
Notify parents of their right to request their child's classroom teachers' qualifications	5:190-E1, <i>Notice of to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications</i>	12.10, Teacher Qualifications <u>12.130, Parent Notices Required by the Every Student Succeeds Act</u>
Educational rights of homeless students in the location where homeless children receive services	6:140, <i>Education of Homeless Children</i> 6:140-AP, <i>Education of Homeless Children</i>	12.30, <i>Homeless Child's Right to Education</i>
Notice of parent and student rights under the Children's Privacy Protection and Parental Empowerment Act	7:15, <i>Student and Family Privacy Rights</i> 7:15-E, <i>Notification to Parents of Family Privacy Rights</i>	11.10, <i>Student Privacy Protections</i>
Notice to parents/guardians about social network passwords	7:140, <i>Search and Seizure</i> 7:140-E, <i>Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act</i>	6.70, <u><i>Access to Student Social Networking Passwords & Websites (Pending)</i></u>
Notice concerning privacy and access rights to school student records	7:340, <i>Student Records</i> 7:340-AP1, E1, <i>Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records</i> 7:340-AP1, E2, <i>Using a Photograph or Video Recording of a Student</i>	11.20, <i>Student Records</i>
Disclosure of directory information	7:340-AP1, E1, <i>Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records</i> 7:340-AP1, E2, <i>Using a Photograph or Video Recording of a Student</i>	11.20, <i>Student Records</i>
Information classified as directory information and for objecting to disclosure of information	7:340-AP1, E1, <i>Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records</i>	11.20, <i>Student Records</i>
Military recruiting	7:340-AP1, E3, <i>Letter to Parents Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information and Eligible Students</i>	11.20, <i>Student Records</i>

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Mandatory Topics	IASB PRM	IPA MSH
	<u>Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information</u> 7:340-AP1, E4, <i>Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information</i>	
Student biometric information (when applicable)	7:340, <i>Student Records</i> 7:340-AP1, E5, <i>Biometric Information Collection Authorization</i>	11.30, <i>Student Biometric Information</i>
Notice of disability accommodation	8:70, <i>Accommodating Individuals with Disabilities</i>	1.110, <i>Accommodating Individuals with Disabilities</i>

General Information

Mandatory Topics	IASB PRM	IPA MSH
Notice before a pesticide application	<u>4:160, Environmental Quality of Buildings and Grounds</u> 4:160-AP, <i>Environmental Quality of Buildings and Grounds</i>	12.80, <i>Pesticide Application Notice</i>
Availability of information concerning sex offenders	4:175-AP1, <i>Criminal Offender Notification Laws; Screening</i> 4:175-AP1, E1, <i>Informing Parents/Guardians About Offender Community Notification Laws</i>	12.1210, Sex Offender Notification Law <u>12.120, Violent Offender Community Notification</u>
School bus safety	4:110-AP3, <i>School Bus Safety Rules</i>	4.10, <i>Bus Transportation</i>
<u>Asbestos management plan, notice of availability</u>		
Notice to parents/guardians and staff of IHSA's online training video about hands-only CPR and AED	4:170, <i>Safety</i> 4:170-AP6, E1, <i>School Staff AED Notification Letter</i>	
Notice that a student athlete and his/her parent must sign acknowledgement of receiving the concussion policy (required only for IHSA schools)	7:305, <i>Student Athlete Concussions and Head Injuries</i> <u>7:305-AP, Program for Managing Student Athlete Concussions and Head Injuries</u>	9.30, <i>Student Athlete Concussions and Head Injuries</i>
School visitation rights notice	8:95-E1, <i>Letter Notifying Parents/Guardians of School Visitation Rights</i> 8:95-E2, <i>Verification of School Visitation Rights</i>	12.70, <i>School Visitation Rights</i>

Commented [DJ2]: This topic has been moved from recommended to mandatory because Federal and State regulations require annual notice to parents and employees of this plan. 40 C.F.R. §763.93(g)(4); 77 Ill.Admin.Code 855.300(a)(3).

Mandatory Topics	IASB PRM	IPA MSH
	<i>itation</i>	

Recommended Notices

Student Services

Recommended Topics	IASB PRM	IPA MSH
Information regarding waiver of student fees	4:140, <i>Waiver of Student Fees</i>	
Fire drill program, building specific plan	4:170, <i>Safety</i> 4:170-AP1, <i>Comprehensive Safety and Security Plan</i>	5.40, <i>Safety Drill Procedures and Conduct</i>
School safety plans, including severe weather and injury or sudden illness	4:170, <i>Safety</i> 4:170-AP1, <i>Comprehensive Safety and Security Plan</i> 4:170-AP1, E1, <i>Accident or Injury Form</i>	2.100, <i>Home and Hospital Instruction</i>
Targeted school violence prevention program, including threat assessment teams	4:190, Targeted School Violence Prevention Program 4:190-AP2, Threat Assessment Team (TAT)	
Home and hospital instruction	6:150, <i>Home and Hospital Instruction</i>	2.100, <i>Home and Hospital Instruction</i>
Student residency and tuition	7:60, <i>Residence</i> 7:60-AP1, <i>Challenging a Student's Residence Status</i> 7:60-AP2, <i>Establishing Student Residency</i> 7:60-AP2, E1, <i>Letter of Residence from Landlord in Lieu of Lease</i> 7:60-AP2, E2, <i>Letter of Residence to be Used When the Person Seeking to Enroll a Student is Living with a District Resident</i> 7:60-AP2, E3, <i>Evidence of Non-Parent's Custody, Control and Responsibility of a Student</i>	
Parking, building specific	7:140, <i>Search and Seizure</i>	4.20, <i>Parking</i>
Health and guidance counselor and social work access	7:250, <i>Student Support Services</i>	5.30, <i>Guidance & Counseling</i>
Communicable and infectious disease	7:280, <i>Communicable and Chronic Infectious Disease</i> 7:280-AP, <i>Managing Students with</i>	5.50, <i>Communicable Diseases</i> 5.60, <i>Head Lice</i>

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Recommended Topics	IASB PRM	IPA MSH
	<i>Communicable and Infectious Diseases</i>	
Students with diabetes	6:120-AP4, <i>Care of Students with Diabetes</i>	1.130, <i>Care of Students with Diabetes</i> 1.130-E1, <i>Authorization to Provide Diabetic Care</i>
Medical cannabis administration	7:270-E2, <i>School Medication Authorization Form - Medical Cannabis</i>	
Food allergy management program	7:285, <i>Food Allergy Management Program</i> 7:285-AP, <i>Implementing a Food Allergy Management Program</i>	1.120, <i>Students with Food Allergies</i>
Telephone use, building specific		

Student Programs

Recommended Topics	IASB PRM	IPA MSH
Weighted grades	6:280-AP, Evaluating and Reporting Student Achievement	
District philosophy and goals	1:30, <i>School District Philosophy</i> 3:10, <i>Goals and Objectives</i> 6:10, <i>Educational Philosophy and Objectives</i>	
Anti-bias curriculum	6:60, <i>Curriculum Content</i>	
Driver education eligibility and requirements (high schools only)	6:60, <i>Curriculum Content</i>	
Parental objections to sex education, family life instruction, and sexually transmitted diseases	6:60-AP, E1, <i>Notice to Parents/Guardians of Students Enrolled in Family Life and Sex Education Classes</i>	12.40, <i>Sex Education Instruction</i> 12.40-E1, <i>Notice to Parents on Sex Education Instruction</i>
Biking and Walking Safety Education	6:60-AP, E2, <i>Resources for Biking and Walking Safety Education</i>	
Accelerated placement availability	6:135, Accelerated Placement Program	2:90, Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement

Recommended Topics	IASB PRM	IPA MSH
Adaptive physical education program exemption	6:310, <i>High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students</i>	2.80, Exemption Ex- emption from PE Requirement (Regular Education)
Bilingual education availability	6:160, <i>English Learners</i>	12.60, <i>English Learners</i>
Co-curricular activities	6:190, <i>Extracurricular and Co-Curricular Activities</i>	9.10, <i>Extracurricular and Athletic Activities Rules & Code of Conduct</i>
"No Pass, No Play"	6:190, <i>Extracurricular and Co-Curricular Activities</i> 6:190-AP, <i>Academic Eligibility for Participation in Extracurricular Activities</i>	9.10, <i>Extracurricular and Athletic Activities Rules & Code of Conduct</i>
Parental right to review instructional materials	6:210, <i>Instructional Materials</i>	11.10, <i>Student Privacy Protections</i>
Acceptable use and Internet safety	6:235, <i>Access to Electronic Networks</i> 6:235-AP1, <i>Acceptable Use of the District's Electronic Networks</i> 6:235-AP1, E1, <i>Student Authorization for Access to the District's Electronic Networks</i> 6:235-AP1, E2, <i>Staff Authorization for Access to the District's Electronic Networks</i>	7.10, <i>Internet Acceptable Use</i> 7.10-E1, <i>Internet Acceptable Use Sign-Off</i>
Social promotion	6:280, <i>Grading and Promotion</i> 6:280-AP, <i>Evaluating and Reporting Student Achievement</i>	2.60, <i>Grading and Promotion</i>
High school graduation requirements (high schools only)	6:300, <i>Graduation Requirements</i>	2.120, <i>Graduation Requirements</i>
Right of students with IEP to participate in graduation ceremony (high schools only)	6:300, <i>Graduation Requirements</i>	10.40, <i>Certificate of High School Completion</i>
Physical education, including waiver of required classes	6:310, <i>High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students</i>	2.80, Exemption Ex- emption from PE Requirement (Regular Education) 10.30, <i>Exemption from PE Requirement (Special Education)</i>
Class schedules, building specific		

Recommended Topics	IASB PRM	IPA MSH
Schedule of testing programs, building specific	6:340, <i>Student Testing and Assessment Program</i>	
Student distribution of non-curricular material	7:310, <i>Restrictions on Publications; Elementary Schools</i> 7:310-AP, <i>Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools</i> 7:315, <i>Restrictions on Publications; High Schools</i> 7:315-AP, <i>Guidelines for Student Distribution of Non-School Sponsored Publications; High Schools</i>	7.20, <i>Guidelines for Student Distribution of Non-School Sponsored Publications</i>

General Information

Recommended Topics	IASB PRM	IPA MSH
Asbestos management plan, notice of availability		
School calendar	6:20, <i>School Year Calendar and Day</i>	
Field trip	6:240, <i>Field Trips</i> 6:240-AP, <i>Field Trip Guidelines</i>	6.60, <i>Field Trips</i>
Release time for religious instruction/observance	7:80, <i>Release Time for Religious Instruction/Observance</i>	2.30, <i>Release Time for Religious Instruction and Observance</i>
Release time for students voting in elections	7:90, Release During School Hours	
Extra-curricular drug and alcohol testing (if applicable)	7:240-AP2, <i>Extracurricular Drug and Alcohol Testing Program</i> 7:240-AP2, E1, <i>Consent to Participate in Extracurricular Drug and Alcohol Testing Program</i>	9.10, <i>Extracurricular and Athletic Activities Rules & Code of Conduct</i>
Eligibility to remove college entrance exams from student transcripts	7:340, <i>Student Records</i>	11.20, <i>Student Records</i>
Equal access to school facilities	8:20, Access to Community Use of School Facilities	
Identification and registration of persons entering the school building	8:30, <i>Visitors to and Conduct on School Property</i>	1.40, <i>Visitors</i>
Statement that the handbook is: 1. Only a summary of board poli-	2:240, <i>Board Policy Development</i>	4.10, Parent/Guardian Handbook

Recommended Topics	IASB PRM	IPA MSH
<p>cies governing the district; board policies are available to the public at the district office</p> <p>2. A document that may be amended during the year without notice</p> <p>3. Is a communication tool of all policies to persons expected to execute and comply with them</p>		<p>Acknowledgement</p> <p>1.20, <i>Student Handbook Acknowledgement</i></p> <p>1.30, <i>General School Information</i></p>
Address of District offices, list of administrators, and contact information	<p>2:250, <i>Access to District Public Records</i></p> <p>2:250-E2, <i>Immediately Available District Public Records and Web-Posted Reports and Records</i></p>	1.30, <i>General School Information</i>
Board members' names	<p>2:250, <i>Access to District Public Records</i></p> <p>2:250-E2, <i>Immediately Available District Public Records and Web-Posted Reports and Records</i></p>	1.30, <i>General School Information</i>
List of District school addresses	<p>2:250, <i>Access to District Public Records</i></p> <p>2:250-E2, <i>Immediately Available District Public Records and Web-Posted Reports and Records</i></p>	1.30, <i>General School Information</i>

Special Circumstance Notifications

Special Circumstance Topics	IASB PRM	IPA MSH
Notification for unsafe school transfer choice	<p>4:170, <i>Safety</i></p> <p>4:170-AP5, <i>Unsafe School Choice Option</i></p>	12.100, <i>Unsafe School - Transfer</i>
Notification of right to review teachers' qualifications	<p>5:190, <i>Teacher Qualifications</i></p> <p>5:190-E1, <i>Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications</i></p> <p>5:190-E2, <i>Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements</i></p> <p>5:190-E3, <i>Letter to Teacher Who Does Not Meet Applicable State</i></p>	<p>42.10, <i>Teacher Qualifications</i></p> <p>12.130, <i>Parent Notices Required by the Every Student Succeeds Act</i></p>

Special Circumstance Topics	IASB PRM	IPA MSH
	<i>Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment</i>	
Notice when: 1. Student is being taught by a teacher who is not highly qualified, 2. School identified as in need of improvement, 3. Schools are identified for corrective action, 4. Schools are identified for restructuring, 5. There is eligibility for supplemental educational services, and 6. The district offers voluntary school choice, if applicable.	5:190-E2, <i>Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements</i> 6:15, <i>School Accountability</i>	
Credit for proficiency	6:110, <i>Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program</i>	2.90, <i>Course Alternatives & Substitutions Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement</i>

Students

Student Fundraising Activities ¹

No individual or organization is allowed to ask students to participate in fundraising activities while the students are on school grounds during school hours or during any school activity. Exceptions are:

1. School-sponsored student organizations; and
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

The Superintendent or designee shall manage student fundraising activities in alignment with the following directives: ²

1. Fundraising efforts shall not conflict with instructional activities or programs.
2. For any school that participates in the School Breakfast Program or the National School Lunch Program, fundraising activities involving the sale of food and beverage items to students during the school day while on the school campus must comply with the Ill. State Board of Education rules concerning the sale of competitive food and beverage items. ³
3. Participation in fundraising efforts must be voluntary.
4. Student safety must be paramount. ⁴
5. For school-sponsored student organizations, a school staff member must supervise the fundraising activities and the student activity funds treasurer must safeguard the financial accounts.
6. The fundraising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
7. The funds shall be used to the maximum extent possible for the designated purpose.

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. 105 ILCS 5/10-20.19(3) requires districts to have rules governing: (1) "conditions under which school classes, clubs, and associations may collect or acquire funds," and (2) "the safekeeping of such funds for the educational, recreational, or cultural purposes they are designed to serve."

² Except for #2 ([see f/n 3, below](#)), all numbered directives are optional and may be deleted or amended. These directives are intended to comply with 105 ILCS 5/10-20.19(3) by stating the conditions under which funds may be collected and by providing for their safekeeping.

³ Selling popular food items to raise funds is restricted by federal and State rules. ISBE limits the sale of competitive food and beverages sold to students on the school campus of any school that participates in the School Breakfast Program or the National School Lunch Program (*participating schools*). ([23 Ill.Admin.Code §305.15\(a\)](#)). *Competitive foods* are all food and beverages that are offered by any person, organization, or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. ([7 C.F.R. §210.11\(a\)\(2\)](#); [23 Ill.Admin.Code §305.5](#)). ~~Beginning in the 2015-16 school year, Participating schools with grades 8 and below have zero exempted fundraising days, and participating schools with grades 9-12 may have no more than nine exempted fundraising days.~~ [23 Ill.Admin.Code §305.15 \(b\)\(2\)\(A\)-\(B\)](#). *Exempted fundraising day* means a school day on which foods and/or beverages not meeting the "general nutrition standards for competitive foods" may be sold to students on the school campus. ([7 C.F.R. §210.11 \(b\)\(4\)](#); [23 Ill.Admin.Code §305.5](#)). See [4:120, Food Services](#); [4:120-AP, Food Services](#); [Competitive Foods; Exemptions](#).

⁴ Two alternatives follow:

- | | |
|----------------|--|
| Alternative 1: | 4. Student safety must be paramount <u>and door-to-door solicitations are prohibited.</u> |
| Alternative 2: | 4. Student safety must be paramount <u>and door-to-door solicitations are discouraged.</u> |

8. Any fundraising efforts that solicit donor messages for incorporation into school property (e.g., tiles or bricks) or placement upon school property (e.g., posters or placards) must: 5
 - a. Develop viewpoint neutral guidelines for the creation of messages;
 - b. Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and
 - c. Place a disclaimer on all fundraising information and near the completed donor messages that all messages are “solely the expression of the individual donors and not an endorsement by the District of any message’s content.”

LEGAL REF.: 105 ILCS 5/10-20.19(3).
23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:90 (Activity Funds), 4:120 (Food Services), 8:80 (Gifts to the District), 8:90 (Parent Organizations and Booster Clubs)

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

5 The issue of soliciting or receiving donor messages is an unsettled area of the law that is frequently litigated because of its many complex legal and practical issues. The U.S. Constitution’s Free Speech, Establishment, and Equal Protection Clauses may be triggered. As a general rule, school officials can avoid constitutional issues by reviewing donor messages according to uniform rules that do not discriminate on the basis of viewpoint. Requiring that donor messages go through a thorough review process prior to their permanent placement on any medium can avoid issues that may occur when messages are reviewed after placement and found to be unacceptable. For sample cases discussing the issue of a district’s exclusion of donor messages on school property, see Fleming v. Jefferson County Sch. Dist. R-1, 298 F.3d 918 (10th Cir. 2002), *cert. denied* (school’s restriction on the use of religious symbols on tiles that would become a part of the rebuilt school allowed because the messages were school-sponsored speech, and the restrictions had a reasonable relation to legitimate teaching concerns); DiLoreto v. Downey Unified Sch. Dist. Bd. of Educ., 196 F.3d 958 (9th Cir. 1999), *cert. denied* (school district’s refusal to post an advertisement featuring the text of the Ten Commandments on its baseball field upheld because the field was a nonpublic forum for a limited purpose); Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied* (school district disallowed religious symbols on Bible Club’s mural so it would not have to allow speech that would cause a disruption like white supremacists who wanted to display the swastika); and Kiesinger v. Mexico Acad.emy and Central Sch. Dist., 427 F.Supp. 2d 182 (N.D.N.Y. 2006)(school district’s removal of bricks inscribed with a donor’s religious messages from a walkway in front of a school was viewpoint discrimination because the district allowed messages about God generally, but not a specific religious viewpoint on God).

Students

Exhibit - Application and Procedures to Involve Students in Fundraising Activities

To be submitted to the Building Principal

Organization Name	School
Activity	Activity Dates

This application must be approved before involving students in a fundraising activity. Only the following organizations are permitted to involve students in fundraising activities while they are on school grounds during school hours or during any school activity: *(check at least one box)*

- ☐ School-sponsored student organization; **or**
☐ Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

Describe how students will be involved in the fundraising activity, including whether they will be asked to buy or sell items:

Will the proposed activity involve selling food or beverage items to students on campus during the school day?

- ☐ Yes - An approval may be contingent on the availability of an *exempted fundraising day*; please attach an exact description of what you propose to sell including the nutritional analysis.
☐ No - Food and beverage items will not be sold to students on campus during the school day.

Fundraising efforts must not conflict with instructional activities or programs. Sales booths during a school activity or lunch are permissible.

What, if any, activity will be done while students are on school premises?

Student participation must be voluntary. Penalties for failure to participate are prohibited.

Describe student incentives for participation:

Fundraising efforts should not burden students, their families, citizens, or merchants by being too frequent.

When and what was the last fundraising activity done by this organization or club?

Local ordinances must be followed, merchants must approve of any activities on their property, and students must conduct themselves as ambassadors for their School.

How will students be informed?

Student safety must be paramount.

How will students be kept safe if fundraising activities occur away from school?

- ☐ Not applicable - all student involvement occurs at school.

Sales or service campaigns to raise money should offer appropriate merchandise or services.

Describe the merchandise or services students will be asked to sell or perform:

For school-sponsored student organizations, a school staff member must supervise the fundraising activities in addition to any other adult volunteers.

List all of the adult sponsors, including staff members and non-staff adult volunteers:

☐ Not applicable - activity is not being proposed by a school-sponsored student organization.

For school-sponsored student organizations, the student activity funds treasurer must safeguard the financial accounts.

Is this agreeable? ☐ Yes ☐ No

☐ Not applicable - activity is not being proposed by a school-sponsored student organization.

Parent organizations and booster clubs are governed by School Board policy 8:90, *Parent Organizations and Booster Clubs*.

Is the organization prepared to abide by this policy? _____

☐ Not applicable - activity is not being proposed by a parent organization or booster club.

The fundraising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.

Describe how funds raised through the proposed activity will be used:

If the activity will help fund a trip or overnight excursion, describe the travel plans:

The funds must be used to the maximum extent possible for the designated purpose.

Is this agreeable? ☐ Yes ☐ No

Fundraising efforts that solicit donor messages for placement on school property must follow the District's viewpoint neutral guidelines for the creation of messages.

Is this agreeable? ☐ Yes ☐ No

☐ Not applicable - activity being proposed will not solicit donor messages.

I agree to abide by the conditions stated in this application and agree to adhere to all Board policies and administrative procedures.

Applicant name (please print)

Telephone number

Address

[Email address](#)

Applicant signature

Date

The Building Principal will base his or her decision on the information being provided in this form as well as other criteria deemed important. *(Note to Building Principal: after approving or denying this application, return a copy of it to the person making the request, send the original to the Superintendent, and retain a copy at the School.)*

☐ **Approved**

☐ **Denied**

Building Principal or designee

Date