

**River Forest District 90**  
**PRESS Policy Update Issue 109 – May, 2022**

**First Reading – July 18, 2022**

[illegible]

## Document Status: Draft Update

### Board Member Development

#### **2:120-E2 Exhibit - Website Listing of Development and Training Completed by Board Members**

*District webmaster: Post this template (including the explanatory paragraphs) on the District's website and update the table as information is provided.*

Each Illinois school board member who is elected or appointed to fill a vacancy of at least one year's duration must complete State-mandated ~~receive professional development leadership training~~ (PDLT) and *Open Meetings Act* (OMA) training. Mandatory State-mandated training is also required for board members who want to vote upon a dismissal based upon the Performance Evaluation Reform Act implementation in each school district. For additional information, see Board policy 2:120, *Board Member Development*. [PRESSPlus1](#)

The following table contains State-mandated ~~mandatory training requirements and development activities that were completed by each Board member. When the Illinois Association of School Boards (IASB) provided the training was provided by the Illinois Association of School Boards,~~ the acronym "IASB" follows the listed activity.

Name	Development and Training Activity and Provider	Date Completed

~~The Illinois Association of School Boards (IASB)~~ is a voluntary organization of local boards of education dedicated to strengthening the Illinois public schools through local citizen control. Although not a part of State government, IASB is organized by member school boards as a private not-for-profit corporation under authority granted by Article 23 of the School Code. The vision of IASB is excellence in local school governance in support of quality public education.

For more information regarding IASB and its programs visit [www.iasb.com](http://www.iasb.com).

DATED: ~~October 17, 2016~~

#### **PRESSPlus Comments**

PRESSPlus 1. Updated in response to a five-year review. **Issue 107, June 2021**

## Document Status: Draft Update

### Board of Education Meeting Procedure

#### 2:220-E1 Exhibit - Board Treatment of Closed Meeting Verbatim Records and Minutes

The following procedures are suggested for the verbatim audio recordings and minutes of Board of Education meetings that are closed to the public.

Actor	Action
<p><i>Before any Board meeting:</i></p> <p>Superintendent or designee</p>	<p>Arranges to have an audio recording device <u>with adequate storage capacity</u> <del>with</del> extra recording tapes <u>PRESSPlus1</u> and a back-up audio recording device in the meeting room during every Board meeting regardless of whether a closed meeting is scheduled.</p> <p>The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.</p>
<p><i>Before a closed meeting:</i></p> <p>Board President or presiding officer (#3 and #4 may be delegated to the Board Secretary or Recording Secretary)</p>	<p>On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified, (3) takes a roll call vote, (4) <del>ensures</del> <u>asks</u> that the minutes record the names of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting (<u>5 ILCS 120/2a</u>), and (5) adjourns the open meeting.</p>
<p><i>Before a closed meeting:</i></p> <p>Superintendent or Board Secretary</p>	<p>Immediately before a closed meeting, tests and activates the audio recording device.</p>
<p><i>During a closed meeting:</i></p> <p>Board President or presiding officer</p>	<p>Convenes the closed meeting stating:</p> <p>Seeing a quorum of the Board of Education gathered today, _____ date, at _____ o'clock, at _____ location, for the purpose of holding a closed meeting in order to confidentially discuss _____</p> <p>I call the meeting to order. In order to record who is present, I request that each individual state his or her name and position with the District.</p>

	<p>Limits discussion to the topics that were included in the motion to go into a closed meeting.</p> <p>The failure to immediately call a person out-of-order who strays from the purpose included in the motion may result in an appearance of acquiescence. This responsibility to call a person out-of-order falls on each Board member in the event of the President's failure.</p> <p>Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.</p>
<p><i>After a closed meeting:</i></p> <p>Superintendent, Recording Secretary, or Board Secretary</p>	<p><b>For Verbatim Recordings:</b></p> <p>Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed.</p> <p>Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings.</p> <p>As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.</p> <p>Upon request of a Board member:</p> <ol style="list-style-type: none"> <li>1. Provides access to the verbatim recordings minutes at a reasonable time and place without disrupting District operations;</li> <li>2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District: <ol style="list-style-type: none"> <li>a. The Recording Secretary,</li> <li>b. The Superintendent or designated administrator, or</li> <li>c. Any elected Board member; and</li> </ol> </li> <li>3. Logs the access to the recordings in 2:220-E7, <i>Access to Closed Meeting Minutes and Verbatim Recordings</i>.</li> </ol> <p><b>For Closed Meeting Minutes:</b></p> <p>Prepares written closed meeting minutes that include:</p> <ul style="list-style-type: none"> <li>• The date, time, and place of the closed meeting</li> <li>• The Board members present and absent</li> <li>• A summary of discussion on all matters proposed or discussed</li> <li>• The time the closed meeting was adjourned</li> </ul> <p>Upon request of a Board member:</p> <ol style="list-style-type: none"> <li>1. Provides access to the closed session minutes at a reasonable time and place without disrupting District operations;</li> <li>2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District: <ol style="list-style-type: none"> <li>a. The Recording Secretary,</li> <li>b. The Superintendent or designated administrator, or</li> <li>c. Any elected Board member; and</li> </ol> </li> </ol>



	3. Logs the access in 2:220-E7, Access to Closed Meeting Minutes and Verbatim Recordings.
<p><i>After a closed meeting:</i></p> <p>Board of Education</p>	Approves the previous closed meeting minutes at the next open meeting.
<p><i>In preparation for the semi-annual review:</i> <a href="#">PRESSPlus2</a></p> <p>Superintendent or designee</p>	<p><u>Every six months</u>, prepares a recommendation concerning the continued need for confidential treatment of <u>all of the Board's</u> closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review.</p> <p>This step is in preparation of the Board's meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p>If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda.</p> <p>Places "result of Board's review of unreleased closed meeting minutes" on a subsequent open meeting agenda.</p>
<p><i>In preparation for the semi-annual review:</i></p> <p>Individual Board of Education members</p>	<p>Before the meetings in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent.</p> <p>Individual Board members should consider: (1) the Superintendent's recommendation, (2) the recommendation of the attorney representing the District, (3) other Board members' opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act.</p>
<p><i>During the semi-annual review:</i></p> <p>Board of Education</p>	<p>During an open meeting, decides whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p>The Board may have an earlier meeting in closed session to discuss the continuing need for confidential treatment.</p> <p>During the semi-annual review, the Board decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or the minutes or portions thereof no longer require confidential treatment and are available for public inspection.</p>
<p><i>After the semi-annual review:</i></p> <p>Superintendent or designee</p>	Re-labels and re-files closed meeting minutes as appropriate.
<p><i>Monthly, beginning July 2005:</i></p> <p>Board President</p>	Adds "destruction of closed meeting audio recording" as an agenda item to an upcoming open meeting.

*Monthly, beginning July 2005:* Approves the destruction of particular closed meeting recording(s) that are at least 2:220-E1

Monthly, beginning July 2005:	Approves the destruction of particular closed meeting recordings that are at least 18 months old and for which approved minutes of the closed meeting already exist.
Board of Education	

LEGAL REF.:

5 ILCS 120/1, Open Meetings Act et seq.

DATED: January 17, 2017

### PRESSPlus Comments

PRESSPlus 1. Updated for continuous improvement in response to a 5-year review. **Issue 108, November 2021**

PRESSPlus 2. Required by 5 ILCS 120/2.06(d), amended by P.A. 102-653. *Semi-annual* means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. **Issue 108, November 2021**

## **Board of Education Meeting Procedure**

### **2:220-E2 Exhibit - Motion to Adjourn to Closed Meeting**

#### **Motion to Adjourn to Closed Meeting**

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **Location:** \_\_\_\_\_

A motion was made by \_\_\_\_\_, and seconded by \_\_\_\_\_, to adjourn to closed meeting to discuss:

- ☐ The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act. [5 ILCS 120/2\(c\)\(1\)](#), amended by P.A. 99-646.
- ☐ Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. [5 ILCS 120/2\(c\)\(2\)](#).
- ☐ The selection of a person to fill a public office, including a vacancy in a public office, when the District is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the District is given power to remove the occupant under law or ordinance. [5 ILCS 120/2\(c\)\(3\)](#).
- ☐ Evidence or testimony presented in open hearing, or in closed hearing where authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision with its determinative reasoning. [5 ILCS 120/2\(c\)\(4\)](#).
- ☐ The purchase or lease of real property for the use of the District, including meetings held for the purpose of discussing whether a particular parcel should be acquired. [5 ILCS 120/2\(c\)\(5\)](#).
- ☐ The setting of a price for sale or lease of property owned by the District. [5 ILCS 120/2\(c\)\(6\)](#).
- ☐ The sale or purchase of securities, investments, or investment contracts. [5 ILCS 120/2\(c\)\(7\)](#).
- ☐ 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.
- ☐ Student disciplinary cases. [5 ILCS 120/2\(c\)\(9\)](#).
- ☐ The placement of individual students in special education programs and other matters relating to individual students. [5 ILCS 120/2\(c\)\(10\)](#).



☐ Litigation, when an action against, affecting or on behalf of the particular District has been filed and is pending before a court or administrative tribunal, or when the District finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the closed meeting minutes. [5 ILCS 120/2\(c\)\(11\)](#).

☐ The establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the District or any intergovernmental risk management association or self insurance pool of which the District is a member. [5 ILCS 120/2\(c\)\(12\)](#).

☐ Self-evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the District is a member. [5 ILCS 120/2\(c\)\(16\)](#).

☐ Discussion of lawfully closed meeting minutes, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. [5 ILCS 120/2\(c\)\(21\)](#).

☐ Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. [5 ILCS 120/2\(c\)\(29\)](#).

**Closed Meeting Roll Call:**

"Yeas"	"Nays"

**Motion carried.**

DATED: January 17, 2017

**River Forest Public Schools District 90**

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## *Document Status: Draft Update - Rewritten*

### Board of Education Meeting Procedure

#### **2:220-E3 Exhibit - Closed Meeting Minutes**

*Items in bold are required by 5 ILCS 120/2.06(a)(1)-(3). Non-bolded items align with best practices.*

<b>Date:</b>	<b>Time:</b>
<b>Location:</b>	
<b>Name of person taking the minutes:</b>	
<b>Name of person recording the closed meeting:</b>	
<b>Names of members present:</b>	<b>Names of m</b>
<b>Summary of the discussion on all matters (as specified in the vote to close the meeting):</b>	
<b>Basis for the finding that litigation is probable or imminent, if applicable (<u>5 ILCS 120/2(c)(11)</u>):</b>	
<b>Time of adjournment or return to open meeting:</b>	

*The Board, during its semi-annual review of closed session minutes, has decided these minutes no months, or as soon after as is practicable, taking into account the nature and meeting schedule of th*

☐ These minutes are available for public inspection as of: \_\_\_\_\_

(Date)

DATED: November 20, 2017

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### **PRESSPlus Comments**

PRESSPlus 1. For the sake of brevity and to align with the closed meeting exception in 5 ILCS 120/2(c)(21) that continues to refer to a public body's *semi-annual* review of its closed session minutes, this exhibit use the term *semi-annual*, even though that term was removed from 5 ILCS 120/2.06(d). **Issue 108, November 2021**

## *Document Status: 5-Year-Review - Needs Review*

### **Board of Education Meeting Procedure**

#### **2:220-E4 Exhibit - Open Meeting Minutes**

#### **Open Meeting Minutes<sup>1</sup>**

##### **Meeting Minutes Protocol**

1. Meeting minutes are the permanent record of the proceedings during a Board of Education meeting. All Board action must be recorded in the minutes; thus, the minutes focus on Board action.
2. The minutes only include information provided at the meeting. Information may not be corrected or updated in the minutes unless it was discussed at the meeting.
3. Minutes include a summary of the Board's discussion on an agenda topic; the minutes do not state what is said verbatim. The minutes do not repeat the same point made by different individuals. If appropriate, the minutes include a brief background and an explanation of the circumstances surrounding an issue discussed. The minutes do not include the names of members making specific points during discussion. Requests from individual Board members to include their vote or an opinion are handled according to Board policy 2:220, *School Board Meeting Procedure*.
4. The minutes include the topic of reports that are made to the Board including reports from the Superintendent or a Board committee. Written reports are filed with the minutes but do not become part of the minutes.
5. The minutes note when a member is not present for the entire meeting due to late arrival and/or early departure.
6. Although items may be considered by the Board in a different order than appeared on the agenda, items in the minutes are generally recorded in the same order as they appeared on the agenda. When a meeting is reconvened on a different date, the minutes must describe what happened on each meeting date.
7. The minutes should be recorded in an objective but positive/constructive tone. Answers and explanations, rather than questions, are recorded. Writing style, including choice of words and sentence structure, is at the discretion of the individual recording the minutes.
8. The minutes include individuals' names who speak during the meeting's public participation segment as well as the topics they address. All written documents presented at a Board meeting are filed with the minutes but do not become part of the minutes.
9. The following content is generally included in meeting minutes.

##### **Open Meeting Minutes**

Date:

Time:

Location:

Type of meeting: ☐ Regular ☐ Special ☐ Reconvened or rescheduled ☐ Emergency

Name of person taking the minutes:

Name of person presiding:

Members in attendance:

1.

2.

3.

4.

5.

6.

7.

Members absent:

1.

2.

3.

Members in attendance remotely:

1.

2.

3.

### Approval of Agenda

List any items removed from the consent agenda:

Motion made by:

Motion: ☐ To approve

☐ To add items as follows: *(No action may be taken on new agenda items.)*

Motion seconded

by: \_\_\_\_\_

Action: ☐ Passed ☐ Failed

### Approval of Previous Meeting Minutes *(Needed only if this item is not on the consent agenda.)*

Minutes from the Board meeting held on:

Motion made by:

Motion: ☐ To approve

☐ To approve subject to incorporation of the following amendment(s):

Motion seconded

by: \_\_\_\_\_

Action: ☐ Passed ☐ Failed

**Approval of Items on Consent Agenda** *(This may include expense advancements, reimbursements, and/or purchase orders regulated by the Local Government Travel Expense Control Act (see Board policies 2:125, Board Member Compensation; Expenses, and 5:60, Expenses))*

Summary of discussion:

Motion to approve the consent agenda made by:



Motion seconded

by: \_\_\_\_\_

Roll Call: *(Needed when consent agenda contains an item involving the expenditure of money.)*

"Yeas"

"Nays"

Action: ☐ Passed ☐ Failed

**Public Comments** *(Reproduce this section for each individual making a comment.)*

The following individual appeared and commented on the topic noted below: *(Include the title of any documents presented to the Board.)*

Name:

Topic:

**Remaining Agenda Items** *(Reproduce this section for each agenda item.)*

Agenda item:

Summary of discussion:

Motion made by:

Motion to:

Motion seconded

by: \_\_\_\_\_

Action: ☐ Passed ☐ Failed

*(If a roll call vote occurred, record the vote of individual Board members.)*

"Yeas"

"Nays"

**If Applicable, Approval of Motion to Adjourn to Closed Meeting** *(Insert 2:220-E2, Motion to Adjourn to Closed Meeting.)*

**Approval of Motion to Adjourn**

Motion to adjourn made by:

Motion seconded

by: \_\_\_\_\_

Action: ☐ Passed ☐ Failed

Time of adjournment:

**Post-Meeting Action**

Date minutes approved:

Date minutes were available for public inspection:

Date minutes were posted on District website:

DATED: January 17, 2017

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## **PRESS Footnotes**

1. [\[1\]](#) Other than the required inclusions, the listed meeting protocols are at the board's discretion. They should facilitate a discussion and common understanding concerning what the board wants recorded in its meeting minutes. The required inclusions for meeting minutes are: ([5 LCS 120/2.06](#))

1. The meeting's date, time, and place;
2. Board members recorded as either physically present, remotely present, or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted *yea* and/or *nay*;
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting; and
6. When a vote is taken to hold a closed meeting, the vote of each member and the reason for the closed meeting with a citation to the specific exception authorizing the closed meeting.

## *Document Status: Draft Update*

### Board of Education Meeting Procedure

#### **2:220-E5 Exhibit - Semi-Annual Review of Closed Meeting Minutes**

##### **Semi-Annual Review of Closed Meeting Minutes**

###### Logging and Review Process

**Step 1.** The Board Secretary or Recording Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Board held the closed meeting. 2:220-E6, *Log of Closed Meeting Minutes*.

**Step 2.** The Board meets in closed session to review the log of unreleased closed meeting minutes. The Board or Recording Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Board members to review the actual minutes. The Board identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Board's Semi-Annual Review of Closed Meeting Minutes*, below.

**Step 3.** At least semi-annually (every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board), in an open meeting, the Board takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees' and Board members' personal information. 5 ILCS 120/2.06(d), amended by P.A. 102-653. [PRESSPlus1](#)

**Step 4.** The Board or Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Board made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Board's action to release it or a portion of it for public inspection; (3) continues to log new closed meeting minutes that the Board has not released for public inspection (2:220-E6, *Log of Closed Meeting Minutes*), and (4) maintains logs for access to closed session minutes pursuant to 5 ILCS 120/2.06(e), amended by P.A. 99-515.

###### Report Following the Board's Semi-Annual Review of Closed Meeting Minutes

The Board met on \_\_\_\_\_ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment: *(insert closed meeting dates)*

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The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual's privacy or the District's interests.

Action to Accept the Board's Semi-Annual Review of Closed Meeting Minutes

Open meeting date:

Motion to approve the Board's semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Board identified as no longer needing confidential treatment made by:

Motion seconded by:

Action: ☐ Passed ☐ Failed

~~DATED: January 17, 2017~~

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**PRESSPlus Comments**

PRESSPlus 1. For the sake of brevity and to align with the closed meeting exception in 5 ILCS 120/2(c)(21) that continues to refer to a public body's *semi-annual* review of its closed session minutes, this exhibit use the term *semi-annual*, even though that term was removed from 5 ILCS 120/2.06(d). **Issue 108, November 2021**



## Document Status: Draft Update

### Board of Education Meeting Procedure

#### 2:220-E6 Exhibit - Log of Closed Meeting Minutes

##### Log of Closed Meeting Minutes

The purpose of this log is to facilitate the Board's semi-annual review of closed meeting minutes. Semi-annual means every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the board. 5 ILCS 120/2.06(d), amended by P.A. 102-653. [PRESSPlus1](#)  
See 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*.

The Board Secretary or Recording Secretary shall maintain a list of closed meeting minutes, arranged according to the reason for the closed meeting, that have not been released for public inspection.

Closed Session Held to Discuss:	Dates of Closed Sessions		
Specific employee(s) or District legal counsel; however, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act]. <a href="#">5 ILCS 120/2(c)(1)</a> , amended by P.A. 99-646.			
Collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees. <a href="#">5 ILCS 120/2(c)(2)</a> .			
Selection of a person to fill a vacancy on the Board. <a href="#">5 ILCS 120/2(c)(3)</a> .			
Evidence or testimony presented in a hearing where authorized by law. <a href="#">5 ILCS 120/2(c)(4)</a> .			
Purchase or lease of real property. <a href="#">5 ILCS 120/2(c)(5)</a> .			
Setting of a price for sale or lease of District property. <a href="#">5 ILCS 120/2(c)(6)</a> .			
Sale or purchase of securities, investments, or investment contracts. <a href="#">5 ILCS 120/2(c)(7)</a> .			
Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger. <a href="#">5 ILCS 120/2(c)(8)</a> .			
Student disciplinary cases. <a href="#">5 ILCS 120/2(c)(9)</a> . <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i>			
Any matter involving an individual student. <a href="#">5 ILCS 120/2(c)(10)</a> . <i>Minutes of meetings</i>			



## Document Status: Draft Update

### Board of Education Meeting Procedure

#### 2:220-E7 Exhibit - Access to Closed Meeting Minutes and Verbatim Recordings

##### Access to Closed Meeting Minutes and Verbatim Recordings

The Board must allow its duly elected officials or appointed officials filling a vacancy of an elected office access to closed session minutes and verbatim recordings. ~~(5 ILCS 120/2.06(e)), amended by P.A. 99-515.~~ PRESSPlus1 The following subheads implement the logistics of granting this access.

##### Access to Closed Meeting Minutes

*Duplicate this section for each grant of access to closed meeting minutes.*

Date:                      Time:                      Storage Location:

Name of person(s) responsible for storing the closed meeting minutes: \_\_\_\_\_

##### ☐ Access granted

Date access  
occurred:

Start time:

End time:

Requesting Board member's name (Please print) \_\_\_\_\_

In the presence of: (Check appropriate box and insert name on line.)

☐ Recording Secretary

☐ Superintendent or designated administrator

☐ Elected Board member

**For requesting Board member: (Read the following and sign below)**

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Board of Police Commissioners, 555 N.E. 2d 351 97 Ill.App.3d 592 (2nd Dist. 1990)), I acknowledge and understand that any disclosures by me of information in the closed session minutes not yet released to the public could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

Requesting Board Member Signature Date

##### Verbatim Recording Access

*Duplicate this section for each grant of access to verbatim recordings.*

Date:

Time:

Storage  
Location:

Name of person(s) responsible for storing the verbatim recording:  
2:220-E7



Name of person(s) responsible for starting the verbatim recording.

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☐ **Access granted**

Date access occurred:

Start  
time:

End  
time:

Requesting Board member's name *(Please print)*

---

In the presence of: *(Check appropriate box and insert name on line.)*

☐ Recording Secretary

☐ Superintendent or designated administrator

☐ Elected Board member

☐ **Access denied** ☐ **Access unavailable.** Verbatim recording requested is older than 18 months and was destroyed pursuant to [5 ILCS 120/2.06\(c\)](#).

**For requesting Board member:** *(Read the following and sign below.)*

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Board of Police Commissioners, 197 Ill.App.3d 592 (2nd Dist. 1990) 555 N.E. 2d 35 (1990)), I acknowledge and understand that any disclosures by me of information in the closed session verbatim recordings could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

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Requesting Board Member Signature

Date

DATED: January 17, 2017

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**PRESSPlus Comments**

PRESSPlus 1. Updated in response to a five-year review. **Issue 107, June 2021**



## *Document Status: Draft Update - Rewritten*

### **Board of Education Meeting Procedure**

#### **2:220-E8 Exhibit - Board of Education Records Maintenance Requirements and FAQs**

*Title has been updated. Original Title: School Board Records Maintenance Requirements and FAQs*

##### Open Meetings Act [PRESSPlus1](#)

The Open Meetings Act (OMA) requires public bodies to “keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording.” 5 ILCS 120/2.06(a). Minutes must include, but are not limited to: (1) the date, time, and place of the meeting; (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (3) a summary of discussion on all matters proposed, deliberated, or decided, and record of any votes taken. Id.

The remainder of Section 2.06 addresses the approval of open meeting minutes, the treatment of verbatim recordings of closed meetings, the semi-annual review of closed meeting minutes, the confidential nature of closed meeting minutes, and the right of persons to address public officials under rules established and recorded by the public body. The requirements of Section 2.06, as well as OMA requirements pertaining to Board agendas, are included in policy 2:220, *Board of Education Meeting Procedure*.

Exhibit 2:220-E3, *Closed Meeting Minutes*, provides a sample template for keeping closed meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also includes an area to designate if the Board has determined, pursuant to Section 2.06(d), that the closed meeting minutes no longer need confidential treatment.

Exhibit 2:220-E4, *Open Meeting Minutes*, contains a protocol for open meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also provides a sample template for keeping open meeting minutes.

Exhibit 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*, contains a process for implementing the semi-annual review of closed meeting minutes, and exhibit 2:220-E6, *Log of Closed Meeting Minutes*, is designed to facilitate this semi-annual review (every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the Board). 5 ILCS 120/2.06(d), amended by P.A. 102-653.

Exhibit 2:220-E9, *Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration*, contains a process for compliance with 105 ILCS 120/7(e), added by P.A. 101-640, when a board is meeting without a physical quorum present at the meeting location during a disaster declaration related to public health concerns.

##### Local Records Act

The Local Records Act (LRA) provides that public records, including “any book, paper, map,

photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connections with the transaction of public business and preserved or appropriate for preservation by such agency or officer" must be preserved unless the State Local Records Commission has given permission to destroy those records. 50 ILCS 205/3 and 7. Board records, including agendas, meeting packets and meeting minutes, fall into this definition.

Public bodies located in Cook County must work with the Local Records Commission of Cook County to determine how long they must retain public records. Public bodies located outside of Cook County must work with the Downstate Local Records Commission to determine how long they must retain public records.

Policy 2:250, *Access to District Public Records*, contains a subhead entitled **Preserving Public Records** which provides as follows:

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the Board of Education or State or federal law to make such a request. Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

See the sample policy, 2:220, *Board of Education Meeting Procedure*, for all relevant footnotes. Also see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*, for recommendations regarding school district records retention protocols and links to web-based record management resources.

#### Open Meeting Minutes

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
Yes, within 30 days or at the next subsequent meeting, whichever is later.  <i>A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later. 5 ILCS 120/2.06(b).</i>	No.  Unlike the closed meeting requirement, OMA does not contain semi-annual review requirements for open meeting minutes.	Yes, must within 10 days after minutes are approved.  <i>The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the</i>	No.  There is no OMA provision permitting the destruction of open meeting minutes, and <b>they must be preserved unless the State Local Records Commission has given permission to destroy them.</b>  If a public body would like to destroy open meeting minutes, then it must comply with the LRA and work with its Local Records

		minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days after the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting. 5 ILCS 120/2.06(b).	Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.
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#### Open Meeting Verbatim Recordings

<b>Are we required to approve them?</b>	<b>Must they be semi-annually reviewed?</b>	<b>May we release them to the public?</b>	<b>May we destroy them?</b>
No.  OMA does not require public bodies to approve verbatim recordings of open meetings.	No.  Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, <i>unless</i> the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/7(e). OMA does not contain semi-annual review requirements for open meeting verbatim recordings.	Yes.  Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings, <i>unless</i> the public body is meeting without the physical presence of a quorum during a disaster declaration related to public health concerns. 5 ILCS 120/7(e). If a public body makes verbatim recordings of open meetings, then such recordings are subject to public disclosure pursuant to the Freedom of Information Act. 5 ILCS 140/.	Open meeting verbatim recordings made of meetings held without the physical presence of a quorum of a public body during a disaster declaration related to public health concerns may be destroyed after 18 months if prerequisites are met. (See <u>Closed Meeting Verbatim Recordings</u> subhead, below).  [P]ublic bodies holding open meetings under this subsection (e) must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this paragraph (9) shall be made available to the public under, and are otherwise subject to, the

			<p>provisions of Section 2.06. 5 ILCS 120/7(e)(9).</p> <p>In all other cases, if a public body would like to destroy open meeting verbatim recordings, then it must comply with the LRA and work with its Local Records Commission.</p>
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#### Closed Meeting Minutes

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
<p>Yes.</p> <p>OMA does not directly state public bodies are required to approve closed meeting minutes, nor does it set a time frame for such approval. However, OMA Section 2.06(d) requires public bodies to meet at least semi-annually to "review minutes of all closed meetings." 5 ILCS 120/2.06(d).</p> <p>Moreover, OMA Section 2.06(c) specifically allows the destruction of closed meeting verbatim recordings only if certain conditions are met, one of which is that "the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section." 5 ILCS 120/2.06(c)(2). Both of these tasks would be difficult to achieve if closed meeting minutes were not first approved.</p> <p>One practice is to approve closed meeting</p>	<p>Yes.</p> <p><i>Each public body shall periodically meet to review all existing minutes of all prior closed meetings (this includes records from all time that the board has been in existence). Meetings to review minutes shall occur every 6 months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the public body. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. 5 ILCS 120/2.06(d),</i></p>	<p>Yes, if prerequisites are met.</p> <p><i>Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential. 5 ILCS 120/2.06(f).</i></p>	<p>No.</p> <p>There is no OMA provision permitting the destruction of closed meeting minutes, and <b>they must be preserved unless the State Local Records Commission has given permission to destroy them.</b></p> <p>In addition:</p> <p><i>No minutes of meetings closed to the public shall be removed from the public body's main office or official storage location, except by vote of the public body or by court order. 5 ILCS 120/2.06(f).</i></p> <p>If a public body would like to destroy closed meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their</p>

minutes within the same time frame that open meeting minutes are approved – within 30 days of the meeting or at the next subsequent meeting, whichever is later.	amended by P.A. 102-653.		destruction.
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#### Closed Meeting Verbatim Recordings

Are we required to approve them?	Must they be semi-annually reviewed?	May we release them to the public?	May we destroy them?
<p>No.</p> <p>OMA does not require approval of closed meeting verbatim recordings.</p>	<p>No.</p> <p>OMA does not require semi-annual review of closed meeting verbatim recordings.</p>	<p>Possibly but unlikely.</p> <p><i>Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. 5 ILCS 120/2.06(e).</i></p> <p>But see <u>Kodish v. Oakbrook Terrace Fire Protection Dist.</u> (235 F.R.D. 447 (N.D. Ill. 2006), where a federal district court ordered that closed meeting verbatim recordings be disclosed to the Plaintiff in discovery because his primary claim was brought under federal law.</p>	<p>Yes, after 18 months if prerequisites are met.</p> <p><i>The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after: 1.) the public body approves the destruction of a particular recording; and 2.) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section. 5 ILCS 120/2.06(c).</i></p> <p>In addition:</p> <p><i>No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order. 5 ILCS 120/2.06(e).</i></p>



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## **PRESSPlus Comments**

PRESSPlus 1. This Board exhibit is rewritten for PRESS Plus subscribers. A redlined version showing the changes made is available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com). **Issue 108, November 2021**

## Document Status: Draft Update

### Section 2 - BOARD OF EDUCATION

#### **2:230 Public Participation at Board of Education Meetings and Petitions to the Board**

~~For an overall minimum of 30 minutes d~~During each regular and special open meeting of the Board, [PRESSPlus1](#) any person may comment to or ask questions of the Board (*public participation*), subject to the reasonable constraints established and recorded in this policy's guidelines below. <sup>Q1</sup>  
The Board listens to comments or questions during public participation; responses to comments to or questions of the Board are most often managed through policy 3:30, *Chain of Command*. [PRESSPlus2](#)  
~~During public participation, there will be a 20-minute minimum total length of time for any one subject. When public participation takes less time than these minimums, it shall end.~~

To preserve sufficient time for the Board to conduct its business, any person appearing before the Board is expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President. This includes following the directives of the Board President [PRESSPlus3](#) to maintain order and decorum for all.
2. Use a sign-in sheet, if requested. [PRESSPlus4](#)
3. Identify oneself and be brief. Ordinarily, the time for any one person to address the Board during public participation shall be limited to three minutes. In unusual circumstances, and when an individual has made a request to speak for a longer period of time, the Board President may allow a person may be allowed to speak for more than three minutes. If multiple individuals wish to address the Board on the same subject, the group is encouraged to appoint a spokesperson.
4. Observe, when necessary and appropriate, the Board President's authority to:
  - a. ~~Shortening of the time for each person to address the Board during public participation to conserve time and give the maximum number of people an opportunity to speak; and/or~~
  - b. ~~Expansion of the overall minimum of 30 minutes for public participation and/or the 20-minute minimum total length of time for any one subject; and/or~~
  - c. ~~Determination of procedural matters regarding public participation not otherwise covered in Board policy.~~
5. Conduct oneself with respect and civility toward others and otherwise abide by Board policy 8:30, *Visitors to and Conduct on School Property*.

Petitions or written correspondence to the Board shall be presented to the Board of Education at the next regularly scheduled Board meeting.

#### LEGAL REF.:

105 ILCS 5/10-6 and 5/10-16.

5 ILCS 120/2.06, Open Meetings Act.

~~105 ILCS 5/10-6 and 5/10-16.~~

CROSS REF.: 2:220 (Board of Education Meeting Procedure), 8:10 (Public Relations), 8:30 (Visitors to and Conduct on School Property)

Adopted: September 22, 2019

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### Questions and Answers:

\*\*\*Required Question 1. **Consult with the board attorney for guidance before adopting a maximum time limit for public participation; public comment rules are frequently challenged.**

The Ill. Public Access Counselor (PAC) has issued only unpublished, non-binding opinions approving of 30- and 60-minute overall time limits for public comment under OMA. The PAC has issued a binding opinion finding that a public body violated OMA when, pursuant to an unrecorded rule, it limited public comment on a controversial topic to 15 minutes. Public Access Opinion (PAO) 19-2. The PAC noted that while the lack of an adopted policy on the time period for public comment did not "necessarily mean that public comment must be allowed to continue indefinitely," the public body presented "no evidence that limiting comments was necessary to maintain decorum or that extending the comment period would have unduly interfered with the orderly transaction of public business."

If the Board would like to establish a maximum time limit for public participation, IASB will revise the first sentence of the paragraph as follows:

For a maximum of 60 minutes ~~During~~ each regular and special open meeting of the Board, any person may comment to or ask questions of the School Board (*public participation*), subject to the reasonable constraints established and recorded in this policy's guidelines below. The time limit for public participation at a meeting may be extended upon the majority vote of the Board members at the regular or special meeting.

If a board wants to establish a time limit other than 60 minutes, substitute with the time limit desired. Note that any extension of a public comment period cannot be based on the viewpoint of a speaker(s).

Would the Board like to establish a maximum time limit for public participation?

☐ No (default)

☐ Yes, the Board would like to establish a maximum time limit of 60 minutes.

☐ Yes, the Board would like to establish a time limit other than 60 minutes. What time limit has the board established? (Enter the number of minutes.):

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### PRESSPlus Comments

PRESSPlus 1. Updated in response to subscriber feedback regarding time minimums and maximums for public participation during school board meetings and for continuous improvement. Customize this policy to ensure it is responsive to the community's public participation needs.

While it does not apply directly to school boards, the Empowering Public Participation Act, 5 ILCS 850/, added by P.A. 102-348, prohibits law enforcement agencies or officers employed by them from intentionally conducting background checks of individuals based solely on the fact that they are speaking at an open meeting of a public body. Consult the board attorney for a discussion related to the appropriateness of board members and school officials using search engines and/or other social media platforms to search for information about individuals speaking during public

## School Board

### Exhibit - PRESS Issue Updates

This procedure is for **PRESS** subscribers. For subscribers to **PRESS Plus**, IASB's full-maintenance policy update service, the **PRESS Plus** Online User Guide, available at [www.iasb.com/policy](http://www.iasb.com/policy), provides further guidance.

Actor	Action
Superintendent	<p>Manages the process for the Board to receive <b>PRESS</b> updates to policies.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and School Board include discussion and list action to consider, adopt, or revise Board policies and Board exhibits.</p> <p>Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks.</p> <p>Communicates all policy and administrative procedure revisions or adoptions, as appropriate, to staff members, parents, students, and community members.</p>
Superintendent or Superintendent's Secretary	<p>Updates the District's <i>Roster</i> as follows:</p> <ol style="list-style-type: none"> <li>1. Go to <a href="http://www.iasb.com">www.iasb.com</a> and click on the <b>Member Login</b> button.</li> <li>2. Log in using your email address and password. If you do not know your password, use the "forgot your password?" link.</li> <li>3. At the bottom of your Profile page, click on <b>Districts You Manage</b> and then the District name.</li> <li>4. Review and verify or change the District's existing records. Ensure that all current board members, administrators, and anyone else on staff who accesses <b>PRESS</b> are listed with their current email addresses.</li> </ol>
Designated support staff	<p>Logs in to <b>PRESS</b> Online as follows:</p> <ol style="list-style-type: none"> <li>1. Go to <a href="http://www.iasb.com">www.iasb.com</a> and click on the <b>Member Login</b> button.</li> <li>2. Log in using your email address and password. If you do not know your password, use the "forgot your password?" link.</li> <li>3. Under "<b>My Account Links</b>," click "<b>PRESS Login</b>."</li> </ol> <p>To each member of the Policy Committee, full Board, or other interested school official, emails or otherwise distributes the following:</p> <ol style="list-style-type: none"> <li>1. <b>PRESS Update Memo</b>;</li> <li>2. <b>PRESS</b> video tutorial link at: <a href="http://www.iasb.com/policy">www.iasb.com/policy</a>;</li> <li>3. Committee worksheets; and</li> <li>4. Current District policy in relevant areas.</li> </ol>

Actor	Action
	<p>As appropriate, includes new and revised policies in the Board meeting packets.</p> <p>After a policy is adopted or revised, updates the District's policy manual master electronic file and adds or updates adoption dates.</p> <p>Archives previous version of revised policy.</p> <p>Follows district process for updating paper and online manuals.</p> <p>Considers distributing <b>PRESS Update Memo</b> to Building Principals.</p>
Policy Committee (or Full Board)	<p>Considers each <b>PRESS</b> update. Reviews all footnote changes.</p> <p>Decides which changes require School Board discussion and which are appropriate as consent agenda items.</p> <p>The following are appropriate for the consent agenda: changes to the Legal References and Cross References, and minor policy edits that do not require Board discussion.</p> <p>Requests review of recommended revisions by the Board Attorney, as appropriate.</p> <p>Presents recommendations regarding <b>PRESS</b> updates to the Board at a regularly scheduled meeting.</p>
Full Board	<p>Conducts a first reading of the policies that are recommended for adoption or revision.</p> <p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Assistant Superintendents, Directors, Building Principals, and supervisory employees	<p>Reads <b>PRESS Update Memo</b> (if applicable) and adopted policies, follows the Superintendent's process for updating administrative procedures, and makes necessary changes to employee and student handbooks within their assigned building(s).</p>
Anyone	<p>For further clarification, view the online tutorial for <b>PRESS</b>, available at <a href="http://www.iasb.com/policy">www.iasb.com/policy</a>.</p>



## Document Status: Draft Update - Rewritten

### Board Policy Development

#### 2:240-E2 Exhibit - Developing Local Policy

Actor <a href="#">PRESSPlus1</a>	Action
Anyone (Superintendent, Board of Education member, staff, parent, student, community member, or Board Attorney)	Brings a concern that may necessitate a new policy or a current policy's revision to the attention of the Board of Education.
Superintendent	<p>Confers with the Board Attorney as appropriate.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and Board of Education include discussion and list action to consider, adopt, or revise Board policies and Board exhibits. <a href="#">PRESSPlus2</a></p> <p>Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks.</p> <p>Communicates all policy and administrative procedure revisions or adoptions as appropriate to staff members, parents, students, and community members.</p>
Policy Committee (or Full Board)	<p><b>First</b>, answers these questions to decide whether new policy language is needed:</p> <ol style="list-style-type: none"> <li>1. Does the IASB Policy Reference Manual provide guidance?</li> <li>2. Is the request something that should be covered in policy (i.e., Board work), or is it something that should be handled by the staff (i.e., staff work)?</li> <li>3. Is it already covered in policy? Checks for policies that cover similar or connected topics using tools such as search engines, Tables of Contents, cross references, and indexes.</li> </ol> <p><b>Second</b>, uses a 3-step process to draft new policy language:</p> <ol style="list-style-type: none"> <li>1. Frames the question and discusses the topic.</li> <li>2. Requests the Superintendent to provide research, including appropriate data, and input from others, such as, those who may be affected by the policy and those who will implement the</li> </ol>

	<p>policy.</p> <p>3. Drafts or requests the Superintendent or Board Attorney to draft language addressing the concern that aligns with the Board's mission, vision, goals, and objectives.</p> <p><b>Third</b>, decides whether the new language should be included in an existing policy or added as a new policy. Assigns any new policy an appropriate location and number.</p> <p>The <b>PRESS</b> coding system reserves policy numbers ending in a '0' and '5' for <b>PRESS</b> material. Locally developed District policies should use policy numbers ending in 2, 4, 6, or 8.</p>
Full Board	<p>Conducts a first reading of the policy that is recommended for adoption or revision.</p> <p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Designated support staff	<p>After a policy is adopted or revised, updates the District's policy manual master electronic file and adds or updates adoption dates.</p> <p>Archives previous version of revised policy.</p> <p>Follows district process for updating paper and online manuals.</p>
Assistant Superintendents, Directors, Building Principals, and supervisory employees	<p>Reads <b>PRESS Update Memo</b> (if applicable) and adopted policies, follows the Superintendent's process for updating administrative procedures, and makes necessary changes to employee and student handbooks within their assigned building(s).</p>

## PRESSPlus Comments

PRESSPlus 1. This Board exhibit is REWRITTEN for PRESS Plus Issue 107. A redline version showing the changes made to the sample version is available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com). **Issue 107, June 2021**

PRESSPlus 2. Updated in response to a five-year review. **Issue 107, June 2021**

participation. **Issue 109, May 2022**

PRESSPlus 2. The law does not require board members to respond during public participation, and best practices for meetings instruct board members to refrain from engaging in commentary with members of the public during public participation. **Issue 109, May 2022**

PRESSPlus 3. Policy 2:110, *Qualifications, Term, and Duties of Board Officers*, governs the board president's duties, one of which is to preside at all meetings, including presiding over public participation and enforcing this policy. Enforcing this policy is key to the board conducting a successful meeting. The board president should speak with the board attorney to: (1) craft opening statements for the public participation portion of the meeting related to enforcement of this policy and consequences for violating it or any other related board policies, and (2) discuss whether the presence of security and/or law enforcement is advisable, especially when public participation is expected to be long or contentious. For a resource on best practices for managing challenging public comment periods, including a sample opening statement, see: [www.iasb.com/policy-services-and-school-law/guidance-and-resources/managing-challenging-public-comment-periods/](http://www.iasb.com/policy-services-and-school-law/guidance-and-resources/managing-challenging-public-comment-periods/) and other learning opportunities through IASB's Online Learning Center, at: [www.iasb.com/conference-training-and-events/training/online-learning/online-courses/](http://www.iasb.com/conference-training-and-events/training/online-learning/online-courses/). **Issue 109, May 2022**

PRESSPlus 4. Optional. A public commenter cannot be excluded for refusing to provide his or her home address. PAO 14-9. Generally, a board should consult with its attorney regarding the practice of excluding public commenters for reasons relating to the sign-in sheet. **Issue 109, May 2022**

## *Document Status: 5-Year-Review - Needs Review*

### **Section 3 - GENERAL SCHOOL ADMINISTRATION**

#### **3:70 Succession of Authority**

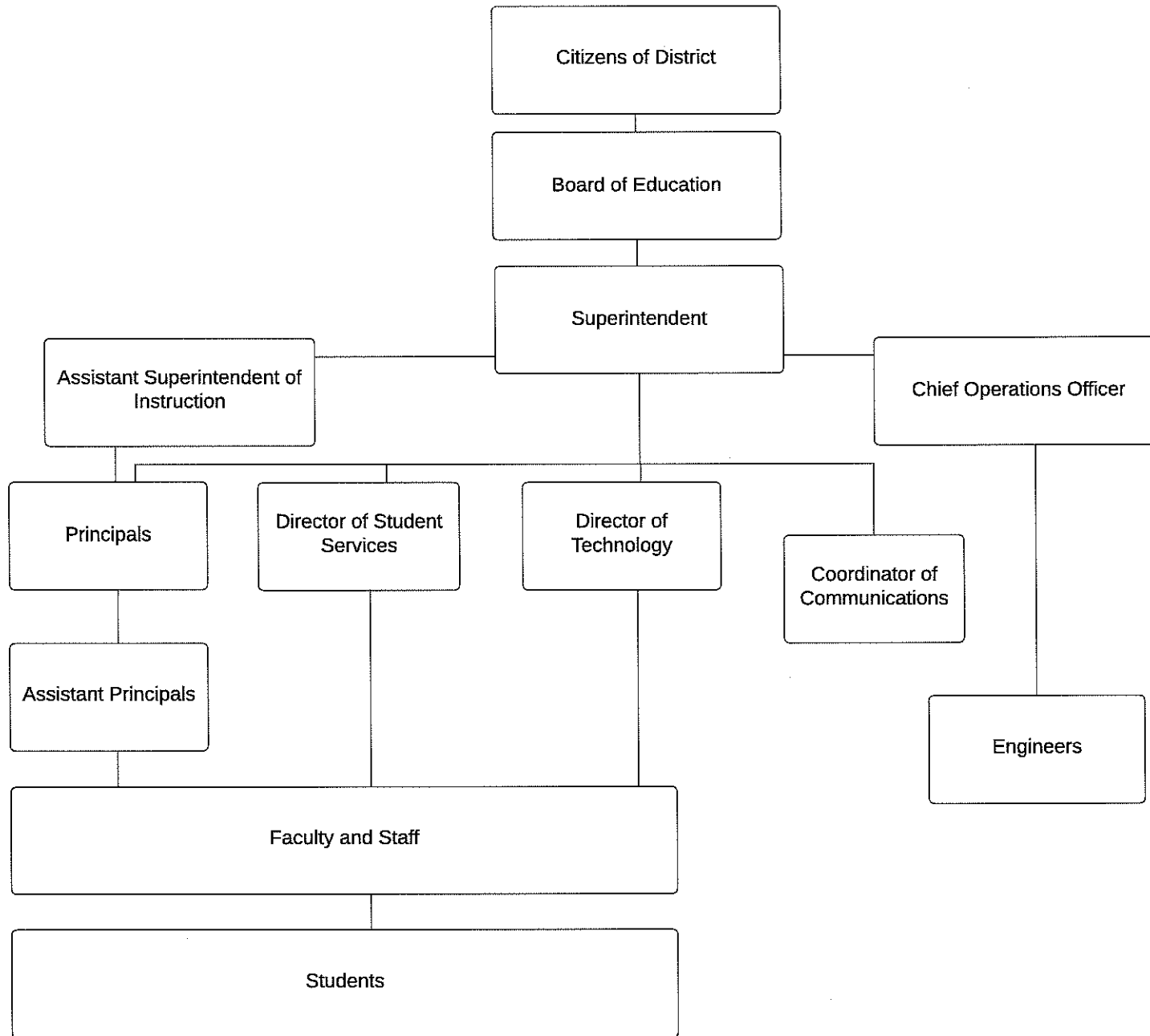
If the Superintendent or Building Principal is temporarily unavailable, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Superintendent and submitted to the Board of Education.

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

~~ADOPTED: May 15, 2017~~

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# School District 90 Organizational Chart





## *Document Status: Draft Update*

### **Section 4 - OPERATIONAL SERVICES**

#### **4:70 Resource Conservation**

The Superintendent or designee shall manage a program of energy and resource conservation for the District that includes:

1. Periodic review of procurement procedures and specifications to ensure that purchased products and supplies are reusable, durable, or made from recycled materials, if economically and practically feasible.
2. Purchasing recycled paper and paper products in amounts that will, at a minimum, meet the specifications in the School Code, if economically and practically feasible.
3. Periodic review of procedures on the reduction of solid waste generated by academic, administrative, and other institutional functions, and make appropriate recommendations and adjustments, if economically and practically feasible.
4. Adherence to energy conservation measures, if economically and practically feasible.

LEGAL REF.:

105 ILCS 5/10-20.19c and 5/19b. [PRESSPlus1](#)

CROSS REF.: 4:60 (Purchases and Contracts), 4:150 (Facility Management and Building Programs)

~~ADOPTED: December 15, 2008~~

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#### **PRESSPlus Comments**

PRESSPlus 1. The Legal References are updated. **Issue 109, May 2022**

## *Document Status: 5-Year-Review - Needs Review*

### **Section 5 - GENERAL PERSONNEL**

#### **5:70 Religious Holidays**

**Please refer to the applicable collective bargaining agreement(s).**

**For employees not covered by a current applicable bargaining agreement:**

Two (2) days will be allowed for the observance of recognized religious holidays. A request for religious holidays to be taken in any school year shall be presented in writing to the Building Principal or supervisor within the first week of the school year.

Professional personnel should refer to the current "Negotiated Contract between the Board of Education of School District 90 and the River Forest Education Association."

#### **LEGAL REF.:**

Religious Freedom Restoration Act, [775 ILCS 35/15](#).

Illinois Human Rights Act, [775 ILCS 5/2-101](#) and [5/2-102](#).

Adopted: February 22, 2022

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## *Document Status: Draft Update*

### **Section 5 - GENERAL PERSONNEL**

#### **5:80 Court Duty**

*Title has been updated. Original Title: Jury Duty*

The District will deduct any fees that an employee receives for court duty, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to the District.

An employee should give at least five days' prior notice of pending court duty to the District.

#### Witness Duty

The District will pay full salary during the time a licensed employee is absent due to a subpoena to serve as a witness in a trial or have a deposition taken in any school-related matter pending in court.[Q1](#)

#### Jury Duty

**Please refer to the applicable collective bargaining agreement(s).**

**For employees not covered by a current applicable bargaining agreement:**

Employees will receive jury duty benefit under the same terms and conditions as employees covered by the collective bargaining agreement.[PRESSPlus1](#)

LEGAL REF.:

105 ILCS 5/10-20.7.

705 ILCS 305/4.1, Jury Act.

Adopted: February 22, 2022

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#### **Questions and Answers:**

\*\*\*Required Question 1. The School Code mandates this provision for certificated [licensed] employees serving witness duty. 105 ILCS 5/10-20.7. Despite the statute's limitation to licensed employees, many boards apply this language to educational support personnel.

Would the Board like to apply this language to both licensed and educational support personnel?

☐ No (default)

☐ Yes (IASB will strike "licensed" from the text and correct the grammar.)

## **PRESSPlus Comments**

PRESSPlus 1. This policy language is unique to the district. Please consult the author and the **PRESS** sample, available by logging in at [www.iasb.com](http://www.iasb.com), to determine whether further changes are necessary. **Issue 109, May 2022**



## *Document Status: 5-Year-Review - Needs Review*

### **Section 5 - GENERAL PERSONNEL**

#### **5:240 Suspension**

##### **Suspension Without Pay**

The Board of Education may suspend without pay: (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for misconduct that is detrimental to the School District.

Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor;
- Violation of Board policy or Administrative Procedure;
- Conduct that disrupts or may disrupt the educational program or process;
- Conduct that violates any State or federal law that relates to the employee's duties; and
- Other sufficient causes.

The Superintendent or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the suspension as well as the deadline for the employee to exercise his or her right to appeal the suspension to the Board or Board-appointed hearing examiner before it is imposed. At the request of the professional employee made within five calendar days of receipt of a pre-suspension notification, the Board or Board-appointed hearing examiner will conduct a pre-suspension hearing. The Board or its designee shall notify the professional employee of the date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence. If the employee does not appeal the pre-suspension notification, the Superintendent or designee shall report the action to the Board at its next regularly scheduled meeting.

##### **Suspension With Pay**

The Board of Education or Superintendent or designee may suspend a professional employee with pay: (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District as defined above, or (3) pending a Board hearing to suspend a teacher without pay.

The Superintendent shall meet with the professional employee to present the allegations and give the professional employee an opportunity to refute the charges. The professional employee will be told the dates and times the suspension will begin and end. The actions described above shall not limit the District's alternative methods of discipline.

##### **Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)**

Upon receipt of a DCFS recommendation that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with the District, the Board or Superintendent or designee, in consultation with the Board

Attorney, will determine whether to remove the employee as recommended by DCFS, proceeding with:

1. A suspension with pay; or
2. A suspension without pay.

#### Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.:

[5 ILCS 430/5-60\(b\)](#).

[105 ILCS 5/24-12](#).

[325 ILCS 5/7.4\(c-10\)](#).

[Cleveland Bd. of Educ. v. Loudermill](#), 470 U.S. 532 (1985).

*Barszcz v. Community College District No. 504*, 400 F.Supp. 675 (N.D. Ill., 1975).

*Massie v. East St. Louis Sch. District No.189*, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Educational Support Personnel - Employment Termination and Suspensions)

~~ADOPTED: February 19, 2018~~

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## *Document Status: 5-Year-Review - Needs Review*

### **Section 6 - INSTRUCTION**

#### **6:70 Teaching About Religions**

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion.

#### LEGAL REF.:

*School District of Abington Twp v. Schempp*, 374 U.S. 203 (1963).

*Allegheny County v. ACLU Pittsburgh Chapter*, 492 U.S. 573 (1989).

CROSS REF.: 6:40 (Curriculum Development)

~~ADOPTED: May 15, 2017~~

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## *Document Status: Draft Update*

### **Section 6 - INSTRUCTION**

#### **6:80 Teaching About Controversial Issues**

Discussion of controversial issues should be age-appropriate, serve an educational purpose, be consistent with the curriculum, and present a balanced view.

**LEGAL REF.:** [PRESSPlus1](#)

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477 (7th Cir. 2007).

**CROSS REF.:** 6:40 (Curriculum Development)

**ADOPTED:** March 19, 2007

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#### **PRESSPlus Comments**

PRESSPlus 1. Legal References are added. **Issue 109, May 2022**



## *Document Status: Draft Update*

### Section 6 - INSTRUCTION

#### **6:140 Education of Homeless Children**

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education. [PRESSPlus1](#) A homeless child is defined as provided in the McKinney-Vento Homeless Assistance Act and the Education for Homeless Children Act. The Superintendent or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation. [PRESSPlus2](#)

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school.

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Transportation shall be provided in accordance with the McKinney-Vento Homeless Assistance Act and State law. The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school. If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent and provide the child or his or her parent/guardian with a written explanation for the denial. [PRESSPlus3](#) Whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the Liaison for Homeless Children shall, [PRESSPlus4](#) after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist in accordance with State law.

~~A homeless child is defined as provided in the McKinney Homeless Assistance Act and the III. Education for Homeless Children Act.~~

#### **LEGAL REF.:**

~~McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.~~ [PRESSPlus5](#)

~~III. Education for Homeless Children Act, 105 ILCS 45/, Education for Homeless Children Act.~~

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students)

~~ADOPTED: October 19, 2015~~



## **PRESSPlus Comments**

PRESSPlus 1. State or federal law control this policy's content. This policy is updated to reflect the PRESS sample, with changes made to the PRESS sample prior to Issue 109. Please consult the PRESS sample, available at PRESS Online by logging in at [www.iasb.com](http://www.iasb.com), for more information. **Issue 109, May 2022**

PRESSPlus 2. 42 U.S.C. §11432(g)(l)(J)(ii). **Updated in Issue 56, October 2005**

PRESSPlus 3. Required by 105 ILCS 45/1-25, as amended by P.A. 94-235. **Updated in Issue 56, October 2005**

PRESSPlus 4. Optional. 105 ILCS 45/1-25(a-5). As an alternative, a school board may omit this sentence or use a permissive verb, such as, "...the Liaison for Homeless Children may, after the passage of 18 months and annually thereafter, conduct..." Any change required as a result of this review becomes effective at the close of the school year. Any person who knowingly or willfully presents false information in any review commits a Class C misdemeanor. **Updated in Issue 56, October 2005**

PRESSPlus 5. The Legal Reference style is updated. **Issue 109, May 2022**

## *Document Status: District Use Only*

### **Section 6 - INSTRUCTION**

#### **6:220 Instructional Materials Selection and Adoption**

Textbooks and instructional materials, both print and non-print, shall be selected based upon their quality and educational value. [PRESSPlus1](#)

the School Code governs the adoption and purchase of textbooks and instructional materials. Under the Board of Education governance, the Superintendent shall approve the selection of all textbooks and instructional materials.

LEGAL REF.:

[105 ILCS 5/10-20.8](#) and [5/28-1](#) *et seq.*

CROSS REF.: 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:110 (Public Complaints)

Adopted: February 22, 2022

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#### **PRESSPlus Comments**

PRESSPlus 1. This policy's contents are covered under policy 6:210, *Instructional Materials*. **Issue 108, November 2021**

## *Document Status: Draft Update*

### **Section 6 - INSTRUCTION**

#### **6:290 Homework**

Homework is part of the District's instructional program and has the overarching goal of increasing student achievement. Teachers shall regularly assign homework to students to aid in a student's educational development. Homework should be an application or adaptation of a classroom experience.

Missed Homework [PRESSPlus1](#)

Students absent for a valid cause may make up missed homework in a reasonable timeframe per policy 7:70, *Attendance and Truancy*.

CROSS REF.: 7:70 (*Attendance and Truancy*)

ADOPTED: August 20, 2012

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#### **PRESSPlus Comments**

PRESSPlus 1. Optional. Updated in response to a 5-year review to align with sample policy 7:70, *Attendance and Truancy*. **Issue 109, May 2022**

## *Document Status: Draft Update*

### **Section 7 - STUDENTS**

#### **7:15 Student and Family Privacy Rights**

The District shall adhere to applicable laws in protecting the privacy of students.

##### Surveys

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District's educational objectives as identified in ~~Board~~ policy 6:10, *Educational Philosophy and Objectives*, or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified ~~and regardless of who created the survey.~~

##### Surveys Created by a Third Party

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District employee, school official, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

See Policy 7:340, *Student Records*, for the definition of what constitutes a "school official."

##### Survey Requesting Personal Information

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the District) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.
2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian.
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, and/or



2. Refuse to allow their child to participate in the activity described above. The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

#### Instructional Material

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content, in physical form rather than oral form, that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

#### Physical Exams or Screenings

No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act ([20 U.S.C. §1400 et seq.](#)).
3. Is otherwise authorized by Board policy.

#### Prohibition on Selling or Marketing Students' Personal Information Is Prohibited [PRESSPlus1](#)

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term "personal information" means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number, (5) driver's license number or State identification card, or (6) email address.

Unless otherwise prohibited by law, The above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education-related activities.



## 6. Student recognition programs.

Under no circumstances may a school official or staff member provide a student's "personal information" to a business organization or financial institution that issues credit or debit cards.

### Notification of Rights and Procedures

The Superintendent or designee shall notify students' parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled.
4. How to request access to any survey or other material described in this policy.

This notification shall be given to parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

### Transfer of Rights

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

### LEGAL REF.:

Protection of Pupil Rights; [20 U.S.C. §1232h](#).

105 ILCS 5/10-20.38.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

~~105 ILCS 5/10-20.38.~~

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:220 (Instructional Materials Selection and Adoption), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:340 (Student Records)

ADOPTED: March 19, 2007

REVIEWED: November 18, 2013; February 21, 2016; February 19, 2018

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### **PRESSPlus Comments**

PRESSPlus 1. Compare *personal information* under the Protection of Pupil Rights Act (PPRA) and the Children's Privacy Protection and Parental Empowerment Act (CPPPEA) with *covered information* under the Student Online Personal Protection Act (SOPPA) (105 ILCS 85/), which districts are always prohibited from selling, renting, leasing, or trading. 105 ILCS 85/26. *Covered information* is broadly defined as personally identifiable information of students (or linked to students) that is shared with an *operator* of a website, online service, or application that is used primarily for K-12 purposes and is designed and marketed for K-12 purposes. Therefore, in cases where the *covered information* is collected, disclosed, or used that also meets the definition of *personal information* under this policy, the PPRA and CPPPEA exceptions to the prohibition on selling

students' personal information may not be available. Consult the board attorney for further guidance in these situations, and see sample policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, for more information about SOPPA requirements. **Issue 109, May 2022**

## *Document Status: Draft Update*

### **Section 7 - STUDENTS**

#### **7:270 Administering Medicines to Students**

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent(s)/guardian(s) believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent(s)/guardian(s) must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed *School Medication Authorization Form (SMA Form)* is submitted by the student's parent(s)/guardian(s). No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this Policy and its implementing procedures.

Nothing in this Policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal or designee shall include this Policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

#### **Self-Administration of Medication**

A student may possess and self-administer an epinephrine injector, e.g., EpiPen®, and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed an *SMA Form*. The Superintendent or designee will ensure an Emergency Action Plan is developed for each self-administering student.

A student may self-administer medication required under a *qualifying plan*, provided the student's parent/guardian has completed and signed an *SMA Form*. A qualifying plan means: (1) an asthma action plan, (2) an Individual Health Care Action Plan, (3) an Ill. Food Allergy Emergency Action Plan and Treatment Authorization Form, (4) a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or (5) a plan pursuant to the federal Individuals with Disabilities Education Act.

The District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication, including asthma medication or epinephrine injectors, or medication required under a qualifying plan. A student's parent/guardian must indemnify and hold harmless the District and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine injector, asthma medication, and/or a medication required under a qualifying plan.

#### **School District Supply of Undesignated Asthma Medication**

The Superintendent or designee shall implement [105 ILCS 5/22-30\(f\)](#) and maintain a supply of undesignated asthma medication in the name of the District and provide or administer them as



necessary according to State law. *Undesignated asthma medication* means an asthma medication prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated asthma medication to a person when they, in good faith, believe a person is having *respiratory distress*. Respiratory distress may be characterized as *mild-to-moderate* or *severe*. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

#### School District Supply of Undesignated Epinephrine Injectors

The Superintendent or designee shall implement [105 ILCS 5/22-30\(f\)](#) and maintain a supply of undesignated epinephrine injectors in the name of the District and provide or administer them as necessary according to State law. *Undesignated epinephrine injectors* means an epinephrine injector prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated epinephrine injector to a person when they, in good faith, believe a person is having an anaphylactic reaction while in school, while at a school-sponsored activity, while under the supervision of school personnel, or before or after normal school activities, such as while in before-school or after-school care on school-operated property. Each Building Administrator and the school nurse, if any, shall be provided the names of trained personnel who have received a statement of certification pursuant to State law.

#### School District Supply of Undesignated Opioid Antagonists

The Superintendent or designee shall implement [105 ILCS 5/22-30\(f\)](#) and maintain a supply of undesignated opioid antagonists in the name of the District and provide or administer them as necessary according to State law. *Opioid antagonist* means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration.

For purposes of this policy, an *Undesignated opioid antagonist* means an opioid antagonist prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated opioid antagonist to a person when they, in good faith, believe a person is having an opioid overdose while in school, while at a school-sponsored activity, while under the supervision of school personnel, or before or after normal school activities, such as while in before-school or after-school care on a school-operated property. Each building administrator and the school nurse, if any, shall be provided the names of trained personnel who have received a statement of certification pursuant to State law. See the website for the Ill. Dept. of Human Services for information about opioid prevention, abuse, public awareness, and a toll-free number to provide information and referral services for persons with questions concerning substance abuse treatment.

#### Administration of Medical Cannabis

The Compassionate Use of Medical Cannabis Program Act allows a *medical cannabis infused product* to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a *designated caregiver* to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old and is allowed to administer a *medical cannabis infused product* to a child who is a student on the premises of his or her school or on his or her school bus if:
  - a. Both the student and the designated caregiver possess valid registry identification cards

issued by IDPH;

- b. Copies of the registry identification cards are provided to the District;
  - c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and
  - d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.
2. A properly trained school nurse or administrator, who shall be allowed to administer the *medical cannabis infused product* to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus.
  3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator.

*Medical cannabis infused product* (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the District or school, would create a disruption to the educational environment or cause exposure of the product to other students. A school employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. The District may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

#### Void Policy

The **School District Supply of Undesignated Asthma Medication** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated asthma medication from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school asthma medication.

The **School District Supply of Undesignated Epinephrine Injectors** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated epinephrine injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school epinephrine injectors.

The **School District Supply of Undesignated Opioid Antagonists** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for opioid antagonists from a health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Substance Use Disorder Act, or (2) fill the District's prescription for undesignated school opioid antagonists.

The **Administration of Medical Cannabis** section of the policy is void and the District reserves the right not to implement it if the District or school is in danger of losing federal funding.



### Administration of Undesignated Medication

Upon any administration of an undesignated medication permitted by State law, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

### Undesignated Medication Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply.

No one, including without limitation, parents/guardians of students, should rely on the District for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

LEGAL REF.:

[105 ILCS 5/10-20.14b](#), [5/10-22.21b](#), [5/22-30](#), and [5/22-33](#).

[105 ILCS 145/](#), Care of Students with Diabetes Act.

[410 ILCS 130/](#), Compassionate Use of Medical Cannabis Program Act, and scheduled to be repealed on July 1, 2020.

[720 ILCS 550/](#), Cannabis Control Act.

[23 Ill.Admin.Code §1.540](#).

CROSS REF.: 7:285 (Food Allergy Anaphylaxis Prevention, Response, and Management Program) [PRESSPlus1](#)

Adopted: January 21, 2020

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### **PRESSPlus Comments**

PRESSPlus 1. Boards must adopt a policy that addresses the prevention of anaphylaxis and a district's response to medical emergencies resulting from anaphylaxis. See policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*. Due to the structure of the School Code and the IASB Policy Reference Manual, policy 7:285, *Anaphylaxis Prevention, Response, and Management Program*, does not address the administration of epinephrine and instead refers to this policy 7:270, *Administering Medicine to Students*. The accompanying administrative procedure for policy 7:285, 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*, is available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com). **Issue 109, May 2022**

## Document Status: Draft Update - Rewritten

### Section 7 - STUDENTS

#### **7:285 Anaphylaxis Prevention, Response, and Management Program**

*Title has been updated. Original Title: Food Allergy Management Program*

School attendance may increase a student's risk of exposure to allergens that could trigger anaphylaxis. [PRESSPlus1](#) Students at risk for anaphylaxis benefit from a Board of Education policy that coordinates a planned response in the event of an anaphylactic emergency. [PRESSPlus2](#) Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat. A severe allergic reaction usually occurs quickly; death has been reported to occur within minutes. An anaphylactic reaction can also occur up to one to two hours after exposure to the allergen.

While it is not possible for the District to completely eliminate the risks of an anaphylactic emergency when a student is at school, an Anaphylaxis Prevention, Response, and Management Program using a cooperative effort among students' families, staff members, students, health care providers, emergency medical services, and the community helps the District reduce these risks and provide accommodations and proper treatment for anaphylactic reactions. [PRESSPlus3](#)

The Superintendent or designee shall develop and implement an Anaphylaxis Prevention, Response, and Management Program for the prevention and treatment of anaphylaxis that:

1. Fully implements the Ill. State Board of Education (ISBE)'s model policy required by the School Code that: (a) relates to the care and response to a person having an anaphylaxis reaction, (b) addresses the use of epinephrine in a school setting, (c) provides a full food allergy and prevention of allergen exposure plan, and (d) aligns with 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540. [PRESSPlus4](#)
2. Ensures staff members receive appropriate training, including: (a) an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management, and (b) training required by law for those staff members acting as *trained personnel*, as provided in 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540. [PRESSPlus5](#)
3. Implements and maintains a supply of undesignated epinephrine in the name of the District, in accordance with policy 7:270, *Administering Medicines to Students*. [Q1](#)
4. Follows and references the applicable best practices specific to the District's needs in the Centers for Disease Control and Prevention's *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs* and the *National Association of School Nurses Allergies and Anaphylaxis Resources/Checklists*. [PRESSPlus6](#)
5. Provides annual notice to the parents/guardians of all students to make them aware of this policy. [PRESSPlus7](#)
6. Complies with State and federal law and is in alignment with Board policies.

Monitoring [PRESSPlus8](#)



Pursuant to State law and policy 2:240, *Board Policy Development*, the Board monitors this policy at least once every three years by conducting a review and reevaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its reevaluation and assessment of this policy's outcomes and effectiveness. Any updates will reflect any necessary and appropriate revisions.

#### LEGAL REF.:

105 ILCS 5/2-3.182, 5/10-22.39(e), and 5/22-30.

23 Ill.Admin.Code §1.540.

*Anaphylaxis Response Policy for Illinois Schools*, published by ISBE.

CROSS REF.: 4:110 (Transportation), 4:120 (Food Services), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips), 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100 (Relations with Other Organizations and Agencies)

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#### Questions and Answers:

\*\*\*Required Question 1. Has the Board adopted the School District Supply of Undesignated Epinephrine Injectors subhead in policy 7:270, *Administering Medicine to Students*?

**Note:** Be sure that the Board's adoption of the subhead regarding Undesignated Epinephrine Injectors in policy 7:270 is in alignment with the District's implementation of 105 ILCS 5/22-30, amended by P.A. 102-413. If the district maintains a supply of undesignated epinephrine injectors, but has not adopted the subhead in policy 7:270, see the **PRESS** sample, available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com), at f/n 12.

☐ Yes (default)

☐ No (IASB will delete #3 in alignment with policy 7:270.)

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#### PRESSPlus Comments

PRESSPlus 1. This policy is updated in response to 105 ILCS 5/2-3.182, added by P.A. 102-413, requiring districts to adopt or update by 8-17-22 an anaphylaxis policy addressing prevention of and response to anaphylaxis in accordance with the model policy developed by the Ill. State Board of Education (ISBE), *Anaphylaxis Response Policy for Illinois Schools, (ISBE Model)*, available at: [www.isbe.net/Documents/Anaphylactic-policy.pdf](http://www.isbe.net/Documents/Anaphylactic-policy.pdf).

It is presented as rewritten for PRESS Plus subscribers, however, a redlined version showing the changes made is available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com).

The law requires the *ISBE Model*, and in turn a board's policy based on the *ISBE Model*, to include: (a) a procedure and treatment plan, including emergency protocols and responsibilities for school nurses and other appropriate school personnel, for responding to anaphylaxis, (b) requirements for a training course for appropriate school personnel on prevention and responding to anaphylaxis, (c) a

procedure and appropriate guidelines for the development of an individualized emergency health care plan for children with a food or other allergy that could result in anaphylaxis, (d) a communication plan for intake and dissemination of information provided by Illinois regarding children with a food or other allergy that could result in anaphylaxis, including a discussion of methods, treatments, and therapies to reduce the risk of allergic reactions, including anaphylaxis, (e) strategies for reducing the risk of exposure to anaphylactic causative agents, including food and other allergens, and (f) a communication plan for discussion with children who have developed adequate verbal communication and comprehension skills and with the parents or guardians of all children about foods that are safe and unsafe and about strategies to avoid exposure to unsafe food. 105 ILCS 5/2-3.182(b).

The *ISBE Model* is primarily focused on item (a). Little to no guidance for schools regarding items (b)-(f) exists in it other than to generally cite to voluminous resources made available by the Centers for Disease Control and Prevention (CDC) and National Association of School Nurses (NASN). This policy and its implementing procedures (available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com)) are designed to supplement the *ISBE Model* and further lead school officials to resources regarding items (b)-(f). 105 ILCS 5/2-3.182(b)(1-6).

### **Issue 109, May 2022**

PRESSPlus 2. The *ISBE Model* does not provide a specific definition for *anaphylactic emergency*, but it appears to use that term and *anaphylaxis* interchangeably. **Issue 109, May 2022**

PRESSPlus 3. The *ISBE Model* provides that students at risk for anaphylaxis benefit from a policy that coordinates a planned response in the event of an anaphylactic emergency, and it emphasizes that an emergency plan should include all stakeholders. The clause “using a cooperative effort among students’ families, staff members, students, health care providers and emergency medical services, and the community” is optional and can be removed. The purpose of the clause is to share responsibility for management among all stakeholders. **Issue 109, May 2022**

PRESSPlus 4. Number one outlines the goals that the legislature directed ISBE to include in the topics covered by the *ISBE Model*. 105 ILCS 5/2-3.149(a)-(c). The *ISBE Model* is based on the *Virginia Dept. of Education Anaphylaxis Policy*, available at: [www.doe.virginia.gov/support/health\\_medical/anaphylaxis\\_epinephrine/](http://www.doe.virginia.gov/support/health_medical/anaphylaxis_epinephrine/), and it incorporates NASN recommendations for a comprehensive anaphylaxis school policy. See the *NASN Sample Anaphylaxis Policy*, at: [www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis](http://www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis). Boards may add further expectations and include additional goals that reflect those expectations here. Ensure that any additional expectations or goals align with policy 7:270, *Administering Medicines to Students*. **Issue 109, May 2022**

PRESSPlus 5. Number two includes the biennial in-service training program required by 105 ILCS 5/10-22.39(e) and training required by 105 ILCS 5/22-30(g) for those staff members who will be *trained personnel*, authorized by 105 ILCS 5/22-30(b-10), to provide or administer undesignated epinephrine in specific situations. The law authorizes *school nurses* and *trained personnel* to administer undesignated epinephrine. See policy 5:100, *Staff Development Program* (or, if the board has not adopted the list of all training in the policy, see f/n 5 of the sample policy at **PRESS** Online, available by logging in at [www.iasb.com](http://www.iasb.com)), and 7:270-AP2, *Checklist for District Supply of Undesignated Asthma Medication, Epinephrine Injectors, Opioid Antagonists, and/or Glucagon* (available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com)).



105 ILCS 5/22-30(b-5) does not specifically state that staff members authorized to administer (student-specific) epinephrine under a student's specific individual plan must also complete the more rigorous training required for *trained personnel*. However, the *ISBE Model* is clear that "[o]nly trained personnel should administer epinephrine to a student believed to be having an anaphylactic reaction," and it requires each building-level administrator to identify at least two employees, in addition to the school nurse (if any), to be *trained personnel*. The more in-depth training for staff members who may administer epinephrine (whether student-specific or undesignated) is also a best practice emphasized in the *CDC Guidelines*, which is referenced in the *ISBE Model*. **Issue 109, May 2022**

PRESSPlus 6. Number four refers to the CDC's *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs*, at: [www.cdc.gov/healthyschools/foodallergies/pdf/20\\_316712-A\\_FA\\_guide\\_508tag.pdf](http://www.cdc.gov/healthyschools/foodallergies/pdf/20_316712-A_FA_guide_508tag.pdf) (*CDC Guidelines*), which is cited in the *ISBE Model* as a resource for a "full food allergy and prevention of allergen exposure plan." Adopting the entire, voluminous *CDC Guidelines* document as policy is not practical. The *CDC Guidelines* also state that not every recommendation will be appropriate or feasible for every district's needs. The *National Association of School Nurses Allergies and Anaphylaxis Resources/Checklists*, at: <http://www.nasn.org/nasn-resources/resources-by-topic/allergies-anaphylaxis>, are also linked as a resource in the *ISBE Model*. The *ISBE Model* acknowledges that not all schools have access to school nurses or other health staff on a regular basis, and it encourages districts to take this into consideration when developing building-level plans. **Issue 109, May 2022**

PRESSPlus 7. Number five is required by 105 ILCS 5/2-3.182(c), added by P.A. 102-413. The notification must include contact information for parents/guardians to engage further with the district to learn more about individualized aspects of the policy. For ease of administration, districts may want to include this notification in student handbook(s). The Ill. Principal's Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook* (MSH), at: [www.ilprincipals.org/resources/model-student-handbook](http://www.ilprincipals.org/resources/model-student-handbook). **Issue 109, May 2022**

PRESSPlus 8. 105 ILCS 5/2-3.182(e) provides that ISBE shall review and update its model policy at least once every three years. Although this section does not expressly state that boards must also conduct a review within this time frame, that is the logical conclusion based on a board's duty in 105 ILCS 5/10-16.7 to direct the superintendent through policy. **Issue 109, May 2022**