2:110 Qualifications, Term, and Duties of Board Officers

The Board of Education officers are: President, Vice President, Secretary, and Treasurer. These officers are elected or appointed by the Board at its organizational meeting.

President

The Board elects a President from its members for a two2-year term. The duties of the President are to:

- 1. Focus the Board meeting agendas on appropriate content and pPreside at all meetings; PRESSPlus1
- 2. Focus the Board meeting agendas on appropriate content;
- 3. Make all Board committee appointments, unless specifically stated otherwise;
- 4. Attend and observe any Board committee meeting at his or her discretion;
- 5. Represent the Board on other boards or agencies;
- 6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
- 7. Call special meetings of the Board;
- 8. Serve as the head of the public body for purposes of the Open Meetings Act and Freedom of Information Act;
- 9. Ensure that a quorum of the Board is physically present at all Board meetings;
- 10. Administer the oath of office to new Board members; and
- 11. Serve as the Board's official spokesperson to the media.

The President is permitted to participate in all Board meetings in a manner equal to all other Board members, including the ability to make and second motions.

The Vice President fills a vacancy in the Presidency.

Vice President

The Board elects a Vice President from its members for a two2-year term. The Vice President performs the duties of the President if:

- 1. The office of President is vacant;
- 2. The President is absent: or
- 3. The President is unable to perform the office's duties.

A vacancy in the Vice Presidency is filled by a special Board election.

Secretary

The Board elects a Secretary for a two2-year term. The Secretary may be, but is not required to be, a Board member. The Secretary may receive reasonable compensation as determined by the Board before appointment. However, if the Secretary is a Board member, the compensation shall not exceed \$500 per year, as fixed by the Board at least 180 days before the beginning of the term. The duties of the Secretary are to:

- 1. Keep minutes for all Board meetings and keep the verbatim record for all closed Board meetings;
- 2. Mail meeting notification and agenda to news media who have officially requested copies;
- 3. Keep records of the Board's official acts, and sign them, along with the President, before submitting them to the Treasurer at such times as the Treasurer may require;
- 4. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer's report to the Regional Superintendent;
- 5. Act as the local election official authority PRESSPlus2 for the District;
- 6. Arrange public inspection of the budget before adoption;
- 7. Publish required notices;
- 8. Sign official District documents requiring the Secretary's signature; and
- 9. Maintain Board policy and such other official documents as directed by the Board.

The Secretary may delegate some or all of these duties, except when State law prohibits the delegation. The Board appoints a secretary pro tempore, who may or may not be a Board member, if the Secretary is absent from any meeting or refuses to perform the duties of the office. A permanent vacancy in the office of Secretary is filled by special Board election.

Recording Secretary

The Board may appoint a Recording Secretary who is a staff member. The Recording Secretary shall:

- 1. Assist the Secretary by taking the minutes for all open Board meetings;
- 2. Assemble Board meeting material and provide it, along with prior meeting minutes, to Board members before the next meeting; and
- 3. Perform the Secretary's duties, as assigned, except when State law prohibits the delegation.

Treasurer

The Treasurer of the Board shall be either a member of the Board who serves a fone-year term or a non-Board member who serves at the Board's pleasure. A Treasurer who is a Board member may not be compensated. A Treasurer who is not a Board member may be compensated provided it is established before the appointment. The Treasurer must:

- 1. Be at least 21 years old;
- 2. Not be a member of the County Board of School Trustees; and
- 3. Have a financial background or related experience, or 12 credit hours of college-level accounting.

The Treasurer shall:

- 1. Furnish a bond, which shall be approved by a majority of the full Board;
- 2. Maintain custody of school funds;
- 3. Maintain records of school funds and balances;
- 4. Prepare a monthly reconciliation report for the Superintendent and Board; and
- 5. Receive, hold, and expend District funds only upon the order of the Board.

A vacancy in the Treasurer's office is filled by Board appointment.

LEGAL REF .:

5 ILCS 120/7 and 420/4A-106.

105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

CROSS REF.:2:80 (Board Member Oath and Conduct), 2:150 (Committees), 2:210 (Organizational School Board Meeting), 2:220 (School Board Meeting Procedure)

ADOPTED:June 10, 1996

REVISED:May 21, 2014; November 14, 2018

PRESSPlus Comments

PRESSPlus 1. The duties in #s 1 and 2 are separated into two items to distinguish between them. Of the listed duties, only the following are imposed by law: #1, preside at meetings; #6, sign minutes and sign certificate of tax levy; #7, call special meetings; and #8, serve as *head of the public body* for OMA and FOIA purposes. **Issue 101, June 2019**

PRESSPlus 2. Updated to align with a 2014 change to 105 ILCS 5/9-2 and 10 ILCS 5/1-3, reassigning the duties of the local election authority official. Issue 101, June 2019

2:140 Communications To and From the Board

The Board of Education welcomes communications from staff members, parents/guardians, students, and community members. Individuals may submit questions or communications for the School Board's consideration to the Superintendent or may use the electronic link to the Board's email address(es) that is posted on the District's website. In accordance with the Open Meetings Act and the Oath of Office taken by Board members, individual Board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of District business with a majority of a Board-guorum.

The Superintendent or designee shall:

- 1. Ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board, and
- During the Board's regular meetings, report for the Board's consideration all questions or communications submitted through the active electronic link along with the status of the District's response Provide the Board, such as in the Board meeting packet, with all emails that are received and any feedback regarding them. PRESSPlus1

If contacted individually, Board members will refer the person to the appropriate level of authority, except in unusual situations. Board members' questions or communications to staff or about programs will be channeled through the Superintendent's office. Board members will not take individual action that might compromise the Board or District. There is no expectation of privacy for any communication sent to the Board or its members, whether sent by letter, email, or other means.

Board Member Use of Electronic Communications

For purposes of this section, *electronic communications* includes, without limitation, electronic mail, electronic chat, instant messaging, texting, and any form of social networking. Electronic communications among a majority or more of a Board-quorum shall not be used for the purpose of discussing District business. Electronic communications among Board members shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making. The following list contains examples of permissible electronic communications:

- · Agenda item suggestions
- · Reminders regarding meeting times, dates, and places
- · Board meeting agendas or information concerning agenda items
- · Individual emails to community members, subject to the other limitations in this policy

In accordance with the Open Meetings Act and the Oath of Office taken by Board members, individual Board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of District business through electronic communications with a majority of a Board-quorum. PRESSPlus2

LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

50 ILCS 205/20, Local Records Act.

CROSS REF.:2:220 (School Board Meeting Procedure), 3:30 (Chain of Command), 8:110 (Public Suggestions and Concerns)

ADOPTED: June 16, 1996

REVISED:April 17, 2002; December 20, 2006; May 20, 2015

PRESSPlus Comments

PRESSPlus 1. Amended in response to Press Advisory Board feedback that having questions or communications go only to the superintendent OR through the electronic link to the Board's email address(es) can be problematic and may not entirely comply with the 2014 requirement.

Directive #2 is optional and adds a step to increase efficient responses to communications concerning the operation or management of the district or a school. Adding this text allows a board to (1) monitor its compliance with 50 ILCS 205/20, (2) ensure that all board members stay informed of all questions and communications to the board, (3) align with IASB's

Foundational Principles of Effective Governance, and (4) mirror a School Code requirement (105 ILCS 5/10-16) for the superintendent to report any FOIA requests during the board's regular meetings along with the status of the district's response.

Before adoption of this text, each board may want to have a conversation with the superintendent about the difference between "staff work questions or communications" that do not need to be submitted to the board and "questions or communications submitted for the school board's consideration" that do need to be submitted to the board. If the board does not wish to adopt Directive #2, strike the text and select "Adopted with Additional District Edits" as the Save Status.

Issue 101, June 2019

PRESSPlus 2. This paragraph is moved from above, and the phrase "through electronic communications" is added for clarity. **Issue 101, June 2019**

2:140-E Exhibit - Guidance for Board Member Communications, Including Email Use

The Open Meetings Act (OMA) requires the Board of Education sautherized PRESSPlus1 to discuss District business only at a properly noticed Board meeting. Open Meetings Act, 5 ILCS 120/1. Other than during a Board meeting, a majority or more of a Board-quorum may not engage in contemporaneous interactive communication, whether in person or electronically, to discuss District business. This *Guidance* assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board.*

Communications Between or Among Board Members and/or the Superintendent Outside of a Properly Noticed Board Meeting

- 1. The Superintendent or designee is permitted to email information to Board members. For example, the Superintendent may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Superintendent should copy all other Board members and include a do not reply/forward alert to the group, such as: "BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender."
- 2. Board members are permitted to discuss any matter except District business with each other, whether in person or by telephone or email, regardless of the number of members participating in the discussion. For example, they may discuss league sports, work, or current events.
- 3. Board members are permitted to provide information to each other, whether in person or by telephone or email, that is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
- 4. A Board member is not permitted to discuss District business with more than one other Board member at a time, whether in person or by telephone or email. Stated another way, a Board member may discuss District business in person or by telephone or email with only one other Board member at a time. However, a Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls or emails to, Board members individually.
- 5. A Board member should include a do not reply/forward alert when emailing a message concerning District business to more than one other Board member. The following is an example of such an alert: "BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual."
- 6. Board members should not forward email received from another Board member.

When Must the Electronic Communications Sent or Received by Individual Board Members Be Disclosed Pursuant to a Freedom of Information Act (FOIA) Request?

An electronic communication must be disclosed if it is a *public record* as defined by FOIA, unless a specific exemption applies. A public record is any recorded information "pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body." 5 ILCS 140/2. Email sent or received by an individual Board member may be, depending on the content and circumstances, subject to disclosure as a *public record* (unless a FOIA exemption is applicable).

If a Board member uses a District-provided device or email address to discuss public business, the email is subject to disclosure under FOIA, barring an applicable exemption. If a Board member uses a private device and email address, the communication is subject to FOIA if it satisfies this test:

First, the communication pertains to the transaction of public business, and

Second, the communication was: (1) prepared by a public body, (2) prepared for a public body, (3) used by a public body, (4) received by a public body, (5) possessed by a public body, and/or (6) controlled by a public body.

This test is from the appellate court decision in City of Champaign v. Madigan, 992 N.E.2d 629 (III.App.4th, 2013).

The following examples describe FOIA's treatment of electronic communications:

- 1. If an electronic communication does not pertain to public business, it is not a public record and is not subject to a FOIA request.
- 2. An electronic communication pertaining to public business that is:

- a. Sent and/or received by an individual Board member using a personal electronic device and personal email address while he or she is at home or work **would not be a public record**. Individual Board members, alone, cannot conduct school District business. As stated earlier, emails among a majority or more of a Board-quorum violate the Open Meetings ActOMA and, thus, are subject to disclosure during proceedings to enforce the Open Meetings ActOMA.
- b. Sent and/or received by an individual Board member on a District-issued device or District-issued email address will be a public record and subject to FOIA. The electronic communication is under the control of the District.
- c. Received by an individual Board member on a personal electronic device and then forwarded by the Board member to a District-owned device or server **will be a public record** and subject to FOIA. The electronic communication is under the control of the District.
- d. Received by an individual Board member using a personal electronic device and personal email address, and then forwarded by the Board member to enough members to constitute a majority or more of a Board-quorum **will be a public record** and subject to FOIA. The electronic communication is in the District's possession.
- e. Either sent to or from a Board member's personal electronic device during a Board meeting **will be a public record** and subject to FOIA. The electronic communication is in the District's possession because Board members were functioning collectively as a public body.

The District's Freedom of Information Officer and/or Board Attorney will help determine when a specific communication must be disclosed pursuant to a FOIA request.

When Must Electronic Communications Be Retained?

Email that qualifies under FOIA as a *public record* will need to be stored pursuant to the Local Records Act(LRA), only if it is evidence of the District's organization, function, policies, procedures, or activities or contains informational data appropriate for preservation. (Local Records Act, 50 ILCS 205/). An example is any email from a Board officer concerning a decision made in his or her capacity as an officer. If a Board member uses his or her personal email, he or she must copy this type of email to the appropriate District office where it will be stored. If made available, Board members should use their email accounts provided by the District, and the District will automatically store the official record messages. The District will delete these official record messages as provided in an applicable, approved **retention schedule**. Of course, email pertaining to public business that is sent or received by a Board Member using a District-issued device or email address will be subject to FOIA, even if the email does not need to be retained under the Local Records ActRA.

Important: Do not destroy any email concerning a topic that is being litigated without obtaining the Board attorney's direction. In federal lawsuits, there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding not to destroy any electronic records that might be relevant. This is referred to as a *litigation hold*. For more discussion of a litigation hold, see 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. In addition, any person who knowingly with the intent to defraud any party destroys, removes, or conceals any public record commits a Class 4 felony. 50 ILCS 205/4 amended by P.A. 98-1063.

DATED:November 14, 2012

REVISED:May 20, 2015

PRESSPlus Comments

PRESSPlus 1. Updated for continuous improvement. Issue 101, June 2019

Document Status: Draft Update - Rewritten

2:230 Public Participation at School Board Meetings and Petitions to the Board

Title has been updated. Original Title: Public Participation at Board of Education Meetings and Petitions to the Board

PRESSPlus1 For an overall minimum of 30 minutes PRESSPlus2 during each regular and special open meeting, 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. PRESSPlus3 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: PRESSPlus5

- 1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President.
- 2. Identify oneself and be brief. Ordinarily, the time for any one person to address the Board during public participation shall be limited to five minutes. PRESSPlus6 In unusual circumstances, and when an individual has made a request to speak for a longer period of time, the person may be allowed to speak for more than five minutes.
- 3. Observe, when necessary and appropriate, the:
 - 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;
 - 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.
- 4. 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 in the next regular Board packet. PRESSPlus7

LEGAL REF .:

5 ILCS 120/2.06, Open Meetings Act.

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

CROSS REF.: 2:220 (School Board Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

Question 1. See Comment PRESSPlus 1. What is the length of minimum overall public participation time adopted by the Board?

Answer:

Question 2. See Comment PRESSPlus 3. What is the minimum total length of time for any one subject that has been adopted by the board?

Answer:

Question 3. See Comment PRESSPlus 6. What is the number of minutes adopted by the board for any one person to address the Board during public participation?

Answer:

PRESSPlus Comments

PRESSPlus 1. The Open Meetings Act (OMA) requires public bodies to have rules (a policy) on public participation. Consult the footnotes of the PRESS Sample (available at PRESS Online) and the Board attorney for further guidance. **Issue 101, June 2019**

PRESSPlus 2. The length of the minimum overall public participation time is at the local board's discretion, and it should be customized to ensure it is responsive to the community's public participation needs. See **Questions** to indicate the length of

minimum overall public participation time adopted by the Board. Issue 101, June 2019

PRESSPlus 3. While some courts have upheld public bodies limiting public comment to certain subjects, such as only subjects on the agenda or only related to the business of the public body, this policy does not provide default text for limiting public comment to certain subjects. This is because 105 ILCS 5/10-16 requires school boards to allow members of the public "to comment to or ask questions of the board." The cases in which courts upheld limiting public comment to certain subjects involved public bodies with no governing statutes that required the public body to allow the public "to comment to or ask questions of the board." **Issue 101, June 2019**

PRESSPlus 4. See 5 LCS 120/2.06, 105 LCS 5/10-16, and PAO 19-2. Like the length of time for overall public participation, the minimum total length of time **for any one subject** is also at the local board's discretion. See **Questions** to indicate the minimum total length of time for any one subject that has been adopted by the board. **Issue 101, June 2019**

PRESSPlus 5. OMA does not but PAO 19-2 does provide specific rules. These guidelines may be amended. The guidelines for public comment and the time minimums and limits should be reviewed with the board attorney.

In PAO 19-2, the III. Public Access Counselor (PAC) ordered a board to refrain from applying unestablished and unrecorded rules to restrict public comment at future meetings stating, "Though a public body has inherent authority to conduct its meetings in an efficient manner and need not allow public comment to continue indefinitely, there was no evidence that capping public comment to 15 minutes was necessary to maintain decorum or that extending the comment period would have unduly interfered with the orderly transaction of public business."

Issue 101, June 2019

PRESSPlus 6. Time limits for any one person to address the Board during public participation may be adjusted up or down. The PRESS sample uses five minutes because it is a frequently-used time limit. Based upon I.A. Rana Enterprises, Inc., many attorneys agree that time limits should be a minimum of three minutes per person, but some public bodies have successfully implemented two minutes per person. Consult the board attorney before setting time limits below three minutes. **Issue 101**, **June 2019**

PRESSPlus 7. A board of directors must reply to a written request for consideration of a matter within 60 days from the board's receipt of the request. 105 ILCS 5/10-6. Boards of education may treat petitions or correspondence according to a uniform, locally developed process. **Issue 101, June 2019**

2:240 Board Policy Development

The formulation and adoption of written policies is the basic method by which the Board of Education exercises its leadership. A "policy" is a statement adopted by the Board of Education providing general guidance on a specific topic which can be implemented by administrative action or procedures.

Preliminary Development

Any Board of Education member, the Superintendent, or any District citizen may propose new policies or changes to existing policies. Suggestions from staff members or organizations are processed through regular administrative channels.

The Superintendent or a designee is responsible for: (1) notifying those who will be affected by a proposed policy and obtaining their advice and suggestions, and (2) drafting policy recommendations into acceptable written form for further deliberation and/or action by the Board of Education. The Superintendent shall seek the counsel of the school attorney when there may be a legal question or of proper legal procedure in a policy's development.

Policy Adoption

Policies or policy revisions will not be adopted at the Board meeting at which they are introduced. Further Board consideration will be given at a subsequent meeting(s). The Board of Education may grant temporary approval to meet emergency conditions or special events which may occur before formal action can be taken.

Policy Dissemination

The Board of Education policies are available for public inspection in the administrative office during regular office hours. Copy requests can be made under the District's Access to Public Records Policy.

Administration in Policy Absence

In the absence of Board of Education policy, the Superintendent is authorized to take appropriate administrative action but shall promptly inform the Board of Education.

Suspension of Policies

The operation of any Board of Education policy not established by law or contract may be temporarily suspended by a majority vote of Board members present at a regular or special meeting.

Board Policy Review and Evaluation

The Board of Education shall periodically evaluate the execution and results of its policies and consider whether any modifications are required.

LEGAL REF.:

105 ILCS 5/10-20.5.

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

ADOPTED:June 10, 1996

3:60 Administrative Responsibility of the Building Principal

Duties and Authority

The School Board, upon the recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools. The primary responsibility of a Building Principal is the improvement of instruction. Each Building Principal shall perform all duties as described in the School Code as well as such other duties as specified in his or her employment agreement or as agreed upon by the Building Principal and Superintendent.

Each Building Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

Evaluation Plan

The Superintendent or designee shall implement an evaluation plan for Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules. Using that plan, the Superintendent or designee shall evaluate each Building Principal. The Superintendent or designee may conduct additional evaluations.

LEGAL REF .:

10 ILCS 5/4-6.2.

105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.

105 ILCS 127/.

23 III.Admin.Code Parts 35 and 50, Subpart D.

CROSS REF.:3:50 (Administrative Personnel Other Than the Superintendent), 5:250 (Leaves of Absence)

ADOPTED:June 10, 1996

REVISED:October 20, 1999; August 15, 2007; April 16, 2014; October 21, 2015

4:90 Activity Funds

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

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

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

LEGAL REF .:

105 ILCS 5/8-2 and 5/10-20.19.

23 III.Admin.Code §§100.20 and 100.80.

CROSS REF.:4:80 (Accounting and Audits), 7:325 (Student Fundraising Activities)

ADOPTED:June 10, 1996

REVISED:October 15, 2008; May 20, 2015

5:35 Compliance with the Fair Labor Standards Act

Job Classifications

The Superintendent will ensure that all job positions are identified as either "exempt" or "non-exempt" according to State law and the Fair Labor Standards Act (FLSA) and that employees are informed whether they are "exempt" or "non-exempt." "Exempt" and "non-exempt" employee categories may include certificated and non-certificated job positions. All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. "Overtime" is time worked in excess of 40 hours in a single workweek.

Overtime

A non-exempt employee shall not work overtime without his or her supervisor's express approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent or designee's written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy 5:310, *Compensatory Time-Off.*

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status. Licensed employees may be suspended without pay in accordance with Board policy 5:240, *Professional Personnel - Suspension*. Non-licensed employees may be suspended without pay in accordance with Board policy 5:290, *Educational Support Personnel - Employment Termination and Suspensions*.

Implementation

The Superintendent or designee shall implement the policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

LEGAL REF.:

820 ILCS 105/4a.

Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

CROSS REF.:5:240 (Suspension), 5:290 (Employment Termination and Suspensions), 5:310 (Compensatory Time-Off)

ADOPTED: May 21, 2014

5:240 Suspension

Suspension Without Pay

The School Board may suspend without pay: (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the School District. Administrative staff members may not be suspended without pay as a disciplinary measure.

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.

Please refer to the "Professional Agreement between the Board of Education of the Forrestville Valley Community Unit School District 221 and the Forrestville Valley Education Association."

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 employee to present the allegations and give the employee an opportunity to refute the charges. The employee will be told the dates and times the suspension will begin and end.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the District all compensation and the value of all benefits received by the employee during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

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:

- 1. Let the employee remain in his or her position pending the outcome of the investigation; or
- 2. Remove the employee as recommended by DCFS, proceeding with:
 - a. A suspension with pay; or
 - b. A suspension without pay.

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. III., 1975).

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

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

ADOPTED: June 10, 1996

REVISED: June 14, 2000; August 15, 2001; December 17, 2008; May 21, 2014; December 20, 2017

Comments: Recommended update based on CBA AP Review

5:60 Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution. Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee, (2) anyone's personal expenses, or (3) entertainment expenses. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event. The District is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft, unless the theft was a result of the District's negligence. Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:

- 1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
- 2. The name and title of the employee who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.
- 3. The date(s) of the official business on which the expense advancement, reimbursement, or purchase order will be or was expended.
- 4. The nature of the official business conducted when the expense advancement, reimbursement, or purchase order will be or was expended.

Advancements

The Superintendent may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development, provided they fall below the maximum allowed in the Board's expense regulations.

Expense advancement requests must be submitted to the Superintendent or designee on the District's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. Any portion of an expense advancement not used must be returned to the District. Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Superintendent or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

Expense reimbursements and purchase order approvals are not guaranteed and, when possible, employees should seek preapproval of expenses by providing an estimation of expenses on the District's standardized estimated expense approval form for employees, except in situations when the expense is diminutive. When pre-approval is not sought, employees must seek reimbursement on the District's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, Use of Credit and Procurement Cards.

Exceeding the Maximum Allowable Expense Amount(s)

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

- 1. The Board's resolution to regulate expenses allows for such approval;
- 2. An emergency or other extraordinary circumstance exists; and
- 3. The request is approved by a roll call vote at an open Board meeting.

Registration

When possible, registration fees will be paid by the District in advance.

Travel

Please refer to the "Professional Agreement between the Board of Education of the Forrestville Valley Community Unit School District 221 and the Forrestville Valley Education Association."

For employees not covered by a current applicable bargaining agreement:

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

- 1. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
- 2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
- 3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.

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

- 4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
- 5. Taxis, airport limousines, or other local transportation costs.

Meals

Meals charged to the District should represent mid-fare selections for the hotel/meeting facility or general area. Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

Lodging

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Employees should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.

Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF .:

50 ILCS 150/, Local Government Travel Expense Control Act.

105 ILCS 5/10-22.32.

820 ILCS 115/9.5, III. Wage Payment and Collection Act.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

Comments: Recommended update based on CBA AP Review

5:180 Temporary Illness or Temporary Incapacity

Please refer to the "Professional Agreement between the Board of Education of the Forrestville Valley Community Unit School District 221 and the Forrestville Valley Education Association."

For those not covered by this agreement:

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits. However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will be deducted from the District's compensation liability to the employee. The Board of Education's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of their gross salary.

Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

If illness, incapacity, or any other condition causes an employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Superintendent may recommend this paragraph's use when circumstances strongly suggest that the employee returned to work intermittently in order to avoid this paragraph's application. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by State and federal law.

Any employee may be required to have an examination, at District expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches if the examination is job-related and consistent with business necessity.

Nothing in this policy is intended to prevent the Board of Education, upon the recommendation of the Superintendent, from dismissing and not re-employing a teacher at the end of any year of probationary service for the specific reason of inability to evaluate and observe that teacher's performance because of excessive absences for whatever reason, including temporary or permanent disability. Nothing in this policy is intended to prevent the Board of Education, upon recommendation of the Superintendent, from dismissing an employee for cause or pursuant to a reduction in force.

LEGAL REF.:

Americans with Disabilities Act. 42 U.S.C. §12101 et seq.2, Americans with Disabilities Act.

105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (III.App.1, 1965) 60 III.App.2d 56 (1st Dist. 1965).

School District No. 151 v. ISBE, 507 N.E.2d 134 (III.App.1, 1987) 154 III.App.3d 375 (1st Dist. 1987).

CROSS REF.:5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED:June 14, 2000

Revised:June 25, 2003; June 16, 2004; May 21, 2014

6:40 Curriculum Development

Adoption

The Superintendent shall recommend a comprehensive curriculum that is aligned with:

- 1. The District's educational philosophy and goals,
- 2. Student needs as identified by research, demographics, and student achievement and other data,
- 3. The knowledge, skills, and abilities required for students to become life-long learners,
- 4. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements,
- 5. The curriculum District-wide and articulated across all grade levels,
- 6. The Illinois State Learning Standards and any District learning standards, and
- 7. Any required State or federal student testing.

The Board of Education will adopt, upon recommendation of the Superintendent, a curriculum that meets the above criteria.

Development

The Superintendent shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The curriculum review program shall:

- 1. Regularly evaluate the curriculum and instructional program.
- Ensure the curriculum continues to meet the stated adoption criteria.
- 3. Include input from a cross-section of teachers, administrators, parents/guardians, and students, representing all schools, grade levels, disciplines, and specialized and alternative programs.
- 4. Coordinate with the process for evaluating the instructional program and materials.

Experimental Educational Programs and Pilot Projects

The Superintendent may recommend experimental educational programs and/or pilot projects for Board consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Superintendent shall submit to the Board periodic progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program's completion.

Curriculum Guides and Course Outlines

The Superintendent shall develop and provide subject area curriculum guides to appropriate staff members.

LEGAL REF .:

20 U.S.C. §1681, Title IX of the Education Amendments of 1972, implemented by 34 C.F.R. Part 106. PRESSPlus1

105 ILCS 5/10-20.8 and 5/10-19.

CROSS REF.:6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:70 (Teaching About Religions), 6:80 (Teaching About Controversial Issues) 6:100 (Using Animals in the Educational Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Language Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights)

ADOPTED:June 10, 1996

REVISED:October 15, 2003; August 18, 2004; October 21, 2015

PRESSPlus 1. The Legal References have been updated. Issue 101, June 2019

6:340 Student Testing and Assessment Program

The District student assessment program provides information for determining individual student achievement and guidance needs, curriculum and instruction effectiveness, as well as school performance measured against District student learning objectives and state-wide norms.

The Superintendent or designee shall manage the student assessment program that, at a minimum:

- Administers the State assessment system, known as the Partnership for Assessment of Readiness for College and
 Careers Illinois Assessment of Readiness (PARCO IAR), PRESSPlus1 to all students and/or any other appropriate
 assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests,
 proficiency tests, and teacher-developed tests.
- 2. Informs students of the timelines and procedures applicable to their participation in every State assessment.
- 3. Provides each student's parents/guardians with the results or scores of each State assessment. See policy 6:280, *Grading and Promotion*.
- 4. Utilizes professional testing practices.

All test results are available only to the student, the student's parent(s)/guardian(s), and school personnel directly involved with the student's educational program, pursuant to Board policy 7.340, *Student Records*. Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card. All reliable assessments administered by the District and scored by entities outside of the District must be (1) reported to ISBE on its form by the 30th day of each school year, and (2) made publicly available to parents/and-guardians of students. PRESSPlus2

LEGAL REF.:

Family Educational Rights and Privacy Act. 20 U.S.C. §1232g, Family Educational Rights and Privacy Act.

Illinois School Student Records Act, 105 ILCS 10/, Illinois School Student Records Act.

105 ILCS 5/2-3.63a-5, 5/2-3.64a-5, 5/10-17a, 5/22-82, and 5/27-1.

CROSS REF.: 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

ADOPTED: June 10, 1996

REVISED: August 16, 2000; August 18, 2004; May 20, 2015; December 14, 2016; December 20, 2017

Question 1. See PRESSPlus Comments. Has the Board adopted the additional text "and to the community"? Type yes or no. Answer:

PRESSPlus Comments

PRESSPlus 1. The III. State Board of Education (ISBE) selected the *Partnership for Assessment of Readiness for College and Careers* (PARCC) as the State assessment and accountability measure for grades 3-8 through the 2017-2018 school year. Beginning with the 2018-2019 school year, ISBE began transitioning from PARCC to the *III. Assessment for Readiness* (IAR), which continues to use "an anchor set of PARCC items." See letter from State Superintendent Tony Smith, 2-8-19, along with other ISBE resource material at www.isbe.net/IAR. **Issue 101**, **June 2019**

PRESSPlus 2. Although not required by law, if a board wants to direct that this information be shared more broadly with the public for greater transparency, add "and to the community." See **Questions** to indicate whether this additional text has been adopted by the Board. **Issue 101, June 2019**

5:40 Communicable and Chronic Infectious Disease

The Superintendent or designee shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving District employees that are consistent with State and federal law, Illinois Department of Public Health rules, and Board of Education policies.

An employee with a communicable or chronic infectious disease shall be evaluated by the District's Communicable and Chronic Infectious Disease Review Team. The employee's medical records shall be held in strictest confidence by the Team, with only the employee's direct supervisors being informed of the employee's medical condition and anyone with a need to know in the event of an emergency.

Employees with a communicable or chronic infectious disease will be permitted to retain their positions whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions. Employees who cannot retain their positions shall remain subject to the Board's employment policies including sick leave, physical examinations, temporary and permanent disability, and termination. Determining whether an employee with a communicable or chronic infectious disease may retain his or her position will be made in accordance with established procedures.

The recommendation of whether the employee's placement is appropriate shall be made on a case-by-case basis by the District's Communicable and Chronic Infectious Disease Review Team.

LEGAL REF.:

Americans With Disabilities Act, 42 U.S.C. §12101 et seq.; 29 C.F.R. §1630.1 et <u>seq</u>., amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325.

Rehabilitation Act of 1973, 29 U.S.C. §791; 34 C.F.R. §104.1 et seq.

Department of Public Health Act, 20 ILCS 2305/6.

105 ILCS 5/24-5.

Personnel Record Review Act, 820 ILCS 40/.

Control of Communicable Diseases, 77 III.Admin.Code Part 690.

CROSS REF.:2:150 (Committees), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

ADOPTED: October 21, 2015

5:130 Responsibilities Concerning Internal Information

District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed School Board meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees. The Superintendent or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

LEGAL REF.:

Family Educational and Privacy Rights Act, 20 U.S.C. §1232g.

Uses and Disclosures of Protected Health Information; General Rules, 45 C.F.R. §164.502.

III. Freedom of Information Act, 5 ILCS 140/.

Local Records Act, 50 ILCS 205/.

105 ILCS 10/.

Personnel Record Review Act, 820 ILCS 40/.

CROSS REF.:2:140 (Communications To and From the Board), 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

ADOPTED: April 16, 2014

6:110 Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program

The Superintendent or designee shall develop, maintain, and supervise a program for students at risk of academic failure or dropping out of school. The program shall include education and support services addressing individual learning styles, career development, and social needs and may include:

- · Parent-teacher conferences
- · Counseling services by social workers and/or guidance counselors
- Counseling services by psychologists
- · Psychological testing
- · Truants' alternative and optional education program
- · Alternative school placement
- · Community agency services
- Alternative learning opportunities program, in conformity with the Alternative Learning Opportunities Law, as it may be amended from time to time
- · Graduation incentives program

Any student who is below the age of 20 years is eligible to enroll in a graduation incentives program if he or she:

- 1. Is considered a dropout according to State law;
- 2. Has been suspended or expelled;
- 3. Is pregnant or is a parent;
- 4. Has been assessed as chemically dependent; or
- 5. Is enrolled in a bilingual education or English Language Learners program.

LEGAL REF.:

105 ILCS 5/2-3.41, 5/2-3.66, 5/10-20.9a, 5/13B, 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

CROSS REF.:6:280 (Grading and Promotion), 6:300 (Graduation Requirements), 7:70 (Attendance and Truancy)

ADOPTED:June 10, 1996

REVISED:October 19, 2005; May 20, 2015

7:170 Vandalism

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

LEGAL REF.:

740 ILCS 115/.

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

ADOPTED:June 10, 1996

Document Status: Policy Deleted

6:135 Accelerated Placement Program

The District provides an Accelerated Placement Program (APP). The APP advances the District's goal of providing educational programs with opportunities for each student to develop to his or her maximum potential. The APP provides an educational setting with curriculum options usually reserved for students who are older or in higher grades than the student participating in the APP. APP options include, but may not be limited to: (a) accelerating a student in a single subject; (b) other grade-level acceleration; and (c) early entrance to kindergarten or first grade. Participation in the APP is open to all students who demonstrate high ability and who may benefit from accelerated placement. It is not limited to students who have been identified as gifted and talented. Eligibility to participate in the District's APP shall not be conditioned upon the protected classifications identified in Board policy 7:10, *Equal Educational Opportunities*, or any factor other than the student's identification as an accelerated learner.

The Superintendent or designee shall implement an APP that includes:

- 1. Decision-making processes that are fair, equitable, and involve multiple individuals, e.g. District administrators, teachers, and school support personnel, and a student's parent(s)/guardian(s);
- 2. Notification processes that notify a student's parent(s)/guardian(s) of a decision affecting a student's participation in the APP; and
- 3. Assessment processes that include multiple valid, reliable indicators.

The Superintendent or designee shall annually notify the community, parent(s)/guardian(s), students, and school personnel about the APP, the process for referring a student for possible evaluation for accelerated placement, and the methods used to determine whether a student is eligible for accelerated placement. Notification may: (a) include varied communication methods, such as student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate.

LEGAL REF .:

105 ILCS 5/14A.

CROSS REF.: 6:10 (Educational Philosophy and Objectives), 6:130 (Program for the Gifted), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)