

## School District Organization

### Administrative Procedure - Checklist for Handling Intergovernmental Agreement Requests

The Superintendent completes this checklist whenever the District receives a request to enter into an intergovernmental agreement. <sup>1</sup>

- Acknowledge the receipt of the request to the sender.
- Confer with the School Board President as to when to put the request on an open meeting agenda as a discussion and/or action item.
- Inform the request's sender approximately when the request will be presented to the Board.
- Investigate the factual context and the impact of granting or not granting the request.
- Determine if the request is for procurement purposes and evaluate whether an intergovernmental agreement would be exempt under 105 ILCS 5/10-20.21.
- Prepare an evaluation of the request and a recommendation that takes into account the Board's priority in the allocating resources, including funds, time, personnel, and facilities, is the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work. <sup>2</sup>
- Consult the Board attorney for a legal review of the proposed intergovernmental agreement.
- Include the evaluation and recommendation in the appropriate Board meeting packet.

The footnotes should be removed before the material is used.

<sup>1</sup> If the pre-existing process for handling requests to enter into an intergovernmental agreement is that the board receives all requests, use the following alternative:

Whenever the Board, having received a request to enter into an intergovernmental agreement, requests the Superintendent to provide an evaluation and recommendation, the Superintendent will:

<sup>2</sup> The language describing what must be considered is from board policy 6:15, *School Accountability*. Neither federal nor State law requires districts to enter into an intergovernmental agreement to accept students under §1116 of No Child Left Behind. Some issues for consideration include: (1) space availability, (2) teacher-student ratio, (3) available resources, (4) costs, (5) effect on General State Aid, transportation reimbursement, special education reimbursement, (6) rival gang factors and other safety concerns, and (7) current levels of school performance.

## **School Board**

### **Exhibit - Board Member Code of Conduct**

As a member of my local School Board, I will do my utmost to represent the public interest in education by adhering to the following standards and principles:

1. I will represent all School District constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.
2. I will avoid any conflict of interest or the appearance of impropriety which could result from my position, and will not use my Board membership for personal gain or publicity.
3. I will recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a Board meeting.
4. I will take no private action that might compromise the Board or administration and will respect the confidentiality of privileged information.
5. I will abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I will encourage and respect the free expression of opinion by my fellow Board members and will participate in Board discussions in an open, honest and respectful manner, honoring differences of opinion or perspective.
7. I will prepare for, attend and actively participate in School Board meetings.
8. I will be sufficiently informed about and prepared to act on the specific issues before the Board, and remain reasonably knowledgeable about local, State, national, and global education issues.
9. I will respectfully listen to those who communicate with the Board, seeking to understand their views, while recognizing my responsibility to represent the interests of the entire community.
10. I will strive for a positive working relationship with the Superintendent, respecting the Superintendent's authority to advise the Board, implement Board policy, and administer the District.
11. I will model continuous learning and work to ensure good governance by taking advantage of Board member development opportunities, such as those sponsored by my State and national school board associations, and encourage my fellow Board members to do the same.
12. I will strive to keep my Board focused on its primary work of clarifying the District purpose, direction and goals, and monitoring District performance.

## School Board

### Procurement of Architectural, Engineering, and Land Surveying Services <sup>1</sup>

The School Board selects architects, engineers, and land surveyors to provide professional services to the District on the basis of demonstrated competence and qualifications, and in accordance with State law.

LEGAL REF.: Shively v. Belleville Township High School District 201, 769 N.E.2d 1062 (Ill.App.5, 2002), *appeal denied*.  
40 U.S.C. §541.  
50 ILCS 510/~~4 et seq.~~, Local Government Professional Services Selection Act.  
105 ILCS 5/10-20.21.

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

<sup>1</sup> State law controls this policy's content. The Local Government Professional Services Selection Act describes the required selection procedure (50 ILCS 510/). A district may not, prior to selecting a firm for contract negotiation, seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation (Id.). If the district has a satisfactory relationship with a person or firm, the relationship may continue (50 ILCS 510/4 through 6).

Construction-manager services, unlike general contractor services, are significantly different from construction work because they involve a professional activity (i.e., assisting the owner with the project's planning, costing, and management). As such, a construction-management contract is exempt from mandatory bidding by virtue of the professional services exemption. Shively v. Belleville Township High School District 201, 769 N.E.2d 1062 (Ill.App.5, 2002).

## School Board

### Administrative Procedure - Qualification Based Selection

These procedures describe how the District will procure architectural, engineering, and land surveying services; the Local Government Professional Services Selection Act will control in the event of a conflict (50 ILCS 510/~~4~~ as amended by P.A. 94-1097). The Superintendent will modify these procedures whenever the School Board determines by resolution that an emergency exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$25,000 (50 ILCS 510/8).

Actor	Action
Architectural, engineering, or land surveying firms	May annually file a statement of qualifications and performance data with the District. 50 ILCS 510/4.
Superintendent and/or Designee	<p>Store statements of qualifications and performance data received from firms engaged in architectural, engineering, or land surveying services.</p> <p>Unless the District has a satisfactory relationship for services with one or more firms, mail notices of the proposed project to those firms that have current statements of qualifications and performance data on file. In addition, or alternatively, the project may be advertised in the local and area newspapers. 50 ILCS 510/4.</p> <p>Unless the District has a satisfactory relationship for services with one or more firms, evaluate the firms that submitted interest letters, according to criteria for ranking described in the last section of this procedure. The Superintendent and/or designee may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services. 50 ILCS 510/5.</p> <p>Do not, prior to selecting a firm for contract negotiation, seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation. 50 ILCS 510/5.</p> <p>Select no less than 3 firms, who would be most qualified to provide services, and rank them in order of their qualifications. If fewer than 3 firms submit interest letters and the Board determines that one or both of those firms are so qualified, negotiate a contract as provided herein. 50 ILCS 510/6.</p> <p>Attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. 50 ILCS 510/5.</p>

Actor	Action
	<p>If unable to reach agreement on a satisfactory contract, terminate negotiations and proceed to negotiate with the firm ranked next in qualifications. 50 ILCS 510/5.</p> <p>If unable to negotiate a satisfactory contract with any of the 3 originally selected firms, inform the Board. The District will re-evaluate the services requested and compile a second list of not less than 3 qualified firms and continue the process. 50 ILCS 510/5.</p>

Criteria for Ranking Firms

Unless the District has a satisfactory relationship for services with one or more firms, the criteria for evaluating the firms submitting letters of interest may include, but are not limited to:

**Required Criteria for Consideration (50 ILCS 510/5.)**

- Qualifications and ability of professional personnel
- Past record and experience
- Performance data
- Acceptance of District's time and budget requirements
- Location of firm's administrative offices
- Workload

**Permissive Criteria for Consideration**

- Firm's credit rating
- Firm's financial stability
- Reputation
- Technological resources

LEGAL REF.: 40 U.S.C. §541.  
| 50 ILCS 510/~~4~~et seq.  
105 ILCS 5/10-20.21.

## Operational Services

### Fund Balances 1

The Superintendent or designee shall maintain fund balances adequate to ensure the District’s ability to maintain levels of service and pay its obligations in a prompt manner in spite of unforeseen events or unexpected expenses. The Superintendent or designee shall inform the Board whenever ~~the District must draw~~ it should discuss drawing upon its reserves or borrowing money.

The School District seeks to maintain year-end fund balances no less than the range of 15-20 percent of the annual expenditures in each fund. 2

CROSS REF.: 4:10 (Fiscal and Business Management), 4:80 (Accounting and Audits)

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

1 This optional policy is at the local board’s discretion. Its intent is to help the board monitor the district’s financial health and allows a board to clarify its expectations for maintaining fund balances. A board must modify the policy to reflect realistic targets after considering important financial and operational issues, such as current financial practices, long term projects, standards of fiscal health, and the current budget. A board facing a doubting and demanding employee union may want to obtain an objective opinion from an outside auditor before adopting this policy.

2 A target of 25% or higher would result in a school district receiving the highest category of financial recognition from ISBE. The following alternative is for a district with fund balances deemed not currently adequate:

The School District will seek to establish year-end fund balances representing \_\_\_\_\_ percent of the annual expenditures for each fund by budgeting a surplus in each fund.

The board should ask the administration to prepare a multi-year cash flow projection to validate the sufficiency of the target figure. This figure is one of two components used to compile ISBE’s School District Financial Profile, which includes a category called “Days Cash on Hand,” among others. For more information, see [www.isbe.net/sfms/afr/profile.pdf](http://www.isbe.net/sfms/afr/profile.pdf).

**Operational Services**

**Exhibit - Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards**

\_\_\_\_\_  
Cardholder's name

\_\_\_\_\_  
Cardholder's address

\_\_\_\_\_  
Position

\_\_\_\_\_  
Name of individual who authorized issuance of card.

I affirm that I am familiar with the Board's policy on using credit and procurement cards, that I understand my responsibilities regarding use of such cards, and that I agree to adhere to all requirements regarding such cards.

\_\_\_\_\_  
Cardholder's signature

\_\_\_\_\_  
Date

I provided a copy of this Statement along with a copy of the Board policy 4:55, *Use of Credit and Procurement Cards*, to the cardholder who signed this statement.

\_\_\_\_\_  
Office personnel

\_\_\_\_\_  
Date

DATED:

## Operational Services

### Administrative Procedure - Checklist for Internal Controls 1

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

1. All financial transactions must be properly authorized and documented. This includes:
  - No check is issued without pre-approved documentation for the expenditure, e.g., a signed voucher, a completed and approved travel request, an approved purchase requisition, an order, or an invoice.
  - No bank account is opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number without pre-approved documentation.
  - No credit or procurement card is assigned to an individual without pre-approved documentation. All use of a credit or procurement card must be in compliance with Board policy 4:55, *Use of Credit and Procurement Cards* and administrative procedure 4:55-AP, *Controls for the Use of District Credit and Procurement Cards*.
  - Every receipt to and expenditure from a revolving fund and a petty cash fund are supported with clear documentation and otherwise comply with Board policies 4:50, *Payment Procedures* and 4:80, *Accounting and Audits*.
  - A record is made of all checks issued and all payments made by credit or procurement cards that includes descriptive information sufficient to allow assignment of the appropriate code.
2. Financial records and data must be accurate and complete. This includes:
  - Data entries are timely made.
  - Cash handling is properly recorded.
  - Checks are sequentially numbered and missing checks are accounted for.
  - Financial reporting deadlines are followed.
3. Accounts payable must be accurate and punctual. This includes:
  - Payments are made on a timely basis.
  - A thorough explanation is provided for any over/underpayments.
  - Payroll and benefits are reviewed and continually updated.
4. District property must be protected from loss or misuse. This includes:
  - Valuable technology assets are safeguarded from theft or loss.
  - A backup and recovery system is developed for electronic systems.
  - Only authorized individuals have access to various systems.

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<sup>1</sup> The administrative procedure can serve to generate discussion concerning internal controls among relevant district staff members and the district's auditor. It must be customized to reflect conditions in each district. Its effectiveness will be greatly enhanced if the employee responsible for each control is identified. A board that wants to take a significant oversight role regarding internal controls may want to list the numbered sentences in its policy 4:80, *Accounting and Audits*, as required inclusions in the superintendent's program for internal controls.



- Passwords are kept secure and frequently changed.
  - Keys are kept secure and accounted for.
  - District property is not *borrowed* or otherwise used for private purposes.
  - District personal property having a monetary value (excluding, for example, trash, outdated equipment, consumed consumables, and spoilage) is discarded only with the Board's prior approval.
5. Incompatible duties should be segregated, if possible. This includes:
- Transaction approval is separated from disbursement approval duties so that no single individual controls all phases of the claim payment process.
  - Other controls are used if segregation of duties is impossible.
6. Accounting records are periodically reconciled. This includes:
- All accounts are balanced monthly.
  - All statements from checking accounts and credit cards are reconciled monthly.
  - Expenses are verified against receipts.
  - Out-of-balance conditions are investigated.
7. Equipment and supplies must be safeguarded. This includes:
- Inventories are periodically taken and inspections are frequently made.
  - A reliable record is kept identifying what technology assets have been provided to specific employees.
  - Access to supplies is limited and controlled.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
- Responsibilities match job descriptions.
  - If required by State law, staff members are appropriately bonded.
  - Staff members are held accountable for complying with Board policies and administrative processes or procedures that have been established to safeguard the District's financial condition.
  - Staff members are appropriately trained and evaluated.
  - Staff members are encouraged to notify their supervisors or the Superintendent of risks, losses, and/or concerns.
9. Any unnecessary weaknesses or financial risks must be promptly corrected. This includes:
- Internal control concerns raised by the District's independent auditor in connection with the annual financial audit are properly addressed.
  - Internal or external auditors are annually engaged to assess risk and/or test existing internal controls for those areas not included within the scope of the annual financial audit; concerns are promptly addressed.

## Professional Personnel

### Administrative Procedure - Plan to Ensure That All Teachers Who Teach Core Academic Subjects Are Highly Qualified<sup>1</sup>

Actor	Requirements and Actions That Must Be Completed
Superintendent or designee	<p>Identify all core academic subjects and non-core subjects.</p> <p>For core academic subjects, recommend for hiring only teachers who are <i>highly qualified</i>, as defined by Title I of the Elementary and Secondary Education Act and its implementing regulations, State law, and School Board policy 5:190, <i>Teacher Qualifications</i>.</p> <p>Identify any teacher currently employed teaching a core subject who is not <i>highly qualified</i>.</p> <p>Inform the Building Principal of any teacher in his or her building teaching a core subject who is not <i>highly qualified</i>.</p> <p>Notify each teacher teaching a core subject and who is not <i>highly qualified</i> that federal law requires that all elementary and secondary teachers be <i>highly qualified</i>.</p> <p>Complete a roadmap for each not <i>highly qualified</i> teacher describing the specific activities that are appropriate to get the individual to <i>highly qualified</i> status within 2 years, benchmarks, proposed completion dates, resources necessary, date of completion, and a District contact person. These documents must be kept on file at the District office for ROE Teacher Audits and ISBE random audits. <a href="http://www.isbe.net/certification/pdf/RMNQT_form.pdf">http://www.isbe.net/certification/pdf/RMNQT_form.pdf</a>. <a href="http://www.isbe.state.il.us/accountability/pdf/RMNQT_form.pdf">www.isbe.state.il.us/accountability/pdf/RMNQT_form.pdf</a>.</p> <p>Consult with Building Principals and other administrative staff members about methods to ensure that core-subject teachers are <i>highly qualified</i>, such as through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies.</p> <p>Appoint a committee to devise methods to: (1) ensure that core subjects are only taught by <i>highly qualified</i> teachers, and (2) assist teachers to become <i>highly qualified</i>.</p> <p>Ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.</p>

The footnotes should be removed before the material is used.

<sup>1</sup> NCLBA requires that all schools receiving Title I funds have a plan to ensure that all core-subject teachers are *highly qualified* ~~by~~ (20 U.S.C. §6319(a)(3); 34 C.F.R. §200.57(b)). This sample procedure must be augmented in alignment with a district's specific conditions.

## Instruction

### Educational Philosophy and Objectives 1

The District's educational program will seek to provide an opportunity for each student to develop to his or her maximum potential. The objectives for the educational program are to:

1. Foster students' self-discovery, self-awareness, and self-discipline.
2. Develop students' awareness of and appreciation for cultural diversity.
3. Stimulate students' intellectual curiosity and growth.
4. Provide students with fundamental career concepts and skills.
5. Help students develop sensitivity to the needs and values of others and a respect for individual and group differences.
6. Help each student strive for excellence and instill a desire to reach the limit of his or her potential.
7. Encourage students to become life long learners.
8. Provide an educational climate and culture free of bias concerning the protected classifications identified in policy 7:10, *Equal Educational Opportunities*.

In order for the Board to monitor whether the educational program is attaining these objectives and to be knowledgeable of current and future resource needs, the Superintendent shall prepare an annual report that includes:

1. A review and evaluation of the present curriculum.
2. A projection of curriculum and resource needs.
3. An evaluation of, and plan to eliminate, any bias in the curriculum or instructional materials and methods concerning the classifications referred to in item 8, above.

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~~1 This policy is intended as a repository for the district's mission statement for instruction as well as for ends or objectives of the instructional program. A board monitors compliance and progress through superintendent reports. For more information about detecting ends and efficiently monitoring district performance, see IASB's *Foundational Principles of Effective Governance*, available at: [www.iasb.com/principles.cfm](http://www.iasb.com/principles.cfm).~~

The items in both the objectives and monitoring lists are only examples. Each board should customize this policy, and re-visit it periodically, to ensure it is responsive to the district's needs and is effective and dynamic.

Alternative or additional objectives for the educational program might include one or more of the following:

1. Have all students meet or exceed State standards in their academic pursuits.
2. Provide meaningful learning activities for all students who have the capacity to learn.
3. Provide opportunities for students to develop emotionally, morally, and socially as well as to gain knowledge and skills to develop and maintain healthy minds and bodies.
4. Foster an appreciation for the efficient use of the natural resources.
5. Cultivate students' understanding and appreciation for democracy and the history of the United States.
6. Have students take responsibility for their own actions including understand their role in creating a positive learning environment as well as being active participants in the learning process.
7. Provide opportunities for students' parents/guardians to participate in their child's academic achievement and school performance.

4. Any plan for new or revised instructional program implementation.
5. A review of present and future facility needs.

CROSS REF: 1:30 (School District Philosophy), 3:10 (Goals and Objectives), 6:15 (School Accountability), 7:10 (Equal Educational Opportunities)

## Instruction

### Organization of Instruction 1

The School District has instructional levels for grades \_\_\_\_\_ through \_\_\_\_\_. The Superintendent shall annually present to the School Board a plan for organizing instructional levels and assigning them to school facilities in order to:

1. Support the District's educational program,
2. Maximize facility usage without undue overcrowding, and
3. Provide substantially comparable instructional programs across the District.

Students, for instructional purposes, may be placed in groups within a school that do not necessarily follow grade level designations. For purposes of attendance reporting and other records, however, each student is assigned a grade-level placement.

### Kindergarten 2

The District maintains a full-day kindergarten with an instructional program that fulfills the District's curriculum goals and objectives and the requirements of the State law. The District also offers a half-day kindergarten for those parents/guardians who request a half-day program.

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**1** The contents of this policy, except the kindergarten section, are discretionary with each board. The first section serves to inform interested people that instructional levels are organized and assigned to school facilities according to a plan, developed by the superintendent, that meets standards adopted by the board. If a board does not want to include specific standards for the plan, it may substitute this sentence for the second sentence:

The grouping and housing of instructional levels in school facilities shall be according to plans developed by the Superintendent and approved by the Board.

Optional additional sentences for unit districts; insert after the first sentence.

The elementary schools enroll students in kindergarten through grade \_\_\_\_\_. The junior high school offers grades \_\_\_\_\_ through \_\_\_\_\_. The high school offers grades \_\_\_\_\_ through 12.

**2** This section is for only those districts having a kindergarten. A board may establish a full-day or half-day kindergarten program (105 ILCS 5/10-22.18). If a full-day program is established, the district must also establish a half-day program (105 ILCS 5/10-22.18). The district must offer a distinctive curriculum for full- and half-day kindergartens when 20 or more students' parents/guardians request a half-day program (23 Ill.Admin.Code §1.420(h)(2)). A board should consider adding a description of pre-kindergarten programs whether they are for all students or only those who qualify due to special needs.

105 ILCS 5/10-20.37, 5/10-20.19a, and 10-22.18 authorize a board to establish a program as described in the following optional provision:

To the extent State or federal funds are available and in accordance with State law, the Superintendent or designee shall establish, maintain, and operate a summer kindergarten program that: (1) begins two months before the beginning of the regular school year, and/or (2) continues for two months after the regular school year for grade one readiness for those students making unsatisfactory progress during the regular kindergarten session. The District shall provide transportation.

LEGAL REF.: 105 ILCS 5/10-20.19a, 5/10-20.37, and 5/10-22.18.  
23 Ill.Admin.Code §1.420.

CROSS REF.: 6:40 (Curriculum Development), 6:170 (Title I Programs), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

## Instruction

### Education of Children with Disabilities <sup>1</sup>

The School District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. <sup>2</sup> The term “children with disabilities,” as used in this policy, means children between ages 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Illinois State Board of Education’s *Special Education* rules, that special education services are needed.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education’s *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students’ identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student’s parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student’s parent(s)/guardian(s), representation by counsel, and a review procedure. <sup>3</sup>

The District may maintain membership in one or more cooperative associations of school districts that shall assist the District in fulfilling its obligations to the District’s disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities. <sup>4</sup>

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<sup>1</sup> State or federal law controls this policy’s content. Each school district and special education cooperative must develop written special education policies and procedures in conformance with ISBE’s rules (23 Ill.Admin.Code §226.710). In its continuing commitment to help school districts and special education cooperatives comply with ISBE’s requirements for policy and procedure, the Ill. Council of School Attorneys, special education committee, reviewed this policy and prepared extensive procedures, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*, that are available gratis on [www.iasb.com/law/](http://www.iasb.com/law/).

<sup>2</sup> Opinions vary regarding the extent of a district’s responsibility for providing FAPE to dually enrolled students, i.e., whether the responsibility is limited to the extent necessary to access the public portion of their education. Contact the board attorney for advice.

<sup>3</sup> Districts must use ISBE’s procedural safeguards for students who qualify for services under IDEA. For students who qualify for services exclusively under Section 504, the district must establish a system of procedural safeguards or use the ones provided by ISBE’s *Special Education* rules (~~34 C.F.R. §104.36~~ [23 Ill.Admin.Code §§226.500-570](#)). ISBE’s rules are more burdensome than is required by Section 504 and districts may, as the policy provides, develop their own procedures. See 6:120-E, Exhibit, *Notice to Parents/Guardians Regarding Section 504*.

<sup>4</sup> The district may be eligible to receive reimbursement from the State for the student’s expenses (105 ILCS 5/14-7.02).

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12101 et seq.  
Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C.  
§1400 et seq.  
Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.  
| 105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02**ab.**  
| 23 Ill.Admin.Code Part 226.  
34 C.F.R. §300.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)



## **Instruction**

### **Administrative Procedure - Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities**

In its continuing commitment to help school districts and special education cooperatives comply with ISBE requirements for procedure, the special education committee of the Ill. Council of School Attorneys prepared model special education procedures. ISBE has approved these procedures as conforming to 23 Ill.Admin.Code §226.710. This ISBE rule contains the requirements for special education procedures that must be adopted by each school district and cooperative entity. The IASB/ISBE model procedures are approximately 80 pages and are available on the IASB website: <http://iasb.com/law/icsaspeded.cfm>.

## Instruction

### Library Media Program 1

The Superintendent or designee shall manage the District's library media program to comply with (1) State law and Illinois State Board of Education rule and (2) the following standards:

1. The program includes an organized collection of resources available to students and staff to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served.
2. Financial resources for the program's resources and supplies are allocated to meet students' needs.
3. Students in all grades served have equitable access to library media resources.
4. The advice of an individual who is qualified according to ISBE rule is sought regarding the overall direction of the program, including the selection and organization of materials, provision of instruction in information and technology literacy, and structuring the work of library paraprofessionals.
5. Staff members are invited to recommend additions to the collection.
6. Students may freely select resource center materials as well as receive guided selection of materials appropriate to specific, planned learning experiences.

LEGAL REF.: 23 Ill.Admin.Code §1.420(o).

CROSS REF.: 6:60 (Curriculum Content), 6:170 (Title I Programs), 6:210 (Instructional Materials)

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<sup>1</sup> ISBE rule controls some aspects of this policy's content; however, districts are not required to adopt a policy on any subject matter covered in it. Standards #1-4 restate requirements in 23 Ill.Admin.Code §1.420(o). Standard #2 implements the rule's requirement that each "district's annual budget shall include an identifiable allocation for resources and supplies for the program." However, the rule allows a unit district serving fewer than 400 students or an elementary or high school district serving fewer than 200 students to forego the allocation requirement; thus, they may use the following alternative to standard #2: "Resources are sufficient to meet students' needs." Standards #5 and #6 may be customized or deleted, and other standards may be added.

## **Instruction**

### **Exhibit - Online Privacy Statement**

#### Online Privacy Statement

The School District respects the privacy of all Web site visitors to the extent permitted by law. This Online Privacy Statement is intended to inform you of the ways in which this Web site collects information, the uses to which that information will be put, and the ways in which we will protect any information you choose to provide us.

There are four types of information that this site may collect during your visit: network traffic logs, Web site visit logs, cookies, and information voluntarily provided by you.

#### Network Traffic Logs

In the course of ensuring network security and consistent service for all users, the District employs software programs to do such things as monitor network traffic, identify unauthorized access or access to nonpublic information, detect computer viruses and other software that might damage District computers or the network, and monitor and tune the performance of the District network. In the course of such monitoring, these programs may detect such information as e-mail headers, addresses from network packets, and other information. Information from these activities is used only for the purpose of maintaining the security and performance of the District's networks and computer systems. Personally identifiable information from these activities is not released to external parties without your consent unless required by law.

#### Web Site Visit Logs

District Web sites routinely collect and store information from online visitors to help manage those sites and improve service. This information includes the pages visited on the site, the date and time of the visit, the Internet address (URL or IP address) of the referring site (often called "referrers"), the domain name and IP address from which the access occurred, the version of browser used, the capabilities of the browser, and search terms used on our search engines. This site makes no attempt to identify individual visitors from this information; any personally identifiable information is not released to external parties without your consent unless required by law.

#### Cookies

Cookies are pieces of information stored by your Web browser on behalf of a Web site and returned to the Web site on request. This site may use cookies for two purposes: to carry data about your current session at the site from one Web page to the next and to identify you to the site between visits. If you prefer not to receive cookies, you may turn them off in your browser, or may set your browser to ask you before accepting a new cookie. Some pages may not function properly if the cookies are turned off. Unless otherwise notified on this site, we will not store data, other than for these two purposes, in cookies. Cookies remain on your computer, and accordingly we neither store cookies on our computers nor forward them to any external parties. We do not use cookies to track your movement among different Web sites and do not exchange cookies with other entities.

### Information Voluntarily Provided by You

In the course of using this Web site, you may choose to provide us with information to help us serve your needs. For example, you may send us an email to request information, an application or other material, and you may sign up for a mailing list. Any personally identifiable information you send us will be used only for the purpose indicated. Requests for information will be directed to the appropriate staff and may be recorded to help us update our site. We will not sell, exchange, or otherwise distribute your personally identifiable information without your consent, except to the extent required by law. We do not retain the information longer than necessary for normal operations.

Each Web page requesting information discloses the purpose of that information. If you do not wish to have the information used in that manner, you are not required to provide it. Please contact the person listed on the specific page, or listed below, with questions or concerns on the use of personally identifiable information.

While no system can provide guaranteed security, we take reasonable efforts to keep information you provide to us secure, including encryption technology (if any), and physical security at the location of the server where the information is stored.

### Communication Preferences

You can stop the delivery of informational emails from the District by following the specific instructions in the email you receive. Depending on the respective service, you may also have the option of proactively making choices about the receipt of email, telephone calls, and postal mail for particular District information and activities.

### Web Links to Non-District Web Sites

District Web sites provide links to other World Wide Web sites or resources. We do not control these sites and resources, do not endorse them, and are not responsible for their availability, content, or delivery of services. In particular, external sites are not bound by this Online Privacy Statement; they may have their own policies or none at all. Often you can tell you are leaving a District Web site by noting the URL of the destination site. These links to external Web sites open a new browser window as well.

Please email your questions or concerns to the System Administrator [*insert contact information*].

## Students

### Student and Family Privacy Rights <sup>1</sup>

#### Surveys <sup>2</sup>

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 School 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 <sup>3</sup>

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 official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

#### Survey Requesting Personal Information <sup>4</sup>

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:

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

<sup>1</sup> State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. The No Child Left Behind Act significantly changed the Protection of Pupil Rights Act, a/k/a/ the Hatch Amendments. The Protection of Pupil Rights Act requires any school district, "that receives funds under any applicable program [to] develop and adopt policies, in consultation with parents, regarding [statutory privacy rights]." (20 U.S.C. §1232h(c)(1). *Any applicable program* generally refers to any federal program administered by the U.S. Department of Education (20 U.S.C. §1221(c). *Consultation with parents* is not defined; boards are advised, at minimum, to publicize the issue and request public comment during the policy's adoption.

<sup>2</sup> This paragraph is not dictated by law. It, however, contains the principles to guide staff and should be carefully considered and re-crafted by each board. Note that IASB sample board policy 6:10, *Educational Philosophy and Objectives*, is very broad and will thus justify surveys covering many subjects. However, it would prohibit the collection of information for marketing or selling (see f/n 13 of this policy); ~~this delete~~ reference ~~must be struck~~ if the board wants the option of selling personal information ~~that is~~ collected from students, such as in the following:

A survey requesting personal information from students, as well as any other instrument used to collect personal information from students, must have a business, educational, or marketing justification.

Another alternative is to strictly restrict the subjects on which students may be surveyed, as in the following:

All surveys requesting information from students, as well as any other instrument used to collect personal information from students, must be for the purpose of monitoring the quality of the District's educational programs or assisting students' career choices.

<sup>3</sup> Required by 20 U.S.C. §§1232h(c)(1)(A)(i) and 1232h(c)(2)(A)(ii).

~~<sup>4</sup> Required by 20 U.S.C. §1232h(c)(1)(B). Consult the board attorney to review the survey or questions before administering it. Given the current political climate, attorneys in the field are voicing concern about the increase in schools and staff requesting inappropriate information from a student, e.g., the number of people and/or families living in his or her home and/or whether firearms are present in the student's home.~~

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, **5** and/or
2. Refuse to allow their child or ward to participate in the activity described above. **6** The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

#### Instructional Material **7**

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

The term “instructional material” means instructional content 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. **8**

#### Physical Exams or Screenings **9**

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.

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**5** *Id.*

**6** 20 U.S.C. §1232h(c)(2)(A)(ii).

**7** Required by 20 U.S.C. §1232h(c)(1)(C)(i).

**8** 20 U.S.C. §1232h(c)(6)(A).

**9** The Protection of Pupil Rights Act states that student’s parent(s)/guardian(s) may refuse to allow their child or ward to participate in “non-emergency, invasive physical examination or screening.” (20 U.S.C. §1232h(c)(2)(A)(ii)). This does not necessarily mean, however, that schools have authority to conduct invasive physical examinations or screenings of students. In order to avoid misunderstandings, the sample policy prohibits physical examinations and screenings of students as those terms are defined in the policy (and federal law).

A board that wants to retain this option must strike the first sentence and replace it with the following:

A student’s parent(s)/guardian(s) may refuse to allow their child or ward to participate in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered by the school and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student, or of other students.

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. **10**
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.). **11**
3. Is otherwise authorized by Board policy. **12**

**Selling or Marketing Students' Personal Information Is Prohibited **13****

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 or (5) driver's license number or State identification card. **14**

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: **15**

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.

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**10** 20 U.S.C. §1232h(c)(4)(B)(ii).

**11** 20 U.S.C. §1232h(c)(5)(A)(ii).

**12** If a board adopted a drug-testing program for extracurricular participants, that policy should be referenced here and added to this policy's cross-references. (See the optional program in 7:240, *Conduct Code for Participants in Extracurricular Activities*.)

**13** The Children's Privacy Protection and Parental Empowerment Act, [325 ILCS 17/](#), prohibits the sale of personal information concerning a child under the age of 16, with a few exceptions, unless the parent(s)/guardian(s) have consented. Federal law [20 U.S.C. §1232h(c)(1)(E)] is similar but not identical. In order to effectuate both laws, the sample policy prohibits the sale or marketing of *personal information* unless the parents/guardians have consented.

**14** 20 U.S.C. §1232h(c)(6)(E); Children's Privacy Protection and Parental Empowerment Act, [325 ILCS 17/](#). See [f/n 6 in 7:340, Student Records](#), for a discussion about managing FOIA requests for items (1)-(3) under *personal information* in [this paragraph](#).

**15** Id.

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. **16**

#### Notification of Rights and Procedures **17**

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 or ward 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. **18**
4. How to request access to any survey or other material described in this policy.

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

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. **19**

LEGAL REF.: 20 U.S.C. §1232h, Protection of Pupil Rights.  
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), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities)

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**16** 105 ILCS 5/10-20.38.

**17** The details in this section are specified in and required by 20 U.S.C. §1232h(c)(2). This information should be in the student handbook.

**18** If the board chose to keep the option of marketing personal information received from students and/or conducting physical exams, add the following to this list as appropriate: "collection of personal information from students for marketing and physical examinations or screenings."

**19** 20 U.S.C. §1232h(c)(5)(B).



**Students**

**Exhibit - Notification to Parents of Family Privacy Rights 1**

Date

Re: Student Survey Participation

Dear Parents:

Your child will be asked to complete a survey as described below:

Survey description: \_\_\_\_\_

Survey grade/participants: \_\_\_\_\_ Anticipated Survey date(s): \_\_\_\_\_

Parents/guardians may request that their child not participate in surveys that concern one or more of the following eight areas:

1. Political affiliations or beliefs of the student or student’s parent/guardian;
2. Mental or psychological problems of the student or student’s family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom the student has close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents/guardians; or
8. Income other than as required by law to determine program eligibility.

The school will not penalize any student whose parent/guardian exercises this option. In addition, a parent/guardian may review surveys asking questions about the above areas as well as other instructional materials. School Board policy 7:15, *Student and Family Privacy Rights*, contains a more thorough explanation of these rights and may be obtained from the Building Principal.

Opt-Out Instructions (Note: This notice and opt-out right transfers from parents/guardians to any student who is 18 years old.)

If you do not want your child to participate in this activity, contact your child’s Building Principal no later than \_\_\_\_\_. If we do not hear from you by this date, we will assume that you do not object to having your child participate in the surveys described above.

Request to Review

If you wish to review any survey instrument or instructional material, please submit your request to the Building Principal. You will be notified of the time and place where you may review these materials.

Building Principal contact information: \_\_\_\_\_

The footnotes should be removed before the material is used.

<sup>1</sup> The Protection of Pupil Rights Act grants parents/guardians the right to preview surveys and to prohibit their child’s participation (20 U.S.C. §1232h(c)). **This form does not contain the mandatory notifications if a board adopts optional provisions concerning invasive physical examinations.** (See f/n’s 2, 9, and 13 in sample policy 7:15, *Student and Family Privacy Rights*.)

## Students

### Student Assignment and Intra-District Transfer 1

#### Attendance Areas

The School District is divided into school attendance areas. The Superintendent will review the boundary lines annually and recommend any changes to the School Board. <sup>2</sup> The Superintendent or designee shall maintain a map of the District showing current school attendance areas. Students living in a given school attendance area will be assigned to that school. <sup>3</sup> Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.

#### Transfers Within the District 4

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation. <sup>5</sup> The provisions in this section have no applicability to transfers pursuant to: (1) Title I covered in Board policy 6:15, *School Accountability*, or (2) the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

#### Class Assignments

The Superintendent or designee shall assign students to classes.

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:15 (School Accountability), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

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<sup>1</sup> State law requires that intra-district transfers be covered by policy and controls this policy's content (105 ILCS 5/10-21.3a).

<sup>2</sup> School attendance areas must be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality (105 ILCS 5/10-21.3).

<sup>3</sup> State law grants boards broad authority concerning assignment of students to schools (105 ILCS 5/10-22.5). A child is presumed to be a resident of the district in which the child's parents, or custodial parent after a divorce, reside. The facts surrounding a transfer of custody will determine whether residency for school attendance purposes has changed. Turner v. Board of Education North Chicago Community High School District 123, 294 N.E.2d 264 (Ill. 1973).

<sup>4</sup> The details for intra-district transfers are determined locally; State law does not address when, or even if, intra-district transfers should be granted. See sample policy 6:15, *School Accountability*, for transfers pursuant to Title I. For districts that maintain one attendance center, delete this subhead.

<sup>5</sup> To limit the acceptable reasons supporting a transfer request, a board should consider this alternative: "...when the parent(s)/guardian(s) demonstrate that the student could be better accommodated by the educational program at another school ... ."

## Students

### School Uniforms <sup>1</sup>

Students are encouraged to wear school uniforms to school on all school attendance days, in order to maintain and promote orderly school functions, student safety, and a positive learning environment. <sup>2</sup> The Building Principal is authorized to designate days on which this uniform policy is relaxed. <sup>3</sup>

The Superintendent or designee shall designate a school-wide uniform after receiving input from school staff members, parents, and interested community members. <sup>4</sup> Students may: <sup>5</sup>

1. Display religious messages on items of clothing to the same extent they are permitted to display other messages;
2. Wear attire that is part of the student's religious practice;
3. Wear or display expressive items, such as a button, as long as such items do not contribute to disruption by substantially interfering with discipline or with the rights of others; <sup>6</sup> and

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

<sup>1</sup> State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. Boards may adopt a school uniform policy, provided it is "necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety," (105 ILCS 5/10-22.25b).

<sup>2</sup> Alternatively, the board may designate certain individual attendance centers.

A voluntary school uniform policy permits students to freely choose whether and under what circumstances they will wear the uniform. A voluntary policy allows the district to gauge parental support—something that is vital to the policy's success. In addition, a voluntary policy does not implicate the First Amendment.

Boards may adopt a mandatory uniform policy, with or without an *opt-out* provision. An *opt-out* provision allows a student to be excused from the policy because of an objection from a parent/guardian based on cultural, religious, or other reasons. While the constitutionality of a mandatory uniform policy is disputed, the inclusion of an *opt-out* provision reduces vulnerability to constitutional attack. For districts desiring a mandatory uniform policy, substitute this provision for the first sentence (eliminate the 2nd sentence if no *opt-out* provision is wanted):

Students are required to wear school uniforms to school on all attendance days, unless otherwise indicated by the Building Principal, in order to maintain and promote orderly school functions, student safety, and a positive learning environment. This policy will be waived for any student whose parent/guardian provides the Board with a signed statement detailing the grounds for their objection.

<sup>3</sup> Optional; eliminate this sentence if the board wants to enforce the policy every day.

<sup>4</sup> Boards may allow each school to designate its own uniform or designate a district-wide uniform, as the following alternative provides:

The Superintendent or designee shall designate a district-wide uniform after receiving input from school staff members, parents, and interested community members.

<sup>5</sup> A uniform policy must accommodate students whose religious beliefs are substantially burdened by a uniform requirement. Religious messages may not be singled out for suppression; they must be subject to the same rules as generally apply to other messages. For more information, see U.S. Dept. of Education's publication:

[www.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](http://www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html).

4. Wear the uniform of a nationally recognized youth organization such as Boy Scouts or Girl Scouts on regular meeting days.

No student shall be denied attendance at school, penalized, or otherwise subject to compliance measures for failing to wear a uniform because of:

1. Personal choice; **7**
2. Insufficient time in which to comply with this policy; **8**
3. Financial hardship; **9** or
4. Religious objection by the student's parent/guardian to the student's compliance with this policy or the applicable uniform, if they have provided the Superintendent with a signed statement detailing their objection. **10**

Any student eligible for reduced or free lunches, or for a waiver of student fees, is eligible for financial assistance toward the purchase of school uniforms. The Superintendent or designee shall develop a process for informing parents/guardians of the availability of financial assistance and a method to process financial requests. **11**

No student shall be suspended or expelled from school, or receive a lowered academic grade, because of failing to comply with this policy. **12**

The Superintendent or designee shall develop incentives and positive reinforcement measures to encourage full compliance. **13**

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**6** In 1969, the U.S. Supreme Court recognized that students enjoy First Amendment free speech rights in school but that schools have the authority to limit student speech that might reasonably be predicted to cause a material and substantial disruption or invasion of the rights of others. Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969). The manner in which this ruling applies to uniform policies is still unsettled. See DePinto v. Bayonne Bd. of Educ., 514 F.Supp.2d 633 (D. N.J., 2007)(a school district was enjoined from disciplining elementary students who wore a button protesting the district's mandatory uniform policy). However, many decisions have upheld a compulsory uniform policy. See Blau v. Ft. Thomas Public Sch. Dist., 401 F.3d 381 (6th Cir. 2005); Canady v. Bossier Parish Sch. Board, 240 F. 3d 437 (5th Cir 2001); Littlefield v. Forney School Dist., 268 F.3d 275 (5th Cir. 2001); Jacobs v. Clark County Sch. Dist., 373 F.Supp.2d 1162 (D. Nev., 2005); Phoenix Elementary Sch. Dist. v. Green, 943 P. 2d 836 (Az.Ct. App. 1997); Vines v. Zion School Dist., 2002 WL 58815 (N.D.Ill. 2002); Alwood v. Clark, 2005 WL 2001317 (S.D.Ill. 2005); Bear v. Fleming, 714 F.Supp.2d 972 (W.D. S.D. 2010) (requiring students to wear a cap and gown while receiving their diplomas is reasonably related to the school board's legitimate interest in maintaining order). **Before adopting a uniform policy, a board should discuss this issue with its attorney.**

**7** Omit *personal choice* if the district has a mandatory uniform policy.

**8** 105 ILCS 5/10-22.25b.

**9** *Id.*

**10** *Id.* Remove this provision if a mandatory uniform policy is adopted with a provision allowing the parents/guardians to obtain an opt-out (see [footnote f/n 2](#)).

**11** *Id.* State law requires the board to establish "criteria and procedures under which the board will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family."

**12** For those boards choosing a mandatory uniform policy with no opt-out provision, replace this sentence with the following:

Disciplinary action may be taken for failure to comply with this policy. Before initiating disciplinary action, a conference with the parent(s)/guardian(s) shall be requested to solicit cooperation and support.

**13** The following alternative takes the board into operational matters but it ensures that the nuts and bolts issues will be covered by administration:

The Superintendent or designee shall develop incentives and positive reinforcement measures to encourage full compliance and shall communicate information to students and parents/guardians concerning:

1. The uniform's description and its availability;
2. The requirements for jackets and outer garments;
3. Optional articles of attire, if any;

LEGAL REF: 105 ILCS 5/10-22.25b.

CROSS REF: 7:160 (Student Appearance), 7:190 (Student Discipline)

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4. Compliance measures;
  5. Methods to facilitate recycling of uniforms within the school community; and
  6. Notice of uniform sales and lists of competitive prices from vendors of uniform articles.

## Students

### Expulsion Procedures 1

The Superintendent or designee shall implement expulsion procedures that provide, at a minimum, for the following: 2

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. 3 The request should include: 4
  - a. The reasons for the proposed expulsion as well as the conduct rule the student is charged with violating.
  - b. The time, date, and place for the hearing.
  - c. A short description of what will happen during the hearing.
  - d. A statement indicating that the School Code allows the School Board to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis.
  - e. A request that the student or parent(s)/guardian(s) inform the District if the student will be represented by an attorney and, if so, the attorney's name.
2. Unless the student and parent(s)/guardian(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by the School Board or a hearing officer appointed by it. 5 If a hearing officer is appointed, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate.
3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the

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**1** State or federal law requires districts to have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). State or federal law controls this policy's content. The discipline of special education students must comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's Special Education rules. See 7:230, *Misconduct by Students with Disabilities*.

**2** Expulsion procedures are required by State law (105 ILCS 5/10-22.6(a)). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. *Goss v. Lopez*, 95 S.Ct. 729 (1975). Thus, an expulsion of more than 10 days requires due process including, but not limited to, notice of the charges, an opportunity to hear the evidence in support of the charges, an opportunity to refute them, and a decision by an impartial decision maker based on the evidence presented. The adequacy of an expulsion hearing is frequently challenged; the board attorney should be consulted as every due process analysis will be highly fact specific. See footnote f/n 5, *infra*.

**3** 105 ILCS 5/1-3.5 states that whenever the term "registered mail" is used in the School Code, it shall be deemed to authorize the use of either registered mail or certified mail, return receipt requested.

**4** Due process includes the right to receive a notice with enough detail and with enough time to prepare a defense. Items d and e are optional.

**5** A board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(c)(9)).

student should not be expelled. <sup>6</sup> After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

LEGAL REF.: 105 ILCS 5/10-22.6(a).  
Goss v. Lopez, 95 S.Ct. 729 (1975).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities)

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

<sup>6</sup> A student's opportunity to offer evidence, present witnesses, cross-examine witnesses, and otherwise present reasons why the student should not be expelled generally outweighs a district's interest in not providing the student these opportunities. See, Camlin v. Beecher Comm. Sch. Dist., 791 N.E.2d 127 (Ill.App. 3d Dist. 2003) and Colquitt v. Rich Twp H. S. Dist., 699 N.E.2d 1109 (Ill.App. 1st Dist. 1998). Determining whether denying these opportunities would violate a student's right to due process requires a careful analysis of the facts and federal case law. See Brown v. Plainfield Dist., 500 F. Supp.2d 996 (N.D. Ill. 2007) and Coronado v. Valleyview Sch. Dist., 2008 WL 3316022 (7th Cir. 2008).

## Students

### Misconduct by Students with Disabilities <sup>1</sup>

#### Behavioral Interventions <sup>2</sup>

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The School Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

#### Discipline of Special Education Students <sup>3</sup>

The District shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's *Special Education* rules when disciplining special education students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

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

<sup>1</sup> State or federal law controls this policy's content. State law requires each district to have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280) plus "policies and procedures" on behavioral interventions (105 ILCS 5/14-8.05). In its continuing commitment to help school districts and special education cooperatives comply with ISBE's requirements for policy and procedure, the Ill. Council of School Attorneys, special education committee, reviewed this policy and prepared extensive procedures, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*. These procedures are available gratis on [www.iasb.com/law/](http://www.iasb.com/law/). They comprehensively cover behavior intervention and discipline.

<sup>2</sup> State law specifies what must be covered in the mandatory "policies and procedures" on behavioral interventions (105 ILCS 5/14-8.05). They must "be developed with the advice of parents with students with disabilities and other parents, teachers, administrators, advocates for persons with disabilities, and individuals with knowledge or expertise in the development and implementation of behavioral interventions for persons with disabilities," (*Id.*). A board that wants to highlight the components of the procedures may add the following:

The committee shall review the State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. This policy and the behavioral intervention procedures shall be furnished to the parents/guardians of all students with individual education plans within 15 days after their adoption or amendment by, or presentation to, the School Board or at the time an individual education plan is first implemented for a student; all students shall be informed annually of this policy and the procedures. At the annual individualized education plan review, this policy shall be given to the parents/guardians and the behavioral interventions procedures explained and made available to them on request.

<sup>3</sup> A special education student may not be expelled for behavior or a condition that is a manifestation of the student's disability (34 C.F.R. §300.530).



LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.  
| Gun-Free Schools Act, 20 U.S.C. §~~3371~~51 et seq.  
34 C.F.R. §§300.101, 300.530 - 300.536.  
105 ILCS 5/10-22.6 and 5/14-8.05.  
23 Ill.Admin.Code §226.400.  
Honig v. Doe, 108 S.Ct. 592 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities), 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct)

## Students

### Administrative Procedure - Measures to Control the Spread of Head Lice at School

Actor	Action
School Nurse	<p>Involves parent organization in the development and implementation of programs regarding prevention and treatment.</p> <p>Provides information regarding control to staff, students, and parents.</p> <p>Provides information material and/or in-service to school personnel on:</p> <ol style="list-style-type: none"> <li>1. Confidentiality requirements</li> <li>2. Identification</li> <li>3. Preventing transmission in classrooms</li> <li>4. Precautions against self-contamination and cross-contamination, e.g.,               <ol style="list-style-type: none"> <li>a. Carpets should be vacuumed frequently</li> <li>b. Cloth-covered stuffed animals, sleeping mats, pillows, sofas, and other stuffed furniture should be discouraged</li> </ol> </li> <li>5. Treatment and resources for treatment</li> <li>6. Readmission requirements</li> <li>7. Respect for sensitivity of students and parents/guardians regarding this condition</li> </ol>
Parent/Guardian	<p>Assists in preventing and managing head lice outbreaks by regularly checking their children's hair and providing immediate treatment if lice are detected.</p> <ul style="list-style-type: none"> <li>• Check your child's hair and scalp regularly for eggs; they look like tiny white or grayish grains stuck to the hair. Head lice like clean heads, too.</li> <li>• Do not allow your child to use other children's combs, brushes, hats, etc.</li> <li>• If you find your child does have head lice, please inform the school so other children in the class can be checked.</li> <li>• Call your physician for a medicated shampoo. Follow the instructions for the entire family.</li> <li>• Hats, combs, brushes, and bed linens should be cleaned thoroughly. After the medicated shampoo, you can loosen the eggs with scalp rinses of vinegar, and then slide the eggs off the hair shaft with tweezers, a special fine tooth comb, or your fingernails.</li> </ul>
Staff	<p>To prevent the spread of head lice infestations, reports all suspected cases of head lice to the school nurse or designee as soon as possible.</p>
School Nurse	<p>Inspects the head of any student reasonably suspected of having head lice as soon as possible.</p> <p>Checks the siblings of any student with head lice and notifies other schools where siblings attend.</p> <p>Checks the student's contacts for the presence of lice.</p> <p>Provides the student's parent(s)/guardian(s) with information regarding head lice treatment.</p>

Actor	Action
	If more than one student is affected in any class, examines all students in the class and provides information about head lice to all parents/guardians of students in the class.
Building Principal	If eggs (nits) or lice are found, excludes the student from attendance and informs the parent(s)/guardian(s) about recommended treatment procedures and sources of further information.
Staff	Maintains the privacy of students identified as having head lice and excluded from attendance.
Parents/Guardians	Return an excluded student to school by bringing a note verifying treatment.
School Nurse	Examines any excluded student and verifies to the Building Principal that all eggs (nits) and lice are gone so that the student may return. <del>†</del> <b>NOTE: Delete this row and/or the reinspection (nit-free) requirement, if the administration determines the requirement is (a) unnecessary to successfully manage head lice and/or (b) results in unnecessary absences. The requirement simply eliminates any subjective call for school personnel as to whether the nit is dead or alive. The National Pediculosis Association also recommends the No Nit Policy as the public health standard intended to keep children lice free, nit free, and in school. See <a href="http://www.headlice.org/downloads/nonitpolicy.htm">www.headlice.org/downloads/nonitpolicy.htm</a>.</b>
Building Principal	Notifies parent(s)/guardian(s) whose excluded student has not returned to school within 5 days of the following: School attendance laws Action that may be taken if absence continues Resources for treatment information

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The footnotes should be removed before the material is used.

~~† This is a nit-free requirement.~~

## Students

### Exhibit - Placement of Students with AIDS

The following are excerpts from, "Placement of School Children with Acquired Immune Deficiency Syndrome (AIDS)," U.S. Department of Education, Office for Civil Rights:

[www.ed.gov/about/offices/list/ocr/docs/hq53e9.html](http://www.ed.gov/about/offices/list/ocr/docs/hq53e9.html).

#### OCR Policy on the School Placement of Children with AIDS

Children with AIDS are **handicapped disabled** persons. Section 504 prohibits discrimination against persons with **handicaps disabilities** in federally assisted programs such as elementary and secondary schools.\*\*\*

#### Where Should Children with AIDS Be Educated

Most children with AIDS can attend school in the regular classroom without restrictions. There has been no medical evidence disclosed to show that AIDS is contagious in the school setting. According to the latest medical information, there have been no reported cases of the transmission of the AIDS virus in schools. The Surgeon General and other health authorities, such as the Centers for Disease Control and the American Medical Association, have reinforced this position stating that there is no significant risk of contracting AIDS in the classroom.

If a parent or school official believes that a child with AIDS needs related services or placement outside the regular classroom, Section 504 requires an evaluation and placement process to determine the appropriate educational setting for a child with AIDS. However, a full educational evaluation is not required when neither the school officials nor parents believe that a child is in need of special education or related services.

If an evaluation is necessary, Section 504 requires the following procedures. Placement determinations are to be made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options available. The group may include the child's physician, public health personnel, the child's parent or guardian, and personnel familiar with all possible educational services. The group would draw upon information from a variety of sources, such as tests, teacher recommendations, and assessments of the child's physical condition.

In making placement decisions, the information needed by the placement team varies with the **handicapping disabling** condition. In the case of children with AIDS, the placement group must have the benefit of the latest reliable public health information with regard to the risks that the disease entails. This information would be considered along with information on the child's medical condition, behavior, and so forth. In each case, risks and benefits to both the infected child and others in the setting should be weighed.

#### A Child with AIDS Has a Right to Section 504 Procedural Safeguards

Section 504 requires elementary and secondary school districts to provide a free appropriate public education for **handicapped disabled** students that includes evaluation and placement procedures, and a system of procedural safeguards that includes notice to parents or guardians of their rights under the law, an opportunity for the child's parents or guardians to examine relevant records, an impartial

hearing with an opportunity for participation by the parents or guardians and representation by counsel, and a review procedure.

#### A Child with AIDS Has a Right to Confidentiality

Under Section 504, singling out children ~~handicapped~~ with AIDS for treatment that differs from that provided to ~~nonhandicapped nondisabled~~ children or children with other ~~handicaps disabilities~~ with respect to confidentiality would constitute different treatment on the basis of ~~handicap disability~~, and would be a violation of the regulation.

This provision would not affect State and local public health rules regarding the duty of school districts to report specified diseases to public health departments. However, when reporting any cases of AIDS to public health authorities, school districts should convey such information in a manner that respects the privacy of the individual and the confidential nature of the information, in the same way that information about other diseases is treated.

## Students

### **Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases 1**

The following chart contains requirements from rules adopted March 3, 2008 by the Illinois Department of Public Health. They provide routine measures for the control of communicable diseases by establishing progressive initiatives for implementing disease-reporting and exclusions measures.

Diseases and Conditions, 77 Ill.Admin.Code §690.100

The following are declared to be contagious, infectious, or communicable and may be dangerous to the public health. The Section number associated with the listed diseases indicates the Section of the rules explaining the reportable disease. Diseases and conditions are listed alphabetically by class. Every class has a different timeframe for mandatory reporting to the Department.

Class I(a) Diseases

The following diseases shall be reported by telephone immediately (within 3 hours) upon initial clinical suspicion of the disease to the local health authority, who shall then report to the Department immediately (within 3 hours).

<b>Disease</b>	<b>Exclusion Mandatory</b>
Any Unusual Case or Cluster of Cases That May Indicate a Public Health Hazard, Including, But Not Limited to, Glanders, Orf, Monkeypox, Viral Hemorrhagic Fever, §690.295	Contacts shall be evaluated to determine the need for quarantine. The local health authority shall implement appropriate control measures.
Anthrax, §690.320	No restrictions.
Botulism, Foodborne, Intestinal, §690.327	No restrictions.
Brucellosis (if suspected to be a bioterrorist event or part of an outbreak), §690.330	Standard precautions shall be followed. Contact precautions shall be followed when dressing does not adequately contain drainage.
Influenza A, Novel Virus, §690.469	Standard precautions, including routine use of eye protection, and contact precautions shall be followed for patients in health care settings, e.g., hospitals, long-term care facilities, outpatient offices, emergency transport vehicles. Cohorting in specific areas or wards may be considered.

The footnotes should be removed before the material is used.

1 These are included in the Illinois Department of Public Health's new rules available at: [www.idph.state.il.us/rulesregs/2008\\_Rules/Adopted/77\\_IAS\\_690\\_3-14.pdf](http://www.idph.state.il.us/rulesregs/2008_Rules/Adopted/77_IAS_690_3-14.pdf). Previously, this exhibit contained the IDPH publication, *Communicable Disease Guide 2002*; that publication has not been updated to reflect the current rules. Therefore, this table reflects all of the current rules' reporting requirements and deletions and additions of reportable diseases. School and day care personnel, nurses, nurse aides, health care practitioners, and parents, among others, must notify the local health authority if they have knowledge of a known or suspected case or carrier of communicable disease (77 Ill.Admin.Code §690.200). The time frames are contained in the IDPH rules. The reports may be by telephone or in writing and must be kept confidential.

<b>Disease</b>	<b>Exclusion Mandatory</b>
Plague, §690.570	Standard precautions shall be followed. For all patients, droplet precautions shall be followed until pneumonia has been determined not to be present. For patients with pneumonic plague, droplet precautions shall be followed until 72 hours after initiation of effective antimicrobial therapy and the patient has a favorable clinical response. Antimicrobial susceptibility testing is recommended.
Q-fever (if suspected to be a bioterrorist event or part of an outbreak), §690.595	No restrictions.
Severe Acute Respiratory Syndrome (SARS), §690.635	Observation and monitoring, isolation and quarantine procedures shall comply with <i>Public Health Guidance for Community-Level Preparedness and Response to Severe Acute Respiratory Syndrome (SARS) Version 2</i> , U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, Atlanta, Georgia 30333 (January 8, 2004). Contacts may be quarantined and/or shall be placed under surveillance, with close observation for fever and respiratory symptoms for the 10 days following the last exposure.
Smallpox, §690.650	Post-exposure immunization, within 3 to 4 days after exposure, provides some protection against disease and significant protection against a fatal outcome. Any person with significant exposure to a person with probable or confirmed smallpox during the infectious stage of illness requires immunization as soon after exposure as possible, but within the first 4 days after exposure.
Tularemia (if suspected to be a bioterrorist event or part of an outbreak), §690.725	Standard precautions shall be followed.
Any suspected bioterrorist threat or event, §690.800	Cases and contacts shall be evaluated to determine need for quarantine.

Class I(b) Diseases

The following diseases shall be reported as soon as possible during normal business hours by telephone (some rules state that facsimile or electronic reporting are also acceptable, the Disease column indicates “F” for facsimile or “E” for electronic in those instances), but within 24 hours, i.e., within 8 regularly scheduled business hours after identifying the case, to the local health authority, who shall then report to the Department as soon as possible, but within 24 hours.

<b>Disease</b>	<b>Exclusion Mandatory</b>
Botulism (intestinal, wound and other), §690.327	No restrictions.
Chickenpox (Varicella), §690.350 (F or E)	Children shall be excluded from school or child care facilities for a minimum of 5 days after the appearance of eruption or until vesicles become dry.
Cholera, §690.360 (F)	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.
Diphtheria, §690.380	Standard precautions shall be followed until 2 successive

Disease	Exclusion Mandatory
	cultures from both throat and nose (and skin lesions in cutaneous diphtheria) are negative for diphtheria bacilli or when a virulence test proves the bacilli to be avirulent. The first culture shall be taken not less than 24 hours after completion of antibiotic therapy and the second culture shall be taken not less than 24 hours after the first.
Escherichia coli infections (E. coli O157:H7 and other Shiga toxin-producing E. coli, enterotoxigenic E. coli, enteropathogenic E. coli and enteroinvasive E. coli), §690.400 (F)	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.
Foodborne or waterborne illness, §690.410 (F)	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.
Haemophilus influenzae, meningitis and other invasive disease, §690.441 (F)	Standard precautions and droplet precautions shall be followed. Droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Hantavirus pulmonary syndrome, §690.442 (F)	Standard precautions shall be followed.
Hemolytic uremic syndrome, post-diarrheal, §690.444 (F)	See requirements for the applicable disease that preceded the HUS (when preceding cases are either E.Coli (Section §690.400) or Shigellosis (Section §690.640) standard precautions shall be followed and contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours).
Hepatitis A, §690.450 (F)	Standard precautions shall be followed. In diapered or incontinent persons, the following contact precautions shall be followed: <ul style="list-style-type: none"> <li>• Infants and children less than 3 years of age for duration of hospitalization;</li> <li>• Children 3 to 14 years of age, until 2 weeks after onset of symptoms; and</li> <li>• Those greater than 14 years of age, for one week after onset of symptoms.</li> </ul>
Measles, §690.520	Children with measles shall be kept out of school or child care facilities for at least 4 days after appearance of the rash.
Mumps, §690.550 (F or E)	Cases shall be excluded from school, child care facilities or workplace until 5 days after onset of symptoms (parotitis). Susceptible contacts should be excluded from school or the workplace from days 12 through 25 after exposure.
Neisseria meningitidis, meningitis and invasive disease, §690.555 (F)	Standard and droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Pertussis (whooping cough), §690.750	Standard and droplet precautions shall be followed for known cases until the patient has received at least 5 days of a course of appropriate antibiotics.  Suspected cases who do not receive antibiotics should be isolated for 3 weeks after onset of paroxysmal cough or until the



Disease	Exclusion Mandatory
	end of the cough, whichever comes first.
Poliomyelitis, §690.580	Occurrence of a single case of poliomyelitis due to wild polio virus shall be recognized as a public health emergency, prompting immediate investigation and response.
Rabies, human, §690.600 (F)	Standard precautions shall be followed.
Rabies, potential human exposure, §690.601 (F)  Definition of exposed person to be reported is lengthy and available in §690.601.	N/A until human contracts rabies (See above §690.600.)
Rubella, §690.620 (F or E)	Cases shall be excluded from school, child care facilities or the workplace for 7 days after rash onset.
Smallpox vaccination, complications of §690.655 (E)	Precautions for individuals with vaccination complications vary depending upon the type of complication. See Smallpox, §690.650 above.
Staphylococcus aureus, Methicillin resistant (MRSA) clusters of 2 or more cases in a community setting, §690.658 (F)	The local health authority shall be consulted regarding any identified cluster of 2 or more cases for recommendations specific to the setting where the cluster is identified.
Staphylococcus aureus, Methicillin resistant (MRSA), occurring in infants under 61 days of age, §690.660 (F)	Contact precautions shall be followed
Staphylococcus aureus infections with intermediate or high level resistance to Vancomycin, §690.661 (F)	The Department will issue specific recommendations on a case-by-case basis.
<a href="#"><u>Streptococcal infections, Group A, invasive and sequelae to Group A streptococcal infections, §690.670 (F)</u></a>	<a href="#"><u>Standard Precautions shall be followed. Droplet Precautions shall be followed for persons with necrotizing fasciitis or toxic shock syndrome until 24 hours after initiation of effective antimicrobial therapy. Contact precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.</u></a>
Streptococcal Sore Throat and Scarlet Fever (with complications)	Exclude case from school until 24 hours after treatment begins; readmit provided fever is absent.
Typhoid fever, §690.730 (F)	All persons living in the household of a newly identified chronic carrier and other contacts living outside the home must submit 2 consecutive negative specimens of feces.  If persons required to be tested refuse to comply within one week after notification, they shall be restricted from their occupations, school attendance or day care (adult or child) attendance until compliance is achieved.
Typhus, §690.740 (F)	Standard precautions shall be followed. Proper delousing for louseborne typhus is required. The local health authority shall monitor all immediate contacts for clinical signs for 2 weeks.

Class II Diseases

The following diseases shall be reported as soon as possible by mail, telephone, facsimile or electronically during normal business hours, but within 7 days, to the local health authority which shall then report to the Department within 7 days.

<b>Disease</b>	<b>Exclusion Mandatory</b>
Arboviral Infection (including, but not limited to, California encephalitis, St. Louis encephalitis and West Nile virus), §690.322	No restrictions.
Brucellosis (not part of suspected bioterrorist event or part of an outbreak), §690.330	No restrictions. Contact precautions shall be followed when dressing does not adequately contain drainage.
Chancroid, §693.20	Case-by-case analysis required.
Chlamydia, §693.20	None
Creutzfeldt-Jakob Disease (laboratory confirmed and probable cases), §690.362	Standard precautions shall be followed.
Cryptosporidiosis, §690.365	Standard precautions shall be followed until absence of diarrhea for 24 hours. Cases shall avoid swimming in public recreational water venues (e.g., swimming pools, whirlpool spas, wading pools, water parks, interactive fountains, lakes) while symptomatic and for 2 weeks after cessation of diarrhea.
Cyclosporiasis, §690.368	Standard precautions shall be followed. No restrictions.
Gonorrhea, §693.20	None
Giardiasis, §690.420	Standard precautions shall be followed until absence of diarrhea for 24 hours.
Hepatitis B and Hepatitis D, §690.451	Standard precautions shall be followed. No restrictions. Quarantine is not indicated.
Hepatitis C, §690.452	Standard precautions shall be followed. No restrictions.
Histoplasmosis, §690.460	Standard precautions shall be followed. No restrictions.
Human Immunodeficiency Virus (HIV) or (AIDS) (infection), §693.20	None
Influenza, Deaths in persons less than 18 years of age (no recovery between illness and death), §690.465	N/A
Legionellosis, §690.475	Standard precautions shall be followed. No restrictions. Isolation is not required.
Leptospirosis, §690.490	Standard precautions shall be followed.
Listeriosis, §690.495	Standard precautions shall be followed. No restrictions.
Malaria, §690.510	Standard precautions shall be followed. No restrictions.
Ophthalmia neonatorum, §693.20	None
Psittacosis, §690.590	Standard precautions shall be followed. No restrictions.
Q-fever (not suspected in bioterrorist attack or part of an outbreak), §690.595	Standard precautions shall be followed. No restrictions.

<b>Disease</b>	<b>Exclusion Mandatory</b>
Salmonellosis (other than typhoid fever), §690.630	Standard precautions shall be followed until absence of diarrhea for 24 hours.
Shigellosis, §690.640	Standard precautions shall be followed.
Toxic shock syndrome due to Staphylococcus aureus infection, §690.695	Standard precautions shall be followed. No restrictions.
Streptococcus pneumoniae, invasive disease in children less than 5 years, §690.678	Standard precautions shall be followed. No restrictions.
Syphilis, §693.20	None
Tetanus, §690.690	Standard precautions shall be followed and post-injury patients at risk should receive human tetanus immune globulin and/or toxoid. No restrictions.
Tickborne Disease, including ehrlichiosis, anaplasmosis, Lyme disease, and Rocky Mountain spotted fever, §690.698	Standard precautions shall be followed. No restrictions.
Trichinosis, §690.710	Standard precautions shall be followed. No restrictions.
Tuberculosis, §696.170	Exclude case if considered to be infectious according to IDPH's rules and regulations for the control of TB.
Tularemia (not suspected to be bioterrorist event or part of an outbreak), §690.725	Standard precautions shall be followed. No restrictions.
Vibriosis (Non-cholera Vibrio infections), §690.745	Standard precautions shall be followed until diarrhea ceases. No restrictions.
Yersiniosis, §690.752	Standard precautions shall be followed until absence of diarrhea for 24 hours. No restrictions.

**Diseases Repealed from Reportable Diseases and Conditions and Non-Reportable Diseases and Conditions, §690.110**

The following diseases do not need to be reported. Some are no longer reportable diseases and conditions, but may still require exclusion from school. Exclusions still rely upon 2002 Illinois Department of Public Health publication, *Communicable Disease Guide 2002*, see footnote 1.

<b>Disease</b>	<b>Exclusion Mandatory</b>
Amebiasis	None
Animal Bites	None
AIDS related complex	None
Bacterial Vaginosis	None
Blastomycosis	None
Campylobacteriosis	None
Common Cold	None
Cytomegalovirus (CMV)	None
Diarrhea of the newborn	None

<b>Disease</b>	<b>Exclusion Mandatory</b>
Fever	None
Fifth Disease/Erythema Infectiosum (Parvovirus B19)	Exclude case if fever is present or if child does not feel well enough to participate in usual activities.
Gastroenteritis (Viral)	Exclude case from school until clinical recovery, i.e., absence of diarrhea and fever.
Genital Candidiasis (Yeast)	None
Genital Warts (Human Papillomavirus, HPV)	None
Hand, Foot and Mouth Disease (Coxsackievirus A16).	None
Head Lice	Exclude case from school until the day after the first shampoo, lotion, or cream rinse pediculicide is properly applied.
Herpes Simplex Virus	Case should be excluded from contact sports, e.g., wrestling, if active lesions are present on the body (outside the genital area) until lesions have resolved.
Granuloma inguinale	None
Impetigo	Exclude case from school until 24 hours after treatment begins.
Infectious Mononucleosis	Case-by-case analysis required.
Influenza	Exclude case from day care or school until clinical recovery, i.e., absence of fever.
Intestinal worms	None
Lymphogranuloma venereum	None
Non-Gonococcal Urethritis/Non-specific Vaginitis	None
Pink Eye	Exclude case from school until 24 hours after the treatment begins or child is examined by a physician and approved for readmission to school.
Pinworms	Exclude case from school until 24 hours after treatment begins.
Pubic Lice (“Crabs”)	None
Rash	Case-by-case analysis required.
Respiratory Syncytial Virus (RSV)	Exclude case from school if child has a fever of 100° F or greater or is not well
Ringworm (body and scalp)	Exclude case from school until 24 hours after treatment begins and the lesion begins to shrink, unless lesion can be covered; child need not be excluded if lesion can be covered.
Scabies	Exclude case from school until the day after the first scabicide treatment.
Shingles	If shingles lesions cannot be covered, the case should be excluded until all lesions are crusted.
Streptococcal infections, group B, invasive disease, of the newborn	None
Streptococcal Sore Throat and Scarlet	Exclude case from school until 24 hours after treatment begins;

<b>Disease</b>	<b>Exclusion Mandatory</b>
Fever (cases without complications)	readmit provided fever is absent.
Trachoma	None
Trichomoniasis	None

## Instruction

### Exhibit - Prevention of Staphylococcal Infections for Schools

The following are excerpts from *Recommendations for the Prevention of Staphylococcal Infections for Schools* and *Basic Hygiene Guidelines for the Prevention of Staphylococcal Infections in Schools*, IDPH:

[www.idph.state.il.us/health/infect/schoolstaphrecs.htm](http://www.idph.state.il.us/health/infect/schoolstaphrecs.htm).  
[www.idph.state.il.us/health/infect/hygiene.htm](http://www.idph.state.il.us/health/infect/hygiene.htm).

This exhibit may be reformatted and distributed to students and their parents/guardians, faculty, and staff to inform them about what staphylococcus aureus is, how it spreads, and how staph infections can be prevented.

#### Education/Increased Awareness

Knowledge regarding precautions and preventive measures related to CA-MRSA is prudent practice. Transmission of MRSA skin and soft tissue infections among students and those who participate in competitive sports is a significant concern. All persons, especially coaches, athletic trainers, parents/guardians, and teammates, associated with the school's competitive sport activities and sport teams should engage in initiatives to increase adherence to Board policy, 7:280, *Communicable and Chronic Infectious Disease*, and procedures designed to prevent transmission of MRSA skin infections, and awareness of risk factors for infections.

All students, athletes, and their parents/guardians should also be aware of the possible risk factors for MRSA skin and soft tissue infection especially occurring among athletes:

- Physical contact/skin trauma
- Turf burns (football players)
- Contact with teammates' uncovered skin lesions
- Sharing protective equipment, clothing, or towels
- Sharing sports equipment
- Sharing personal hygiene items
- Reuse of unlaundered towels, clothing, uniforms, etc.
- Inadequate supply of dispensable or individual-use soap
- Cosmetic body shaving
- Poor personal hygiene practices, including infrequent hand washing
- Poor cleaning of locker rooms/sport rooms

In addition, since staph infections start when staph bacteria enter the body through a break in the skin, keeping skin healthy and intact is a good preventive measure. Good skin care should be encouraged among students and athletes.

#### Basic Hygiene Guidelines

##### Hand Hygiene

Students, faculty, and staff should be instructed about the correct technique for hand washing, including the importance of washing hands before eating or preparing food, after touching any skin lesions (sores) and wounds or clothing contaminated by drainage from lesions and wounds, and after using the toilet. Instructions should include the following:

- Turn on faucet and wet hands with running water.
- Apply soap and spread across all surfaces of hands.
- Scrub all surfaces of hands, including between each finger, for at least 20 seconds (saying the alphabet slowly will take at least 20 seconds).
- Rinse hands under running water.
- Dry hands with paper towels or air dryers.
- If available, use a paper towel to turn off faucet handles.

### Hygiene

Students, faculty, and staff should be provided information about general hygienic measures, including the following:

- Keep your hands clean by washing thoroughly with soap and water. Use an alcohol hand gel when soap and water are not available.
- Avoid sharing eating and drinking utensils.
- Avoid sharing unwashed towels, washcloths, clothing, or uniforms.
- Avoid sharing personal items, e.g., deodorant, razors.
- Change socks and underwear daily.
- Wash bed linens and pajamas regularly, at least once a week if feasible.
- Wash soiled bed linens and clothes with hot water and laundry detergent. Drying clothes in a hot dryer, rather than air-drying, also helps kill bacteria in clothes.
- Bathe or shower with soap each day.
- Bathe or shower with soap after every sports practice or competition.
- Keep cuts and abrasions clean and covered with clean, dry bandages until healed.
- Follow your health care provider's instructions on proper care of wounds.
- Avoid contact with other people's wounds or material contaminated by wounds.

### Hygiene for Sports Participants

In addition to the previously mentioned recommendations, sports participants should be provided these recommendations:

- Do not share towels, clothing, or uniforms.
- Do not store wet, dirty clothing in lockers.
- Avoid sharing personal equipment.
- Keep equipment clean. Follow coach's directions about cleaning the equipment.
- Keep cuts, abrasions, and wounds covered with clean, dry bandages. Persons with draining wounds or infections are not allowed to participate in practices or games until the wound has stopped draining.
- Report any cuts, abrasions, or wounds to the coach and school nurse.

See also: [www.cdc.gov](http://www.cdc.gov).

The local health department may have more information specific to the District's jurisdiction.





**Students**

**Exhibit - Authorization for Medical Treatment**

*To be submitted to the Superintendent. (please print)*

_____	_____
Student	Sport/Activity
_____	_____
Parent/Guardian	Home phone
_____	_____
Home address	Cell phone
_____	_____
Physician	Physician phone

Medical Information: *(list allergies, medications, conditions and any known restrictions)*

In the event of a medical emergency and if reasonable attempts to contact me using the telephone numbers listed above are unsuccessful:

I, as parent or legal guardian of the above student, do hereby authorize:

1. Treatment by a licensed medical physician of my child/ward in the event of a medical emergency that, in the opinion of the attending physician, may endanger his/her life, cause disfigurement, physical impairment, or undue discomfort if delayed, and
2. Transfer of my child/ward to any hospital reasonably accessible at my expense.

_____	_____
Parent/Guardian signature	Date

## Students

### Student Use of Buildings - Equal Access 1

*[For high school and unit districts]*

Student groups or clubs that are not school sponsored are granted free use of school premises for a meeting or series of meetings under the following conditions: 2

1. The meeting is held during those noninstructional times identified by the Superintendent or designee for noncurricular student groups, clubs, or organizations to meet. “Noninstructional time” means time set aside by the school before actual classroom instruction begins or after

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

<sup>1</sup> State or federal law controls this policy’s content. This policy concerns an area in which the law is unsettled. This sample policy implements the Equal Access Act (EAA), 20 U.S.C. §4071 *et seq.* The EAA applies to public secondary schools that receive federal financial assistance. The policy should be adopted by districts with secondary school(s) that wish to establish or already have a *limited open forum* as defined in the EAA and quoted below. The policy allows non-school sponsored student groups to meet on school premises, free of charge, on the same basis that non-curriculum related student groups are allowed to meet. Hence the policy is named, *Equal Access*. The EAA has no applicability to the community’s use of school facilities. See policy 8:20, *Community Use of School Facilities*.

The EAA requires a secondary school to grant fair opportunity or *equal access* to students who wish to conduct a meeting within a *limited open forum* without regard to the religious, political, philosophical, or other content of the speech at such a meeting. A secondary school has a *limited open forum* whenever it “grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time.” (20 U.S.C. §4071(a)). Thus, the equal access obligation is triggered when a secondary school allows one *noncurriculum related* group, e.g., a sports team, to meet.

The EAA’s requirements may be avoided by closing the forum, i.e., by refusing to permit any noncurriculum related group to use its facilities (thereby creating a closed forum). Creating a closed forum is difficult, however, given the U.S. Supreme Court’s expansive interpretation of *noncurriculum related*.

A student group is *noncurriculum related* if it does not directly relate to the body of courses offered by the school. Board of Education of Westside Community School Dist. v. Mergens, 110 S.Ct. 2356 (1990). School officials cannot avoid triggering the EAA’s equal access requirements by tying the purposes of the student clubs it wants to allow to some broadly defined educational goal. Likewise, it does not matter whether the school sponsors, recognizes, or supports the student group – the Act’s equal access requirements will be triggered whenever any student group is allowed to meet that is unrelated to the curriculum. The Mergens Court said that a student group directly relates to a school’s curriculum only if:

1. The group’s subject matter is actually taught, or will soon be taught, in a regularly offered course;
2. The group’s subject matter concerns a body of courses as a whole; or
3. Participation in the group is required for a particular course or results in academic credit.

Just as a *noncurriculum related* determination is fact-sensitive, so is determining whether a particular time period is *noninstructional time*. A morning activity period was found to be *noninstructional time* making a high school’s refusal to allow a student Bible club to meet in school during that period a violation of the EAA. Donovan v. Punxsutawney Area Sch. Board, 336 F.3d 211 (3d. Cir. 2003). The Ninth Circuit reached the opposite conclusion in a similar case. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002).

A school violates the EAA by allowing some student groups to meet on campus but refusing similar access to gay-lesbian clubs. Colin v. Orange Unified School Dist., 83 F.Supp.2d 1135 (C.D. Cal. 2000); White County High School Peers Rising In Diverse Education v. White County School Dist., 2006 WL 1991990, (D. Ga. 2006); SAGE v. Osseo Area Sch. Dist., 2007 WL 2885810 (D. Minn. 2007). But see Caudillo v. Lubbock Independent School Dist., 311 F.Supp.2d 550 (N.D.Tex. 2004)(school did not violate the EAA when it denied a gay student club’s request for access because the “maintain order and discipline” exception applied). Note the U.S. Supreme Court refused to apply N.J.’s public accommodation law to the Boy Scouts because forcing the Boy Scouts to accept a homosexual as a member would violate the Scouts’ freedom of expressive association. Boy Scouts of America v. Dale, 120 S.Ct. 2093 (2000).

- <sup>2</sup> All of the listed conditions are from the Equal Access Act EAA, except for #10 and #11.

actual classroom instruction ends. “Noncurricular student groups” are those student groups, clubs, or organizations that do not directly relate to the curriculum. <sup>3</sup>

2. All noncurriculum related student groups that are not District sponsored receive substantially the same treatment. <sup>4</sup>
3. The meeting is student-initiated, meaning that the request is made by a student.
4. Attendance at the meeting is voluntary.
5. The school will not sponsor the meeting.
6. School employees are present at religious meetings only in a non-participatory capacity.
7. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings.
9. The school retains its authority to maintain order and discipline. <sup>5</sup>
10. A school staff member or other responsible adult is present in a supervisory capacity.
11. The Superintendent or designee approves the meeting or series of meetings.

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.: Equal Access Act, 20 U.S.C. §4071 *et seq.*  
Board of Education of Westside Community School Dist. v. Mergens, 496 U.S. 226, 110 S.Ct. 2356, 110 L.Ed.2d 191 (1990).  
Gernetzke v. Kenosha Unified School Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 122 S.Ct. 1606.

CROSS REF.: 7:10 (Equal Education Opportunities), 8:20 (Community Use of School Facilities)

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<sup>3</sup> 20 U.S.C. §4072.

<sup>4</sup> The Ninth Circuit Court of Appeals found that a school district violated the EAA and the student’s First Amendment rights by denying her Bible club the same rights and benefits as other student clubs. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002). Nothing in the decision suggests that the school was required to “sponsor” the Bible club and financially support it. However, the school board voluntarily gave “associated student body” clubs certain benefits that were denied the plaintiff’s religious club. Thus, the district unlawfully treated one noncurriculum related student club differently from another noncurriculum related student club.

<sup>5</sup> In response to a school’s invitation for all student groups to paint murals in the school hallway, a Bible club sought to include a large cross. The school principal forbid the cross in order to avoid conflicts among students – there was evidence the student body contained Satanic and neo-Nazi adherents. The principal’s decision was insulated from liability under the EAA by the Act’s provision that “nothing in [the Act] shall be construed to limit the authority of the school ... to maintain order and discipline on school premises.” Gernetzke v. Kenosha Unified School Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 122 S.Ct. 1606.

## Students

### **Exhibit - Application for Student Groups that Are Not School Sponsored to Request Free Use of School Premises for Meetings**

*[For high school and unit districts]*

A student must complete this form to request the free use of school premises for a meeting of a student group that is not school sponsored. Only one student needs to complete the application. The completed application should be submitted to the Building Principal at least one week before the first meeting. When a copy of this form is returned to the student with the necessary approval signature, the group may use the designated school premises, at the identified time, for its meetings.

Student applicant	Student contact number
Student group	Requested premise
Program/Meeting	Program/Activity date(s) and time(s)

Materials to be brought into facility, if any

**The following rules apply to the free use of school premises by non-school sponsored student groups:**

1. The meeting(s) must be student-initiated, meaning that a request to use school premises is being made by a student.
2. The meeting(s) must occur during non-instructional time identified by the Superintendent. This time is typically before classroom instruction begins or after it ends.
3. In scheduling the use of school premises, activities associated with the District’s educational program have priority over the activities of any other organization. Otherwise, school premises will be available on a first come first served basis.
4. The assigned room and its contents must be restored to its original condition and configuration after each use. Only modular furniture may be moved. Nothing shall be adhered or affixed to walls that will leave marks. Any decorations used shall be removed after the meeting. The contents of any assigned room are the property of the School District or teacher and shall not be handled or removed.
5. Before any meeting, a member of the non-school sponsored student group must give the office the names of anyone attending the meeting who is neither a student nor a school staff member. All visitors must register at the school office before proceeding to any scheduled student meeting. Non-school individuals may not regularly attend meetings.
6. The following mediums are available on request to announce group meetings:
  - Office bulletin board containing announcements
  - Public address system
  - Student newspaper
  - School or District Website
7. No activity is allowed on school grounds that would violate the student disciplinary policy. Any student who engages in misconduct is subject to disciplinary action, including suspension and expulsion.
8. A school staff member or other responsible adult must be present in a supervisory capacity.
9. The Equal Access Act, 20 U.S.C. §4071 *et seq.*, controls the free use of school premises by non-school sponsored student groups. The use of school facilities by non-school sponsored groups is governed by Board policy 8:20, *Community Use of School Facilities*.



## Community Relations

### Administrative Procedure - Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

#### Requests from Community, Educational, Charitable, Recreational, or Other Organizations

Actor	Action
Community, Educational, Charitable, Recreational, or Other Organizations	<p>Direct to the Building Principal all requests to advertise events pertinent to students' interests or involvement.</p> <p>Specifically describe the material or literature proposed to be displayed, distributed, or included in the school's website.</p> <p>Request specific dates for the material to be posted or distributed.</p>
<u>Building Principal</u>	<p><u>Refers all materials to the Superintendent or designee for screening to ensure compliance with the District's policy and procedures. <b>Note:</b> An administrator in the central office enhances coordination and ensures that all buildings in the district are operating uniformly. For districts that wish to leave the screening of materials to building principals, replace: "Superintendent or designee" in the next row with "Building Principal" and delete this row.</u></p>
<u>Building Principal</u> <u>Superintendent or designee</u>	<p>Screens all material before distributing or posting it to ensure compliance with the District's policy and procedures, including that all material and literature be student-oriented and have the sponsoring organization's name prominently displayed.</p> <p>Rejects all requests to post or distribute material or literature that would: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent.</p> <p>Determines the appropriate location for posting the material and/or distributing it, provided that any distribution by staff is done without discussion.</p> <p>Informs the organization whether its request is accepted or rejected.</p> <p>Removes all materials that are out-of-date from the building and/or website.</p>
Community, Educational, Charitable, Recreational, or Other Organizations	<p>Have the material or posters delivered to the school. The school will not make copies.</p> <p>Provide in electronic format any information that the Building Principal agreed to publish on the school's website.</p>

