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ISSUE 78, January 2012

Update Memo

PRESS

Policy Reference Education Subscription Service

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Instructions

You are encouraged to share this **PRESS** Update Memo with all board members and appropriate staff. It may be viewed and downloaded from **PRESS Online**: iasb.com/policy/login.cfm. Subscribers are mailed the current password with each **PRESS** issue.

Two other important components of **PRESS** may be viewed and downloaded from **PRESS Online** – the committee worksheets and the updated Policy Reference Manual pages. The committee worksheets show suggested changes to **PRESS** material (including administrative procedures and exhibits) by striking-out deleted words and underscoring **NEW** words. The updated Policy Reference Manual pages contain all of the material in this **PRESS** issue; you can use them to update your District manuals.

This publication is designed to provide information only and is not a substitute for legal advice from the school board's legal counsel. If you have any questions, please contact Melinda Selbee, IASB General Counsel and **PRESS** Editor, 630/629-3776, ext. 1231, or Kimberly Small, Assistant General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1226.

School Board

► **2:100, Board Member Conflict of Interest.** The policy is unchanged. A footnote is edited in response to legislation. Any county clerk may implement a system of Internet-based filing for economic interest statements but must allow filers the option to use a standardized form. 5 ILCS 420/4A-108, amended by P.A. 97-212.

► **2:120, Board Member Development.** A new section explains the requirements for mandatory board member training as required by:

1. 105 ILCS 5/10-16a, added by P.A. 97-8 (at least four hours of professional development leadership training);
2. 5 ILCS 120/1.05(b) and (c), added by P.A. 97-504 (Open Meetings Act training); and
3. 105 ILCS 5/24-16.5, added by P.A. 97-8 (training on Performance Evaluation Reform Act [PERA] evaluations).

The Legal References are also updated.

► **2:120-E2, Exhibit - Website Listing of Development and Training Completed by Board Members. NEW.** Each district must post on its website, if any, the names of all board members who have completed four hours of professional development leadership training. 105 ILCS 5/10-16a, added by P.A. 97-8. Recognizing that a board may want to highlight all training and development achievements, the sample website template extends this reporting requirement to all training and development activities. A board, of course, may opt to follow the minimum requirement.



New Requirements for Web-Posting

We are postponing updates to the PRESS materials that list mandatory postings for school district websites other than the web-posting requirements concerning mandatory board member training. Conflicting opinions exist concerning the posting requirements in P.A. 97-609, adding Sec. 7.3 to the Open Meetings Act, eff. January 1, 2012. The Illinois Municipal Retirement Fund has opined that the posting requirements in the new 7.3 of OMA apply to non-IMRF participants as well as IMRF participants.

Section 7.3 is titled "Duty to post information pertaining to benefits offered through the Illinois Municipal Retirement Fund." It requires IMRF employers to web-post the total compensation package for "each employee having a total compensation package that exceeds \$75,000 per year." Section 7.3 also requires an IMRF employer to web-post the total compensation package for an employee making at least \$150,000 per year at least 6 days before the employer approves the compensation package. Sec. 7.3 contains details concerning these posting requirements.

The conflict in opinions concerns whether school districts must comply with these posting requirements for their

employees who *do not* participate in IMRF. The School Code requires school districts to prepare an itemized salary report, including benefits, for the superintendent, administrators, and teachers that must, among other things, be posted on the district's website. 105 ILCS 5/10-20.47, amended by P.A. 97-256 (eff.1-1-12). However, the second posting requirement in Sec. 7.3 – that of web-posting the total compensation package for an employee making at least \$150,000 per year at least 6 days before the employer approves the compensation package – would be completely new.

In December 2011, we requested an advisory opinion from the Ill. Attorney General. We urged the AG to view the title of Sec. 7.3 as legislative intent that the web-posting requirements go exclusively to employees who participate in IMRF. We were informally told that the AG's office does not have an immediate answer and will review the legislative history before responding. **Until this issue is resolved, school officials should contact their attorneys for guidance particularly concerning the requirement to web-post the total compensation package for an employee making at least \$150,000 per year at least 6 days before the employer approves the compensation package.**

▶ **2:190, Mailing Lists for Receiving Board Material.** DELETED. The requirements in this policy were repealed by P.A. 97-256 (repealing 105 ILCS 5/10-21.6).

▶ **2:200, Types of School Board Meetings.** The policy is updated along with the footnotes and Cross References as described below:

1. "The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is ~~administered~~ required by the Illinois Attorney General's Public Access Counselor Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training. Each Board member ~~is encouraged to take the~~ must complete a course of training once during his or her term on the Open Meetings Act as required by Section 1.05(b) or ~~her term~~ (c)." These sentences are amended and added pursuant to P.A. 97-504. Footnotes explain the mandatory training requirements.
2. "15. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents..." is added to the list of exceptions for going into closed session pursuant to 5 ILCS 120/2(c)(28), amended by P.A. 97-318.

▶ **2:220-E2, Exhibit - Motion to Adjourn to Closed Meeting.** This exhibit is updated in response to P.A. 97-318 which amended the Open Meetings Act to allow a closed session for meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents.

▶ **2:220-E6, Exhibit - Log of Closed Meeting Minutes.** This exhibit is updated in response to P.A. 97-318 which amended the Open Meetings Act to allow a closed session for meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents.

▶ **2:260, Uniform Grievance Procedure.** The policy is updated in the footnotes only with citations to two recently issued U.S. Dept. of Education *Dear Colleague* guidance documents. They indicate that while bullying and acts of sexual violence are crimes, they may also be discrimination under Title IX. Many attorneys agree that the best practice indicates ensuring that complaint managers are trained to understand these guidance documents.

Operational Services

▶ **4:110, Transportation.** This policy is updated to enhance clarity. A reference to the federal law on transporting

homeless students is deleted and a reference to the more specific State law is used instead. A footnote contains the revised seating capacity for *multifunction school-activity bus*, i.e., manufactured to transport 11 or more persons including the driver. 625 ILCS 5/1-148.3a-5, amended by P.A. 97-378.

► **4:170, Safety.** Multiple updates are made to the policy, Legal References, and footnotes in response to P.A.s 97-154, 97-248 and 97-607 (described in the box below titled *Long-Term Policy Implications of P.A. 97-607*). New policy language and corresponding footnotes reflect:

1. P.A. 97-248. “If the District receives information that concerns the record of conviction as a sex offender of any employee of a District contractor, the District will provide the information to another school, school district, community college district, or private school that requests it.”
2. P.A. 97-234. “The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the Illinois Department of Public Health. Implementation of the Act shall be directed toward improving the safety of moveable soccer goals by requiring that they be properly anchored.” This change to the policy is required *only* by those school districts that own and control a movable soccer goal. The Movable Soccer Goal Safety Act, P.A. 97-234, requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals, and (2) the Ill. Department of Public Health to provide technical assistance materials no later than June 30, 2012. We will publish a new procedure based on the Department of Public Health’s technical guidance.

Pursuant to feedback, our interpretation of the requirements for the law enforcement drill in the School Safety Drill Act has evolved. We added the law enforcement drill to the list of drills that each school building that houses school children must conduct. Policy language was amended as follows: “The law enforcement drill must be conducted according to the District’s comprehensive safety and crisis plan and it, with the participation of the appropriate law enforcement agency. This drill may be conducted on days and times that students are not present in the building.”

► **4:170-AP2, Administrative Procedure - Criminal Offender Notification Laws.** This is updated in response to the public acts discussed in the policy materials above.

Changes to 105 ILCS 5/10-21.9 Require Numerous Edits

105 ILCS 5/10-21.9 was amended by three separate Public Acts: P.A. 97-154, P.A. 97-248, and P.A. 97-607.

1. P.A. 97-154, among other things, amended the School Code and several Criminal Code sections as follows: The ~~Child~~ Murderer and Violent Offender Against Youth Act. This update is minor, so we included it in the material in this issue that needed substantive amendments. We will continue to amend other pieces of material as they arise for 5 year review or for substantive amendments.
2. P.A. 97-248 added a new subsection (h). It requires a district to provide information about the record of conviction and identification as a sex offender of any of its contractor’s employees to another school, school district, community college district, or private school upon request.
3. P.A. 97-607 amended subsection (c). It states, “No school board shall knowingly employ a person who has been convicted of any offense that would subject him or her to license certification suspension or revocation pursuant to Section 21B-80 21-23a of this Code.” The intent and future impact of P.A. 97-607 are discussed in more detail in the box titled *Long-Term Policy Implications of P.A. 97-607* below.

► **4:170-AP4, Administrative Procedure - National Terrorism Advisory System Emergency Preparedness Response to Homeland Security Codes.** This procedure is rewritten to reflect the change from the Homeland Security Advisory System to the National Terrorism Advisory System (NTAS). The new system no longer uses a color-coded scale, and instead provides information specific to a credible threat via an NTAS Alert. Our procedure includes the NTAS Alert posting information, the potential contents of an NTAS Alert, definitions of threat levels, and web links. The potential district responses now align with the risk level determined by district administrators after reviewing an NTAS Alert, as opposed to aligning with the former color-coded scale.

► **4:170-AP6, Administrative Procedure - Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED.** This procedure is renamed and updated throughout in response to 77 Ill.Admin.Code §525.500. This new administrative rule eliminates the need for schools to complete *Automated External Defibrillator Incident Reports*. New language states that school officials will “cooperate and provide any information requested by the local emergency com-

munications or vehicle dispatch, so they can complete the Data Collection and Submission report about the use of the AED.”

- ▶ ~~4:170-AP6 E2, Exhibit Automated External Defibrillator Incident Report~~. DELETED. This AP exhibit is no longer needed for the reasons discussed above.

Long-Term Policy Implications of P.A. 97-607

The major intent of P.A. 97-607 is for ISBE to implement a new system for *professional educator licensure* (as opposed to *teacher certification*). The Act did the following: (1) repealed several sections of the School Code and relocated many of them in a new Article 21B, (2) amended several sections of the School Code, (3) set several Article 21 sections for repeal on June 30, 2013; i.e., a *sunset* provision (including several of the amended sections of #2), and (4) added an entire new Article 21B to replace most of Article 21 (many of the additions are essentially renumbering of repealed sections or sunset provisions from Article 21).

We included all repealed and amended sections from P.A. 97-607 in this issue. If a sunset provision affected any materials that were amended, we indicated that in the material. These amendments and repeals require us to include some **PRESS** materials that we produced or amended within the last year in this issue - some were amended as recently as the last **PRESS** issue. Those materials and others will appear multiple times throughout the implementation process of P.A. 97-607.

It is also worth noting that initial interpretations of these far-reaching education reforms will likely evolve. Those evolutions in thought will also affect **PRESS** materials as we welcome the experiences and opinions of those involved in developing and implementing these sweeping changes for Illinois schools.

Personnel

- ▶ **5:10, Equal Employment Opportunity and Minority Recruitment.** The following protected classifications are added in response to P.A. 97-596: “pregnancy, childbirth, or related medical conditions.” A footnote now contains a web link to the EEOC’s informative guidance letter on ADA and GINA.
- ▶ **5:30, Hiring Process and Criteria.** This is updated in the policy, Legal References, and footnotes. Policy language was amended for three reasons pursuant to P.A. 97-607.
 1. The repeal of Section 5/21-23a of the School Code: Section ~~5/21-23a~~ 21B-80.

2. The deletion of language referencing substitute teachers’ certificates of authorization: “~~No substitute teacher will be employed without first presenting his or her certificate of authorization from the Regional Superintendent.~~”
3. The renaming of the “~~State Teacher Certification Educator Preparation and Licensure Board.~~”

The footnotes reflect: (1) the above changes, (2) P.A. 97-248 described in the *Changes to 105 ILCS 5/10-21.9 Require Numerous Edits* box above, (3) P.A. 97-8 requirements for “new or vacant teaching positions” and hiring criteria after a reduction in force, and (4) other minor nonsubstantive edits as part of our continuous improvement effort.

- ▶ **5:30-AP2, Administrative Procedure - Investigations.** This is updated as discussed in the policy materials above.
- ▶ **5:90, Abused and Neglected Child Reporting.** The policy language remains unchanged. The footnotes needed updating to reflect the repeals and renumbering in P.A. 97-607. The citation allowing a teaching certificate to be suspended for willful failure to report suspected child abuse or neglect is now 105 ILCS ~~5/21-23~~ 21B-75.

Please note that 105 ILCS 5/21-23 was recently amended by P.A. 97-8 and then repealed and renumbered as described here. The section also allows suspensions or revocations of certificates for immorality and unprofessional conduct, among other things (see the discussion immediately below in 5:125, *Personal Technology and Social Media; Usage and Conduct*).

- ▶ **5:125, Personal Technology and Social Media; Usage and Conduct.** This is updated in the Legal References and the footnotes to reflect the repeals and renumbering in P.A. 97-607. Legal References now read 105 ILCS ~~5/21-23~~ 21B-75 and ~~5/21-23a~~ 21B-80. Please note the discussion about the amendments to this statute above in 5:90, *Abused and Neglected Child Reporting*.

- ▶ **5:185-AP, Administrative Procedure - Resource Guide for Family and Medical Leave.** The web links to FMLA material on the U.S. Department of Labor website are updated.

- ▶ **5:190, Teacher Qualifications.** This is updated in the Legal References and the footnotes in response to P.A. 97-607. We also anticipate this policy will be renamed after ISBE implements the new Article 21B licensure system in P.A. 97-607.

We deleted repealed statutes in the Legal References, and added their new renumbered citations. Footnotes reflect this and that as of Sept. 1, 2011, individuals may no longer be admitted to Ill. Teacher Corps programs

(105 ILCS 5/21-11.4, amended by P.A. 97-607 and scheduled to be repealed on June 30, 2013).

► **5:210, Resignations.** This is updated in the footnotes only to amend a legal citation from P.A. 97-607. The footnotes explain that until ISBE implements the new licensure system, the term *license* used in the amended statute still means *certificate* for practical purposes.

► **5:220, Substitute Teachers.** This policy, the Legal References and footnotes are updated in response to P.A. 97-607. This is a piece of material that will be further affected by the *sunset* nature of the amendments in P.A. 97-607.

P.A. 97-607, along with a *sunset* provision in the Ill. Pension Code, required much of the policy language to be changed for the following reasons:

1. Certificates of authorization, issued from Jan. 1, 2011 through July 1, 2011, are no longer issued. Districts are again responsible for doing criminal background checks and ensuring the requirements of Section 5/24-5 of the School Code are met.
2. There is no limit to the number of days that a substitute teacher may teach **in a district** during a school year.
3. There are limits on the number of days that a substitute teacher may teach **for any one certified teacher under contract with a district** in the same school year depending upon the type of certificate the substitute teacher holds.
4. The Teachers' Retirement System (TRS) in Illinois limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 100 paid days or 500 paid hours (as opposed to 120 paid days or 600 paid hours) in any one school district in any one school term.

The Legal References contain the new Article 21B citation where substitute teacher licenses will be located. The footnotes explain these changes and the *sunset* provisions of P.A. 97-607.

► **5:220-AP, Administrative Procedure - Substitute Teachers.** This procedure and the Legal References are updated to reflect the changes described in its corresponding policy above.

► **5:260, Student Teachers.** This policy and the footnotes are updated. The policy reflects P.A. 97-154. The footnotes also cite it and P.A. 97-607.

► **5:285, Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers.** The policy, Legal References, and footnotes are updated to include State law requirements for drug and alcohol testing. 625 ILCS 5/6-106.1c, added by P.A. 97-466, requires drug and alco-

hol testing of school bus driver permit holders that is more comprehensive than federal requirements. A footnote explains the mandate.

► **5:285-AP, Administrative Procedure - Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers.** This procedure is extensively updated to, among other things, comply with 625 ILCS 5/6-106.1, added by P.A. 97-466. This legislation requires employers to conduct drug and alcohol tests of School Bus Driver Permit Holders if the employer has a reasonable suspicion that a school bus driver permit holder violated the district's alcohol or drug prohibitions. The district must notify the Ill. Secretary of State of a reasonable suspicion test result when: (1) the test indicates an alcohol concentration greater than 0.00, (2) the test indicates a positive result on a National Institute on Drug Abuse five-drug panel utilizing the federal standards set forth in 49 C.F.R. 40.87, or (3) a driver refuses testing. Upon being notified, the Secretary of State must suspend a school bus driver permit for a period of three years.

Sections on probable cause alcohol testing and district initiated reasonable suspicion drug and alcohol testing, as applicable to School Bus Driver Permit holders, are added. Sections on the use of controlled substances and the use of alcohol both pre-duty and on-duty are added. Whenever necessary, the procedure now addresses the differences in drug and alcohol testing, district enforcement, etc., between school bus driver permit holders and drivers without a permit.

Instruction

► **6:50, School Wellness.** The policy, Legal References, and footnotes are updated to reflect the Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §758b, PL 111-296. The new law required the following policy edits:

1. An edit to the heading and section on **Goals for Nutrition Education and Nutrition Promotion.** Footnotes explain that nutrition promotion is still not described or defined.
2. An edit in the **Monitoring** section to specify new requirements for the monitoring report. Footnotes provide links to resources and explain that while there is no guidance yet to assist school districts in complying with this requirement, districts are still expected to be working toward developing a reasonable method to implement this requirement by the end of the 2011-2012 school year.
3. An edit in the **Community Input** section to read: "The Superintendent or designee will invite suggestions and comments concerning the development, implementation, and improvement of the school wellness policy from ~~community members, including~~ parents,

students, ~~and~~ representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public community."

- ▶ **6:110, Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program.** The list of programs for *at risk* students is augmented to include "remediation program" and a footnote describes the mandates for a remediation program authorized by 105 ILCS 5/2-3.64, amended by P.A. 97-86. The Cross References and Legal References are updated.
- ▶ **6:120-AP3, Administrative Procedure - Service Animal Access Requests Animals.** This procedure is renamed and amended to comply with the amended Code of Federal Regulations. The amendments to 28 C.F.R. Parts 35 and 36 provide for enforcement, complaint investigations, technical assistance, and other matters by the Dept. of Justice (instead of the Dept. of Ed.). They also clarify that the right to use a service animal is a civil right.
- ▶ **6:120-AP3, EI, Exhibit - Request Guidelines for a Service Animal to Accompany a Student Animals in School Facilities.** This exhibit is renamed and rewritten for the reasons discussed above. The form is no longer used to present students and parents/guardians with the conditions that the service animal must meet to be allowed in the school. Instead, it has become a document for internal district use only for staff to know what behavior and legitimate safety requirements are expected of the service animal.
- ▶ **6:150, Home and Hospital Instruction.** This policy is unchanged. We updated the footnotes in response to P.A. 97-607 because it repealed a statute cited in the footnotes.
- ▶ **6:185, Remote Educational Program.** The policy and footnotes are updated in response to legislation amending requirements for a remote educational program. 105 ILCS 5/10-29(a)(4), amended by P.A. 97-339.
- ▶ **6:280, Grading and Promotion.** The policy is unchanged. Additions are made to the Legal References and Cross References. A footnote now describes the mandated remedial program for a student performing two or more grades below current placement. 105 ILCS 5/2-3.64, amended by P.A. 97-86.

Students

- ▶ **7:20, Harassment of Students Prohibited.** This policy is unchanged. We updated the footnotes only for the reasons discussed above in policy 2:260, *Uniform Grievance Procedure*.

- ▶ **7:70, Attendance and Truancy.** This policy is unchanged. We updated the footnotes to reflect 105 ILCS 5/26-2a, amended by P.A. 97-218. It changed the definition of a *chronic or habitual truant* to "a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for ~~5%~~ 10% or more of the previous 180 regular attendance days."

- ▶ **7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students.** The policy is edited to enhance clarity. Footnote references are updated to include 105 ILCS 5/27-8.1, amended by P.A. 97-216; this legislation changed the expiration year for special treatment of out-of-state transfer students including children of military personnel.

- ▶ **7:190, Student Discipline.** This policy is updated in response to legislation as described below:

1. "Making an explicit threat on an Internet website ..." is added to the list of prohibited student conduct in response to 105 ILCS 5/10-22.6(d-5), added by P.A. 97-340. A footnote contains an alternative provision for this misconduct.
2. The paragraph on alternative programs is amended in response to 105 ILCS 5/10-22.6(a) and (b), amended by P.A. 97-495.

The following topics or items are added to the footnotes:

1. The use of isolated time out and physical restraint, including an optional provision.
2. Court decision regarding parodies of school principals published online, but off-campus (J.S. v. Blue Mountain Sch. Dist., combined with Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3d Cir. 2011), *cert. denied* 1-17-2012, 2012 WL 117558) (absent evidence that the profiles caused, or could cause, substantial disruption in the schools, the school districts were not empowered to punish out-of-school expressive conduct, even if it is lewd, indecent, or offensive speech).
3. Stalking No Contact Order Act and the Civil No Contact Order Act, 740 ILCS 21/80 and 22/213, amended by P.A. 97-294.

- ▶ **7:190-AP6, Administrative Procedure - Guidelines for Investigating Sexting Allegations.** A Legal Reference was updated as follows: "105 ILCS 5/21-23, amended by 10/21B-75, added P.A. 96-431 97-607."

- ▶ **7:270, Administering Medicines to Students.** This policy and Cross References are updated in response to P.A. 97-361. We created two new subheads **Self-Administration of Medication** and an optional **School District Supply of Epinephrine Auto-Injectors**.

1. **Self-Administration of Medication** section is new, but the language within it is unchanged. The footnotes contain clarifications.
2. **School District Supply of Epinephrine Auto-Injectors** section and language is **NEW**. It describes the implementation process to maintain a supply of epinephrine auto-injectors in the name of the district and provide or administer them as necessary according to State law. Footnotes provide caveats to consult the board attorney and caution not to adopt unless a district can ensure implementation. They also explain that this process may be difficult, if not impossible, to implement. We also updated the Cross References to reflect the new procedure below.

► **7:270-AP2, Administrative Procedure - Checklist for District Supply of Epinephrine Auto-Injectors.** This is **NEW**. This procedure is a checklist to identify major issues that school officials will need to manage if a board decides to maintain a supply of epinephrine auto-injectors in the name of the district and provide or administer them as necessary according to State law.

Community Relations

► **8:70, Accommodating Individuals with Disabilities.** The policy is unchanged. The footnotes describe legislation exempting press boxes from the Accessibility Code if they “have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet.” 105 ILCS 5/10-20.46, amended by P.A. 97-355.

Progress Report:

Topics	Our Response
<p>Conflicting opinions exist concerning the web-posting requirements in P.A. 97-609, adding Sec. 7.3 to the Open Meetings Act, eff. January 1, 2012. See the text box captioned <i>New Requirements for Web-Posting</i> for more information.</p>	<p>We are postponing updates to the PRESS materials that list mandatory postings for school district websites other than those required by P.A. 97-8.</p>
<p>P.A. 97-607 will affect many pieces of PRESS material over the next two years. To complicate further, this legislation also affects many sections of the School Code that were recently amended in PERA (P.A. 96-861) and Education Reform Act (P.A. 97-8).</p>	<p>We will update the PRESS materials that this law affects in several stages. See the text box captioned <i>Long-Term Policy Implications of P.A. 97-607</i> for more information.</p> <p>We will need to amend PRESS material multiple times as P.A. 97-607 is implemented.</p>
<p>A new law requires any organization, including a school district, that “owns and controls a movable soccer goal, [to] create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals.” P.A. 97-234. The law gives the Department of Public Health until June 30, 2012, to provide technical assistance materials based on guidelines, such as, the <i>Guidelines for Movable Soccer Goal Safety</i> in order to improve soccer goal safety.</p>	<p>We will publish a new administrative procedure based on guidance from the Dept. of Public Health.</p>
<p>The Federal Communications Commission (FCC) amended its regulations that implement the Children’s Internet Protection Act (CIPA). The amended regulations incorporate language from the Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II stat. 4096 (2008) (PCCA).</p> <p>Specifically, 47 C.F.R. §54.520(c)(1)(i) incorporates PCCA language that requires school districts that are receiving or applying for E-rate funding to certify that they have an Internet safety education policy beginning July 1, 2012. Internet safety education must educate all minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.</p>	<p>We updated 6:60, <i>Curriculum Content</i> (see discussion above).</p> <p>We will also update the materials for 6:235, <i>Access to Electronic Networks</i> in an upcoming PRESS issue that will allow our subscribers sufficient time to implement before the July 1, 2012 date.</p>

Progress Report *continued*

Topics	Our Response
<p>P.A. 96-1624, eff. 2-14-11, called <i>Erin's Law</i>, allows school boards to adopt policies addressing the prevention of sexual abuse.</p>	<p>Before we can determine which sample policies require amendments, the Task Force on the Prevention of Sexual Abuse of Children must meet and fulfill several statutory obligations. The Task Force's report is due to the Office of the Governor and the Gen. Assembly by 1-1-2012.</p> <p>Many sample PRESS policies already address the issues presented in this bill.</p>
<p>ISBE finalized its rules that incorporate by reference the: <i>Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects</i>, and <i>Common Core State Standards for Mathematics</i>, both published by the Common Core State Standards Initiative. They are referred to as <i>common core standards</i> and are posted at: www.corestandards.org/the-standards/english-language-arts-standards, and www.corestandards.org/the-standards/mathematics. Both replace State goals and standards for English and math in Appendix D to Part 1.</p>	<p>We will amend references to State goals and standards by referring to the common core standards in applicable footnotes and policies as they are reviewed.</p>
<p>In May 2011, the Ill. Council of School Attorneys provided detailed suggestions to ISBE for updating the rules on student records, 23 Ill.Admin.Code Part 375. ISBE has begun the promulgation process to amend these rules.</p>	<p>We will update all material on student records after ISBE amended rules become final.</p>
<p>On July 2, 2008 the final guidelines to implement Sex Offender Registration Notification Act (SORNA) were adopted. They set forth standards to address the various aspects of sex offender tracking and public notification with the objective of establishing a national baseline for sex offender registration and notification. The U.S. Attorney General's supplemental guidelines to the SORNA guidelines were finalized on 1-11-2011.</p> <p>The Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) reports that Illinois' second requested one-year extension to implement SORNA by 7-27-2011 has expired.</p> <p>Illinois has not implemented as of the date of this publication nor has it requested another extension. SB 1040 would bring Illinois into compliance; however it has been referred back to the Ill. Senate's Assignments Committee. Some argue implementing SORNA will be more expensive than the penalty for non-implementation, a 10% reduction in funding under 42 U.S.C. §3750 <i>et seq.</i> (Byrne Justice Assistance Grant funding). For up to date information: www.ojp.usdoj.gov/smart/newsroom.htm.</p>	<p>We will continue to monitor and update all applicable policies and procedures affected by SORNA when Illinois reaches substantial implementation.</p>

Revisions to Policies, Administrative Procedures and Exhibits

Immediate Action Suggested	Number and Title	Reason The memo more completely describes the actions taken.
	2:100, Board Member Conflict of Interest	Policy text is unchanged. A footnote is updated in response to State legislation.
✓	2:120, Board Member Development	Policy, Legal References, and footnotes are updated in response to State legislation.
	2:120-E2, Exhibit - Website Listing of Development and Training Completed by Board Members	NEW – added in response to State legislation.
	2:190, Mailing Lists for Receiving Board Material	DELETED – no longer needed because of State legislation.
	2:200, Types of School Board Meetings	Policy, Cross References, and footnotes are updated in response to legislation.
	2:220-E2, Exhibit - Motion to Adjourn to Closed Meeting	Exhibit is updated in response to State legislation.
	2:220-E6, Exhibit - Log of Closed Meeting Minutes	Exhibit is updated in response to State legislation.
	2:260, Uniform Grievance Procedure	Policy text is unchanged. A footnote is updated in response to U.S. Dept. of Education guidance.
	4:110, Transportation	Policy is updated to enhance clarity and footnotes are updated in response to State legislation.
✓	4:170, Safety	Policy, Legal References, and footnotes are updated in response to State legislation and feedback.
	4:170-AP2, Administrative Procedure - Criminal Offender Notification Laws	Administrative procedure is updated in response to State legislation.
	4:170-AP4, Administrative Procedure - <u>National Terrorism Advisory System</u> Emergency Preparedness Response to Homeland Security Codes	Administrative procedure is rewritten in response to new National Terrorism Advisory System.
	4:170-AP6, Administrative Procedure - Plan for Responding to a Medical Emergency at a Physical Fitness Facility <u>with an AED</u>	The title to the administrative procedure is amended to enhance clarity; it is updated in response to new State agency rules.
	4:170-AP6, E2, Exhibit – Automated External Defibrillator Incident Report	DELETED – no longer needed because of new State agency rules.
	5:10, Equal Employment Opportunity and Minority Recruitment	Policy and footnotes are updated in response to State legislation. Legal references are reorganized.
	5:30, Hiring Process and Criteria	Policy, Legal References, and a footnote are updated in response to State legislation.

Immediate Action Suggested	Number and Title	Reason The memo more completely describes the actions taken.
	5:30-AP2, Administrative Procedure - Investigations	Administrative procedure is updated in response to State legislation.
	5:90, Abused and Neglected Child Reporting	Policy text is unchanged. A footnote is updated in response to State legislation.
	5:125, Personal Technology and Social Media; Usage and Conduct	Policy text is unchanged. Legal References and footnotes are updated in response to State legislation.
	5:185-AP, Administrative Procedure - Resource Guide for Family and Medical Leave	Administrative procedure is updated in response to changes to federal web-links.
	5:190, Teacher Qualifications	Policy text is unchanged. Legal References and footnotes are updated in response to State legislation.
	5:210, Resignations	Policy text is unchanged. Footnotes are updated in response to State legislation.
✓	5:220, Substitute Teachers	Policy, Legal References, Cross References and footnotes are updated in response to State legislation.
✓	5:220-AP, Administrative Procedure - Substitute Teachers	Administrative procedure and Legal References are updated in response to State legislation.
	5:260, Student Teachers	Policy and footnotes are updated in response to State legislation.
✓	5:285, Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers	Policy, Legal References, and footnotes are updated in response to State legislation.
✓	5:285-AP, Administrative Procedure - Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers	Administrative procedure and footnotes are update in response to State legislation and continuous improvement.
✓	6:50, School Wellness	Policy, Legal References, and footnotes are updated in response to federal legislation.
	6:110, Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program	Policy, Legal References, Cross References and footnotes are updated in response to State legislation.
✓	6:120-AP3, Administrative Procedure - Service Animal Access Requests <u>Animals</u>	The administrative procedure is renamed and amended to comply with federal agency rules.
✓	6:120-AP3, E1, Exhibit - Request Guidelines for a Service Animal to Accompany a Student for Service <u>Animals in School Facilities</u>	This exhibit is renamed and rewritten in response to federal agency rules.
	6:150, Home and Hospital Instruction	Policy text is unchanged. A footnote is updated in response to State legislation.

Immediate Action Suggested	Number and Title	Reason The memo more completely describes the actions taken.
	6:185, Remote Educational Program	Policy and footnotes are updated in response to State legislation.
	6:280, Grading and Promotion	Policy text is unchanged. Footnotes, Cross References, and Legal References are updated in response to State legislation.
	7:20, Harassment of Students Prohibited	Policy text is unchanged. A footnote is updated in response to State legislation.
	7:70, Attendance and Truancy	Policy text is unchanged. A footnote is updated in response to State legislation.
	7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students	Policy, Legal References and footnotes are updated in response to State legislation.
	7:190, Student Discipline	Policy and footnotes are updated in response to State legislation.
	7:190-AP6, Administrative Procedure - Guidelines for Investigating Sexting Allegations	The Legal References are updated in response to State legislation.
	7:270, Administering Medicines to Students	Policy, footnotes, and Cross References are updated in response to State legislation.
	7:270-AP2, Administering Procedure - Checklist for District Supply of Epinephrine Auto-Injectors	NEW – added in response to State legislation.
	8:70, Accommodating Individuals with Disabilities	Policy text is unchanged. A footnote is updated in response to State legislation.

Acknowledgement to PRESS Advisory Board

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