

School Board

Administrative Procedure - Protocols for Record Preservation and Development of Retention Schedules

Legal Citations

The ~~Each~~ legal ~~requirements contained~~ requirement in this procedure ~~are is~~ followed by a citation to the controlling rule and/or statute. Citations in parenthesis indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Actor	Action
All Staff <u>Members</u> and School Board Members	<p>No District record, as defined in the Illinois Local Records Act, shall be destroyed except as provided herein.</p> <p><i>“Public record means any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.”</i> 50 ILCS 205/3.</p> <p>Do not destroy any District record, no matter its form, if it is subject to a litigation hold. F.R.C.P. 37(e).</p> <p>In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding to not destroy any electronic records that might be relevant. The receipt of a <i>litigation hold</i> or preservation letter from the Board’s attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all e-mail, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere.</p> <p><u>Whenever disposing of materials containing personal information, render the personal information unreadable, unusable, and undecipherable.</u></p> <p><u>The Personal Information Protection Act (815 ILCS 530/) contains mandates for disposing of materials containing personal information (defined as an individual’s name combined with social security number, driver’s license number or State identification card number, or financial account information, including without limitation, credit</u></p>

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	<p><u>or debit card numbers). The Attorney General is authorized to impose a fine for noncompliance. 815 ILCS 530/40.</u></p>
<p>Superintendent</p>	<p>Assign the following activities to the Records Custodian and Head of Information Technology (IT):</p> <ol style="list-style-type: none"> 1. Develop and maintain a protocol for preserving and categorizing District records; 2. Develop and maintain a record retention and destruction schedule; and 3. Develop protocols to implement a litigation hold.
<p>Records Custodian and Head of IT</p>	<ol style="list-style-type: none"> 1. Develop and maintain a protocol for preserving and categorizing District records. <p>Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to business, students, personnel, board meetings, etc. Align this list with the list of District records required by the Freedom of Information Act. 5 ILCS 140/5.</p> <p>Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available servers, tapes, hard drives, computers, and similar types of electronic devices (e.g., laptops, Blackberrys, cell phones, Palm Pilots, voicemail, etc.).</p> <p>Prepare a description of how District records stored by means of electronic data processing may be obtained in a form understandable to persons lacking computer knowledge. 5 ILCS 140/5.</p> <p>Such a description may include contact information for a person who can aid in obtaining records stored electronically.</p> <p>Provide for keeping only <i>records</i> and destroying non-records. Avoid filing non-record material with records. Determine what is a non-record, e.g., identical copies of documents maintained in the same file; extra copies of printed or processed materials (official copies of which are retained by the office); blank forms; and personal communications.</p> <p>The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9.</p> <p>Absent a litigation hold, email must be retained only when it contains: (1) evidence of the District’s organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. 50 ILCS 205/3. Email that is conversational, personal, or contains brainstorming may generally</p>

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	<p>be deleted.</p> <p>A consistent email retention policy for use across the District ensures that the necessary emails are being retained and emails that are not required to be preserved are purged on a regular basis.</p> <p>Determine whether each sub-category of documents should be reproduced by photography, microphotographic processes, or digitized electronic format.</p> <p>Any public record may be reproduced in a microfilm or digitized electronic format and the paper version destroyed, provided: (a) the records are reproduced on “a durable medium that accurately and legibly reproduces the original record in all details,” and “that does not permit additions, deletions, or changes to the original document images;” and (b) the Local Records Commission is notified when the original record is disposed of and also when the reproduced record is disposed of. Local Records Act, 50 ILCS 205/7.</p> <p>Use this web link to the Illinois Secretary State’s publication, Guidelines for Using Electronic Records.</p> <p>Identify and index the location of each category and sub-category of District records. Organize electronic record and data storage.</p> <p>The goal is to ensure that all documents, including electronically created ones, are retained for the required timeframes and are easy to retrieve and produce if necessary.</p> <p>2. Develop and maintain a record retention schedule for submission to the Superintendent and eventually to the Local Records Commission.</p> <p>Prepare a list of public records that: (1) are not needed for current business, and (2) do not have sufficient administrative, legal, or fiscal value to warrant their further preservation. Stated differently, identify records that have no administrative, legal, or fiscal value, as this is the criteria the Commission uses to determine whether or not to authorize the records’ destruction.</p> <p>Records that have no administrative, legal, or fiscal value may be destroyed according to provisions in the Local Records Act. 50 ILCS 205/10.</p> <p>Prepare a schedule for record destruction by identifying the length of time a record category or series warrants retention after it has been received or produced by the District.</p> <p>The ultimate goal is to obtain permission to destroy unnecessary public records. The Local Records Commission must approve the</p>

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	<p>destruction of any public record. 50 ILCS 205/7, 44 Ill.Admin.Code Part 4000 (Local Records Commission for agencies comprising counties of less than 3,000,000 inhabitants); 44 Ill.Admin.Code Part 4500 (Local Records Commission of Cook County). See the Archives Department on the Secretary of State's website: www.cyberdriveillinois.com/departments/archives/databases/home.html.</p> <p>A list can be used when applying for authority to destroy records. A schedule can be used when applying for continuing authority to destroy records after specified periods of time or the occurrence of specified events. 44 Ill.Admin.Code Part 4000.30.</p> <p>The School Code and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board's attorney should be consulted.</p> <p>The e-discovery rules provide a safe harbor for parties during a lawsuit that cannot provide information because it was destroyed as a result of routine practices. F.R.C.P. 37(e).</p> <p>3. Develop protocols to implement a litigation hold.</p> <p>Understand what a <i>litigation hold</i> is.</p> <p>A litigation hold refers to the notification made by the Board's attorney telling the District to preserve all information that may be relevant to current or anticipated litigation. While it may occur anytime in the legal process, it will usually occur during discovery, the pretrial phase of a lawsuit designed to compel the exchange of information between parties. A litigation hold triggers the need to immediately suspend destruction of electronic and other records relevant to the current or potential claim. F.R.C.P 37(e).</p> <p>Specify how to implement a litigation hold, i.e.:</p> <ul style="list-style-type: none"> • Who can trigger a litigation hold? • How is a litigation hold communicated? • Who should gather the records? • What records are subject to a litigation hold and who determines this? • In what format should records be gathered? • Where should records be gathered? <p>Identify how to implement a litigation hold for all IT systems, including backup tapes, to ensure they are not deleted or overwritten as part of the normal tape rotation process.</p> <p>Prepare a map of potentially relevant data and otherwise assist the</p>

Actor	Action
	Board's attorneys in locating all potentially relevant information.
Superintendent	<p>Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval.</p> <p>Disseminate the record retention schedule, along with instructions, to all affected staff members and Board members.</p> <p>Immediately inform the Records Custodian and Head of IT whenever a record must be preserved because: (1) it may be relevant to present or future litigation, or (2) the Board Attorney has notified the District to preserve a record, including electronic information (<i>litigation hold</i>).</p> <p>Authorize and/or order the destruction of District records after ensuring that the following steps have been performed:</p> <ol style="list-style-type: none"> 1. The Local Records Commission approved a schedule for continuing authority to destroy District records after the expiration of the applicable period. 2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a <i>litigation hold</i>. 3. A Local Records Disposal Certificate was sent to the Local Records Commission, Illinois State Archives at least, 60 days before the disposal date and an approved copy was returned. Section 4000.40(b) of the rules of the Downstate Local Records Commission and Section 4500.40(b) of the rules of the Cook County Local Records Commission.
<p>Links to Web-based Record Management Resources:</p> <p>Cook County Local Records Commission Meetings</p> <p>Cook County Local Records Commission Rules (44 Ill Admin Code Title PART 4500)</p> <p>Downstate Local Records Commission Meetings</p> <p>Rules of the Downstate Local Records Commission (44 Ill Admin Code Title PART 4000)</p> <p>Filmed Records Certification Act (50 ILCS 210)</p> <p>Filmed Records Destruction Act (50 ILCS 215)</p> <p>Illinois School Student Records Act (105 ILCS 10)</p> <p>Local Records Act (50 ILCS ACT 205)</p> <p>Local Records Disposal Certificate</p>	

LEGAL REF.: Federal Rules of Civil Procedure, Rules 16, 26 and 37.
5 ILCS 140/, Freedom of Information Act.
50 ILCS 205/, Local Records Act.
105 ILCS 10/, Ill. School Student Records Act.
820 ILCS 40/, Ill. Personnel Record Review Act.

Operational Services

Administrative Procedure - Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; and Bus Driving Comments

Bus Driver Communication Devices

State law prohibits a school bus driver from operating a school bus while using a cellular radio telecommunication device. It requires each school bus to contain either an operating cellular radio telecommunication device or two-way radio while the school bus driver is in possession of the school bus. The cellular radio telecommunication device or two-way radio must be turned on and adjusted in a manner that would alert the driver of an incoming communication request ~~See (625 ILCS 5/12-813.1), amended by P.A. 96-818 and P.A. 96-1066.~~

Bus drivers may still have cell phones although they are prohibited from using cell phones for anything, including personal use, while operating a bus except: (1) in an emergency situation to communicate with an emergency response operator; a hospital; a physician’s office or health clinic; an ambulance service; a fire department, fire district, or fire company; or a police department; (2) in the event of a “mechanical breakdown or other mechanical problem;” (3) to communicate with school authorities or their designees about bus operation or the welfare and safety of any passengers on the bus; or (4) when the bus is parked (625 ILCS 5/12-813.1(c), ~~amended by P.A. 96-1066~~).

Bus/Vehicle Pre-Trip and Post-Trip Inspection 1

All school bus drivers, whether employed by the School District or private sector school bus company, shall perform each of the following:

1. Comply with the applicable pre-trip inspection of the mechanical and safety equipment on the school bus listed on the *School Bus Driver Pre-Trip Inspection Form* (92 Ill.Admin. Code §§458.1030 and 458.1030(u) requires any variations from the form to be approved by the Dept. of Transportation by calling 217/785-3031 or writing to:

Vehicle-Inspection Unit Manager
Ill. Dept. of Transportation, Div. of Traffic Safety
1340 North 9th St.
P.O. Box 19212
Springfield, IL 62794-9212

- ~~2.~~Test the cellular radio communication device or two-way radio and ensure that it is functioning properly before the bus is operated (625 ILCS 5/12-816, amended by P.A. 96-818 and P.A. 96-1066); and,
- ~~3.~~Perform a visual sweep for children or other passengers at the end of a route, work shift or workday by:

The footnotes should be removed before the material is used.

¹ 625 ILCS 5/12-816(a), ~~amended by P.A. 96-818 and P.A. 96-1066~~, requires districts to have a pre-trip and post-trip inspection policy. Sample policy 4:110, *Transportation*, requires the superintendent or designee to develop the inspection procedures. 23 Ill.Admin.Code §1.510 and 92 Ill.Admin.Code §440.420(h) requires bus drivers to follow this procedure. 92 Ill.Admin.Code §1035.45 requires the bus driver’s prospective or current employer to notify the Secretary of State whenever the bus driver failed to perform the pre-trip and post-trip inspection process.

- a. Activating interior lights of the school bus to assist the driver in searching in and under each seat (625 ILCS 5/12-816(c), and
- b. Walking to the rear of the school bus/vehicle checking in and under each seat (625 ILCS 5/12-816(b).

If a mechanical post-trip inspection reminder system is installed, the driver shall comply with the requirements of that system (625 ILCS 5/12-816(d).

Bus Driving Comments ²

Each school bus and multifunction school activity bus shall display a sign at the rear, with letters and numerals readily visible and readable, in the following form:

TO COMMENT ON MY DRIVING, CALL [*insert District area code and telephone number*] ³

Driving comments shall be accepted in the following manner:

1. Calls to comment on school bus driving shall be directed to the Superintendent or designee.
2. The Superintendent or designee shall conduct an internal investigation of the events that led to each complaint. Required for districts that own school buses by 625 ILCS 5/12-821(c)(1).
3. The Superintendent or designee shall inform the commenting party of the results of any investigation and the action, if any, taken to remedy the situation. Required for districts that own school buses by 625 ILCS 5/12-821(c)(2).

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² This section applies only to districts that own school buses (625 ILCS 5/12-821(b). The Ill. Vehicle Code requires school bus owners to display an area code and telephone number at the rear of all buses for the purpose of commenting on school bus driving (Id. at (a), ~~amended by P.A. 95-655~~). It allows school bus owners who placed a sign without an area code pursuant to P.A. 95-176 to use that sign until the owner replaces the sign. School bus owners must also establish procedures for accepting calls and taking complaints (Id. at (b); 92 Ill.Admin.Code §§440.420(v)(15, 16) and 441-3).

³ An area code in addition to the telephone number of the school bus owner must be displayed, regardless of whether the owner is a school district or another person or entity (625 ILCS 5/12-821(a), ~~amended by P.A. 96-655~~). The procedure's language assumes the district owns the school bus.

Although not mandatory, school districts that do not own school buses should ~~insert~~ replace #2 with the following sentences; the procedural expectation should also be included in contracts with private carriers:

Every comment that a private company receives about a driver must be noted in writing along with the follow-up activity, and a copy sent or emailed to the Superintendent or designee. The Superintendent will communicate regularly with the school bus owner to ensure bus driving comments are accepted and investigated in accordance with State law.

Operational Services

Administrative Procedure - Criminal Offender Notification Laws

The following list describes laws protecting students on school grounds from individuals convicted of serious crimes:

1. A child sex offender is prohibited from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present unless specifically permitted by statute (720 ILCS 5/11-9.3). See School Board policies 4:170, *Safety*; 8:30, *Visitors to and Conduct on School Property*; and administrative procedure 8:30-AP, *Definition of Child Sex Offender*.
2. Law enforcement must notify schools of offenders who reside or are employed in the county. See: (a) Sex Offender Community Notification Law, 730 ILCS 152/101 et seq., and (b) Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105, amended by P.A. 97-154. These laws are hereafter referred to as “offender notification laws.” See also policy 4:170, *Safety*.
3. The School Code (105 ILCS 5/10-21.9, amended by P.A. 97-607) lists criminal offenses that disqualify an individual from District employment if the individual was convicted ~~of one~~. It requires any person hired by the District to submit to a fingerprint-based criminal history records check through (a) the Illinois State Police (ISP) for an individual’s Criminal History Records Information (CHRI) and (b) the FBI’s national crime information databases. The law also requires a school district to check ~~2~~ two Illinois offender databases for each applicant, which are (a) the Statewide Sex Offender Database — (a/k/a — Sex — Offender Registry), www.isp.state.il.us/cmvo/, www.isp.state.il.us/sor/ and (b) the Statewide Murderer and Violent Offender Against Youth Database Registry, www.isp.state.il.us/cmvo/. Obtaining the results of the fingerprint-based criminal history records check and review of the database registries is a complete criminal history records check as required by the School Code. See Board policy 5:30, *Hiring Process and Criteria*; ~~and~~ administrative procedure 5:30-AP2, *Investigations, and ISBE’s non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/pdf/guidance_chr.pdf.
Note: A District may also check the National Sex Offender Public Registry, www.nsopr.gov/; however, the same information will likely appear in the information furnished by the FBI.
4. The provisions in the School Code described above also apply to employees of persons or firms holding contracts with a school district who have direct, daily contact with students. See ~~School~~ Board policy 4:170, *Safety*.
5. Conviction of an offense listed in 105 ILCS 5/10-21.9, amended by P.A. 97-607, results in the automatic revocation of the individual’s certificate (105 ILCS 5/21-23a, repealed by P.A. 97-607 and moved to 105 ILCS 5/21B-80).
6. The offender notification laws require law enforcement to ascertain whether a juvenile sex offender or violent offender against youth is enrolled in a school and, if so, to provide a copy of the registration form to the Building Principal and any guidance counselor designated by him or her. This registration form must be kept separately from any and all school records maintained on behalf of the juvenile sex offender. See ~~School~~ Board policy 4:170, *Safety*.

Receipt of the Information from Law Enforcement 1

The Superintendent or designee shall notify the local law enforcement official or county sheriff that he or she is the District's official contact person for purposes of the offender notification laws. 2 The Superintendent and/or Building Principal may at any time request information from law enforcement officials regarding sex offenders or violent offenders against youth.

The Superintendent will provide Building Principals and other supervisors with a copy of all lists received from law enforcement officials containing the names and addresses of sex offenders and violent offenders against youth.

The Building Principal or designee shall provide the lists to staff members in his or her building on a need-to-know basis, but in any event:

- A teacher will be told if one of his or her students, or a student's parent/guardian, is on a list.
- The school counselor, nurse, social worker, or other school service personnel will be told if a student or the parent/guardian of a student for whom he or she provides services is on a list.

No person receiving a list shall provide it to any other person, except as provided in these procedures, State law,³ or as authorized by the Superintendent. Requests for information should be referred to the local law enforcement officials or State Police.

Screening Individuals Who Are Likely to Have Contact with Students at School or School Events 4

Upon receiving a list of sex offenders or violent offenders against youth from law enforcement, the Superintendent or Building Principal, or designees, shall determine if anyone is listed who is currently a District employee, student teacher, or school volunteer.

In addition, the Superintendent and/or Building Principal(s) shall screen individuals who are likely to come in contact with students at school or school events as follows:

Volunteers

Each staff member shall submit to the Building Principal the name and address of each volunteer the staff member is supervising or whose services are being used as soon as that person is identified. The Building Principal or designee shall immediately screen the volunteer's name and address against the: (1) [Dru Sjodin National Sex Offender Public Registry, Website \(NSOPW\), www.nsopr.gov](#), (2) Illinois Sex Offender Registry, [www.isp.state.il.us/cmvo/](#) [www.isp.state.il.us/sor/](#), and (3) the ~~violent offenders against youth database~~ [Illinois Murderer and Violent Offenders Against Youth Registry](#) maintained by the State Police, [www.isp.state.il.us/cmvo/](#). If a match is found, the Building Principal shall notify the Superintendent, who shall contact the local law enforcement officials to confirm or disprove the match.

The footnotes should be removed before the material is used.

¹ The law is silent with regard to what, if anything, districts do with the information. It does, however, provide that "any person who provides, or fails to provide, information relevant to the procedures set forth in this Law shall not be liable in any civil or criminal action," (730 ILCS 152/130).

² Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person and the superintendent may wish to have a contact person from each building.

³ The list of child sex offenders may be a *public record* subject to disclosure under the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*). Consult the district counsel when a request is made using this Act.

⁴ The law is silent with regard to screening volunteers and individuals in the proximity of a school.

If a match is confirmed, the Superintendent shall inform the individual, by mail and telephone call, that he or she may not be used as a volunteer. The Superintendent also shall inform relevant staff members and the Building Principal that the individual may not be used as a volunteer.

While volunteers are not subject to a criminal history records check requirement like District employees, the District may require the same fingerprint-based criminal history records check required of student teachers. See ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/pdf/guidance_chr.pdf and **Student Teachers**, below. The law is not clear whether the volunteer or the District pays the cost of this check, but funds from any ADA School Safety and Educational Improvement Block Grant may be used to pay for fingerprint-based criminal history records checks.

Student Teachers

~~The student teacher's higher education institution~~ District will facilitate the required background check with the Department of State Police and perform a fingerprint-based criminal history records check pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1) (ISP) and the Adam Walsh Child Protection and Safety Act (P.L. 109-248) (FBI). ~~The Department of State Police and FBI~~ The Superintendent will ~~furnish~~ receive the records of convictions (unless expunged) ~~pursuant to~~ from the fingerprint-based criminal history records check, ~~to the higher education institution where the student teacher is enrolled and the Superintendent.~~ See 105 ILCS 5/10-21.9(g), amended by P.A. 96-1452. See and ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/pdf/guidance_chr.pdf. See also 5:30-AP2, *Administrative Procedure-Investigations*. Prior to participating in any field experiences in the District, each student teacher must provide a written authorization for, and payment of pay the costs of, the his or her fingerprint-based criminal history records check. (Id. and checks of 20 ILCS 2635 (7)(A). Each student teacher will be provided with a copy of the report (Id.) Every new student teaching experience will require a new background check.

In addition, the Statewide Superintendent shall also screen the student teacher's name and address against the: (1) Illinois Sex Offender Database and Statewide Murderer and Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Database prior to participating in any field experiences in the District Registry maintained by the State Police, www.isp.state.il.us/cmvo/.

Other Students Doing Field or Clinical Experience other than Student Teaching

The Building Principal shall screen the name and address of each student seeking to do any field or clinical experience other than student teaching in the school as described above for volunteers. If a match is found, the Building Principal and Superintendent shall proceed as above for volunteers.

The District may also require the same fingerprint-based criminal history records check required of student teachers prior to a student beginning any field or clinical experiences other than student teaching in the District. See **Student Teachers**, above. The cost of this check will be paid for by the student seeking the experience.

Contractors' Employees 5

The Superintendent shall include the following in all District contracts that may involve an employee of the contractor having any contact, direct or indirect, with a student:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in 105 ILCS 5/10-21.9, amended by P.A.s 97-248 and 97-607, or who is listed in the Statewide Illinois Sex Offender Registry or the Statewide Illinois Murderer and Violent Offender Against Youth Database Registry. The contractor shall ~~obtain~~ make every employee who will be sent to any school building or school property available to the District for the purpose of submitting to a fingerprint-based criminal history records check pursuant to 105 ILCS 5/10-21.9. The check shall occur before sending any employee or agent is sent to any school building or school property. The contractor will reimburse the District for the costs of the checks. The District must also provide a copy of the report to the individual employee, but is not authorized to release it to the contractor. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Statewide Illinois Sex Offender Registry or the Statewide Illinois Murderer and Violent Offender Against Youth Database Registry.

If a staff member at any time becomes aware or suspicious that a contractor's employee is a sex offender or violent offender against youth, the employee shall immediately notify the Superintendent. The Superintendent shall screen the name of the individual as described in Volunteers, above ~~for volunteers~~ and/or contact the contractor.

~~If the District receives information that concerns the record of conviction as a sex offender of any District contractor's employee, the District will provide the information to another school, school district, community college district, or private school that requests it.~~

If another school district requests a copy of a criminal history records check that the District conducted on a contractor's employee within the last year, the District will share it with the requesting school district. P.A. 97-248 requires the District to share the information and allows a school district to rely on the checks done by another district that are less than one year old. Note: Unless notified by the individual whose criminal history records are being checked or by the ISP that the information furnished in its criminal history records information (CHRI) report is inaccurate or incomplete, the District cannot be liable for damages to any person to whom the CHRI pertains for actions that the District reasonably took in reliance on the accuracy and completeness of CHRI report (20 ILCS 2635/7(A)(3).

Individuals in the Proximity of a District's School

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~~5-Districts would find it virtually impossible to screen all contractors' employees. Thus, a contractor should warrant that none of its employees who may have contact with a student at school is a child sex offender. A contractor must provide its employees to the district for a background check.~~ The last sentence of this contract clause will help districts comply with 105 ILCS 5/10-21.9, amended by P.A.s 97-248 and 97-607. That law requires a criminal history records check to be performed on only those contractors' employees who have *direct, daily contact with students*. In order to be comprehensive and to eliminate uncertainty, this contract clause requires background checks for *any* contractor's employee who may work in any school building or on school property. For more information on managing background checks for contractor's employees, see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/pdf/guidance_chr.pdf.

The last sentence of the last paragraph in this section is a new duty required by 105 ILCS 5/10-21.9(h), amended by P.A. 97-248. See f/n #17 in policy 4:170, *Safety*, for more discussion about this requirement.

Each time a list of sex offenders and/or violent offenders against youth is received from a law enforcement official, the Building Principal shall review it to determine if anyone listed lives in the proximity of his or her school. The Building Principal shall attempt to alter school bus stops and the route students travel to and from school in order to avoid contact with an individual on such a list.

Employees

All applicants considered for District employment shall submit to a fingerprint-based criminal history records check, according to State law and ~~School~~ Board policy 5:30, *Hiring Process and Criteria*, and administrative procedure 5:30-AP2, *Investigations*. See 105 ILCS 5/10-21.9, amended by P.A.s ~~96-1452 and~~ 97-607.

Each time a list of sex offenders or violent offenders against youth is received from a law enforcement official, the Superintendent shall review the list to determine if an employee is on the list. If a match is found, the Superintendent shall immediately contact the local police officials to confirm or disprove the match. The Superintendent shall immediately notify the Board if a match is confirmed. The Board President will contact the Board Attorney and the Board will take the appropriate action to comply with State law that may include terminating the individual's employment.

Informing Staff Members and Parents/Guardians About the Law ⁶

Building Principals or their designees shall inform parents/guardians about the availability of information concerning sex offenders during school registration and, if feasible, during parent-teacher conferences. Information should be distributed about the Statewide Sex Offender ~~Database (a/k/a Sex Offender Registry)~~, www.isp.state.il.us/cmvo/ www.isp.state.il.us/sor/, and the Statewide Murderer and Violent Offender Against Youth ~~Database Registry~~, www.isp.state.il.us/cmvo/. Information may also be included in the Student Handbook. See the Sex Offender Community Notification Law, 730 ILCS 152/101 *et seq.*, and exhibit 4:170-~~E6~~ AP2, E1, *Informing Parents About Offender Community Notification Laws*.

Requests for additional information shall be referred to local law enforcement officials.

CROSS REF.: 5:30 (Hiring Process and Criteria), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property)

ADMIN. PROC.: 4:170-~~E6~~ AP2, E1 (Informing Parents About Offender Community Notification Laws), 5:30-AP2 (Investigations), 6:250-AP (Securing and Screening Resource Persons and Volunteers), 6:250-E (Resource Person and Volunteer Information Form and Waiver of Liability), 8:30-AP (Definition of Child Sex Offender), 8:30-E1 (Letter to Parent Regarding Visits to School by Child Sex Offenders), 8:30-E2 (Child Sex Offender's Request for Permission to Visit School Property)

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⁶ State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law, 730 ILCS 152/101 *et seq.* While State law allows the notification to be made during registration or parent-teacher conferences, the sample procedure makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

Actor	Action																
	<p><u>operable AED is not on the premises.</u> 77 Ill.Admin.Code §527.600. Designates each Building Principal as the individual who must be notified in the event of a medical emergency. 3 77 Ill.Admin.Code §527.400(a).</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Building</td> <td style="width: 50%; text-align: center;">Office Contact</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Follows the requirements of 77 Ill.Admin.Code §525.500 upon receiving a completed report that an AED was used (4:170-AP6, E2, <i>Automated External Defibrillator Incident Report</i>).</p>	Building	Office Contact	_____	_____	_____	_____	_____	_____								
Building	Office Contact																
_____	_____																
_____	_____																
_____	_____																
Plan Coordinator	<p>Responsibilities Concerning Emergency Responders With the Building Principal, identifies all staff members who, through their education or training, are appropriate emergency responders for specific facilities. If possible, train all emergency responders in CPR and AED use.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Facility</td> <td style="width: 50%; text-align: center;">Emergency Response Providers</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Responsibilities Concerning AED Users Determines the appropriate number of trained AED users and anticipated rescuers or users needed for each facility equipped with an AED. Each facility with an AED must have at least one trained AED user on staff during staffed business hours (210 ILCS 74/15, amended by P.A. 96-748 and 77 Ill.Admin.Code §527.600) and take reasonable measures to ensure that anticipated rescuers or users are trained pursuant to 410 ILCS 4/15 and 77 Ill.Admin.Code §527.800.</p> <p>Working with the Building Principal, identifies trained AED users and requests that other appropriate staff members and anticipated rescuers or users become trained.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Facility</td> <td style="width: 50%; text-align: center;">Trained AED Users</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Responsibilities Concerning AED Registration Coordinates with local emergency medical services systems. 77 Ill.Admin.Code §527.500. Notifies an agent of the local emergency communications or vehicle dispatch</p>	Facility	Emergency Response Providers	_____	_____	_____	_____	_____	_____	Facility	Trained AED Users	_____	_____	_____	_____	_____	_____
Facility	Emergency Response Providers																
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_____	_____																
Facility	Trained AED Users																
_____	_____																
_____	_____																
_____	_____																

The footnotes should be removed before the material is used.

3 The IDPH Rules only require that an “office contact” for a specific facility be designated to receive notification of a medical emergency; the Rules do not assign any responsibilities to this individual. Someone other than the building principal could be named.

Actor	Action						
	<p>center of the existence, location, and type of the automated external defibrillator (410 ILCS 4/20(b); 77 Ill.Admin.Code §527.500).</p> <p>Cooperates and provides any information requested by the local emergency communications or vehicle dispatch, so they can complete the Data Collection and Submission report about the use of the AED (77 Ill.Admin.Code § 515.350). 77 Ill.Admin.Code §525.500.</p> <p>Responsibilities Concerning Location of AED and Other First Aid Equipment</p> <p>Indoor Facility - Decides, with input from the Building Principal or designee, where to place the AED and other first aid equipment so that their location will be conspicuous, easily accessible, and convenient; the AED must be mobile and accessible at all times. 77 Ill.Admin.Code §527.600.</p> <p>Outdoor Facility – Ensures that the AED is placed within 300 feet of the outdoor facility in an open building with unimpeded access that has marked directions to the location of the AED at its entrances. 77 Ill.Admin.Code §527.600 (c). 4</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; border-bottom: 1px solid black;">Facility</td> <td style="width: 50%; text-align: center; border-bottom: 1px solid black;">First Aid & AED Location</td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> </table> <p>Keeps a copy of the AED’s manual with the AED. 77 Ill.Admin.Code §527.700(b).</p> <p>Responsibilities Concerning Notification and Posting</p> <p>Along with the Building Principal, notifies all staff members of the location of any AEDs as well as the instructions for responding to medical emergencies. 77 Ill.Admin.Code §527.800(b).</p> <p>Responsibilities Concerning Training</p> <p>Coordinates, with input from the Building Principal, the training of: (1) all staff members who regularly supervise students in physical fitness facilities in the use of CPR and, if appropriate, AEDs, and (2) any non-employee coaches, instructors or other similarly situated anticipated rescuers or users. 77 Ill.Admin.Code §527.800 and 210 ILCS 74/15(b-5) and (b-10).</p> <p>Responsibilities Concerning Instructions for Responding to Medical Emergencies</p> <p>Along with the Building Principal, notifies all facility staff of the location of any AEDs and the <i>Step-by-Step Emergency Response Plan</i> described below. 77 Ill.Admin.Code §527.800(b).</p>	Facility	First Aid & AED Location				
Facility	First Aid & AED Location						

The footnotes should be removed before the material is used.

4 210 ILCS 74/15, ~~amended by P.A. 96-1268~~. AED legislation and rules have been amended several times in as many years. Rule-making by administrative agencies always lags behind legislation. ~~P.A. 96-1268 supersedes the requirement in 77 Ill.Admin.Code §527.600(e) that requires the person responsible for supervising the activity at the outdoor physical fitness facility to ensure that an AED was available.~~

Actor	Action
	<p>Coordinates, along with the Building Principal, the posting of the <i>Step-by-Step Emergency Response Plan</i> described below. 77 Ill.Admin.Code §527.800(b).</p> <p>Responsibilities Concerning Maintenance and Testing of AEDs</p> <p>Ensures that all AEDs are maintained and tested according to manufacturer’s guidelines. 77 Ill.Admin.Code §527.700(a).</p> <p>Keeps a copy of the maintenance and testing manual at the facility and keeps a copy of the manual with each AED. 77 Ill.Admin.Code §527.700(b).</p>
Building Principal	<p>In a conspicuous place in the physical fitness facility, posts: (1) the list of all staff members who are emergency responders, and (2) the <i>Step-by-Step Emergency Response Plan</i> described below. 77 Ill.Admin.Code §527.400(a).</p> <p>Posts a notice at the facility’s main entrance stating that an AED is located on the premises.</p> <p>Receives notice in the event of a medical emergency. 77 Ill.Admin.Code §527.400(a).</p>
School Nurse(s)	<p>Along with the Plan Coordinator, helps staff members understand the instructions for responding to medical emergencies.</p> <p>These instructions must provide that the AED should be operated only by trained AED users, unless the circumstances do not allow time to be spent waiting for a trained AED user to arrive. 77 Ill.Admin.Code §527.800(c).</p>
Trained AED User(s) and/or Other Emergency Responder(s)	<p>According to their training, uses appropriate emergency responses upon the occurrence of any sudden, serious, and unexpected sickness or injury that would lead a reasonable person, possessing an average knowledge of medicine and health, to believe that the sick or injured person required urgent or unscheduled medical care. 77 Ill.Admin.Code §527.400(a).</p> <p>According to their training, uses the AED to help restore a normal heart rhythm when a person’s heart is not beating properly. 77 Ill.Admin.Code §527.400(a).</p> <p>Calls 9-1-1 for medical emergencies and whenever an AED is used. 77 Ill.Admin.Code §527.400(b).</p> <p>Informs the Building Principal whenever the AED or other emergency response is used. 77 Ill.Admin.Code §527.400(b).</p> <p>Whenever an AED is used, cooperates and provides any information requested by the local emergency communications or vehicle dispatch, so they can complete a Data Collection and Submission report about the use of the AED (77 Ill.Admin.Code §515.350). 77 Ill.Admin.Code §525.500.</p>
All Facility Staff Members and Users	<p>Follow the <i>Step-by-Step Emergency Response Plan</i> described below:</p> <ol style="list-style-type: none"> 1. Immediately notify the building’s emergency responder(s) whose contact information is posted in the facility. Under life and death circumstances call 9-1-1 without delay. 2. Bring the first aid equipment and AED to the emergency scene. The AED should be operated only by trained AED users for the intended

Actor	Action
	<p>purpose of the AED, unless the circumstances do not allow time for a trained AED user to arrive.</p> <ol style="list-style-type: none"> 3. Immediately inform the Building Principal or designee of the emergency. 4. The emergency responder will take charge of the emergency. This person will apply first aid, CPR, and/or the AED, as appropriate. 5. If necessary, the emergency responder instructs someone to call 9-1-1, providing the location in the building and which entrance to use. This person should make sure someone is sent to open the door for paramedics and guide them to the scene. 6. When paramedics arrive and assume care of the victim, the emergency responder or other staff person notifies the victim's parent/guardian or relative. 7. If an AED was used, the person using it cooperates and provides any information requested by the local emergency communications or vehicle dispatch, so they can complete the Data Collection and Submission report about the use of the AED. If appropriate, a supervising staff member completes an accident report. 8. If an adult refuses treatment, the emergency responder documents the refusal and, if possible, asks the adult to sign a statement stating that he or she refused treatment.

General Personnel

Administrative Procedure - Investigations

Immigration Investigation

All newly hired employees must complete section one of the Immigration and Naturalization Service Form I-9 no later than 3 business days following their first working day (Immigration Reform and Control Act, 8 U.S.C. §1324a, 8 C.F.R. §274a.2). If an individual is unable to provide the required documents to complete it, the individual may present a receipt for the application of the required documents within 3 days of the hire. The individual must then present the required documents within 90 days of the hire. The Superintendent or designee completes section two of the Form I-9 and confirms the employee's information.

If the Employment Eligibility Verification System (E-Verify) is used to complete Form I-9, the Superintendent or designee will review the Ill. Dept. of Labor's website and its E-Verify factsheet, available at: www.state.il.us/Agency/idol/Forms/PDFs/everify.pdf. See, the Ill. Dept. of Labor Right to Privacy in the Workplace Act, 820 ILCS 55/12.

The completed Form I-9 shall be maintained in a file separate from other personnel records in order to prevent unauthorized review of personnel files. The Form I-9 shall be retained for a period of 3 years after the date of hire or one year after individual employment is terminated, whichever is later.

Criminal History Records Check

~~Note: These requirements are in~~ A criminal history records check must be initiated prior to employment, but the District may permit the individual to be hired and begin employment pending its outcome. See *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/pdf/guidance_chr.pdf.

A complete criminal history records check pursuant to 105 ILCS 5/10-21.9 (amended by P.A. ~~s-96-1452~~ and 97-607) and 105 ILCS 5/21-9 (amended by P.A. ~~s-96-1489~~ and 97-607 and scheduled to repeal on June 30, 2013 by P.A. 97-607 See also) consists of:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248).
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.)~~;~~, and
3. A check of the Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by 97-154)~~;~~

See also policy 4:170, *Safety*~~;~~ and administrative procedure 4:170-AP2, *Criminal Offender Notification Laws*. **Important:** 20 ILCS 2630/5(h)(2)(A) outlines how an individual may petition to have an arrest record expunged by the arresting authority and the records of the arrest sealed by the circuit court clerk. It also details offenses for which an individual cannot have his or her conviction sealed.

Note: The following criminal history records check guides are also available:

1. ~~A detailed~~ *Guide to Understanding Criminal Background Check Information* is available at: www.isp.state.il.us/docs/5-727.pdf.

2. ~~ISBE's non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel~~, at: www.isbe.net/pdf/guidance_chr.pdf.

The following individuals are responsible for the actions listed:

Applicant - Each applicant for employment in any position (except bus drivers ~~employed by a private student transportation contractor~~) must provide a written authorization for a ~~fingerprint-based complete~~ criminal history records check at the time he or she submits the application.

Student Teacher - Each student teacher must provide ~~payment of the costs of and a~~ written authorization for, ~~and pay the costs of,~~ his or her ~~higher educational institution to perform a~~ fingerprint-based criminal history records check ~~and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database (including any applicable vendor's fees)~~ prior to participating in any field experiences in the District. See 105 ILCS 5/10-21.9(g), ~~amended by P.A. 96-1452~~.

Applicant for Bus Driver - Each applicant for a bus driver position must complete the application required by the Secretary of State for a school bus driver permit (obtained from the District) and submit it to the District along with the necessary fingerprint submission as required by the Department of State Police to conduct a fingerprint-based criminal history records check. The Superintendent or designee will conduct a pre-employment interview with prospective school bus driver candidates, distribute school bus driver applications and medical forms, and submit the applicant's fingerprint cards to the Department of State Police. The Superintendent or designee will certify in writing to the Secretary of State that all pre-employment conditions have been successfully completed, including the successful completion of a criminal history records check as required by State law. The applicant must present the certification to the Secretary of State at the time of submitting the school bus driver permit application. See 625 ILCS 5/6-106.1, ~~amended by P.A. 96-962 and P.A. 96-1182 and 105 ILCS 5/10-21.9(g), amended by P.A. 96-1452~~.

Superintendent or designee - **Note:** *Add any additional steps to efficiently receive a ~~fingerprint-based complete~~ criminal history records check.*

1. Fingerprint-Based Criminal History Records Check:

For all applicants, the Superintendent or designee completes the required forms ~~in order~~ to request ~~a fingerprint-based~~ the criminal history records checks from an appropriate police or ~~live scan~~ LiveScan vendor. This may include submitting the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers to the ISP and FBI on the forms prescribed by each agency.

The Superintendent or designee will provide the applicant with a copy of the ISP and FBI reports. Required by 105 ILCS 5/10-21.9(b).

Note: For substitute teachers, superintendents will need to ensure that their districts perform these checks ~~again for substitute teachers~~. Contact the board attorney and/or ISBE regarding the validity of a *certificate of authorization*, if a substitute teacher presents one. From Jan. 1, 2011 through July 1, 2011, the Regional Superintendent of Schools or Suburban Cook County Intermediate Service Center, whichever is appropriate, was allowed to issue *certificates of authorization* to substitute teachers (105 ILCS 5/21-9(c), amended by P.A. 96-1489 and deleted by P.A. 97-607). Issuance of a *certificate of authorization* was proof that the substitute teacher applicant had met all of the requirements to substitute teach in the educational service region; i.e., a fingerprint-based criminal history records check, a physical

examination, and a negative tuberculin test. Because P.A. 97-607 deleted *certificates of authorization*, substitute teachers will no longer receive them because they no longer exist. For those substitute teachers who did receive them, there is not an answer to the question of whether their *certificates of authorization* are still valid. Attorneys in the field suggest looking for an expiration date on the *certificate of authorization*. If the document has no expiration date, it is likely invalid because the document no longer exists. If there is an expiration date, then the document is likely valid until the date listed.

For student teachers, the Superintendent ~~works with the higher education institution where the student teacher is enrolled to obtain or ensure or designee ensures~~ that the student teacher completes the required forms ~~to request, authorizations, and provides payment to the District for the costs of completing~~ a ~~fingerpint-based complete~~ criminal history records check ~~prior to student teaching~~ (105 ILCS 5/10-21.9(g), amended by P.A. ~~s 96-1452 and 97-154, see and~~ policy 5:260, *Student Teachers*). ~~For more information, see also ISBE's non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, available at: www.isbe.net/pdf/guidance_chr.pdf.~~

~~This may include submitting the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers to the Department of State Police on the forms prescribed by it.~~

~~The Superintendent or designee will provide the applicant with a copy of the conviction record obtained from the Department of State Police. Required by 105 ILCS 5/10-21.9(b).~~

2. Check of the Statewide offender databases. The Superintendent or designee performs a check for each applicant of:
 - a. The Statewide Sex Offender ~~Database (a/k/a Sex Offender Registry)~~, www.isp.state.il.us/sor, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/101 ~~et seq.~~), and
 - b. The Statewide Murderer and Violent Offender Against Youth Registry (~~www.isp.state.il.us/cmvo/~~), as authorized by the Child Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by P.A. 97-154).

The Superintendent or designee notifies an applicant if the applicant is identified in the database as a sex offender. Required by 105 ILCS 5/10-21.9 (a-5), (a-6) (amended by P.A. 97-154), and (b).

State Police and FBI - The ~~Department of State Police ISP~~ and FBI furnish records of convictions (until expunged), pursuant to ~~a fingerprint-based criminal history records check the District's request, to the School Board President or for a student teacher, the Superintendent and the higher education institution where the student teacher is enrolled.~~ **Note:** The ~~State Police ISP~~ and FBI must "furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board...". See 105 ILCS 5/10-21.9(a) and (g), amended by P.A. ~~s 96-1452 and 97-154 97-154.~~ ~~For a student teacher, the report shall be returned to the Superintendent or designee (see ISBE's non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, at: www.isbe.net/pdf/guidance_chr.pdf).~~

Board President - The School Code requires the Board President to keep a conviction record confidential. The information may only be shared between the Board President, the Superintendent or designee, Regional Superintendent (if the check was requested by the District), State Superintendent of Schools, State Educator Preparation and Licensure Board, any other person necessary to the hiring

decision, or for clarification purposes, the Department of State Police and/or Statewide Sex Offender Database Registry. See 105 ILCS 5/10-21.9(b) ~~(amended by P.A. 96-1452)~~ and 105 ILCS 5/21B-10 (added by P.A. 97-607).

Regional Superintendent/Suburban Cook County Intermediate Service Center - ~~Whenever an applicant is seeking employment in more than one District as either a substitute or part-time teacher or educational support personnel employee,~~ The Superintendent or designee may require the applicant to authorize the Regional Superintendent or Suburban Cook County Intermediate Service Center, whichever is appropriate, to conduct the check when an applicant is (1) seeking employment in more than one District simultaneously as (a) a substitute teacher, (b) a concurrent part-time employee, and/or (c) educational support personnel, or (2) the employee works for a contractor holding contracts with more than one district. The Regional Superintendent or Suburban Cook County Intermediate Service Center, whichever is appropriate, also performs a check of the Statewide Sex Offender Database ~~(Registry, www.isp.state.il.us/sor),~~ as authorized by the Sex Offender Community Notification Law (730 ILCS 152/115) and the Violent Offender Against Youth Database ~~(Registry, www.isp.state.il.us/cmvo/),~~ as authorized by the Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by P.A. 97-154). See 105 ILCS 5/10-21.9 (a-5), (a-6)(amended by P.A. 97-154), and (b).

Contractors - The above requirements for fingerpint-based a complete criminal history records check apply to every employee or agent of any contractor if the employee or agent has ~~direct, daily any~~ contact, direct or indirect, with students (105 ILCS 5/10-21.9(f) and (g) (amended by P.A.s 97-607 and 97-154). Every contractor with the District shall: (1) make every employee or agent available to the District to submit to a complete criminal history records check, (2) agree to a contract provision that it will make its employees available to the District for the criminal history records check, and (3) submit payment for the costs of the check(s) to the District.

Note: The provisions in 105 ILCS 5/10-21.9(f) and (g) (amended by P.A.s 97-607 and 97-154) apply to employees of contractors who have “direct, daily contact with students.” ~~Thus, districts must: (1) seek a fingerprint-based To be comprehensive and to eliminate uncertainty, this procedure and policy 4:170, Safety, requires~~ criminal history records ~~check for checks on all such contractor’s employees,~~ or ~~(2) include a provision who may work in the contract with the contractor that any school building or on school property.~~ Whether the District uses the comprehensive language or the direct language from the School Code, the District, not the contractor will obtain the fingerprint-based criminal history records check and submit it to the district, must perform the background checks. Contractors are not authorized under any State or federal law to: (1) conduct the required criminal history background checks, or (2) see the employee’s criminal history furnished by the ISP and the FBI. All contracts should also require the contractor to purchase insurance to cover misconduct by their employees and/or an indemnification clause. Additionally, ~~a district the Superintendent or designee~~ should check ~~its own~~ insurance coverage to determine whether employees of contractors are covered. See also policy 4:170, *Safety*, for the responsibilities of contractors. Last, if ~~a district receives the District has received, within the last year,~~ information that concerns the record of conviction and identification as a sex offender of any contractors’ employees, the District must provide the information to another school, school district, community college district, or private school that requests it (105 ILCS 5/10-21.9(h), amended by P.A. 97-248. For more information, see ISBE’s non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, available at: www.isbe.net/pdf/guidance_chr.pdf. Unless notified by the individual named in a criminal history records information (CHRI) request or by the ISP that the information furnished in a CHRI report is inaccurate or incomplete, the District cannot be liable for damages to any person to whom the CHRI pertains for actions it reasonably took in reliance on the accuracy and completeness of CHRI report (20 ILCS 2635/7(A)(3).

District - The School District complies with 105 ILCS 5/10-21.9 (amended by P.A.s 97-154, 97-248, and 97-607) and 5/21B-80 (added by P.A. 97-607). It will not knowingly employ a person, or allow a person to work or student teach on school grounds, who:

1. Has been convicted of committing or attempting to commit any one or more of the following offenses:
 - a. Attempting to commit, conspiring to commit, soliciting, or committing first-degree murder or any Class X felony.
 - b. Sex offenses as defined in Sections 11-6 and 11-9 through 11-9.5, inclusive, Sections 11-14 through 11-21, inclusive, Sections 11-23 (if punished as a Class 3 felony), 11-24, 11-25, and 11-26, and Sections 12-4.9, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-32, and 12-33 of the Criminal Code of 1961.
 - c. Those defined in the Cannabis Control Act, 720 ILCS 550/, except 720 ILCS 550/4(a), 550/4(b), and 550/5(a).
 - d. Those defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq.
 - e. Those defined in the Methamphetamine Control and Community Protection Act, 720 ILCS 646/.
 - f. Any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in Illinois, would have been punishable as one or more of the foregoing offenses.
2. Has been found to be the perpetrator of sexual or physical abuse of any minor less than 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

Reporting New Hires

The Superintendent or designee shall timely file an IRS Form W-4 or IDES New Hire Reporting Form for each newly hired employee with the Illinois Department of Employment Security. See 820 ILCS 405/1801.1.

Instruction

Administrative Procedure - Comprehensive Health Education Program

The major educational areas of the District's comprehensive health education program are described below:

1. In all elementary and secondary schools the health program shall include human ecology and health; human growth and development; the emotional, psychological, physiological, hygienic, and social responsibilities of family life (including sexual abstinence until marriage); prevention and control of disease, and course material and instruction to advise students of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation, types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. ¹
2. In grades pre-K through 12, age appropriate sexual abuse and assault awareness and prevention education shall be included. ² The grades 6-12 health program shall include the prevention, transmission and spread of AIDS; public and environmental health; consumer health; safety education and disaster survival; mental health and illness; personal health habits; alcohol and drug use and abuse (including the medical and legal ramifications of alcohol, drug, and tobacco use and abuse during pregnancy); sexual abstinence until marriage; tobacco; nutrition; and dental health. ~~Secondary schools shall include sexual assault awareness.~~ ³
3. The following areas may also be included in the curricula: basic first aid (including cardiopulmonary resuscitation and the Heimlich maneuver); in grades 6-8, video training on cardiopulmonary resuscitation and how to use an automated external defibrillator; heart disease; diabetes; stroke; the prevention of child abuse, neglect, and suicide; and teen dating violence in grades 8-12. ⁴
4. In grades 5-12, the health program shall include instruction on alcohol and drug use and abuse, including the consequences of drug and substance abuse. ⁵
5. In grades K-8, students should be provided with age-appropriate information about the dangers of drug abuse. The District's educational program shall offer drug education units that are integrated into the curricula and are designed to promote effective methods for the prevention and avoidance of drug and substance abuse. ⁶

The footnotes should be removed before the material is used.

¹ Required by 105 ILCS 110/3, amended by P.A. 97-1147, eff. 1-24-2013.

² Id. Sexual assault awareness in secondary schools was repealed by P.A. 97-1147 and replaced by "grades pre-K through 12." Knowing how the School Code defines secondary education may still be helpful for other listed curriculum requirements (105 ILCS 5/22-22 defines secondary education as the curriculum offered by a school district or an attendance center or centers serving grades 9 through 12 or grades 10 through 12).

³ Id.

⁴ 105 ILCS 5/27-17, amended by P.A. 97-714; and 110/3. A toolkit about teenage dating abuse is available online. It is titled Preventing, Assessing, and Intervening in Teenage Dating Abuse: A Training for Specialized Instructional Support Personnel. Materials include a PowerPoint and handouts. See safesupportivelearning.ed.gov/index.php?id=1511.

⁵ Id.

⁶ 105 ILCS 5/27-13.2.

6. In grades 7-12, the program shall include the prevention of abuse of anabolic steroids. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students participating in these programs. **7**
7. The family life and sex education program shall be developed in a sequential pattern and related in depth and scope to the students' physical, emotional, and intellectual maturity level. Family life courses offered in grades 6-12, shall include information regarding the alternatives to abortion and information regarding the prevention, transmission, and spread of AIDS. Course content shall be age-appropriate. **8**

Class sessions which deal exclusively with human sexuality may be conducted separately for males and females.
8. The health program in grades K-8 shall include annual instruction on the danger of and how to avoid abduction as part of the District's regular curriculum. Students shall be given, as appropriate, information on child sexual abuse. **9**
9. Students shall be provided parenting education in grades 6-12. **10**
10. Students shall be provided safety education in all grades. **11**
11. All students shall receive age-appropriate instruction on motor vehicle safety and litter control. **12**
12. Students in grades 9 or 10 shall receive instruction on donations and transplants of organs/tissue and blood. **13**

No student shall be required to take or participate in any class or course on AIDS, family life instruction, sex abuse, or organ/tissue transplantation, if his or her parent/guardian submits a written objection to the Building Principal. Parents/guardians of students in grades kindergarten through 8 shall be given at least 5 days written notice before instruction on avoiding sex abuse begins. Refusal to take or participate in any such course or program shall not be reason for disciplinary action or academic penalty. **14**

Parents/guardians shall be provided the opportunity to preview all print and non-print materials used for instructional purposes. **15**

The footnotes should be removed before the material is used.

7 Required by 105 ILCS 5/27-23.3, as implemented by 23 Ill.Admin.Code §1.420(u).

8 Course requirements are mandated by 105 ILCS 5/27-9.1 and 5/27-9.2, but offering the course is optional. 105 ILCS 5/27-9.1 lists several requirements for sex education courses that discuss sexual intercourse. The law also requires instruction about the dangers of drug and alcohol consumption during pregnancy.

9 The first sentence is required by 105 ILCS 5/27-13.2 and 23 Ill.Admin.Code §1.420(t). The second sentence is optional according to 105 ILCS 5/27-13.2.

10 Course requirements are mandated by 105 ILCS 5/27-23.1, but offering the course is optional.

11 Optional according to 105 ILCS 5/27-17.

A repealed statute required ISBE to develop a model program for "reduction of self-destructive behavior" and invited districts to include such instruction in their curriculum (105 ILCS 5/27-23.2). ISBE never developed the program but any district that includes such instruction may add this provision, amending it to reflect its program: "Students in grades 6-12 shall receive instruction for decreasing self-destructive behavior, including methods for increasing life-coping skills, self-esteem, and parenting skills of adolescents and teenagers as a deterrent to their acceptance or practice of self-destructive actions."

12 Optional. Formerly required by 105 ILCS 5/27-23 and now repealed by P.A. 96-734. Delete this sentence if the district no longer provides this education.

13 Optional according to 105 ILCS 5/27-23.5.

14 Required by 105 ILCS 5/27-9.1, 5/27-13.2, and 5/27-23.5.

15 Id.

LEGAL REF.: 105 ILCS 5/27-9.1, 5/27-9.2, 5/27-13.2, 5/27-17, 5/27-23.1, 5/27-23.3, 5/27-23.5,
5/27-26, and 110/3.

Instruction

Exhibit - Authorization to Participate in the Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct Agreement

This form accompanies policy 6:220, Bring Your Own Technology (BYOT); Responsible Use and Conduct. It must be signed before a student participates in a BYOT Program. Please submit this form to the Building Principal.

Student _____

School year _____

To be read and signed by the student-participant and his/her parent/guardian:

Dear Parents/Guardians:

Our School District allows students to participate in a curriculum-based Bring Your Own Technology (BYOT) Program. You must authorize your child's participation in the program by agreeing to the following terms and discussing them with your child. This authorization and agreement needs to be signed only once while your child is enrolled in the District.

Your child must also sign the District's *Acceptable Use of Electronic Networks* agreement to participate in the program. If you have not read and signed this document or do not know whether one is already on file in the District, contact your Building Principal. You may also ask your Building Principal for any other forms or exhibits referenced in the BYOT authorization and agreement below.

The violation of any laws or Board policies while participating in the program may result in the loss of your child's privilege to participate in the program. Remember that you are legally responsible for your child's actions. If you agree to allow your child to participate in BYOT program, sign the authorization and agreement below and return it to your school.

The teacher's role in the program is that of instructor in your child's classroom. Teachers cannot spend time fixing technical difficulties with BYOT devices. Parents/guardians and their children share the responsibility for technical support and providing a properly charged BYOT device. If a BYOT device has technical difficulties: (1) a District-owned device may be provided, if available, or (2) students may be asked to partner with another student who has a functioning BYOT device during a lesson. The District will also expect you and your child to keep the BYOT device free from viruses, malware, and/or any other harmful programs that could damage the District's electronic network. Finally, the right to privacy in your child's BYOT device is limited while it is on any school property.

Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement

I hereby request that my child be allowed to participate in the District's BYOT program. *(Please indicate agreement by initialing the checkbox.)*

- I have read this *BYOT Participation Authorization and Responsible Use* agreement. I understand the program is designed for educational purposes and that the District's Internet gateway must be accessed to minimize access to inappropriate material.
- I will hold harmless the District, its employees, agents, and Board members, for any harm caused by materials or software obtained via the District's network and compliance with federal law(s) (the Children's Internet Protection Act (CIPA) requirements).

- I have previously signed the *Student Authorization for Electronic Network Access* form. I have also read and discussed with my child the following documents: (1) the Responsible Use and Conduct portion of policy 6:220, *Bring Your Own Technology (BYOT) Programs; Responsible Use and Conduct*; (2) 6:220-E2, *Bring Your Own Technology (BYOT) Program Student Guidelines*; and (3) 6:235-E5, *Children's Online Privacy Protection Act*.
- I understand that my child and I share the responsibility for technical support, providing a properly charged BYOT device, and keeping the BYOT device free from viruses, malware and/or any other harmful programs that could infect or harm the District's electronic network.
- I understand that the District does not provide liability protection for BYOT devices, and it is not responsible for any damages.
- I understand that my child's privacy rights in his/her BYOT device while on any school property are limited as outlined in Board policy.
- I consent that my child may share another student's BYOT device, or in the alternative, be asked to share his/her BYOT device with another student, from time to time as directed by the classroom teacher.

Parent/Guardian (*please print*)

Date

Parent/Guardian signature

Student signature

To be read and signed by student and parent/guardian who is not participating:

I have decided **not to participate** in the BYOT program sponsored by the School District for the remainder of this school year. In order for me to participate in the BYOT program at a later date, I understand that I must contact the Building Principal and sign the above *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement Form*.

Parent/Guardian (*please print*)

Date

Parent/Guardian signature

Student signature

Enclosures: 6:220, *Bring Your Own Technology (BYOT) Programs; Responsible Use and Conduct*; 6:220-E2, *Bring Your Own Technology (BYOT) Program Student Guidelines*; 6:235-E5, *Children's Online Privacy Protection Act*

Instruction

Exhibit - Bring Your Own Technology (BYOT) Program Student Guidelines

This exhibit accompanies policy 6:220, Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct. It should be sent home with students along with 6:220-E1, Authorization to Participate in the Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct Agreement. It outlines BYOT guidelines. Building Principals may want to include this in the student handbook. Modify this exhibit to reflect the District's and any building-specific guidelines.

The purpose of the District's BYOT program is to extend and enrich the learning environment. The following guidelines apply to students who participate in the program:

- Access only the District's Internet gateway. The District filters access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate at school pursuant to policy 6:235, *Access to Electronic Networks*. Make no attempts to bypass the District's Internet gateway. Similar to when a filter is disabled or malfunctions, it is impossible to control all Internet material, and a BYOT participant may discover inappropriate material. It may also be discovered if and/or when sharing a BYOT device with another student. Report inappropriate content and conduct to your classroom teacher.
- Follow the standards of your parents/guardians. The District respects each family's right to decide whether or not to participate. District-provided technology may be an alternative.
- Access only authorized data or files on the computer or Internet sites that are relevant to the classroom curriculum and suggested by a teacher. Students are strictly prohibited from infecting the District's network(s) with a virus or malware program designed to damage, alter, or destroy the network, and hacking, altering, or bypassing security policies. Using anti-virus and anti-malware software on BYOT devices is encouraged. The District may examine any BYOT device that it suspects is causing network problems or may be the source of an attack or virus infection.
- Use of a BYOT device is subject to policy 7:190, *Student Discipline*. That means BYOT devices are for curriculum-based instruction only. Devices are still prohibited during non-instructional times, e.g., the cafeteria, gymnasium, locker rooms, hallways, and bathrooms, etc.
- Transmit only appropriate content while using the District's electronic network. At no time, may a photographic image or video of any person on campus be made, posted, or shared. Any reasonable suspicion of an activity that violates law or Board policies will be treated according to policy 7:140, *Search and Seizure*. Bullying or sexual material will not be tolerated and will be managed pursuant to policy 7:180, *Preventing Bullying, Intimidation, and Harassment*. Retrieval of devices that become involved in a law enforcement investigation is the student and parent/guardian's responsibility.
- Charge all BYOT devices prior to school every day. Turn off and keep BYOT devices in the sight of the teacher during assessments, unless otherwise directed by a teacher. Immediately follow any teacher's instruction to shut down BYOT devices or close the screen. All BYOT devices must be in silent mode and put away when directed by teachers.
- Sharing BYOT devices with other students is allowed only when a parent/guardian has approved this in writing through the *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement Form* and the teacher has directed it.

Instruction

Exhibit - Children's Online Privacy Protection Act

On District letterhead:

RE: Children's Online Privacy Protection Act

Dear Parent(s)/Guardian(s):

This letter is being sent as part of the District's continuing effort to educate parents and students about privacy protection and Internet use.

The Children's Online Privacy Protection Act gives parents control over what information websites can collect from their children. Many companies, however, are not providing information about what data a mobile app collects, who will have access to that data, and how it will be used. Allowing your child access to games and other seemingly harmless applications on a smartphone or computer risks his or her exposure to intrusive marketing and access to personal information.

A recent survey of apps for children by the Federal Trade Commission found that 10 percent of apps with social networking services did not disclose their presence; 17 percent of the apps allowed children to make purchases without parent/guardian consent; and 58 percent contained constant advertising, while less than 20 percent disclosed that advertising would appear.

The following suggestions may help keep children from being bombarded by unwanted advertising, from making unwanted purchases and from disclosing personal information and location:

- Be choosy about the applications that you let your child use. Try the app yourself to check for advertising messages and/or social networking and purchase options before allowing your child access.
- Select activities that do not require access to the Internet or an application, such as looking at family pictures or listening to preselected music, screened and approved by you.
- Make certain that the ability to make purchases is password protected.
- Set up family rules and consequences explaining that all purchases made via a smartphone or computer must have parent/guardian consent.
- Caution children about the use of social networking and other sites and/or apps that can pinpoint locations.
- Monitor computer and smartphone use whenever and wherever possible.

For more information on the Children's Online Privacy Protection Act, please see the following links:

www.ftc.gov/opa/2012/12/kidsapp.shtm

www.ftc.gov/opa/reporter/privacy/coppa.shtml

Sincerely,

Instruction

Exhibit - Resource Person and Volunteer Information Form and Waiver of Liability

~~Only one~~ Volunteers must complete this form ~~needs to be completed by a volunteer~~ one time each school year. Please print clearly in ink:

Name _____
Last First Middle Telephone

Address _____
Street City Zip code

Personal physician _____ Telephone _____

Emergency adult contact _____ Telephone _____

Are you now or have you ever been a school volunteer? Yes No

If yes, at which school? _____ Year? _____

The name of any child or ward attending this school _____

Criminal Conviction Information: Are you a child sex offender? Yes No

Have you ever been convicted of a felony? Yes No If Yes, list all offenses.

Offense	Date	Location
_____	_____	_____
_____	_____	_____

If requested, are you willing to consent to a criminal history records check? Yes No

Waiver of Liability

The School District does not provide insurance coverage to non-District personnel serving as volunteers for the School District. The purpose of this waiver is to provide notice to prospective volunteers that they do not have insurance coverage by the School District and to document the volunteer’s acknowledgment that they are providing volunteer service at their own risk.

By your signature below:

You acknowledge that the School District does not provide insurance coverage for the volunteer for any loss, injuries, illness, or death resulting from the volunteer’s unpaid service to the School District.

You agree to assume all risk for death or any loss, injury, illness, or damage of any nature or kind, arising out of the volunteer’s supervised or unsupervised service to the School District. You also agree to waive any and all claims against the School District, or its officers, School Board Members, employees, agents or assigns, for loss due to death, injury, illness or damage of any kind arising out of the volunteer’s supervised or unsupervised service to the School District.

Volunteer name (please print)

Volunteer signature

Date

For School Use Only

General description of assignment(s):

- Supervising students as needed by a teacher
- Supervising students during a regularly scheduled activity
- Assisting with academic programs
- Assisting at the resource center or main office
- Other _____

Name of supervising staff member _____

Statewide Child Sex Offender Database Registry Database, www.isp.state.il.us/sor/

ListRegistry checked by: _____ Date _____ (mandatory)

Statewide Murderer and Violent Offender Against Youth Registry, www.isp.state.il.us/cmvo/

Registry checked by: _____ Date _____ (mandatory)

Dru Sjodin National Sex Offender Public Website (NSOPW), www.nsopr.gov

NSOPW checked by: _____ Date: _____ (mandatory)

To be completed by the Building Principal:

Will the individual be working over a long period of time in direct contact with students where no staff member is continuously present or in other situations where a fingerprint-based criminal history records check would be prudent? Yes No

If "yes", and provided the individual authorized the fingerprint-based criminal history records check, please provide the following:

Date that the background check was requested _____

Date that the background check was received and reviewed _____

Check reviewed by (*please print*) _____

Signature of reviewer

Date

Students

Student Handbook - Electronic Devices 1

Electronic Signaling Devices 2

Students may not use or possess electronic signaling (paging) devices or two-way radios on school property at any time, unless the Building Principal specifically grants permission.

Cell Phones and Other Electronic Devices 3

The possession and use of smartphones, cell phones, and other electronic devices, other than paging devices and two-way radios, are subject to the following rules:

1. They must be kept out of sight and in an inconspicuous location, such as a backpack, purse, or locker.
2. They must be turned **off** during the regular school day unless the supervising teacher grants permission for them to be used or if needed during an emergency.
3. They may not be used in any manner that will cause disruption to the educational environment or will otherwise violate student conduct rules.
4. They may not be used for creating, sending, sharing, viewing, receiving, or possessing *indecent visual depictions* as defined in State law, i.e., *sexting*. **4** Possession is prohibited regardless of whether the depiction violates State law. Any cellular phone or electronic

The footnotes should be removed before the material is used.

1 105 ILCS 5/10-20.28, grants school boards the authority to “establish appropriate rules and disciplinary procedures governing the use or possession of cellular radio telecommunication devices by a student while in a school or on school property, during regular school hours, or at any other time.” The statute contains no mandates. School boards that adopted policies prohibiting students from using or possessing any cell phones on school property must amend those policies before using this sample student handbook language about cell phones and electronic devices.

Some boards may prefer to maintain their ban on cell phone and pager use and possession on school grounds. With the advent of sexting, bans on cell phone and electronic device usage during school hours is a viable sexting prevention option. If so, the administration should not change the student handbook’s language with the use this sample language.

2 State law still prohibits student possession of electronic paging devices (105 ILCS 5/10-21.10) unless the school board has expressly authorized use or possession of the device or similar electronic paging device by a student when in a school building or on school property.

3 The School Code does not define *electronic device* but 705 ILCS 405/3-40(a), ~~added by P.A. 96-1087, eff. 1-1-11,~~ provides guidance in its definition of an *electronic communication device*. Electronic communication device includes, but is not limited to, electronic devices, wireless telephones, personal digital assistants, or portable or mobile computers, that are capable of transmitting images or pictures. *Wireless telephone* is synonymous with *cellular telephone* (see www.thesaurus.com, listing cellular and wireless telephones as synonyms). Because the terms are synonyms, an electronic communication device also includes a cellular telephone. While the definition of electronic communication device at 705 ILCS 405/3-40(a), ~~added by P.A. 96-1087, eff. 1-1-11,~~ appears to make using both *cell phone* and *electronic device* redundant, this sample will continue to use both terms for simplicity. Change the subhead to *electronic communication devices* if the district wants to use one term.

4 705 ILCS 405/3-40, ~~added by P.A. 96-1087, eff. 1-1-11 (a).~~ *Sexting* is a portmanteau word of sex and texting with no clear definition. It is commonly explained as the act of sending sexually explicit photos, images, or messages electronically, primarily by mobile phone or the internet. It includes *indecent visual depiction*, which means a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the person ~~(Id. at (a), added by P.A. 96-1087, eff. 1-1-11).~~

device may be searched upon reasonable suspicion of sexting or other violations of policy. All sexting violations will require school administrators to follow student discipline policies in addition to contacting the police and reporting suspected child abuse or neglect when appropriate.

Electronic study aids may be used during the school day if:

1. Use of the device is provided in the student's IEP, or
2. Permission is received from the student's teacher; e.g., BYOT programs.

Examples of electronic devices that are used as study aids include devices with audio or video recording, iPods®, some cellular telephones, smartphones, laptop computers, and tablet computers or devices, e.g., iPads®.

Examples of electronic devices that are **not** used as study aids include: hand-held electronic games, CD players, MP3 players/iPods® used for a purpose other than a study aid, global positioning systems (GPS), radios, and cellular telephones (with or without cameras ~~and other portable mobile computers capable of transmitting images or pictures~~) used for a purpose other than a study aid.

The use of technology as educational material in a curriculum-based program is not a necessity but a privilege, and a student does not have an absolute right to use his or her electronic device while at school. Using technology as a study aid must always follow the established rules for the BYOT program. Using technology at all other times must always follow the established rules for cell phones and other electronic devices at school.

The School District is not responsible for the loss or theft of any electronic device brought to school.

Community Relations

Administrative Procedure - Parental Involvement 1

Building Principals shall advocate effective, comprehensive family involvement in education that will promote parents/guardians becoming active partners in education. Building Principals shall, at least once every semester, provide a written report to the Superintendent on parental involvement programs and efforts in their buildings. This administrative procedure identifies opportunities for parental involvement.

The District or school provides notices to parents/guardians on the following topics (list may not be exhaustive):

- Public hearing on holding school or scheduling teachers' institutes, parent-teacher conferences, or staff development on certain holidays. 105 ILCS 5/24-2(b).
- Free and reduced-price food service. 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(c).
- Fee waiver. 23 Ill.Admin.Code §1.245.
- Applications of pest control and/or lawn care products. 225 ILCS 235/10.3, 415 ILCS 65/3.
- Instruction on recognizing and avoiding sexual abuse. 105 ILCS 5/27-13.2.
- Parental school visitation rights. 820 ILCS 147/25.
- Child's placement in English language learner programs. 105 ILCS 5/14C-4.
- Major school-sponsored events, including parent-teacher conferences, given to non-custodial parents. 105 ILCS 5/10-21.8.
- Unexplained absence from school of a student in K-8 (within two hours). 105 ILCS 5/26-3b.
- Graduation requirements, particularly when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).
- A student's suspension and/or expulsion. 105 ILCS 5/10-22.6.
- Electronic audio and/or visual recording devices if located on school buses. 720 ILCS 5/14-3(m).
- Physician who prescribes District's supply of epinephrine auto-injectors is protected from liability, with limited exceptions. 105 ILCS 5/22-30(c).
- Availability of the District report card. 105 ILCS 5/10-17a.

See also:

- 6:170-AP2, *Notice to Parents Required by No Child Left Behind Act of 2001*
- 7:190-E2, *Student Handbook Checklist*
- 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*

State laws have created parental involvement opportunities on the following topics:

Students Records

Parents/guardians have many rights concerning their student's school records, including the right to access the records (105 ILCS 10/5); the right to challenge the content (105 ILCS 10/7); and

The footnotes should be removed before the material is used.

¹ Sample materials on parental involvement are also covered in 6:170, *Title I Programs*, for those districts that receive Title I funds. Districts that do not receive Title I funds may use this sample procedure exclusively. Title I imposes additional requirements for parental participation programs; these requirements are covered in 6:170, *Title I Programs*; 6:170-AP1, *Checklist for Development, Implementation and Maintenance of Parental Involvement Compacts for Title I Programs*; 6:170-AP1, E1, *District-Level Parental Involvement Compact*; and 6:170-AP1, E2, *School-Level Parental Involvement Compact*.

a non-custodial parent has the right to receive copies of school correspondence and reports (105 ILCS 5/10-21.8).

Parent-Teacher Advisory Committees

The School Board establishes a parent-teacher advisory committee(s) on student discipline and behavior interventions for special education students. 105 ILCS 5/10-20.14 and 5/14-8.05(c).

Curriculum Involvement

The District must involve the parents/guardians of a child with disabilities in their child's education and placement. 105 ILCS 5/14-1 et seq., 23 Ill.Admin.Code §§226.500, 510 and 610.

If a parent/guardian objects, the student is not required to take sex education classes or courses. 105 ILCS 5/27-9.1, 5/27-9.2, and 110/3.

A parent/guardian has the right to examine instructional materials to be used in sex education classes or courses. 105 ILCS 5/27-9.1, 5/27-9.2, and 110/3.

The Board determines the instructional program with involvement of parents/guardians. 23 Ill.Admin.Code §1.410.

The District must consult with parent/guardian on an individual remediation plan for students demonstrating a proficiency level comparable to the average pupil performance one grade or more below current placement. 105 ILCS 5/2-3.64(b).

The District must notify parents/guardians of graduation requirements and when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).

The Board may use parent/guardian volunteers as: (1) assistants under the immediate supervision of a certificated teacher (105 ILCS 5/10-22.34); (2) supervisors, chaperones, or sponsors for non-academic activities (105 ILCS 5/10-22.34a); and (3) guest lecturers or resource persons under the immediate supervision of a certificated teacher (105 ILCS 5/10-22.34b).

Upon a parent/guardian's request, a student must be released for religious instruction or observance. 105 ILCS 5/26-1(5).

The District must post the school report card on its website and, upon request, send it to parents/guardians. If the District does not maintain a website, the report card must be sent to parents/guardians without request. The District must send a written notice home to parents/guardians stating: (1) that the report card is available on the website; (2) the website address; (3) that a printed copy will be sent upon request; and (4) the telephone number to call to request a printed copy. 105 ILCS 5/10-17a.

Conferences and Hearings

The District must notify parents/guardians and consult with them and keep them involved with the education and placement of their child with disabilities. 105 ILCS 5/14-1 et seq.

Parents/guardians have the right to an unpaid leave from work to attend educational or behavioral conferences. 820 ILCS 147/1.

The District may use 2 days for parent-teacher conferences and may add more days to the teacher work year subject to collective bargaining. 105 ILCS 5/3-11.

A non-custodial parent receives notices of parent-teacher conferences. 105 ILCS 5/10-21.8.

A hearing with the parents/guardians must precede a student's expulsion. 105 ILCS 5/10-22.6.

Report on Parental Involvement

Parental involvement must be included in the school report card. 105 ILCS 5/10-17a.

Training

Parents as teachers program. 105 ILCS 225/5.

The following Board policies provide opportunities for parental involvement:

School Board

- 2:150 Committees
- 2:260 Uniform Grievance Procedure

Operational Services

- 4:10 Fiscal and Business Management
- 4:110 Transportation
- 4:130 Free and Reduced-Price Food Services
- 4:140 Waiver of Student Fees
- 4:160 Hazardous and Infectious Materials
- 4:170 Safety

Personnel

- 5:230 Maintaining Student Discipline

Instruction

- 6:60 Curriculum Content
- 6:120 Education of Children with Disabilities
- 6:140 Education of Homeless Children
- 6:150 Home and Hospital Instruction
- 6:180 Extended Instructional Programs
- 6:190 Extracurricular and Co-Curricular Activities
- 6:235 Access to Electronic Networks
- 6:270 Guidance and Counseling Program
- 6:280 Grading and Promotion
- 6:300 Graduation Requirements
- 6:310 Credit for Alternative Courses and Programs, and Course Substitutions
- 6:340 Student Testing and Assessment Program

Students

- 7:15 Student and Family Privacy Rights
- 7:20 Harassment of Students Prohibited
- 7:30 Student Assignment
- 7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students
- 7:50 School Admissions and Student Transfers to and from Non-District Schools
- 7:60 Resident
- 7:70 Attendance and Truancy
- 7:80 Release Time for Religious Instruction/Observance
- 7:90 Release During School Hours
- 7:100 Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students
- 7:150 Agency and Police Interviews
- 7:165 School Uniforms
- 7:170 Vandalism
- 7:190 Student Discipline
- 7:200 Suspension Procedures
- 7:210 Expulsion Procedures
- 7:230 Misconduct by Students with Disabilities
- 7:240 Conduct Code for Participants in Extracurricular Activities
- 7:250 Student Support Services

7:260	Exemption from Physical Activity
7:270	Administering Medicines to Students
7:275	Orders to Forgo Life-Sustaining Treatment
7:280	Communicable and Chronic Infectious Disease
7:290	Adolescent Suicide Awareness and Prevention Programs
7:300	Extracurricular Athletics
7:340	Student Records

Community Relations

8:30	Visitors to and Conduct on School Property
8:95	Parental Involvement

School-level parental involvement programs include:

1. Keeping parents/guardians thoroughly informed about their child's school and programs.
 - Develop and distribute a comprehensive student handbook.
 - Distribute information to parents/guardians on their school visitation rights.
 - Promote open houses.
 - Promote parent/guardian-teacher conferences.
 - Provide progress reporting and report cards, and keep parents/guardians informed when their child is not adequately progressing and there is a likelihood he or she may be retained.
 - Publish newsletters.
 - Sponsor financial information nights.
2. Encouraging involvement in their child's school and education.
 - Support and encourage parents/guardians volunteer opportunities.
 - Work with the PTO to promote parents/guardians volunteer opportunities.
 - Develop and use outreach programs to community groups and organizations.
3. Establishing effective two-way communication between all parents/guardians and District personnel.
 - Monthly Building Principal coffees.
 - Work with PTO leadership to ensure parental input.
 - Train personnel to collaborate with families of diverse backgrounds, including backgrounds that might impede parental participation, e.g., illiteracy or language difficulty.
4. Seeking the advice of parents/guardians on school governance issues and methods to fulfill the District's educational mission.
 - Work with PTO leadership to ensure parental input.
 - Establish a school-community advisory committee to identify, consider, and discuss educational problems and issues.
5. Informing parents/guardians how they can assist their children's learning
 - Provide information to parents/guardians about activities they can do at home.
 - Provide programs on how to establish a home environment that supports learning and appropriate behavior.
 - Implement a homework-hotline.