

## General Personnel

### Court Duty<sup>1</sup>

The District will deduct any fees that an employee receives for court duty, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to the District.<sup>2</sup>

An employee should give at least five days' prior notice of pending court duty to the District.<sup>3</sup>

### Witness Duty

The District will pay full salary during the time a licensed employee is absent due to a subpoena to serve as a witness in a trial or have a deposition taken in any school-related matter pending in court.<sup>4</sup>

### Jury Duty

The District will pay full salary during the time a licensed employee is absent due to jury duty.<sup>5</sup>

LEGAL REF.:      105 ILCS 5/10-20.7.  
                       705 ILCS 305/4.1, Jury Act.

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

<sup>1</sup> State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. If a local collective bargaining agreement contains a provision on court duty, it will supersede this policy for those covered employees. In such cases, the board policy should be amended to state, "Please refer to the applicable collective bargaining agreement." For employees not covered, the policy should reflect the board's current practice.

For more information about subpoenas of school district employees and responding to all types of subpoenas generally, see the Ill. Council of School Attorneys guidance document titled [Answers to FAQs Responding to a Subpoena](http://www.iasb.com/law/FAQsubpoena.pdf), at [www.iasb.com/law/FAQsubpoena.pdf](http://www.iasb.com/law/FAQsubpoena.pdf).

<sup>2</sup> State law permits these deductions but does not mandate them. 105 ILCS 5/10-20.7.

<sup>3</sup> State law does not provide a deadline, and a district cannot refuse to pay full salary to an employee who fails to follow the policy's deadline.

<sup>4</sup> The School Code mandates this provision for certificated [licensed] employees serving witness duty. 105 ILCS 5/10-20.7. Despite the statute's limitation to licensed employees, many boards apply this language to educational support personnel. For boards that wish to apply this language to both licensed and educational support personnel, strike ~~licensed~~ from the text and correct the grammar.

<sup>5</sup> The School Code mandates this provision for certificated [licensed] employees serving jury duty. 105 ILCS 5/10-20.7. In contrast, the Jury Act requires that employers give any employee time off from employment for jury duty, but it does not require that employers pay the employee while on jury duty. 705 ILCS 305/4.1. Despite the statute's limitation to licensed employees, many boards apply this language to educational support personnel. For boards that wish to apply this language to both licensed and educational support personnel, strike ~~licensed~~ from the text and correct the grammar.