

## School Board

### Ethics and Gift Ban <sup>1</sup>

#### Prohibited Political Activity

The following precepts govern political activities being conducted by District employees and School Board members:

1. No employee shall intentionally perform any *political activity* during any *compensated time*, as those terms are defined herein. <sup>2</sup>
2. No Board member or employee shall intentionally use any District property or resources in connection with any political activity. <sup>3</sup>
3. At no time shall any Board member or employee intentionally require any other Board member or employee to perform any political activity: (a) as part of that Board member's or employee's duties, (b) as a condition of employment, or (c) during any compensated time off, such as, holidays, vacation, or personal time off.
4. No Board member or employee shall be required at any time to participate in any political activity in consideration for that Board member or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise; nor shall any Board member or employee be awarded additional compensation or any benefit in consideration for his or her participation in any political activity.

---

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

<sup>1</sup> The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/) requires a policy on this subject matter and controls its content (5 ILCS 430/70-5). This policy contains items on which collective bargaining may be required. Any policy that impacts wages, hours, or 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 concerns an area in which the law is unsettled.

The Ill. Attorney General developed a model [ethics](http://www.ag.state.il.us/government/ethics_ordinance.html) ordinance to assist units of local government and school districts. See [www.ag.state.il.us/government/ethics\\_ordinance.html](http://www.ag.state.il.us/government/ethics_ordinance.html). The model ordinance provides that the local governmental entity will enforce the policy through quasi-criminal proceedings or through hiring an attorney to prosecute violators. These penal enforcement provisions present an obvious difficulty for school districts – the legislature has **not** granted school districts the power to adopt penal ordinances and penalties. This sample policy, while based on the Attorney General's model ordinance, does **not** contain penal provisions and penalties and it does **not** contemplate the hiring of an attorney to prosecute violators.

<sup>2</sup> In addition to constitutional free speech rights, two State laws must be considered when enforcing the ~~SOEEA~~ ~~Officials and Employees Ethics Act~~. The first law, the Local Governmental Employees Political Rights Act (~~50 ILCS 135/~~), prohibits: (1) districts from inhibiting or prohibiting employees in the exercise their political rights, and (2) employees from using their employment to coerce or inhibit others in the free exercise of their political rights and from engaging in political activities while at work (~~50 ILCS 135/~~). The other law, the Personnel Record Review Act (~~820 ILCS 40/9~~), prohibits districts from gathering records about an employee's political activities unless the activities interfere with the performance of work duties or could cause the district financial liability (~~820 ILCS 40/9~~).

<sup>3</sup> The Election Interference Prohibition Act prohibits the use of public funds to “urge any elector to vote for or against any candidate or proposition;” (10 ILCS 5/9-25.1). Spending within the statutory definition of public funds to disseminate facts to the public is permitted under section 9-25.1 and is not *electioneering*. Consequently, a district should not become a political committee by spending funds to disseminate facts; (10 ILCS 5/9-1.14, legislatively overturning Citizens Organized to Save the Tax Cap v. State Bd. of Elections, Northfield Township, High School Dist., - 392 Ill.App.3d 392 (1st Dist. 910 N.E.2d 605 (Ill.App.3d., 2009)). Consult the board attorney for advice.

A Board member or employee may engage in any activity that: (1) is otherwise appropriate as part of his or her official duties, or (2) is undertaken by the individual on a voluntary basis that is not prohibited by this policy.

#### Limitations on Receiving Gifts 4

Except as permitted by this policy, no Board member or employee, and no spouse of or immediate family member living with a Board member or employee, shall intentionally solicit or accept any *gift* from any *prohibited source*, as those terms are defined herein, or that is otherwise prohibited by law or policy. No prohibited source shall intentionally offer or make a gift that violates this policy.

The following are exceptions to the ban on accepting gifts from a prohibited source:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the

---

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

4 5 ILCS 430/10-10 through 10-30 (Gift Ban); 30 ILCS 708/ (Grant Accountability Transparency Act (GATA)); and 2 C.F.R. §200.318(c)(1)(uniform federal procurement standards prohibit board members from soliciting or accepting gratuities, favors, or anything of monetary value from contractor performing work under a contract supported by a federal grant award). GATA adopts the uniform federal rules for State agencies' administration of eligible State and federal grants.

Generally, 2 C.F.R. §200.318(c)(1) prohibits employees, officers, or agents of a school district from participating in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent conflict of interest. For more discussion on conflict of interest, see sample policy 2:100, Board Member Conflict of Interest. Specifically, 2 C.F.R. §200.318(c)(1) requires school districts to "set standards for situations in which the gift is an unsolicited item of nominal value (standards)," along with "disciplinary actions to be applied for violations (disciplinary actions)" without defining nominal value.

To avoid confusion and because 2 C.F.R. §200.318(c)(1) provides flexibility to school boards regarding setting standards and disciplinary actions, sample policy 2:100, Board Member Conflict of Interest, refers to this sample policy's subheads: **Limitations on Receiving Gifts** in the Ethics Act at 5 ILCS 430/10-10 – 10-30 (for the federal regulation's standards), and **Enforcement** at 5 ILCS 430/50-5 (discussing the specific penalties available under the Ill. Ethics Act for the federal regulation's disciplinary actions).

If a board wishes to develop further standards and disciplinary actions than the Gift Ban section of the SOEEA requires, consult the board attorney.

For further discussion, see the Grant Accountability and Conflicts of Interest section in the Ill. Council of School Attorneys' publication, **Answers to FAQs, Conflict of Interest and Incompatible Offices** at: [www.iasb.com/law/COI\\_FAQ.pdf](http://www.iasb.com/law/COI_FAQ.pdf).

official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.

8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. *Catered* means food or refreshments that are purchased ready to consume, which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. *Intra-governmental gift* means any gift given to a Board member or employee from another Board member or employee, and *inter-governmental gift* means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the listed exceptions is mutually exclusive and independent of every other.

A Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

### Enforcement

The Board President and Superintendent shall seek guidance from the Board attorney concerning compliance with and enforcement of this policy and State ethics laws. <sup>5</sup> The Board may, as necessary or prudent, appoint an Ethics Advisor for this task.

Written complaints alleging a violation of this policy shall be filed with the Superintendent or Board President. If attempts to correct any misunderstanding or problem do not resolve the matter, the Superintendent or Board President shall, after consulting with the Board Attorney, either place the alleged violation on a Board meeting agenda for the Board's disposition or refer the complainant to Board policy 2:260, *Uniform Grievance Procedure*. A Board member who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint, shall

---

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

<sup>5</sup> This provision is consistent with ~~IASB~~ sample policy 2:160, *Board Attorney*.

not participate in any decision-making capacity for the Board. If the Board finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or consider disciplinary action for the employee. <sup>6</sup>

### Definitions <sup>7</sup>

Unless otherwise stated, all terms used in this policy have the definitions given in the State Officials and Employees Ethics Act, 5 ILCS 430/1-5.

*Political activity* means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.

---

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

<sup>6</sup> The III. Attorney General's model ethics ordinance includes the specific penalties from the Ethics Act, ~~(5 ILCS 430/50-5)~~. Elsewhere the Act states that a "governmental entity **may** provide in [its] ordinance or resolution ... for penalties similar to those provided in this Act for similar conduct;" ~~(5 ILCS 430/70-10)~~. Thus, school boards do not need to enact policy containing criminal sanctions. Rather, as provided in this sample policy, violations can be referred to the State's Attorney.

The III. Attorney General's guidance document provides for the unit of local government to use an Ethics Commission to manage complaints. A board that wants to use an Ethics Commission should replace this paragraph, after the first sentence, with the following:

As soon as possible after a complaint is filed, the Superintendent shall appoint a 3-member Ethics Commission. If the Superintendent is the subject of the complaint, the Board President shall perform this duty. Commission members may be any District resident, except that no person shall be appointed who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint. If the Commission finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or recommend disciplinary action for the employee.

<sup>7</sup> The definitions contained in this policy are all from 5 ILCS 430/5-15 with minor adaptations.

11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

With respect to an employee whose hours are not fixed, *compensated time* includes any period of time when the employee is on premises under the control of the District and any other time when the employee is executing his or her official duties, regardless of location. <sup>8</sup>

*Prohibited source* means any person or entity who:

1. Is seeking official action by: (a) a Board member, or (b) an employee, or by the Board member or another employee directing that employee;
2. Does business or seeks to do business with: (a) a Board member, or (b) an employee, or with the Board member or another employee directing that employee;
3. Conducts activities regulated by: (a) a Board member, or (b) an employee or by the Board member or another employee directing that employee;
4. Has an interest that may be substantially affected by the performance or non-performance of the official duties of the Board member or employee;
5. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
6. Is an agent of, a spouse of, or an immediate family member living with a prohibited source.

*Gift* means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of a Board member or employee.

LEGAL REF.: 5 ILCS 430/, State Officials and Employees Ethics Act.  
10 ILCS 5/9-25.1, Election Interference Prohibition Act.

CROSS REF.: [2:100 \(Board Member Conflict of Interest\)](#), [4:60 \(Purchases and Contracts\)](#),  
5:120 (Employee Ethics; Conduct; and Conflict of Interest)

---

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

<sup>8</sup> The Ethics Act prohibits employees from engaging in political activities on *compensated time* but does not define the term. *Compensated time* is easy to determine for employees with fixed working hours. Determining *compensated time* for a salaried employee who does not have obligatory hours of attendance is more difficult. For this reason, the term *compensated time* should include both the time when the employee is physically present on district premises as well as any other time when the employee is engaged in official duties.

## School Board

### Procurement of Architectural, Engineering, and Land Surveying Services 1

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

LEGAL REF.: 40 U.S.C. §541.  
50 ILCS 510/, Local Government Professional Services Selection Act.  
105 ILCS 5/10-20.21.  
Shively v. Belleville Twp. High Sch. Dist. 201, 329 Ill.App.3d 1156 (5th Dist. 2002), *appeal denied*.



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

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

Construction-manager services, unlike general contractor services, are significantly different from construction work because they involve a professional activity (i.e., assisting the owner with the project’s planning, costing, and management). As such, a construction-management contract is exempt from mandatory bidding by virtue of the professional services exemption. Shively v. Belleville Township Twp. High Sch. Dist. 201, 329 Ill.App.3d 1156 ~~769 N.E.2d 1062 (5th Dist. Ill.App.5, 2002)~~.



## School Board

### Administrative Procedure - Qualification Based Selection

These procedures describe how the District will procure architectural, engineering, and land surveying services; the Local Government Professional Services Selection Act will control in the event of a conflict. ~~(50 ILCS 510/7).~~ The Superintendent will modify these procedures whenever the School Board determines by resolution that an emergency exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$25,000. ~~(50 ILCS 510/8).~~

Actor	Action
Architectural, engineering, or land surveying firms	May annually file a statement of qualifications and performance data with the District. 50 ILCS 510/4.
Superintendent and/or Designee	<p>Store statements of qualifications and performance data received from firms engaged in architectural, engineering, or land surveying services.</p> <p>Unless the District has a satisfactory relationship for services with one or more firms, <u>request a statement of interest in the specific project utilizing one or more of the following methods:</u></p> <ol style="list-style-type: none"> <li>1. <u>Mmail or email</u> notices of the proposed project to those firms that have current statements of qualifications and performance data on file. <del>In addition, or alternatively, the project may be advertised in the local and area newspapers.</del></li> <li>2. <u>Advertise in a daily newspaper of general circulation in the District. The advertisement must request a statement of qualifications and performance data from those firms which do not have a statement on file with the District, and must state the day, hour, and location that the statements of interest and qualifications and performance data are due.</u></li> <li>3. <u>Advertise on the District’s website. The ad must include a description of the project and state the time and place for interested firms to submit their letters of interest and statements of qualifications and performance data, as required.</u></li> </ol> <p>-50 ILCS 510/4.</p> <p>Unless the District has a satisfactory relationship for services with one or more firms, evaluate the firms that submitted interest letters, according to criteria for ranking described in the last section of this procedure. The Superintendent and/or designee may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services. 50 ILCS 510/5.</p> <p>Do not, prior to selecting a firm for contract negotiation, seek formal or</p>

Actor	Action
	<p>informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation. 50 ILCS 510/5.</p> <p>Select no less than <del>three</del> 3 firms, who would be most qualified to provide services, and rank them in order of their qualifications. If fewer than <del>three</del> 3 firms submit interest letters and the Board determines that one or both of those firms are so qualified, negotiate a contract as provided herein. 50 ILCS 510/6.</p> <p>Attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. 50 ILCS 510/5.</p>
	<p>If unable to reach agreement on a satisfactory contract, terminate negotiations and proceed to negotiate with the firm ranked next in qualifications. 50 ILCS 510/5.</p> <p>If unable to negotiate a satisfactory contract with any of the <del>three</del> 3 originally--selected firms, inform the Board. The District will re-evaluate the services requested and compile a second list of not less than <del>three</del> 3 qualified firms and continue the process. 50 ILCS 510/5.</p>

Criteria for Ranking Firms

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

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

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

**Permissive Criteria for Consideration**

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

LEGAL REF.: 40 U.S.C. §541.  
50 ILCS 510/, Local Government Professional Services Selection Act.  
105 ILCS 5/10-20.21.



## Operational Services

### Fund Balances 1

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

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

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



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

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

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

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

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

**Note: If the board maintains a fund balance at the start of a fiscal year that is two or more times the average expenditures of that fund (over the past three fiscal years), it may face a tax rate objection based on excess accumulation of funds. See e.g., Central Ill. Public Service Co. v. Miller, 42 Ill.2d 542 (1969); Allegis Realty Investors v. Novak, 379 Ill.App.3d 636 (2nd Dist. 2008). Whether such an objection has merit depends on a number of factors, including the type of fund at issue and/or reason(s) for the excess accumulation. Consult the board attorney for further guidance regarding fund balances and related tax rate objections.**

**Operational Services**

**Exhibit - School District Payment Order**

*This statutory order authorizes the Treasurer to pay a School Board-approved bill or obligation before the meeting minutes are officially approved. Several items may be attached to this form.*

Order Date: \_\_\_\_\_

The Treasurer, \_\_\_\_\_, of \_\_\_\_\_ School

District in \_\_\_\_\_ County, shall pay to the order of \_\_\_\_\_

\_\_\_\_\_ the sum of \$ \_\_\_\_\_, for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

By order of the \_\_\_\_\_ School Board.

\_\_\_\_\_  
Board President \_\_\_\_\_ Date

\_\_\_\_\_  
Secretary \_\_\_\_\_ Date

**Operational Services**

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

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

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

\_\_\_\_\_  
Position

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

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

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

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date

## Operational Services

### Administrative Procedure - Third Party Non-Instructional Contracts

When completed, this procedure documents that the requirements in 105 ILCS 5/10-22.34c have been fulfilled, thereby allowing the School Board to approve a contract for third party non-instructional services currently performed by any employee or bargaining unit member (such as, but not limited to, custodial services, student transportation, and school meal services). However, these conditions are not mandatory for the Board to enter into a contract, of no longer than ~~three~~3 months in duration, with a third party for non-instructional services currently performed by an employee or bargaining unit member for the purpose of augmenting the current workforce in an emergency situation that threatens the safety or health of the District's students or staff, provided that the Board meets all of its obligations under the ~~Illinois~~Ill. Educational Labor Relations Act.

Name of proposed contractor: \_\_\_\_\_

Name and description of proposed contract for third party non-instructional services: \_\_\_\_\_

\_\_\_\_\_

Effective date of proposed contract: \_\_\_\_\_

Each of the following conditions must be checked to document that it was present or fulfilled:

- Any lay-off resulting from entering into the contract for third party non-instructional services will comply with the applicable collective bargaining agreement and/or Board policy 5:290, *Employment Terminations and Suspensions*.
- The proposed contract will not be entered into or become effective during the term of an applicable collective bargaining agreement covering any employees who perform the non-instructional services.
- The proposed contract will take effect upon or after the expiration of an existing collective bargaining agreement.
- The proposed contractor has submitted a bid that includes the following:
  - A. Evidence of liability insurance in scope and amount equivalent to the liability insurance provided by the Board pursuant to 105 ILCS 5/10-22.3;
  - B. A benefits package for the third party's employees who will perform the non-instructional services comparable to the benefits package provided to District employees who perform those services;
  - C. A list of the number of employees who will provide the non-instructional services, the job classifications of those employees, and the wages the proposed contractor will pay those employees;
  - D. A minimum ~~three~~3-year cost projection, using generally accepted accounting principles, and which the proposed contractor is prohibited from increasing if the bid is accepted by the Board, for each and every expenditure category and account for performing the non-instructional services;

- E. Composite information about the criminal and disciplinary records, including alcohol or other substance abuse, Ill. Department of Children and Family Services complaints and investigations, traffic violations, and license revocations or any other licensure problems, of any employees who may perform the non-instructional services, provided that the individual names and other identifying information of employees need not be provided with the submission of the bid, but must be made available upon request of the Board; and
  - F. An affidavit, notarized by the president or chief executive officer of the proposed contractor, that each of its employees has completed a criminal background check as required by 105 ILCS 5/10-21.9 within three months prior to submission of the bid, provided that the results of such background checks need not be provided with the submission of the bid, but must be made available upon request of the Board.
- The following is attached or otherwise available: a cost comparison, using generally accepted accounting principles, of each and every expenditure category and account that the District projects it would incur over the term of the contract if it continued to perform the non-instructional services using its own employees with each and every expenditure category and account that is projected the proposed contractor would incur if it performed the non-instructional services.
- The Board reviewed and considered all bids by third parties to perform the non-instructional services in open session of a regularly scheduled Board meeting, unless the exclusive bargaining representative of the employees who perform the non-instructional services, if any such exclusive bargaining representative exists, agreed in writing that such review and consideration could take place in open session at a specially scheduled Board meeting.
- Date of Board meeting: \_\_\_\_\_
- Each of the following occurred:
1. A minimum of one public hearing, conducted by the Board prior to a regularly scheduled Board meeting, to discuss the proposed contract was held before the Board entered such contract.  
Date of hearing: \_\_\_\_\_
  2. The Board provided notice to the public of the date, time, and location of the first public hearing on or before the initial date that bids to provide the non-instructional services are solicited or a minimum of 30 days prior to entering into such a contract, whichever provides a greater period of notice.  
Date and manner of notice: \_\_\_\_\_
- The proposed contract contains provisions requiring the proposed contractor to offer available employee positions pursuant to the contract to qualified School District employees whose employment is terminated because of the contract.
- The proposed contract contains provisions requiring the proposed contractor to comply with a policy of nondiscrimination and equal employment opportunity for all persons and to take affirmative steps to provide equal opportunity for all persons.

## Operational Services

### Waiver of Student Fees 1

The Superintendent will recommend to the School Board a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education are waived for students who meet the eligibility criteria for a fee waiver as described in this policy.<sup>2</sup> In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees, the Superintendent will recommend to the Board which additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver.<sup>3</sup> Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment. <sup>4</sup>

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

<sup>1</sup> State law requires this subject matter be covered by policy and controls its content. ~~(105 ILCS 5/10-20.13; 23 Ill.Admin.Code §1.245).~~ State law provides that “[n]o discrimination or punishment of any kind, including the lowering of grades or exclusion from classes, may be exercised against a student whose parents or guardians are unable to purchase required textbooks or instructional materials or to pay required fees.” ~~(105 ILCS 5/28-19.2).~~ This policy concerns an area in which the law is unsettled (see footnotes 2 and 3).

<sup>2</sup> Districts must waive textbooks fees (105 ILCS 5/10-20.13) and driver education fees (105 ILCS 5/27-24.2) for students whose parents/guardians are unable to afford them. In order to effectuate the law’s intent, the term “textbook” should be interpreted broadly to include fees for instructional materials, laboratory fees, and workbooks. The enforceability of 105 ILCS 5/10-20.13(b) and ~~implementing~~ ISBE regulations (23 Ill.Admin.Code §1.245) requiring districts to waive “other fees” is questionable because they are unfunded mandates. ISBE regulations on school fees may not be enforceable because the General Assembly failed to make necessary appropriations. ~~(See the Weekly Message from State Superintendent Robert Schiller, 8-15-03).~~

A school district may charge up to \$50 to students who participate in the driver education course. The fee may be increased up to \$250, provided the district completes the requirements in section 27-24.2. The fee must be waived for any student who is unable to pay. ~~(105 ILCS 5/27-24.2; 23 Ill.Admin.Code §252.30).~~

Resident tuition fees are not permissible, but a board’s authority under 105 ILCS 5/10-20.13 to charge for textbooks and towel fees does not violate the Illinois Constitution’s provision guaranteeing free public education through the secondary level. Hamer v. Board of Education, School District No. 109, 9 Ill.App.3d 663 (2nd Dist. 1973), 292 N.E.2d 569 (Ill.App. 2, 1977); Polzin v. Rand, McNally & Co., 95 N.E. 623 (1911)

<sup>3</sup> 105 ILCS 5/10-20.13(b) was added in 1983 to require districts to waive “other fees” in addition to the costs of textbooks. ~~(P.A. 83-603).~~ The General Assembly, however, never appropriated the necessary funds. Thus, the amendment may be unenforceable because it violated the State Mandates Act. ~~(30 ILCS 805/1; see above footnote).~~ Use the following alternative if the board wants to make a longstanding commitment to waive specific fees, amending the list of fees that will be waived as desired:

In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay fees, the following fees are also waived for students who meet the eligibility criteria for fee waiver: athletic participation fees, lock fees, towel fees, shop fees, laboratory fees, and registration fees.

Alternatively, a board may decide to waive all school student fees and substitute the following sentence for the first ~~2~~ two sentences of this paragraph:

All school student fees as defined by the Illinois State Board of Education (ISBE) are waived for students who meet the eligibility criteria for a fee waiver contained in this policy.

<sup>4</sup> Districts in which a referendum was approved to provide students with free textbooks must have a policy on textbook care and preservation. ~~(105 ILCS 5/28-17).~~ The textbook loan program operated by the ISBE is found at 105 ILCS 5/18-17.



## Notification

The Superintendent shall ensure that applications for fee waivers are widely available and distributed according to State law and [Ill. State Board of Education \(ISBE\)](#) rule and that provisions for assisting parents/guardians in completing the application are available.

## Eligibility Criteria

A student shall be eligible for a fee waiver when the student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program. <sup>5</sup>

The Superintendent or designee will give additional consideration where one or more of the following factors are present: <sup>6</sup>

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

## Verification <sup>7</sup>

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees in accordance with State law requirements. The Superintendent or designee may require family income verification at the time an individual applies for a fee waiver and anytime thereafter, but not more often than once every 60 calendar days. The Superintendent or designee shall not use any information from this or any independent verification process to determine free or reduced-price meal eligibility.

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

<sup>5</sup> Required by 105 ILCS 5/10-20.13. The federal free meals program is found at 42 U.S.C. §1758; 7 C.F.R. Part 245. A board has a choice regarding verification – it may: (1) establish a process to determine eligibility for fee waivers that is completely independent of the federal free meals eligibility guidelines, or (2) tie the application for fee waivers to the free meals program and only ask for *verification* in accordance with the free or reduced-price meals program. [See www.isbe.net/Pages/School-Fee-Waivers.aspx for further explanation.](http://www.isbe.net/Pages/School-Fee-Waivers.aspx) This sample policy assumes that option #1 will be chosen but would allow for option #2 if the alternative is used in the *Verification* section. See ~~footnote-f/n~~ <sup>7</sup>.

<sup>6</sup> This paragraph is optional and may be omitted.

<sup>7</sup> By using a process for determining eligibility for fee waivers that is completely separate from the process for determining eligibility for free meals, a district may require income verification at the time an application is submitted for a fee waiver and may do so thereafter, but not more than once every 60 calendar days. 105 ILCS 5/10-20.13; 23 Ill.Admin.Code §1.245(d). Income verification may include such things as payroll stubs, tax returns, or evidence of receipt of food stamps or Temporary Assistance for Needy Families.

An application for fee waivers that is completely separate from the application for free lunches cannot ask whether a student lives in a household that meets free lunch eligibility guidelines and request income verification with reference to *free lunch* eligibility guidelines. In the completely separate fee waiver application, the district should supply its own income guidelines with the same limits based on household size that are used for the federal meals program and have the parents indicate if they meet the income guidelines used to determine eligibility for *fee waivers*. The independent fee waiver income guidelines should not be any higher than those for eligibility for free lunch (or reduced-price, if the district voluntarily provides fee waivers for those students who qualify), but the district should not reference or indicate that the guidelines are for the free meals program. In this completely separate application process for fee waivers, the district may ask for verification, but cannot use any information it receives for fee waiver verification though this process for determining eligibility for free or reduced meals.

Alternatively, a board should replace both paragraphs in this section with the following alternative if it wants to use eligibility guidelines for free meals as the basis for waiving school fees:

The Superintendent or designee must follow the verification requirements of 7 C.F.R. 245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s).

If a student receiving a fee waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student a prorated amount based upon the number of school days remaining in the school year.

Determination and Appeal <sup>8</sup>

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the ~~Illinois State Board of Education~~ ISBE rule on waiver of fees.

LEGAL REF.: 105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.  
23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct)

---

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

<sup>8</sup> An ISBE rule requires that the policy state that the district will mail a copy of a denial notice within 30 calendar days after the receipt of the waiver request. ~~23~~ Ill.Admin.Code §1.245(c)(3). This rule also specifies timelines and procedures, including a requirement that “the person who decides the appeal shall not be the person who initially denied the fee waiver or a subordinate of this person.” Thus, a board may be required to hear an appeal if the superintendent made the initial decision to deny a fee waiver. The board’s participation is avoided by the principal making initial fee waiver decisions and the superintendent or other main office administrator deciding the appeals.

## General Personnel

### Administrative Resource Procedure - Sample Questions and Considerations for Conducting the Internal Sexual Harassment in the Workplace Investigation

State and federal law prohibit ~~sexual~~ harassment on the basis of an individual's race, religion, national origin, sex (including pregnancy), sexual orientation, age, citizenship status, disability, or other protected status, as identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. For the purpose of this procedure, sexual harassment includes harassment on the basis of sexual orientation, which means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity.

The person charged with conducting the internal ~~sexual~~ harassment investigation must ascertain ~~whether:~~ (1) ~~the sexual~~ if the alleged conduct occurred; (2) if the conduct ~~is~~ was unwelcome; (3) if the harassing conduct was based on any protected status of the complainant; and (4) ~~and~~ whether the harassment created a *hostile environment* in that it was so severe or pervasive as to ~~it~~ affects a term or condition of the complainant's employment (~~29 C.F.R. §1604.11(a)~~). The questions that follow are designed to help the investigator uncover this evidence. *The ~~questions~~ below serve as a general sample; they are not all-inclusive and the exact questions must be designed for the specific allegations in each case.*

#### Did the alleged conduct occur?

Investigators should consider a number of factors in evaluating whether the complained of conduct occurred, such as:

1. The level of detail provided by the complainant/witness;
2. The consistency within and between the witness' statement(s)
3. The consistency between the witness' statements and those of other witnesses;
4. Corroborating witnesses and other evidence;
5. Body language/eye contact of the witness (**Note:** the manner of a complainant's body language/eye contact during an interview may be attributable to the complainant's discomfort, rather than a lack of truthfulness);
6. The existence of a pattern of similar past behavior/harassment complaints involving the ~~accused~~ alleged harasser;
7. Does the witness have reason to be untruthful, such as a personal stake in the outcome?

#### Is the conduct complained of unwelcome ~~sexual~~ conduct?

*Unwelcome ~~sexual~~ conduct* is that verbal or physical ~~sexual~~ conduct which the employee did not solicit or incite and that which the employee regarded as undesirable or offensive. ~~It is difficult to discern because the line between welcome and unwelcome sexual conduct is often quite fuzzy.~~ The Equal Employment Opportunity Commission (EEOC) evaluates the issue of welcomeness ~~in sexual harassment cases~~ on a case-by-case basis. ~~It looks at the record as a whole~~, considering the totality of the circumstances. The wise investigator will do the same.

Below are sample questions that can be used to formulate actual questions for this part of the investigation.

**Commented [DJ1]:** Credibility is an issue in any investigation, including workplace harassment investigations.

1. Who is the alleged ~~sexual~~ harasser? What is his/her name? Is he/she a co-worker or a supervisor?
2. Is the ~~sexual~~ conduct complained of physical, verbal, and/or committed using an electronic device, such as, through email, text message, or a social networking website? Obtain relevant details for each incident (the Five W's: Who, What, Where, When, and Why).
3. If physical, describe with specificity the nature of the physical conduct. Describe all locations on the complainant's body that were touched and indicate when, how often, how ~~he/she~~ the complainant was approached, who witnessed the physical conduct, and where was the complainant when the conduct took place? Did the physical conduct involve an injury to or destruction of the complainant's possession(s) and, if so, what was the property, what was the nature of the injury, when did it happen, and where is the property now?
4. If the unwelcome conduct was verbal, what was stated, when, how often, where were the parties when the statements were made, and who witnessed the statements being made?
5. If the conduct was committed using an electronic device, (e.g., through email, text message, or social networking website,) what was stated, where, when, how often, who saw it?
6. Did the complainant or any of the witnesses retain any evidence of the offensive conduct such as a picture, email message, text message, or video or audio recording?
- ~~7. Was medical treatment required? If so, when was he/she treated, how often, by whom, where was he/she treated, and what was the diagnosis?~~
- ~~8.7. If medical treatment was not required, Was a complaint or protest made to anyone employed by the District or to anyone else? If so, to whom did ~~he/she~~ the complainant complain, when was the complaint made, what was stated therein, and were there any witnesses to this or these complaints?~~
- ~~9.8. What was the complainant's response to the conduct? Did ~~he/she~~ the complainant tell ~~him/her~~ the alleged harasser to stop? Did ~~he/she~~ the complainant complain to others about ~~his/her~~ the alleged harasser's behavior? Did ~~he/she~~ the complainant ask co-workers, supervisors or managers to make the harassment stop? If so, obtain all relevant details (the Five W's).-~~
- ~~10.9. Did the complainant engage in any conduct with the alleged harasser that could have encouraged his/her behavior? If so, what was the conduct, when and where did it occur, how often and who witnessed it?~~
- ~~11. Did the complainant and the alleged harasser have a prior consensual relationship? If so, how long did it last and when did that relationship end?~~
- ~~12.10. Did the complainant make the alleged harasser aware at the point when the ~~sexual advances~~ conduct became unwelcome? If so, when, how was this done, what was communicated to the alleged harasser, and were there any witnesses?~~
- ~~13.11. Did the complainant complain about the harassment to the alleged harasser, his/her supervisors, other managers or others? If so, when were the complaints made, what was said, who was present, and what was the response to each complaint?~~
- ~~14.12. If no prior complaints about the alleged harassment were made, why not?~~
- ~~15.13. What other actions, if any, did the complainant take to indicate to the alleged harasser that his/her conduct was unwelcome?~~

~~16. Did the complainant engage in any conduct which elicited the unwelcome conduct of the alleged harasser? For example, how did he/she demean him or herself in the workplace, how did he/she dress, did he/she use sexual and provocative language, did he/she engage in sexually provocative conduct, and was this conduct directed towards the alleged harasser?~~

~~17.14.~~ If they lack knowledge about the harassment, did co-workers, supervisors or managers notice any changes in charging party's behavior at work or in the alleged harasser's treatment of the charging party?

~~18.15.~~ Has the alleged harasser been accused of ~~sexual~~ harassment by other employees? If so, when, and were the allegations investigated? If so, what was the result of the investigation, and what was management's response, i.e., what remedy was imposed?

### Did the work environment become hostile?

To ascertain whether unwelcome ~~sexual~~ conduct creates an unlawful *hostile environment*, the major inquiry is whether the conduct "unreasonably interferes with an individual's performance<sup>2</sup> or creates "an intimidating, hostile, or offensive working environment."<sup>(29 C.F.R. §1601.11(a)(3)). Thus, in the sexual harassment context, trivial or annoying conduct such as sexual flirtation or innuendo or vulgar language would probably not establish a hostile environment. The challenged conduct must substantially affect the work environment of a reasonable person for a violation to be found.</sup>

Consider the following additional questions for this part of the inquiry:

1. What effect, if any, did the alleged harassment have upon the complainant's ability to perform ~~his/her~~the complainant's job?
2. What effect, if any, did the alleged harassment have upon the complainant's mental or physical health or well-being? Was medical treatment/therapy sought?
3. Additional question for sexual harassment complaints: What was the sexual character of the work environment before the complainant entered the environment? Were sexual comments and actions common? If so, what types, when did they occur? Who was involved? ~~Were Supervisors?~~ involved or just Ceo-workers?
4. Did the character of the workplace change after complainant joined the workplace? If so, how? What was complainant's behavior? How did the ~~accused-alleged harasser~~ and other co-workers or supervisors respond to complainant's behavior?
5. Was the complaint of verbal or physical behavior directed at persons other than complainant? If so, who were they? What conduct was directed towards them, when, how frequently, who was present, where did it occur and who witnessed it? How did these persons react to the physical or verbal conduct?
6. Did the alleged harasser single out the charging party? If so, how, when, where, and why?
7. Did others join in perpetrating the harassment? If so, who? What was done; when, where, who witnessed the conduct, and were others harassed too?
8. If the complain~~ed~~ of conduct was verbal, what were the remarks? Were they hostile and derogatory? What was the frequency and context of the comments? Were the parties inside or outside of the workplace when the comments were made?
9. Was the alleged harassment observed by supervisors, managers, or other co-workers? If so, by whom, when, where, and what was observed?
10. Was the alleged harassment observed by former employees or others outside the workplace? If so, by whom, when, where, and what was seen?

### Was the harassment committed by a supervisor?

The employer will ~~always~~ be held responsible for acts of ~~sexual~~ harassment committed by the employee's supervisor, meaning someone who was authorized by the employer to have authority over the complainant's terms and conditions of employment. To investigate ~~sexual~~ harassment committed by the complainant's supervisor, include questions such as the following:

1. What ~~sexual~~ conduct is the supervisor accused of? When, where, how often did it occur, and who observed?
2. Was the supervisor authorized to grant or deny tangible job benefits to the complainant? If so, what was the scope of that authority and what documents evidence it? If not, were ~~his/her~~ the ~~supervisor's~~ recommendations concerning the complainant's terms and conditions of employment typically or routinely followed?

### Was the harassment *quid pro quo* (do this for that)?

An employer will ~~always~~ be held responsible for acts of *quid pro quo* sexual harassment, meaning that tangible job benefits were either (1) conditioned on submitting to sexual favors, or (2) denied because of the complainant's rejection of a sexual advance or request for sexual favors. *Quid pro quo-type harassment can also occur in other contexts, such as religious discrimination, for example, if a person is required to abandon or alter his or her religious practice as a condition of employment.*

1. How was the complainant's employment affected by the alleged harassment? Was he/she denied a salary increase, a promotion, a job transfer, etc.? If so, when?
2. Was the complainant treated differently from similarly situated employees in regard to the denied salary increase, promotion, job transfer, etc.? If so, who was treated differently by this same supervisor?
3. What other management employees were involved in decisions to grant or deny the tangible job benefit(s) to the complainant? Did they have knowledge of the sexual conduct?



## Instruction

### Educational Philosophy and Objectives 1

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

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

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

1. A review and evaluation of the present curriculum.
2. A projection of curriculum and resource needs.
3. An evaluation of, and plan to eliminate, any bias in the curriculum or instructional materials and methods concerning the classifications referred to in item 8, above.
4. Any plan for new or revised instructional program implementation.
5. A review of present and future facility needs.

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

<sup>1</sup> For more information about detecting ends and efficiently monitoring district performance, see IASB's *Foundational Principles of Effective Governance*, available at: [www.iasb.com/principles.cfm](http://www.iasb.com/principles.cfm).

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

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

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

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

DRAFT

## Instruction

### Organization of Instruction 1

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

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

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

### Kindergarten 2

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

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

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

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

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

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

**2** This section is for only those districts having a kindergarten. A board may establish a full-day or half-day kindergarten program. ~~(105 ILCS 5/10-22.18).~~ If a full-day program is established, the district must also establish a half-day program. ~~(105 ILCS 5/10-22.18Id.; 23 Ill.Admin.Code §1.420(h)(1)).~~ The district must offer a distinctive curriculum for full- and half-day kindergartens when 20 or more students’ parents/guardians request a half-day program. ~~(23 Ill.Admin.Code §1.420(h)(2)).~~ A board should consider adding a description of pre-kindergarten programs whether they are for all students or only those who qualify due to special needs.

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

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

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

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

DRAFT

## **Instruction**

### **Administrative Procedure - Curriculum Development**

#### Faculty Curriculum Committee

The Faculty Curriculum Committee assists in the District's curriculum planning process and provides the Superintendent with recommendations and supportive summaries. The Committee shall serve in an advisory capacity only.

The Faculty Curriculum Committee will:

1. Engage in two-way communication with teachers in order to address questions and concerns, keep everyone informed, and cooperatively strive for continuous improvement.
2. Provide system-wide coordination of curriculum and student learning experiences.
3. Identify and categorize problems related to curriculum.
4. Research instructional methods and curriculum, utilizing available resources.
5. Engage in long-range planning for the continuous improvement of the curriculum.

The Superintendent or designee appoints Committee members and directs the Committee providing specific tasks and time-frames.

#### Curriculum Guides and Course Outlines

Development of guides:

1. Curriculum guides are best developed by the staff and teachers who are to use them.
2. When entire staff participation is not feasible, the Superintendent or designee will direct staff representatives and/or relevant department heads to study, create, and revise the guides.
3. Completed guides will be given to the Superintendent.

Use of guides:

1. Curriculum guides serve as a framework from which a teacher will develop units of study, individual lesson plans, and approaches to instruction that will serve the students' particular needs at a particular time. The guides shall be used to map the logical sequence of instruction.
2. In subjects where sequence is important, such as mathematics, teachers shall be expected to adhere to the guide. In subjects where sequential learning is less important, the teacher may be given a greater degree of freedom in respect to sequence.
3. In all cases, sufficient latitude shall be permitted to provide the teacher with time to teach the current, topical, and incidental issues that add to motivation and meaningful teaching and learning.
4. The Building Principal and/or department heads shall see that optimum use is made of available curriculum guides.

### Instruction

#### Exhibit - Notice to Parents/Guardians of Students Enrolled in Family Life and Sex Education Classes <sup>1</sup>

Date \_\_\_\_\_

Class and Time \_\_\_\_\_

Teacher \_\_\_\_\_

#### Classes or Courses on Sex Education, Family Life Instruction, Instruction on Diseases, Recognizing and Avoiding Sexual Abuse, or Donor Programs for Organ/Tissue, Blood Donor, and Transplantation

For your information, State law requires that all sex education instruction ~~must be~~ developmentally and age appropriate, evidence-based, and medically accurate, and complete. Courses that discuss sexual intercourse place substantial emphasis on both abstinence and contraception for the prevention of pregnancy and sexually transmitted diseases. Courses will emphasize that abstinence is a responsible and positive decision and the only 100% effective prevention of pregnancy and sexually transmitted diseases, including HIV/AIDS. Family life courses are designed to promote a wholesome and comprehensive understanding of the emotional, psychological, physiological, hygienic and social responsibility aspects of family life, and for grades 6 through 12, the prevention of AIDS.

Commented [MB1]: Language added to more accurately reflect statutory requirements of 105 ILCS 5/27-9.1(c)(1)-(1.5).

#### Request to Examine Instructional Material

A sample of the District's instructional materials and course outline for these classes or courses are available from the classroom teacher for your inspection. If you are requesting to examine this material, please complete the following statement and return it to your child's classroom teacher within five days. <sup>2</sup>

**I request to examine the instructional materials and course outline for this class.**

#### Class Attendance Waiver Request

According to State law, no student is required to take or participate in these classes or courses. There is no penalty for refusing to take or participate in such a course or program.

~~The footnotes should be removed before the material is used.~~

<sup>1</sup> Schools are not required to notify parents/guardians of their rights as explained in this form. A district must modify this form to match its curriculum. Students may not be required to take or participate in classes or courses on:

1. Comprehensive sex education, including in grades 6-12, instruction on both abstinence and contraception for the prevention of pregnancy and sexually transmitted diseases, including HIV/AIDS, ~~(105 ILCS 5/27-9.1; amended by P.A. 98-441, eff. 1-1-14).~~
2. Family life instruction, including in grades 6-12, instruction on the prevention, transmission, and spread of AIDS, ~~(105 ILCS 5/27-9.2).~~
3. Instruction on diseases, ~~(105 ILCS 5/27-11).~~
4. Recognizing and avoiding sexual abuse, ~~(105 ILCS 5/27-13.2).~~
5. Instruction on donor programs for organ/tissue, blood donor, and transplantation, ~~(105 ILCS 5/27-23.5).~~

<sup>2</sup> Schools are ~~not~~ required to afford individuals, including parents/guardians, an opportunity to examine the instructional materials (105 ILCS 5/27-9.1(d)) but are not required to provide a means for parents/guardians to request to examine the instructional material. ~~This sentence and the following check box may be omitted.~~



If you do not want your child to participate in these classes or courses, please complete the following **class attendance waiver** statement and return it to your child's classroom teacher within five school days. <sup>3</sup>

**I request that the District waive the class attendance of my child in a class or courses on:**

- Comprehensive sex education, including in grades 6-12, instruction on both abstinence and contraception for the prevention of pregnancy and sexually transmitted diseases, including HIV/AIDS**
- Family life instruction, including in grades 6-12, instruction on the prevention, transmission, and spread of AIDS**
- Instruction on diseases**
- Recognizing and avoiding sexual abuse**
- Instruction on donor programs for organ/tissue, blood donor, and transplantation**

\_\_\_\_\_  
Student (please print)

\_\_\_\_\_  
Parent/Guardian (please print)

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
**The footnotes should be removed before the material is used.**

<sup>3</sup> Schools cannot require students to enroll or participate in classes about comprehensive sex education, family life, diseases, recognizing and avoiding sexual abuse, or organ/tissue and blood donor and transplantation programs. 105 ILCS 5/27-9.1(a-5), 5/27-9.2, 5/27-11, 5/27-13.2, and 5/27-23.5. However, schools are not required to provide a means for parents/guardians to request a class attendance waiver; this sentence and the following check box may be omitted. If kept, the check boxes should be modified to match the curriculum.

6:60-E

## Instruction

### Education of Children with Disabilities 1

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

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

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

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

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

---

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

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

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

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

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

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

DRAFT

## Instruction

### Extracurricular and Co-Curricular Activities 1

The Superintendent must approve an activity in order for it to be considered a District-sponsored extracurricular or co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student-participants.
2. Fees assessed students are reasonable and do not exceed the actual cost of operation.
3. The District has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

Non-school sponsored student groups are governed by School Board policy, 7:330, *Student Use of Buildings - Equal Access. 2*

#### Academic Criteria for Participation

For students in kindergarten through 8th grade,<sup>3</sup> selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District's policies. Students must satisfy all academic standards and must comply with the activity's rules and the student conduct code.

---

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

<sup>1</sup> Each school board in a district that maintains any of grades 9-12 must have a *no pass-no play* policy. (105 ILCS 5/10-20.30). State or federal law controls some aspects of this policy's content. The criteria for determining whether to sponsor a specific activity is a local board decision, except that an ISBE rule requires that the desires of the student body be considered. (23 Ill.Admin.Code §1.420).

As State law does not define extracurricular or co-curricular, a board may desire to explain these terms in the policy, such as by including the following option at the beginning of the policy:

Extracurricular or co-curricular activities are school-sponsored programs for which some or all of the activities are outside the instructional day. They do not include field trips, homework, or occasional work required outside the school day for a scheduled class. *Co-curricular activity* refers to an activity associated with the curriculum in a regular classroom and is generally required for class credit. *Extracurricular activity* refers to an activity that is not part of the curriculum, is not graded, does not offer credit, and does not take place during classroom time; it includes competitive interscholastic activities and clubs.

In January 2013, the U.S. Dept. of Education, Office for Civil Rights, issued a *Dear Colleague Letter* concerning the participation of students with disabilities in extracurricular athletic activities. It clarifies the types of accommodations and services that districts must provide pursuant to Section 504. See [www2.ed.gov/about/offices/list/ocr/letters/colleague-201301-504.html](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201301-504.html).

<sup>2</sup> *Non-curriculum related* extracurricular activities that meet during non-instruction time in secondary schools trigger the Equal Access Act (EAA); (20 U.S.C. §4071 et seq.). The *Equal Access Act* prohibits the school from denying fair opportunity or *equal access* to any students who wish to conduct a meeting within a limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such a meeting. The U.S. Supreme Court interpreted "non-curriculum related student group" as any student group that does not directly relate to the body of courses offered by the school. *Board Bd. of Education Ed. of Westside Community School Sch. Dist. v. Mergens*, 496 U.S. 226+10 S.Ct. 2356 (1990).

<sup>3</sup> High school districts should omit this paragraph.

For high school students,<sup>4</sup> selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District’s policies. Participation in co-curricular activities is dependent upon course selection and successful progress in those courses. In order to be eligible to participate in any school-sponsored or school-supported athletic or extracurricular activity, a student must maintain an overall \_\_\_ grade point average.<sup>5</sup> Any student-participant failing to meet these academic criteria shall be suspended from the activity for \_\_\_ calendar days or until the specified academic criteria are met, whichever is longer. <sup>6</sup>

LEGAL REF.: 105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)



---

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

<sup>4</sup> Elementary districts should omit this paragraph.

<sup>5</sup> Each board in a district that maintains any of grades 9-12 must have a *no pass-no play* policy. ~~(105 ILCS 5/10-20.30).~~ The policy must specify a minimum grade point average (left blank in the sample policy) AND/OR a minimum grade in each course, such as *passing* (see alternatives below). The policy must provide a suspension period – stated in sample policy as “\_\_\_ calendar days or until the specified academic criteria are met, whichever is longer.” The procedure for implementing this policy is an administrative, management function. Alternatives follow:

Alternative 1: ...a student must maintain an overall \_\_\_ grade point average and a passing grade [or minimum grade of \_\_\_ ] in each course the student is enrolled.

Alternative 2: ...a student must maintain a passing grade [or minimum grade of \_\_\_ ] in each course the student is enrolled.

Alternative 3: ...a student must satisfy the Illinois High School Association’s scholastic standing requirements [doing passing work in at least 25 credit hours of high school work per week].

<sup>6</sup> Alternatives include:

Alternative 1: ...shall be suspended from the activity for \_\_\_ calendar days. ~~[omitting-Delete the rest of the sentence.]~~

Alternative 2: ...shall be suspended from the activity until the specified academic criteria are met.

## Instruction

### **Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct 1**

The Superintendent or designee shall establish a *Bring Your Own Technology (BYOT) Program*. The program will: 2

1. Promote educational excellence by facilitating resource sharing, innovation, and communication to enhance (a) technology use skills; (b) web-literacy and critical thinking skills about Internet resources and materials, including making wise choices; and (c) habits for responsible digital citizenship required in the 21st century. 3
2. Provide sufficient wireless infrastructure within budget parameters. 4
3. Provide access to the Internet only through the District's electronic networks. 5
4. Identify approved BYOT devices and what District-owned technology devices may be available; e.g., laptops, tablet devices, E-readers, and/or smartphones.
5. Align with Board policies 4:140, *Waiver of Student Fees*; 5:125, *Personal Technology and Social Media; Usage and Conduct*; 5:170, *Copyright*; 6:120, *Education of Children with Disabilities*; 6:235, *Access to Electronic Networks*; 7:140, *Search and Seizure*; 7:180,

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

<sup>1</sup> This policy is optional. It concerns an area in which the law is unsettled. 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. Consult the board attorney and the district's information technology professional(s) for advice to create a legally sound program that fits your district's mission statement for instruction.

<sup>2</sup> Customize paragraphs 1-8 to reflect the how the program will align with the board's mission statement for instruction and goals for its program.

<sup>3</sup> 105 ILCS 5/27-13.3 and 47 C.F.R. § 54.520(c)(1)(i) require Internet safety instruction. See f/n 164 in 6:60, *Curriculum Content* for more discussion.

<sup>4</sup> Districts may want to consider a *guest network*, similar to what hotels and other service industry hosts provide to their customers. This can protect a district's network from malicious software, which is discussed in f/n 5 below.

<sup>5</sup> Care must be taken to comply with the Children's Internet Protection Act (CIPA), (47 U.S.C. §254). CIPA requires the district to provide content filters, blocking lists, or district monitoring of Internet website traffic for patterns of usage that could indicate inappropriate network usage. While a program using district-owned technology devices is always subject to the district's electronic network rules, a BYOT program creates the possibility for students to bypass the district's electronic network and access the Internet through their own wireless providers' signals. This *bypass* complicates a district's duty under CIPA because it cannot guarantee students use its electronic network; preventing bypassing is hard for school officials to control.

Consult the board attorney about managing CIPA compliance issues in the context of a BYOT program. This sample policy is conservative, and it requires that CIPA govern the use of any BYOT device's Internet access capability while the device is at school. If the board will allow a student to bypass the district's electronic network and access his or her wireless providers' signals, consult the board attorney.

Care must also be taken to reduce the electronic network's vulnerability to malicious viruses and malware. Malicious viruses and malware are increasingly being targeted to smartphone users. This is evidenced by the Federal Trade Commission's (FTC) ~~recent filings of~~ lawsuits around the country accusing companies of ordering or engineering the sending of hundreds of millions of spam text messages to mobile phone users. The district may want to require students to ensure their BYOT devices contain an anti-virus and/or anti-malware software product. While many of these software products are free, some are not. Requiring all BYOT devices to have this type of software presents equity issues between students because it may require parents/guardians to spend funds to participate (see the discussion in f/n 6 below).

*Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:190, *Student Behavior*; and 7:340, *Student Records*. <sup>6</sup>

6. Provide relevant staff members with BYOT professional development opportunities, including the provision of:
  - 7
  - a. Classroom management information about issues associated with the program, e.g., technical support, responsible use, etc.;
  - b. A copy of or access to this policy and any building-specific rules for the program;
  - c. Additional training, if necessary, about 5:170, *Copyright*; and
  - d. Information concerning appropriate behavior of staff members as required by State law and policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*. <sup>8</sup>
7. Provide a method to inform parents/guardians and students about this policy.

---

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

<sup>6</sup> A BYOT program must continue to follow established policies. Boards may use this alternative, “Align with established Board policies.”

Managing the following issues may require a consultation with the board attorney:

1. 4:140, *Waiver of Student Fees*, needs examination because most BYOT programs require parents/guardians to spend funds to participate. 105 ILCS 5/10-20.13 requires districts, at a minimum, to waive charges for textbooks and other fees for children whose families are unable to afford them. See also policy 6:210, *Instructional Materials*, stating that district classrooms and learning centers should be equipped with an evenly-proportioned, wide assortment of instructional materials, including textbooks, workbooks, audio-visual materials, and electronic materials.
2. Management issues concerning 5:125, *Personal Technology and Social Media; Usage and Conduct*, and 5:170, *Copyright* are discussed in f/ns 7 ~~&and~~ 8 below.
3. 6:120, *Education of Children with Disabilities*, requires consideration for students with disabilities when integrating any technology programs into the educational environment. As with district-provided devices (often referred to as *1:1 technology programs*), devices must be accessible to students with disabilities, including those who are blind, have low vision or have a disability that affects their ability to access print information. The use of mobile devices that do not allow a student with a disability to access the instructional materials would be a violation of the student’s right under the Individuals With Disabilities Education Act (IDEA) (20 U.S.C. §1400 et seq.).
4. 6:235, *Access to Electronic Networks*, is discussed in f/n 5 above.
5. 7:140, *Search and Seizure*, still applies in a BYOT program. The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. However, 105 ILCS 5/10-22.6(e) allows school officials to inspect the personal effects left by a student on property owned or controlled by the school, e.g., lockers, desks, and parking lots. Many cases suggest that to search a student’s possessions left in the locker, school officials need individualized suspicion of wrongdoing. Many of the issues re: the search of electronic devices that are discussed in 7:190-AP6, *Guidelines for Investigating Sexting Allegations*, will apply to investigations involving BYOT devices. To minimize mediating with law enforcement for parents/guardians about confiscated devices, districts should distinguish whether they are acting upon their own initiative or need to contact law enforcement. See f/ns in policy 7:140, *Search and Seizure*, and the policy’s **Seizure of Property** subhead.
6. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, and 7:190, *Student Behavior*, present similar issues to #–3 ~~&and~~ #4 above. Students must be aware that traditional expectations for appropriate behavior, and the consequences for inappropriate behavior, apply to a BYOT program.
7. See 7:340, *Student Records*. The law is not clear whether materials created by students participating in a BYOT program through a district’s network access are *school student records*.

<sup>7</sup> See f/n 1 above re: collective bargaining. Moving forward without properly training educators to manage BYOT issues may create pedagogical problems. One option for this training is to incorporate it into the training required during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by board policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*. Many issues involved in BYOT programs intersect with maintenance of appropriate behavior and policy 5:125, *Personal Technology and Social Media; Usage and Conduct*.

<sup>8</sup> 23 Ill.Admin.Code §22.20 and 105 ILCS ~~5/21-23, amended by P.A. 97-8, repealed, added and renumbered at 105 ILCS-5/21B-75, amended by P.A. 99-456 by P.A. 97-607.~~



8. Include the program in the annual report to the Board as required under policy 6:10, *Education Philosophy and Objectives*.

The District reserves the right to discontinue its BYOT program at any time. The District does not provide liability protection for BYOT devices, and it is not responsible for any damages to them.

#### Responsible Use<sup>9</sup>

The District recognizes students participating in the program as responsible young adults and holds high expectations of their conduct in connection with their participation in the program. Teachers may encourage students to bring their own devices as supplemental in-class materials when: (a) using the devices will appropriately enhance, or otherwise illustrate, the subjects being taught; (b) the Building Principal has approved their use and found that their use is age-appropriate; and (c) the student's parent/guardian has signed the *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement Form*. A student's right to privacy in his or her device is limited; any reasonable suspicion of activities that violate law or Board policies will be treated according to policy 7:140, *Search and Seizure*.

Responsible use in the program incorporates into this policy the individual's *Acceptable Use of Electronic Networks* agreement pursuant to policy 6:235, *Access to Electronic Networks*. Responsible use also incorporates the established usage and conduct rules in policy 5:125, *Social Media and Personal Technology; Usage and Conduct*, for staff and 7:190, *Student Behavior*, for students. Failure to follow these rules and the specific BYOT program student guidelines may result in: (a) the loss of access to the District's electronic network and/or student's BYOT privileges; (b) disciplinary action pursuant to 7:190, *Student Behavior*; 7:200, *Suspension Procedures*; or 7:210, *Expulsion Procedures*; and/or (c) appropriate legal action, including referrals of suspected or alleged criminal acts to appropriate law enforcement agencies.

---

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

<sup>9</sup> This section provides general guidelines. A BYOT program will require a parent/guardian authorization to participate in it and specific guidelines for students. See 6:220-E1, *Authorization to Participate in Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct*; 6:220-E2, *Bring Your Own Technology (BYOT) Program Student Guidelines*; and 6:235-E5, *Children's Online Privacy Protection Act*. See f/ns 7 ~~&~~ 8 above re: teachers' guidelines. See f/n 1, above discussing how the aApplication of additional guidelines for teachers may have collective bargaining implications ~~(see f/n 4)~~.



LEGAL REF.: 15 U.S.C. §§6501-6508, Children’s Online Privacy Protection Act, implemented by 16 C.F.R. Part 312, Children’s Online Privacy Protection Rule.  
20 U.S.C §6751 et seq., Enhancing Education Through Technology Act.  
47 U.S.C. §254(h) and (l), Children’s Internet Protection Act.  
47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.  
105 ILCS 5/10-20.28.

CROSS REF.: 1:30 (School District Philosophy), 4:140 (Waiver of Student Fees), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:170 (Copyright), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:120 (Education of Children with Disabilities), 6:210 (Instructional Materials), 6:235 (Access to Electronic Networks), 7:140 (Search and Seizure), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:340 (Student Records)

DRAFT

## 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 ~~the~~ them with your child, including using the Internet through the District’s electronic network during instructional time (Children’s Internet Protection Act (CIPA) (47 U.S.C. §254)). This authorization and agreement needs to be signed only once while your child is enrolled in the District.

Your child must also sign the *Student Authorization for Access to the District’s 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 during instructional

times, my child may access the District's Internet only through its electronic networksgateway 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 (including, but not limited to 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 Behavior*. ~~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, *Prevention of and Response to 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

### Library Media Program 1

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

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

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

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

---

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

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

## Instruction

### Field Trips 1

Field trips are permissible when the experiences are a part of the school curriculum and/or contribute to the District's educational objectives. 2

All field trips must have the Superintendent or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the School Board.<sup>3</sup> The Superintendent or designee shall analyze the following factors to determine whether to approve a field trip:<sup>4</sup> educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Superintendent or designee may be charged to help defray the transportation costs. 5

Parents/guardians of students: (1) shall be given the opportunity to consent to their child's participation in any field trip;<sup>5</sup> and (2) are responsible for all entrance fees, food, lodging, or other costs, except that the District will pay such costs for students who qualify for a fee waiver under Board policy 4:140, Waiver of Student Fees~~free or reduced school lunches~~. All non-participating students shall be provided an alternative experience. Any field trip may be cancelled without notice due to an unforeseen event or condition.

Privately arranged trips, including those led by District staff members, shall not be represented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them. 6

LEGAL REF.: 105 ILCS 5/29-3.1.

CROSS REF.: 4:140 (Waiver of Student Fees), 6:10 (Educational Philosophy and Objectives), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

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

<sup>1</sup> This is an optional policy. The following is an optional section for including class trips; add to the bottom of the policy and add "and Recreational Class Trips" to the policy's title.

#### Recreational Class Trips

Recreational class trips are permissible provided they do not interfere with the District's educational program. The provisions in this policy concerning field trips, except those regarding educational value, are also applicable to recreational class trips.

<sup>2</sup> As an alternative, substitute the verb "encouraged" for "permissible." State law also permits educational tours as a course supplement but does not authorize the use of school funds for such tours. (105 ILCS 5/10-22.29b).

<sup>3</sup> According to 105 ILCS 5/29-3.1, "[t]he school board may provide transportation for pupils on bona fide field trips in Illinois or adjacent states." The superintendent or designee is delegated the responsibility to approve field trips after considering the factors in the policy.

105 ILCS 5/29-6.3 allows districts to transport students in multi-function school activity busses (MFSABs)~~vans~~ for school sponsored activities ~~"provided that the van is operated by or for the district under a rental or for hire arrangement entered into by the district."~~

<sup>4</sup> These are at the local board's discretion.

<sup>5</sup> Transportation fees are permitted by 105 ILCS 5/29-3.1.

<sup>6</sup> This paragraph is optional. It seeks to distinguish privately arranged trips from those that are controlled and sponsored by the district and provides a disclaimer.

## Instruction

### **Administrative Procedure - Field Trip Guidelines 1**

<b>Actor</b>	<b>Action</b>
Teacher(s) or administrator who seeks consent for a school-sponsored trip with students	<p>Submits a trip proposal to the Building Principal. The proposal must specifically describe each of the following:</p> <ol style="list-style-type: none"> <li>1. The trip, including possible dates, location, and experience</li> <li>2. The trip’s educational value</li> <li>3. Transportation requirements</li> <li>4. Supervision plans that include, among other things, plans for at least <u>2-two</u> adult supervisors to be present with every grouping of students</li> <li>5. The students who will be involved</li> <li>6. The alternative experience that will be provided non-participating students</li> <li>7. A summary and evaluation of any previous similar trip</li> </ol>
Building Principal	<p>Prepares a recommendation for the Superintendent or Board, as appropriate, using the following factors to analyze the trip proposal:</p> <ul style="list-style-type: none"> <li>Educational value</li> <li>Distance to be traveled</li> <li>Location</li> <li>Travel arrangements</li> <li>Fees</li> <li>Parent concerns</li> <li>Insurance carrier’s liability feedback</li> <li>Safety considerations</li> <li>Heightened security alerts</li> <li>Whether trip is an annual event</li> </ul>
Appropriate teacher(s) and Building Principal	<p>Makes final transportation arrangements.</p> <p>Recruits parents/guardians for supervisory roles, as appropriate.</p> <p>Collects signed consent forms and fees from all participating students’ parents/guardians.</p> <p>Makes sure all supervisors have a list of the following:</p> <ol style="list-style-type: none"> <li>1. Names of all student participants and supervisors</li> <li>2. Names and specifics of students with special needs</li> <li>3. Name/phone number of emergency contacts for all students and supervisors</li> <li>4. Date/time and specific destination of trip</li> </ol>

**The footnotes should be removed before the material is used.**

**1** Be sure these procedures are consistent with the board policy. ~~(See IASB~~ sample policy 6:240, *Field Trips*). In addition, make adjustments to include recreational class trips if the board’s policy includes them. If class trips are included, add to the title, “and Recreational Class Trips.”



Actor	Action
	5. Departure/arrival times both to and from destination 6. Name and phone number of transportation company and primary contact in case of emergency 7. Name/phone number of contact at destination 8. Once at destination, where to go in case of an emergency 9. Make final supervisor assignments and inform all supervisors of their individual assignments
Parent(s)/guardian(s)	Decides whether to consent to their student's participation.  If the student is participating, pays all applicable fees for entry, food, lodging, transportation, or other costs. The District will pay such costs for students who qualify for free and reduced school lunches.
Teacher(s) or administrator proposing the trip	After a trip, evaluates the trip and provides the Building Principal with the evaluation.

DRAFT



## Instruction

### **Community Resource Persons and Volunteers 1**

The School Board encourages the use of resource persons and volunteers to: (1) increase students' educational attainment;<sup>1</sup> (2) provide enrichment experiences for students;<sup>2</sup> (3) increase the effective utilization of staff time and skills;<sup>3</sup> (4) give more individual attention to students;<sup>4</sup> and (5) promote greater community involvement.

Resource persons and volunteers may be used: **2**

1. For non-teaching duties not requiring instructional judgment or evaluation of students; **3**
2. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (such as computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities; **4**
3. To assist with academic programs under a certificated teacher's immediate supervision; **5**
- 3-4. To assist in times of violence or other traumatic incidents within the District by providing crisis intervention services to lessen the effects of emotional trauma on staff, students, and the community, provided the volunteer meets the qualifications established by the Ill. School Crisis Assistance Team Steering Committee; **6**
- 4-5. As a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval; or **7**
- 5-6. As supervisors, chaperones, or sponsors for non-academic school activities. **8**

The Superintendent shall follow Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications, to* establish procedures for securing and screening resource persons and volunteers.<sup>9</sup> A person who is a "*sex offender,*" as defined by the Sex Offender Registration Act, or a "*violent offender against youth,*" as defined in the ~~Child~~ Murderer and Violent Offender Against Youth Registration Act, is prohibited from being a resource person or volunteer.<sup>10</sup> All volunteer coaches

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.

<sup>2</sup> How volunteers are used should be determined locally.

<sup>3</sup> 105 ILCS 5/10-22.34(a)(1).

<sup>4</sup> 105 ILCS 5/10-22.34(a)(2).

<sup>5</sup> 105 ILCS 5/10-22.34(b).

<sup>6</sup> Id.

<sup>7</sup> 105 ILCS 5/10-22.34b, last paragraph.

<sup>8</sup> 105 ILCS 5/10-22.34a.

<sup>9</sup> The law is silent with regard to screening volunteers and individuals in the proximity of a school. *Screening and fingerprint-based criminal history records checks are different. See procedure 4:175-AP1, Criminal Offender Notification Laws; Screening, for further distinctions.*

<sup>10</sup> Sex Offender Registration Act, 730 ILCS 150/; Sex Offender Community Notification Law, 730 ILCS 152/; Child Murderer and Violent Offender Against Youth Registration Act, 730 ILCS 154/; Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75.

must comply with the requirement to report hazing in policy 5:90, *Abused and Neglected Child Reporting*. 11

- LEGAL REF.: 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.  
720 ILCS 5/12C-50.1, Failure to Report Hazing.  
730 ILCS 150/1 et seq., Sex Offender Registration Act.  
730 ILCS 152/101 et seq., Sex Offender Community Notification Law. ~~and~~  
730 ILCS 154/75 et seq., Murderer and Violent Offender Against Youth  
Community Notification Law.  
730 ILCS 154/101 et seq., Murderer and Violent Offender Against Youth  
Registration Act.
- CROSS REF.: 4:170 (Safety), 4:175 (Convicted Child Sex Offender; Screening; Notifications),  
5:90 (Abused and Neglected Child Reporting), 5:280 (Duties and Qualifications),  
8:30 (Visitors to and Conduct on School Property), 8:95 (Parental Involvement)

This paragraph exceeds the requirements in State law but reflects best practice. There is no statutory screening requirement and the only legal restriction is the statute prohibiting a child sex offender 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)~~. However, two databases provide an easy way for schools to screen for sex offenders and violent offenders against youth, i.e.: the Illinois Ill. Sex Offender Registry, [www.isp.state.il.us/sor](http://www.isp.state.il.us/sor) and the Violent Offenders Against Youth Database maintained by the State Police, [www.isp.state.il.us/cmvo/](http://www.isp.state.il.us/cmvo/). See ~~Child-Murderer~~ and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105; Sex Offender Community Notification Law, 730 ILCS 152/101 et seq. The sample administrative procedures 4:170-AP1, *Comprehensive Safety and Security Plan*, and 6:250-AP, *Securing and Screening Resource Persons and Volunteers*, provide guidance for fulfill the requirement for the superintendent to develop a screening process as required by this policy. This alternative paragraph goes further by forbidding the use of any convicted felon:

The Superintendent shall establish procedures for securing and screening resource persons and volunteers. A person who is a "sex offender," as defined by the Sex Offender Registration Act, or a "violent offender against youth," as defined in the ~~Child-Murderer~~ and Violent Offender Against Youth Registration Act, or has otherwise been convicted of a felony, is prohibited from being a resource person or volunteer.

The following alternative paragraph reflects the minimum requirement of State law:

A person who is a "child sex offender," as defined by the Criminal Code of 2012, is prohibited from being a resource person or volunteer.

11 720 ILCS 5/12C-50.1, ~~added by P.A. 98-393~~.

**Students**

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

Date \_\_\_\_\_

Re: Student Survey Participation

Dear Parents:

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

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

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

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

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

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

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

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

Request to Review

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

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

**The footnotes should be removed before the material is used.**

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

## Students

### **Administrative Procedure - Harassment of Students Prohibited**

The intent of this procedure is to (1) inform the Building Principal of specific steps to prevent harassment of students, and (2) inform staff members of the appropriate response to allegations of harassment. See the U.S. Department of Education’s Education (DOE) pamphlet, *Sexual Harassment: It’s Not Academic*, at: [ed.gov/about/offices/list/ocr/docs/ocrshpam.html](http://ed.gov/about/offices/list/ocr/docs/ocrshpam.html).

Actor	Action
Building Principal or Designee	<p>Informs staff members and students that the District prohibits harassment of students. -Distributes or references School Board policies; 7:20, <i>Harassment of Students Prohibited</i>, and 2:260, <i>Uniform Grievance Procedure</i> using various methods. Takes measures to prevent harassment of students, which may include:</p> <ol style="list-style-type: none"> <li>1. Conducts <del>periodic</del>regular harassment awareness training for all school staff, including administrators, teachers, and guidance counselors, <u>and ensures all new employees are trained.</u><sup>1</sup></li> <li>2. Conducts <del>periodic</del>regular<sup>2</sup> age-appropriate harassment awareness training for students.</li> <li>3. Provides a means for students to learn and discuss what constitutes harassment and how to respond to it in the school setting.</li> <li>4. Surveys students to determine if harassment is occurring at school.</li> <li>5. Conducts <del>periodic</del>regular<sup>3</sup> harassment awareness training for parents/guardians.</li> <li>6. Works with parents/guardians and students to develop and implement age-appropriate, effective measures for addressing harassment.</li> <li>7. Determines when extra supervision and precaution should be taken, such as; when: two or more students seem to be in conflict with each other; there have been previous incidents of harassment, sexual assaults, threats, or bullying around perceived sexual orientation; or a specific student has had multiple disciplinary violations.</li> <li>8. Has a process in place to: (1) inform a staff member when a student that he or she supervises has a history of violent or sexually inappropriate behavior, and (2) keep such a student constantly supervised.</li> <li>9. Regularly trains staff members regarding: (1) their classroom and non-classroom supervisory responsibilities, e.g., during a school-sponsored</li> </ol>

The footnotes should be removed before the material is used.

<sup>1</sup> The term *regular* and phrase “ensuring all new employees are trained” is a best practice. Amend these terms to reflect the district’s practice.

<sup>2</sup> Id.

<sup>3</sup> Id.

Actor	Action
	<p>event, before and after school, while students wait for the school bus, between classes, during lunch, and at recess, (2) behaviors that may be an indicator of sexual or physical violence against another student, and (3) what to do when they observe an unusual and disruptive student.</p> <p>10. Identifies areas in the school building that are isolated, (e.g., restrooms, locker rooms, hallways while classes are in session, stairwells, and empty rooms) and takes extra steps to make them safe.</p> <p>11. Immediately notifies the police and relevant parents/guardians when an assault or attempted assault has occurred.</p>
<p>Nondiscrimination Coordinator and/or <b>Grievance Complaint Manager(s)</b></p>	<p>Thoroughly and promptly investigates allegations of harassment by:</p> <ol style="list-style-type: none"> <li>1. Distributing Board policies 2:260, <i>Uniform Grievance Procedure</i>, and <u>7:20, <i>Harassment of Students Prohibited</i></u>, to any person upon request;</li> <li>2. Following Board policies 2:260, <i>Uniform Grievance Procedure</i>, and <u>7:20, <i>Harassment of Students Prohibited</i></u>;</li> <li>3. Notifying a student's parents/guardians that they may attend any investigatory meetings in which their child is present;</li> <li>4. Keeping the complaining parents/guardians informed of any investigation's progress; and</li> <li>5. Keeping confidential all information about an investigation and the statements of students and other witnesses. -The Superintendent shall be kept informed of an investigation's progress, <u>unless the Superintendent is the subject of the complaint. If a complaint contains allegations involving the Superintendent, the Board President shall be kept informed of an investigation's progress.</u></li> </ol>
<p>All District Staff Members</p>	<p>Immediately report to the Illinois Department of Children and Family Services any situation that provides you with reasonable cause to believe that a child may be an abused child or a neglected child. Promptly notify the Superintendent and Building Principal that you made a report. <u>If a report contains allegations involving the Superintendent, only notify the Building Principal who shall contact the Board President. If a report contains allegations involving the Building Principal, only notify the Superintendent.</u></p>

## Students

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

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

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

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

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Superintendent or designee shall develop incentives and positive reinforcement measures to encourage full compliance. <sup>13</sup>

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

<sup>6</sup> In 1969, the U.S. Supreme Court recognized that students enjoy First Amendment free speech rights in school but that schools have the authority to limit student speech that might reasonably be predicted to cause a material and substantial disruption or invasion of the rights of others. Tinker v. Des Moines Independent Sch. Dist., 393 U.S. 503 (1969). The manner in which this ruling applies to uniform policies is still unsettled. See DePinto v. Bayonne Bd. of Educ., 514 F.Supp.2d 633 (D. N.J., 2007) (a school district was enjoined from disciplining elementary students who wore a button protesting the district's mandatory uniform policy). However, many decisions have upheld a compulsory uniform policy. See Blau v. Ft. Thomas Public Sch. Dist., 401 F.3d 381 (6th Cir. 2005); Canady v. Bossier Parish Sch. Board, 240 F. 3d 437 (5th Cir 2001); Littlefield v. Forney Sch. Dist., 268 F.3d 275 (5th Cir. 2001); Jacobs v. Clark County Sch. Dist., 373 F.Supp.2d 1162 (D. Nev., 2005); Phoenix Elementary Sch. Dist. v. Green, 943 P. 2d 836 (Az.Ct. App. 1997); Vines v. Zion Sch. Dist., 2002 WL 58815 (N.D.Ill. 2002); Alwood v. Clark, 2005 WL 2001317 (S.D.Ill. 2005); Bear v. Fleming, 714 F.Supp.2d 972 (W.D. S.D. 2010) (requiring students to wear a cap and gown while receiving their diplomas is reasonably related to the school board's legitimate interest in maintaining order). **Before adopting a uniform policy, a board should discuss this issue with its attorney.**

<sup>7</sup> Omit *personal choice* if the district has a mandatory uniform policy.

<sup>8</sup> 105 ILCS 5/10-22.25b.

<sup>9</sup> Id.

<sup>10</sup> Id. Remove this provision if a mandatory uniform policy is adopted with a provision allowing the parents/guardians to obtain an opt-out (see f/n 2).

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

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

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

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

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

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



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

CROSS REF: [4:140 \(Waiver of Student Fees\)](#), 7:160 (Student Appearance), 7:190 (Student Behavior)

DRAFT

---

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

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



## Students

### **Administrative Procedure - Prevention, Identification, Investigation, and Response to Bullying and School Violence**<sup>1</sup>

The strategic components for integrating an anti-bullying program into the District's existing policies and procedures are listed below. Each component lists specific implementation steps along with resources and accompanying exhibits. The Superintendent or designee, at the District-level, or the Building Principal or designee, at the Building-level, is responsible for the integration of these components. Use the local conditions of the community and other available resources to determine the best implementation methods. At times, support from the School Violence Prevention Team (see 4:170-AP7, *Targeted School Violence Prevention Program*) may be appropriate as bullying and threats of school violence often arise from the same behavior pattern(s), i.e., interpersonal aggression.<sup>2</sup>

Commented [MB1]: "School Violence" was deleted from 7:180-AP1 and its exhibits to more accurately reflect this materials' focus on bullying, and to avoid confusion between violence related to school bullying versus other types of school violence referenced in the Policy Reference Manual (such as gun violence).

#### **Preventing Bullying and School Violence**

1. Review 7:180-AP1, E1, *Resource Guide for Bullying and School Violence Prevention*.
2. Assess the District's Conditions for Development and Learning. Below are resources that discuss and provide information about how to implement school climate measurement instruments:

School Bullying Prevention Task Force Report, *Selection of School Climate Measures*, p. 19 at: [www.isbe.net/Documents/sbptf\\_report\\_030111.pdf](http://www.isbe.net/Documents/sbptf_report_030111.pdf).

*Safe Supportive Learning's* School Climate Measurement compendium at: [safesupportiveschools.ed.gov/index.php?id=133](http://safesupportiveschools.ed.gov/index.php?id=133).

#### **Identifying Bullying and School Violence**

1. Post 7:180-AP1, E2, *Be a Hero by Reporting Bullying and School Violence*, in school buildings, student handbooks, online, etc.
2. Train staff to recognize and accept reports of bullying and school violence, 7:180-AP1, E3, *Memo to Staff Regarding Bullying and School Violence*.
3. Inform parents about the District's anti-bullying program, 7:180-AP1, E4, *Memo to Parents/Guardians Regarding Bullying and School Violence*.
4. Inform students how to make a report, including an anonymous report, i.e., complete and submit 7:180-AP1, E5, *Report Form for Bullying and School Violence*.

#### **Investigating Reports of Bullying and School Violence**

1. Conduct a prompt, thorough and impartial investigation upon receiving a report.
2. Review the report, i.e., 7:180-AP1, E5, *Report Form for Bullying and School Violence*.

The footnotes should be removed before the material is used.

<sup>1</sup> A section of the Prevent School Violence Act (PSVA) directed Ill. State Board of Education (ISBE) to create a School Bullying Prevention Task Force to explore and report about all aspects of bullying in Ill. schools. (105 ILCS 5/27-23.9, added by P.A. 96-952 and repealed on 3-2-11). A link to the ISBE Task Force's report is cited above and throughout the exhibits to this procedure.

<sup>2</sup> See the School Bullying Prevention Task Force Report, p. 22 at: [www.isbe.net/Documents/sbptf\\_report\\_030111.pdf](http://www.isbe.net/Documents/sbptf_report_030111.pdf).

3. Interview the listed aggressor(s), target(s) and witnesses using 7:180-AP1, E6, *Interview Form for Bullying-and School Violence Investigation*.

**Responding to Bullying~~3~~ and School Violence**

1. Complete 7:180-AP1, E7, *Response to Bullying-and School Violence*.
2. Notify the District's Non-Discrimination Coordinator if the findings indicate that the behavior was based upon the protected statuses listed in 7:20, *Harassment of Students Prohibited*.
3. Communicate and partner with the parents/guardians of the students involved. Ask parents/guardians, "How can we help you and your child?"
4. Stop the behavior(s).
5. Eliminate any hostile environment(s) and its effects (see **Preventing Bullying-and School Violence** #2, above). <sup>4</sup>
6. Prevent the bullying from happening again.
7. Implement appropriate interventions for the target, aggressor, and District.
8. Address any findings of repeated inaccurate accusations against an alleged-aggressor that are beginning to impede his or her education, e.g., reverse bullying.
9. Follow-up with target, aggressor and their parent(s)/guardian(s) to ensure subsequent bullying has not occurred and no new concerns have arisen.

**The footnotes should be removed before the material is used.**

<sup>3</sup> See the *School Bullying Prevention Task Force Report*, at: [www.isbe.net/Documents/sbptf\\_report\\_030111.pdf](http://www.isbe.net/Documents/sbptf_report_030111.pdf), for assistance in identifying responses to and appropriate interventions for bullying.

<sup>4</sup> *Zeno v. Pine Plains Central School Dist.*, 702 F.3d 655 (2nd Cir., 2012) (holding district liable for taking little action to address systemic discriminatory issues in the school environment, i.e., school climate); *Doe v. Galster*, 768 F.3d 611 (7th Cir. 2014) (finding that even though alleged acts could have constituted harassment causing a systemic effect on Doe's education, the district was not liable because its response to the alleged acts was not deliberately indifferent).

## Students

### Exhibit - Resource Guide for Bullying and School Violence Prevention

#### General Resources

ISBE's *School Bullying Prevention Task Force Report*:

[www.isbe.net/Documents/sbptf\\_report\\_030111.pdf](http://www.isbe.net/Documents/sbptf_report_030111.pdf)

Resources section of the website managed by the U.S. Department of Health & Human Services:

[www.stopbullying.gov/index.html](http://www.stopbullying.gov/index.html)

Bullying in Schools - Cops – U.S. Department of Justice:

[https://cops.usdoj.gov/html/cd\\_rom/solution\\_gang\\_crime/pubs/BullyinginSchools.pdf](https://cops.usdoj.gov/html/cd_rom/solution_gang_crime/pubs/BullyinginSchools.pdf)

#### Restorative Discipline Resources

Positive Behavior Intervention & Supports (PBIS):

[www.pbis.org/school/default.aspx](http://www.pbis.org/school/default.aspx)

Social and Emotional Learning Standards:

[www.isbe.net/Pages/Social-Emotional-Learning-Standards.aspx](http://www.isbe.net/Pages/Social-Emotional-Learning-Standards.aspx)

Dignity in Schools:

<http://dignityinschools.org/take-action/model-school-code/>

Illinois Balanced and Restorative Justice:

[www.ibarj.org](http://www.ibarj.org)

#### Conditions for Development and Learning; Data Collection Resources

Centers for Disease Control and Prevention (CDC)'s *Measuring Bullying Victimization, Perpetration, and Bystander Experiences: A Compendium of Assessment Tools*:

<https://www.cdc.gov/violenceprevention/pdf/bullycompendium-a.pdf>

Safe Supportive Learning's School Climate Measurement Compendium:

<https://safesupportivelearningschools.ed.gov/index.php?id=133>

~~Positive Behavior Intervention & Supports (PBIS):~~

[www.pbis.org/school/default.aspx](http://www.pbis.org/school/default.aspx)

CDC's *Youth Violence: Measuring Violence-Related Attitudes, Behaviors, and Influences Among Youths: A Compendium of Assessment Tools - Second Edition*:

[https://www.cdc.gov/violenceprevention/pdf/yv\\_compendium.pdf](https://www.cdc.gov/violenceprevention/pdf/yv_compendium.pdf)

CDC's *Intimate Partner Violence and Sexual Violence Victimization Assessment Instruments for Use in Healthcare Settings, Version 1*:

<https://www.cdc.gov/violenceprevention/pdf/ipv/ipvandsvscreening.pdf>

World Health Organization (WHO) Information Series on School Health's *Document 10, Creating an Environment for Emotional and Social Well-Being*:

[www.who.int/school\\_youth\\_health/media/en/sch\\_childfriendly\\_03\\_v2.pdf](http://www.who.int/school_youth_health/media/en/sch_childfriendly_03_v2.pdf)

Rachel's Challenge:

<https://rachelschallenge.org>

**Students****Exhibit - Be a Hero by Reporting Bullying ~~and School Violence~~**

<b>Who reports?</b>	YOU, if you have information about bullying, harassment, <del>school violence</del> , and/or a threat of one of these actions. It doesn't matter whether you are the target of bullying or think someone is being bullied, please report it!
<b>What do I report?</b>	<p>Any activity that targets someone to be hurt. Bullying, harassment, <del>school violence</del>, and threats take many forms. One thing they have in common – someone is targeted to be hurt. Examples of these hurtful behaviors include unwanted teasing, intimidation, physical violence, humiliation, spreading false rumors, social exclusion, or theft or destruction of property.</p> <p>Bullying, harassment, <del>school violence</del>, and threats may occur almost anywhere students go – in school buildings, on school grounds or busses, at bus stops, for example. Bullying or harassing may also occur using social networking sites or cell phones.</p>
<b>When should I report?</b>	As soon as possible.
<b>Where or how do I report?</b>	<p>Tell any school staff member. You may do this in person, by phone, or by email. You may be asked to complete 7:180-AP1, E5, <i>Report Form for Bullying <del>and School Violence</del></i>.</p> <p>You may make an anonymous tip.</p>
<b>Why should I report?</b>	Fear and abuse have no place in our school. <del>-Be a hero and report bullying.</del> If you are being bullied, a report will help you and other students who may also be targeted for bullying.
<b>What will happen after I report?</b>	<p>An Administrator will:</p> <ol style="list-style-type: none"> <li>1. Acknowledge and review your report.</li> <li>2. Treat your report with privacy and respect <u>its sensitive nature</u>.</li> <li>3. Investigate your report. The school will not bring students who bully and those they bully into the same room to confront each other. All interviews will be private.</li> <li>4. Take appropriate action that may include increased monitoring and supervision, restructuring schedules, additional resources, and disciplinary action for conduct code violations, among others.</li> <li>5. Provide you with feedback, if appropriate.</li> </ol>

StudentsExhibit - Memo to Staff Regarding Bullying ~~and School Violence~~*On District Letterhead*

Date

Re: Bullying

All staff members:

Please join me in stopping and preventing student bullying in our school. The purpose of this letter is to introduce you to our three-pronged approach that will help accomplish this goal.

**First** - If a student reports bullying ~~or school violence~~ to you, respond immediately and with compassion. Ask for the basic facts (who-what-when-where). ~~You will need to evaluate the situation to determine if an immediate referral the report to my office is needed.~~ Give the student our form for reporting bullying, 7:180-AP1, E5, *Report Form for Bullying ~~and School Violence~~*.

**Second** - Provide me your feedback and concerns. Do you know of any bullying *hot spots* that need additional supervision or monitoring? Are there known bullies or targets of bullying?

**Third** - Intervene immediately to stop a bullying incident. When teachers or adults ignore bullying, students interpret it as acceptable behavior. Immediately contact administration and building security ~~and~~ or law enforcement if the incident involves a weapon or other illegal activity.

Bullying is defined in ~~the~~ School Board policy 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment, as follows:

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student in reasonable fear of harm to the student's person or property.
2. Causing a substantially detrimental effect on the student's physical or mental health.
3. Substantially interfering with the student's academic performance.
4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, intimidation, and/or harassment may take various forms, including without limitation: threats, stalking, physical violence, sexual harassment, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

The Board's entire policy ~~7:180, Prevention of and Response to Bullying, Intimidation, and Harassment~~, may be found on the District's website. Please let me know if you have any questions or concerns.

Sincerely,

Building Principal

## Students

### Exhibit - Memo to Parents/Guardians Regarding Bullying ~~and School Violence~~

*On District Letterhead*

Date

Re: Bullying

Dear Parents/Guardians:

At our school, bullying of any kind, by any person, is unacceptable. All students should be free from worries about being bullied. Students who bully others must be taught other, appropriate ways of interacting with peers. The purpose of this letter is to provide you with information concerning the School District's anti-bullying program and to encourage you to help us identify students who are being bullied.

The School Board policy on bullying begins with this goals statement:

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors is an important District goal.

Bullying is defined as follows:

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student in reasonable fear of harm to the student's person or property.
2. Causing a substantially detrimental effect on the student's physical or mental health.
3. Substantially interfering with the student's academic performance.
4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, intimidation, and/or harassment may take various forms, including without limitation: threats, stalking, physical violence, sexual harassment, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

I asked our school staff members to respond immediately and with compassion to a student who reports bullying or school violence. After evaluating the situation to determine if an immediate referral to my office is needed, a staff member will give the student our form for reporting bullying, 7:180-AP1, E5, *Report Form for Bullying ~~and School Violence~~*. I will inform you whenever your child is involved in a bullying report.

I also asked our staff members for their feedback and concerns specifically regarding locations that may be bullying *hot spots* needing additional supervision or monitoring or if there are any known bullies or targets of bullying in our building. I want to ask you to do the same thing. Please inform me if you know of any bullying *hot spots* in or around our school, or if you are aware of a known bully or target of bullying.

Finally, I requested our staff members to intervene immediately to stop a bullying incident. They will immediately contact building security and or law enforcement if the incident involves a weapon or other illegal activity.

Below are some of the signs that a young person is being bullied:

- Does not want to go to school and refuses to explain the reason
- Talks about not having any friends
- Has unexplained bruises, cuts, scratches, or abrasions
- Has unexplained damage to clothing, possessions, books, etc.
- Frequently loses money or possessions
- Loses interest in school and/or has declining grades
- Becomes withdrawn and/or has stress or depression symptoms

These signs do not necessarily mean your child is being bullied, but if present, ask your child whether he or she is being bullied.

Please let me know if you have any questions or concerns.

Sincerely,

Building Principal

**Students**

**Exhibit - Report Form for Bullying and School Violence**

To be completed by the bullying target, witness, or person with information about an incident of bullying or school violence and submitted to the Building Principal's office. Make readily accessible via website(s) and other publicized designated areas in schools.

Please print and check appropriate boxes.

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Student  Parent  Staff  Other

Indicate here if you prefer to remain anonymous.  Yes  No

Are you the target of the bullying or school violence that you are reporting?  Yes  No

Date of incident: \_\_\_\_\_ Time of incident: \_\_\_\_\_

Person(s) being reported as targets of bullying or school violence:

Name: \_\_\_\_\_  Student  Staff  
Name: \_\_\_\_\_  Student  Staff  
Name: \_\_\_\_\_  Student  Staff

Person(s) being reported as aggressors engaged in bullying or school violence:

Name: \_\_\_\_\_  Student  Staff  Other  
Name: \_\_\_\_\_  Student  Staff  Other  
Name: \_\_\_\_\_  Student  Staff  Other

Person(s) who witnessed the bullying or school violence:

Name: \_\_\_\_\_  Student  Staff  Other  
Name: \_\_\_\_\_  Student  Staff  Other  
Name: \_\_\_\_\_  Student  Staff  Other

Was the incident based on any of these characteristics? (Check all that apply.)

- Race
- Sex
- Pregnancy
- Age
- Mental disability
- Marital status
- Associated with person/group with one or more of the above actual or perceived characteristics
- Other \_\_\_\_\_
- Color
- Sexual orientation
- Gender-related expression
- Religion
- Order of protection status
- Parental status
- Nationality
- Gender identity
- Ancestry
- Physical disability
- Homeless status
- Pregnancy

Commented [MB1]: Duplicative of "Gender identity".



I do not know.

Student(s) were targeted for bullying in the following way(s): (Check all that apply.)

- Electronic devices (e.g., internet, ~~S~~social media platforms, text, email, cyberbullying, etc.)
- Written communication (e.g., handwritten notes, other written documents, email, etc.)
- Physical act or conduct (e.g., pushing, hitting, destruction of property, stalking, etc.)
- Verbal act or conduct (e.g., rumors, lies, name-calling, using derogatory slurs, etc.)
- Social (e.g., purposeful exclusion, causing psychological harm, etc.)
- Items depicting implied hatred or prejudice were worn, possessed or displayed
- Other (please explain): \_\_\_\_\_

Student(s) were targeted for bullying in the following place(s): (Check all that apply.)

- Classroom
- Hallway
- Cafeteria
- Restroom
- Gym
- Other \_\_\_\_\_
- Locker room
- Extracurricular activity
- Bus
- Bus stop
- School or related activity or event

Please tell us about the incident in your own words. Use as much detail as possible - what time did the incident(s) take place, who witnessed it, what was said, what types of interactions occurred (physical, written, social, electronic, etc.)

The above information is true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Students

### Exhibit - Interview Form for Bullying ~~and School Violence~~ Investigation

*To be completed by the Building Principal or designee to obtain information about a bullying report. Use this form as a coversheet for each person interviewed during the investigation.*

Name of person interviewed: \_\_\_\_\_ Date: \_\_\_\_\_

Name of interviewer: \_\_\_\_\_ Title: \_\_\_\_\_

#### Instructions for Interviewer

1. Protect the identity of the student who reports. Begin a prompt, thorough and impartial investigation by interviewing witnesses separately in a private location with a school colleague present (not the school resource officer). Use the **Questions** section below to guide your notes while you interview the person listed above. Attach to 7:180-AP1, E7, *Response to Bullying ~~and School Violence~~*.
2. Make your notes on a separate document and attach them to this form.
3. Review and preserve any videos, photos, screenshots or other physical evidence and label it.
4. File this form, notes, and any other evidence provided in a designated investigation and response folder.
5. Use this form to complete 7:180-AP1, E7, *Response to Bullying ~~and School Violence~~*.
6. Create a *Basic Facts* section, i.e., who, what, where, when, why and how.
7. Record the actions and behavior that were experienced or observed (follow-up with leading questions to complete the description of what happened and its consequences, if necessary).
8. Include open-ended questions. For example, ask “How are you feeling?” “How has what happened affected you?”

#### Questions

1. Has this happened before?
2. Do you fear for your safety? How? Where (~~just~~ at school, home, or both places)?
3. Do you fear that harm would come to any of your personal property? How?
4. Age appropriately ask whether the target’s health (physical, emotional, and/or mental) has been affected. How (seen by a doctor, missing school)?
5. Has your academic performance been affected? How (increase in tardiness/absences, grades going down, missed assignments)?
6. Have you quit or modified attendance in any extracurricular activities?
7. Have you changed any of your usual routines at school (using different hallway, skipping lunch in lunchroom or using different lunch period, taking different route to school, etc.)?
8. Why do you think this behavior is happening?
9. What will help make you feel safe?

**Students**

**Exhibit - Response to Bullying and School Violence**

*To be completed by the Building Principal and attached as a coversheet for the school office's designated bullying report investigation and response folder. Place a copy of the completed coversheet only (not attachments) in each listed student's temporary school student record. Redact all student names other than the student's name for which the record pertains.*

Investigator: \_\_\_\_\_ Title: \_\_\_\_\_

**Investigation**

File an interview form for each party interviewed in the designated investigation and response folder.

Check here to indicate that all interview forms have been properly completed and filed.

Target: \_\_\_\_\_ Date: \_\_\_\_\_

Aggressor: \_\_\_\_\_ Date: \_\_\_\_\_

Witnesses: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Are there any prior documented incidents by the aggressor identified above?  Yes  No (Attach information)

If yes, have incidents involved target or target group previously?  Yes  No

**Findings**

Bullying  Other: \_\_\_\_\_

Aggressor motivated by protected characteristics listed in policy 7:20, *Harassment of Students Prohibited*.

**Bullying and School Violence Investigation Response**

**Response and Plan for Target** (Check all that apply and include descriptions.)

Contact parent/guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Circle contact method: Phone Email Letter In-person Other: \_\_\_\_\_

Safety plan: \_\_\_\_\_

Increase staff supervision: \_\_\_\_\_

Education: \_\_\_\_\_

Minimize contact with aggressor: \_\_\_\_\_

District resources: (Student Services/IDEA/504) \_\_\_\_\_

Other: \_\_\_\_\_

Target follow-up scheduled date: \_\_\_\_\_ Date and initial completed: \_\_\_\_\_

Parent/guardian follow-up date: \_\_\_\_\_ Date and initial completed: \_\_\_\_\_

Circle contact method: Phone Email Letter In-person Other: \_\_\_\_\_

Provide parent/guardian with copies of Board policy 2:260 and 7:180. Date: \_\_\_\_\_

**Response and Plan for Aggressor** (Check all that apply and include descriptions.)

- Contact parent/guardian: \_\_\_\_\_ Date: \_\_\_\_\_  
Circle contact method: Phone Email Letter In-person Other: \_\_\_\_\_
- 7:190-E1, *Aggressive Behavior Reporting Letter and Form* sent Date: \_\_\_\_\_
- Provide parent/guardian with copies of Board policy 2:260 and 7:180 Date: \_\_\_\_\_

Restorative Responses

- Safety plan: \_\_\_\_\_
- Increase staff supervision: \_\_\_\_\_
- Education: \_\_\_\_\_
- Non-District affiliated psychological services: \_\_\_\_\_
- Alternative school assignment: \_\_\_\_\_
- Minimize contact with target: \_\_\_\_\_
- District resources (Student Services/IDEA/504): \_\_\_\_\_
- Other: \_\_\_\_\_

Punitive Responses

- Loss of privileges: \_\_\_\_\_
- Detention: \_\_\_\_\_
- Suspension: \_\_\_\_\_
- Expulsion: \_\_\_\_\_
- Community agency service: \_\_\_\_\_
- Reciprocal Reporting Act utilized:  Yes  No \_\_\_\_\_
- Report to School Resource Officer/Law Enforcement: \_\_\_\_\_
- Other: \_\_\_\_\_

Aggressor follow-up date: \_\_\_\_\_ Date and initial completed: \_\_\_\_\_  
Circle contact method: Phone Email Letter In-person Other: \_\_\_\_\_

Parent/guardian follow-up date: \_\_\_\_\_ Date and initial completed: \_\_\_\_\_  
Circle contact method: Phone Email Letter In-person Other: \_\_\_\_\_

- Contact District complaint manager: \_\_\_\_\_ Date: \_\_\_\_\_
- Target response implementation: \_\_\_\_\_
- Aggressor response implementation: \_\_\_\_\_
- Systemic culture/climate intervention: \_\_\_\_\_
- Referral to address needs for ideal conditions for developmental learning: \_\_\_\_\_
- Other: \_\_\_\_\_

Submit reports to:  Building Principal (if not the investigator) Date: \_\_\_\_\_  
 Superintendent Date: \_\_\_\_\_

Signature of investigator: \_\_\_\_\_ Date: \_\_\_\_\_

## Students

### Exhibit - Memo to Parents/Guardians Regarding Teen Dating Violence

*On District letterhead*

Date

Re: Teen Dating Violence

Dear Parents/Guardians:

At our school, teen dating violence is unacceptable. We are committed to providing our students with a school environment where they can learn free from worries about school violence. The purpose of this letter is to inform you of School Board policy, 7:185, *Teen Dating Violence Prohibited*, which is a component of the District's anti-bullying program.

Research has shown that teen dating violence can form lifelong, unhealthy habits during young adults' formative years. Educating parents/guardians, students, and staff about teen dating violence can help us identify incidents of teen dating violence at school or school-related activities. The Board's policy states that *teen dating violence* occurs whenever a student uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.

Students in grades 7 through 12 will receive age-appropriate instruction on teen dating violence including its warning signs and prevention. School staff will also receive training on handling the signs and incidents of teen dating violence. I have asked our school staff members to respond immediately and with compassion to a student who reports teen dating violence. After evaluating the situation to determine if an immediate referral to my office is needed, a staff member will give the student our form for reporting bullying, 7:180-AP1, E5, *Report Form for Bullying ~~and School Violence~~*.

Finally, I have ~~requested~~ directed staff members to intervene immediately to stop incidents of teen dating violence occurring at school. They will proceed under our District's procedures for responding to incidences of bullying and school violence.

Below are some warning signs that your child may be involved in teen dating violence:

- Name-calling and *put-downs*. Does one individual in the relationship call the other person names? Does he or she use insults to put the other person down?
- Extreme Jealousy. Does one individual in the relationship act ~~incredibly~~ overly jealous when the other talks to peers? Does one person accuse the other of flirting even when it's innocent conversation?
- Making Excuses. Does one individual in the relationship make excuses for the other? Does he or she have to apologize for the other person's behavior?
- Canceling or changing plans. Does one individual cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?
- Monitoring. Does one person call, text message, or check up on the other constantly? Does he or she demand to know the other person's plans or with whom the other person was with?
- Uncontrolled Anger. Have you seen one individual lose his or her temper? Does he or she throw things – or break things – when angry? Does one person in the relationship worry a lot about upsetting the other?

- Isolation. Has one individual in the relationship given up spending time with friends? Has that individual stopped doing activities that used to be important?
- Dramatic Changes. Have either of the individuals in the relationship had appearance changes? Has he or she lost or gained weight? Have his or her grades dropped? Does he or she seem depressed?
- Injuries. Does one person in the relationship have unexplained injuries, or does he or she give explanations that don't make sense?
- Quick Progression. Did the relationship get serious very quickly?

These signs do not necessarily mean that your child is involved in teen dating violence, but, if present, talk to your child about teen dating violence.

For more information about this issue, please see the Centers for Disease Control and Prevention's educational materials at:

[www.cdc.gov/ViolencePrevention/intimatepartnerviolence/teen\\_dating\\_violence.html](http://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/teen_dating_violence.html).

Please let me know if you have any questions or concerns.

Sincerely,

Building Principal

## Students

### **Student Handbook - Hazing Prohibited 1**

Soliciting, encouraging, aiding, or engaging in hazing, no matter when or where it occurs, is prohibited. *Hazing* means any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students. 2

Students engaging in hazing will be subject to one or more of the following disciplinary actions:

1. Removal from the extracurricular activities,
2. Conference with parents/guardians, and/or
3. Referral to appropriate law enforcement agency.

Students engaging in hazing that endangers the mental or physical health or safety of another person may also be subject to:

1. Suspension for up to 10 days, and/or 3
2. Expulsion for the remainder of the school term. 4

---

The footnotes should be removed before the material is used.

1 State or federal law controls this student handbook provision's content. This provision concerns an area in which the law is unsettled in that a school's authority to discipline a student for off-campus hazing is unclear and highly fact-sensitive.

The district itself may be liable for a civil rights violation when school officials participate in hazing rituals. Hilton v. Lincoln-Way High Sch. ~~ool~~, 1998 WL 26174 (N.D. Ill. 1998) (female band member, who was hazed during a required retreat, stated a cause of action under §1983).

A district must identify a connection between a student's off-campus misconduct and the school before it may suspend or expel a student. In a case involving an off-campus *powder puff* football game that evolved into senior girls physically hazing junior girls, the federal judge upheld a school's authority to discipline students, saying: "When one set of students sets to prey upon another set of students in a ritualistic exercise, the consequences of which will necessarily effect the students' relationships while they are all in attendance at the same school, the ability of school officials to act in the area and discipline those who went beyond the pale of tolerable student behavior is manifest." Gendelman v. Glenbrook North High Sch. ~~ool~~ and Northfield Township-Twp. Sch. ~~ool~~ Dist. ~~riet~~ 225, 2003 WL 21209880 (N.D. Ill., ~~5/21/~~2003). In that case, the school handbook expressly prohibited hazing and harassment; this prohibition was not limited to school sponsored events.

Schools have greater latitude to remove students from extracurricular participation than to suspend or expel them from school. See sample policy 7:240, *Conduct Code for Participation in Extracurricular Activities*.

School employees who observe hazing that results in bodily injury to a student must report it to the building principal or superintendent; see 5:90, *Abused and Neglected Child Reporting*.

2 According to Illinois criminal law, a person commits hazing who knowingly requires the performance of any act by a student or other person in a school, college, university, or other educational institution of this State, for the purpose of induction or admission into any group, organization, or society associated or connected with that institution if: (a) the act is not sanctioned or authorized by that educational institution; and (b) the act results in bodily harm to any person (720 ILCS 5/12C-50(a), ~~amended by P.A. 97-1109~~). Hazing is a Class A misdemeanor, except hazing that results in death or great bodily harm is a Class 4 felony. 720 ILCS 5/12C-50(b). People v. Rokita, ~~591 N.E.2d 461~~ 148 Ill.2d 15 (Ill., 1992) (hazing statute was not overbroad by punishing constitutionally protected speech because it reached only conduct that recklessly, knowingly, or intentionally results in bodily injury).

3 See 7:200, *Suspension Procedures*, for further information concerning student suspension.

4 See 7:210, *Expulsion Procedures*, for further information concerning student expulsion.

## Students

### Exhibit - Placement of Students with AIDS

The following are excerpts from "Placement of School Children with Acquired Immune Deficiency Syndrome (AIDS)," U.S. Department of Education, Office of Civil Rights, [www.ed.gov/about/offices/list/ocr/2001/010101a.htm](http://www.ed.gov/about/offices/list/ocr/2001/010101a.htm)

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

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

#### Where Should Children with AIDS Be Educated

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

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

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

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

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

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



## Students

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

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

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

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

#### Class I(a) Diseases

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

<b>Disease</b>	<b>Exclusion <u>Mandatory Rules</u></b>
Any <del>Unusual Case or Cluster of Cases That May Indicate a Public Health Hazard, Including, unusual case of a disease or condition caused by an infectious agent not listed in IDPH regulations that is of urgent public health significance (including, bBut nNot limited to, cowpox, Reye's syndrome, gGlanders, amoebic meningoencephalitis, oOrf, mMonkeypox, Viral hHemorrhagic fFever viruses, infection from a laboratory-acquired recombinant organism, or any disease non-indigenous to the United States), §690.295</del>	Contacts shall be evaluated to determine the need for quarantine. The local health authority shall implement appropriate control measures.
Anthrax, §690.320	No restrictions <u>if exposure is from infected animals or animal products</u> .

The footnotes should be retained.

~~1 These are included in the Illinois Department of Public Health's new rules available at: [www.idph.state.il.us/rulesregs/2008\\_Rules/Adopted/77\\_IAS\\_690\\_3\\_14.pdf](http://www.idph.state.il.us/rulesregs/2008_Rules/Adopted/77_IAS_690_3_14.pdf). Previously, this exhibit contained the IDPH publication, *Communicable Disease Guide 2002*; that publication has not been updated to reflect the current rules. Therefore, this table reflects all of the current rules' reporting requirements and deletions and additions of reportable diseases. School and day care personnel, nurses, nurse aides, health care practitioners, and parents, among others, must notify the local health authority if they have knowledge of a known or suspected case or carrier of communicable disease. (77 Ill.Admin.Code §690.200). The time frames are contained in the IDPH rules. The reports may be by telephone or in writing and must be kept confidential.~~

Disease	Exclusion <b>Mandatory Rules</b>
	<u>If there is a suspected bioterrorist threat or event, contacts will be evaluated to determine need for quarantine.</u>
Botulism, Foodborne, Intestinal, §690.327	No restrictions-
Brucellosis (if suspected to be a bioterrorist event or part of an outbreak), §690.330	Standard precautions <sup>2</sup> shall be followed. -Contact precautions <sup>3</sup> shall be followed when dressing does not adequately contain drainage.
<u>Diphtheria, §690.380</u>	<u>Standard precautions shall be followed until two successive cultures from both throat and nose (and skin lesions in cutaneous diphtheria) are negative for diphtheria bacilli or when a virulence test proves the bacilli to be avirulent. The first culture shall be taken not less than 24 hours after completion of antibiotic therapy and the second culture shall be taken not less than 24 hours after the first.</u>
Influenza A, Novel Virus, §690.469	Standard precautions, including routine use of eye protection, and contact precautions shall be followed for patients in health care settings, e.g., hospitals, long-term care facilities, outpatient offices, emergency transport vehicles. <u>Control of contacts is based on transmissibility and severity of the illness that caused the influenza strain. Cohorting in specific areas or wards may be considered.</u>
Plague, §690.570	Standard precautions shall be followed. For all patients, droplet precautions <sup>4</sup> shall be followed until pneumonia has been determined not to be present. For patients with pneumonic plague, droplet precautions shall be followed until <del>48</del> 72 hours after initiation of effective antimicrobial therapy and the patient has a favorable clinical response. Antimicrobial susceptibility testing is recommended. <u>A strict, seven day quarantine is required for contacts to pneumonic plague who refuse chemoprophylaxis.</u>
<u>Poliomyelitis, §690.580</u>	<u>Occurrence of a single case of poliomyelitis due to wild polio virus shall be recognized as a public health emergency, prompting immediate investigation and response.</u>
Q-fever (if suspected to be a bioterrorist event or part of an outbreak), §690.595	<u>Standard precautions shall be followed. No restrictions on contacts.</u>
Severe Acute Respiratory Syndrome (SARS), §690.635	Observation and monitoring, isolation and quarantine procedures shall comply with <i>Public Health Guidance for Community-Level Preparedness and Response to Severe Acute Respiratory Syndrome (SARS) Version 2</i> , U.S. Department of Health and Human Services, Public Health Service, Centers for

The footnotes should be retained.

<sup>2</sup> Standard precautions refers to infection prevention and control measures for healthcare settings that apply to all patients regardless of diagnosis or presumed infection status. 77 Ill.Admin.Code §690.10.

<sup>3</sup> Contact precautions refers to infection control measures for healthcare settings designed to reduce the risk of transmission of infectious agents that can be spread through direct contact with the patient or indirect contact with potentially infectious items or surfaces. 77 Ill.Admin.Code §690.10.

<sup>4</sup> Droplet precautions refers to infection control measures for healthcare settings designed to reduce the risk of transmission of infectious agents via large particle droplets that do not remain suspended in the air and are usually generated by coughing, sneezing, or talking. 77 Ill.Admin.Code §690.10.

Disease	Exclusion <b>Mandatory Rules</b>
	Disease Control and Prevention, Atlanta, Georgia 30333 (January 8, 2004). Contacts may be quarantined and/or shall be placed under surveillance, with close observation for fever and respiratory symptoms for the 10 days following the last exposure.
Smallpox, §690.650	Post-exposure immunization, within <del>three</del> <sup>3</sup> to <del>four</del> <sup>4</sup> days after exposure, provides some protection against disease and significant protection against a fatal outcome. Any person with significant exposure to a person with probable or confirmed smallpox during the infectious stage of illness requires immunization as soon after exposure as possible, but within the first <del>four</del> <sup>4</sup> days after exposure.
Tularemia (if suspected to be a bioterrorist event or part of an outbreak), §690.725	Standard precautions shall be followed.
Any suspected bioterrorist threat or event, §690.800	Cases and contacts shall be evaluated to determine need for quarantine.

Class I(b) Diseases

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

Disease	Exclusion <b>Mandatory Rules</b>
Botulism (intestinal, wound and other), §690.327	No restrictions.
<del>Brucellosis (not part of suspected bioterrorist event or part of an outbreak), §690.330</del>	<del>Standard precautions shall be followed. No restrictions on contacts.</del>
Chickenpox (Varicella), §690.350 (F or E)	Children shall be excluded from school or child care facilities for a minimum of <del>five</del> <sup>5</sup> days after the appearance of eruption or until vesicles become dry.
Cholera, §690.360 (F)	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.
<del>Diphtheria, §690.380</del>	<del>Standard precautions shall be followed until 2 successive cultures from both throat and nose (and skin lesions in cutaneous diphtheria) are negative for diphtheria bacilli or when a virulence test proves the bacilli to be avirulent. The first culture shall be taken not less than 24 hours after completion of antibiotic therapy and the second culture shall be taken not less than 24 hours after the first.</del>
Escherichia coli infections (E. coli O157:H7 and other Shiga toxin-producing E. coli, enterotoxigenic E. coli,	Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.

Disease	Exclusion <b>Mandatory Rules</b>
enteropathogenic E. coli and enteroinvasive E. coli), §690.400 (F)	
<del>Foodborne or waterborne illness, §690.410 (F)</del>	<del>Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours.</del>
Haemophilus influenzae, meningitis and other invasive disease, §690.441 (F)	Standard precautions and droplet precautions shall be followed. Droplet precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
Hantavirus pulmonary syndrome, §690.442 (F)	Standard precautions shall be followed. <u>No restrictions on contacts.</u>
Hemolytic uremic syndrome, post-diarrheal, §690.444 (F)	See requirements for the applicable disease that preceded the HUS (when preceding cases are either E.Coli (Section §690.400) or Shigellosis (Section §690.640) standard precautions shall be followed and contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours).
Hepatitis A, §690.450 (F)	Standard precautions shall be followed. In diapered or incontinent persons, the following contact precautions shall be followed: <ul style="list-style-type: none"> <li>• Infants and children less than <del>three</del><sup>3</sup> years of age for duration of hospitalization;</li> <li>• Children 3 to 14 years of age, until <del>two</del><sup>2</sup> weeks after onset of symptoms; and</li> <li>• Those greater than 14 years of age, for one week after onset of symptoms.</li> </ul>
<u>Influenza admissions into intensive care unit, §690.468 (F or E)</u>	<u>Standard and droplet precautions shall be followed. IDPH may distribute additional recommendations in conjunction with CDC guidance.</u>
Measles, §690.520	Children with measles shall be kept out of school or child care facilities for at least <del>four</del> <sup>4</sup> days after appearance of the rash.
Mumps, §690.550 (F or E)	Cases shall be excluded from school, child care facilities or workplace until <del>five</del> <sup>5</sup> days after onset of symptoms (parotitis). Susceptible contacts should be excluded from school or the workplace from days 12 through 25 after exposure.
Neisseria meningitidis, meningitis and invasive disease, §690.555 (F)	Standard <del>and droplet</del> precautions shall be followed. <u>Droplet precautions shall be followed</u> until 24 hours after initiation of effective antimicrobial therapy.
<u>Outbreaks for public health significance (including but not limited to, foodborne and waterborne outbreaks), §690.565 (E)</u>	<u>Make a report to local health authority within 24 hours for investigation for investigation. If outbreak has occurred, the local health authority makes a final report to IDPH. Cases are evaluated to determine need for isolation.</u>
Pertussis (whooping cough), §690.750	Standard and droplet precautions shall be followed for known cases until the patient has received at least <del>five</del> <sup>5</sup> days of a course of appropriate antibiotics. <u>Case shall be excluded from school until five days of appropriate antibiotic therapy is complete.</u> Suspected cases who

Disease	Exclusion <b>Mandatory Rules</b>
	do not receive antibiotics should be isolated for <del>three</del> 3 weeks after onset of paroxysmal cough or until the end of the cough, whichever comes first.
<del>Poliomyelitis, §690.580</del>	<del>Occurrence of a single case of poliomyelitis due to wild polio virus shall be recognized as a public health emergency, prompting immediate investigation and response.</del>
<u>Q-fever (not suspected in bioterrorist attack or part of an outbreak), §690.595</u>	<u>Standard precautions shall be followed. No restrictions for contacts.</u>
Rabies, human, §690.600 (F)	Standard precautions shall be followed.
Rabies, potential human exposure, §690.601 (F) Definition of exposed person to be reported is lengthy and available in §690.601.	<u>The local health authority determines whether rabies post-exposure prophylaxis for the exposed person is needed.</u> <del>N/A until human contracts rabies (See above §690.600.)</del>
Rubella, §690.620 (F or E)	Cases shall be excluded from school, child care facilities or the workplace for <u>seven</u> 7 days after rash onset. <u>Susceptible contacts should be excluded from school from days seven through 23 following rash onset after last exposure.</u>
Smallpox vaccination, complications of §690.655 (E)	Precautions for individuals with vaccination complications vary depending upon the type of complication. See Smallpox, §690.650 above.
Staphylococcus aureus, Methicillin resistant (MRSA) clusters of 2 or more cases in a community setting, §690.658 (F)	The local health authority shall be consulted regarding any identified cluster of <u>two</u> 2 or more cases for recommendations specific to the setting where the cluster is identified.
Staphylococcus aureus, Methicillin resistant (MRSA), occurring in infants under 61 days of age, §690.660 (F)	Contact precautions shall be followed
Staphylococcus aureus infections with intermediate or high level resistance to Vancomycin, §690.661 (F)	The Department will issue specific recommendations on a case-by-case basis.
Streptococcal infections, Group A, invasive and sequelae to Group A streptococcal infections, §690.670 (F)	Standard Precautions shall be followed. Droplet Precautions shall be followed for persons with necrotizing fasciitis or toxic shock syndrome until 24 hours after initiation of effective antimicrobial therapy. <u>In cases of necrotizing fasciitis, when dressing does not adequately contain drainage, c</u> contact precautions shall be followed until 24 hours after initiation of effective antimicrobial therapy.
<del>Streptococcal Sore Throat and Scarlet Fever (with complications)</del>	<del>Exclude case from school until 24 hours after treatment begins; readmit provided fever is absent.</del>
<u>Tularemia (not suspected to be bioterrorist event or part of an outbreak), §690.725</u>	<u>Standard precautions shall be followed. No restrictions on contacts.</u>
Typhoid fever, §690.730 (F)	All persons living in the household of a newly identified chronic carrier and other contacts living outside the home must submit <u>2</u>

Disease	Exclusion <del>Mandatory</del> Rules
	<u>two</u> consecutive negative specimens of feces. If persons required to be tested refuse to comply within one week after notification, they shall be restricted from their occupations, school attendance or day care (adult or child) attendance until compliance is achieved.
Typhus, §690.740 (F)	Standard precautions shall be followed. Proper delousing for louseborne typhus is required. The local health authority shall monitor all immediate contacts for clinical signs for <u>two</u> <del>2</del> weeks.

### Class II Diseases

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

Disease	Exclusion <del>Mandatory</del> Rules
Arboviral Infection (including, but not limited to, California encephalitis, St. Louis encephalitis and West Nile virus), §690.322	<u>Standard precautions shall be followed.</u> No restrictions <u>on contacts.</u>
<u>Campylobacteriosis, §690.335</u>	<u>Standard precautions shall be followed. Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea is absent for 24 hours.</u>
<del>Brucellosis (not part of suspected bioterrorist event or part of an outbreak), §690.330</del>	<del>No restrictions. Contact precautions shall be followed when dressing does not adequately contain drainage.</del>
<del>Chaneroid, §693.20</del>	<del>Case by case analysis required.</del>
<del>Chlamydia, §693.20</del>	<del>None</del>
Creutzfeldt-Jakob Disease (laboratory confirmed <del>and probable</del> cases), §690.362	Standard precautions shall be followed. <u>No restrictions on contacts.</u>
Cryptosporidiosis, §690.365	Standard precautions shall be followed until absence of diarrhea for 24 hours. Cases shall avoid swimming in public recreational water venues (e.g., swimming pools, whirlpool spas, wading pools, water parks, interactive fountains, lakes) while symptomatic and for 2 weeks after cessation of diarrhea.
Cyclosporiasis, §690.368	Standard precautions shall be followed. <u>Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours. Cases shall avoid swimming in public recreational water venues while symptomatic and for two weeks after cessation of diarrhea.</u> <del>No restrictions.</del>
<del>Gonorrhea, §693.20</del>	<del>None</del>
<del>Giardiasis, §690.420</del>	<del>Standard precautions shall be followed until absence of diarrhea for 24 hours.</del>
Hepatitis B and Hepatitis D, §690.451	Standard precautions shall be followed. No restrictions <u>on</u>



Disease	Exclusion <b>Mandatory Rules</b>
	<del>contacts. Quarantine is not indicated.</del>
Hepatitis C, §690.452	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
Histoplasmosis, §690.460	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
<del>Human Immunodeficiency Virus (HIV) or (AIDS) (infection), §693.20</del>	<del>None</del>
Influenza, Deaths in persons less than 18 years of age ( <u>lab confirmed and no recovery between illness and death</u> ), §690.465	N/A
Legionellosis, §690.475	Standard precautions shall be followed. No restrictions <u>on contacts.</u> <del>Isolation is not required.</del>
<u>Leprosy (Hansen's Disease), §690.480</u>	<u>Standard precautions shall be followed. No restrictions at school facilities.</u>
Leptospirosis, §690.490	Standard precautions shall be followed. <u>No restrictions on contacts.</u>
Listeriosis ( <u>when both mother and newborn are positive, report mother only</u> ), §690.495	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
Malaria, §690.510	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
Ophthalmia neonatorum, §693.20	None
Psittacosis <u>due to chlamydia psittaci</u> , §690.590	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
<del>Q fever (not suspected in bioterrorist attack or part of an outbreak), §690.595</del>	<del>Standard precautions shall be followed. No restrictions.</del>
Salmonellosis (other than typhoid fever), §690.630	Standard precautions shall be followed. <u>Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until absence of diarrhea for 24 hours, until absence of diarrhea for 24 hours.</u>
Shigellosis, §690.640	Standard precautions shall be followed. <u>Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea is absent for 24 hours.</u>
Toxic shock syndrome due to Staphylococcus aureus infection, §690.695	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
Streptococcus pneumoniae, invasive disease in children less than <del>five</del> years, §690.678	Standard precautions shall be followed. No restrictions <u>on contacts.</u>
<del>Syphilis, §693.20</del>	<del>None</del>
Tetanus, §690.690	Standard precautions shall be followed and post-injury patients at risk should receive human tetanus immune globulin and/or

Disease	Exclusion <del>Mandatory</del> Rules
	toxoid. No restrictions <u>on contacts</u> .
Tickborne Disease, including ehrlichiosis, anaplasmosis, Lyme disease, and Rocky Mountain spotted fever, §690.698	Standard precautions shall be followed. No restrictions <u>on contacts</u> .
Trichinosis, §690.710	Standard precautions shall be followed. No restrictions <u>on contacts</u> .
Tuberculosis, §696.170	<u>Reporting requirement is limited to health care professionals (includes nurses and health coordinators or health care settings). Report electronically or by facsimile, followed up with a phone call to local TB authority, or if none, to IDPH.</u> Exclude case if considered to be infectious according to IDPH's rules and regulations for the control of TB <u>or as recommended by the local health authority.</u>
<del>Tularemia (not suspected to be bioterrorist event or part of an outbreak), §690.725</del>	<del>Standard precautions shall be followed. No restrictions.</del>
Vibriosis (Non-cholera Vibrio infections), §690.745	Standard precautions shall be followed. <u>Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea ceases.</u> <del>until diarrhea ceases. No restrictions.</del>
Yersiniosis, §690.752	Standard precautions shall be <del>followed</del> <u>followed</u> . <u>Contact precautions shall be followed for diapered or incontinent persons or during institutional outbreaks until diarrhea ceases.</u> <del>until absence of diarrhea for 24 hours. No restrictions.</del>

Reporting of Sexually Transmissible Infections, 77 Ill.Admin.Code 693.30

The following sexually transmitted infections are reportable by health care professionals only (which includes advanced practice nurses, licensed nurses (including school nurses), or other persons licensed or certified to provide health care services of any kind to the local health department, or if none exists, to IDPH: Reports are strictly confidential and must be made within seven days after the diagnosis or treatment.

<u>Infection</u>	<u>Exclusion Rules</u>
<u>Acquired Immunodeficiency Syndrome (AIDS)</u>	<u>A person may only be isolated with that person's consent or upon order of a court in those cases where the public's health and welfare are significantly endangered and where all other reasonable means have been exhausted and no less restrictive alternative exists. 77 Ill.Admin.Code §693.60.</u>
<u>HIV Infection</u>	<u>See above.</u>
<u>Syphilis</u>	<u>See above.</u>
<u>Gonorrhea</u>	<u>See above.</u>
<u>Chlamydia</u>	<u>See above.</u>
<u>Chancroid</u>	<u>See above.</u>



~~Diseases Repealed from Reportable Diseases and Conditions and Exclusion Criteria for Non-Reportable Diseases and Conditions Illnesses, §690.110~~

~~There are a number of diseases and illnesses that have either never been reportable or no longer need to be reported under IDPH rules. However, some of these conditions may still pose a health risk and require exclusion from school. IDPH has published a chart which includes diseases and illnesses that do not require reporting of individual cases (as well as more common diseases those that do need to be reported), but may still require exclusion from school. Please refer to the following link for further guidance at:~~

~~<http://dph.illinois.gov/sites/default/files/publications/commchartschool-032817.pdf>~~

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

<b>Disease</b>	<b>Exclusion Mandatory</b>
Amebiasis	None
Animal Bites	None
AIDS related complex	None
Bacterial Vaginosis	None
Blastomycosis	None
Campylobacteriosis	None
Common Cold	None
Cytomegalovirus (CMV)	None
Diarrhea of the newborn	None
Fever	None
Fifth Disease/Erythema Infectiosum (Parvovirus B19)	Exclude case if fever is present or if child does not feel well enough to participate in usual activities.
Gastroenteritis (Viral)	Exclude case from school until clinical recovery, i.e., absence of diarrhea and fever.
Genital Candidiasis (Yeast)	None
Genital Warts (Human Papillomavirus, HPV)	None
Hand, Foot and Mouth Disease (Coxsackievirus A16)	None
Head Lice	Exclude case from school until the day after the first shampoo, lotion, or cream rinse pediculicide is properly applied.
Herpes Simplex Virus	Case should be excluded from contact sports, e.g., wrestling, if active lesions are present on the body (outside the genital area) until lesions have resolved.
Granuloma inguinale	None
Impetigo	Exclude case from school until 24 hours after treatment begins.
Infectious Mononucleosis	Case by case analysis required.

<b>Disease</b>	<b>Exclusion Mandatory</b>
Influenza	Exclude case from day care or school until clinical recovery, i.e., absence of fever.
Intestinal worms	None
Lymphogranuloma venereum	None
Non-Gonococcal Urethritis/Non-specific Vaginitis	None
Pink Eye	Exclude case from school until 24 hours after the treatment begins or child is examined by a physician and approved for readmission to school.
Pinworms	Exclude case from school until 24 hours after treatment begins.
Pubic Lice ("Crabs")	None
Rash	Case-by-case analysis required.
Respiratory Syncytial Virus (RSV)	Exclude case from school if child has a fever of 100° F or greater or is not well
Ringworm (body and scalp)	Exclude case from school until 24 hours after treatment begins and the lesion begins to shrink, unless lesion can be covered; child need not be excluded if lesion can be covered.
Scabies	Exclude case from school until the day after the first scabicide treatment.
Shingles	If shingles lesions cannot be covered, the case should be excluded until all lesions are crusted.
Streptococcal infections, group B, invasive disease, of the newborn	None
Streptococcal Sore Throat and Scarlet Fever (cases without complications)	Exclude case from school until 24 hours after treatment begins; readmit provided fever is absent.
Trachoma	None
Trichomoniasis	None

## Instruction

### Exhibit - Prevention of Staphylococcal Infections for Schools

The following ~~are~~ includes excerpts from *Recommendations for the Prevention of Staphylococcal Infections for Schools*, ~~and~~ *Basic Hygiene Guidelines for the Prevention of Staphylococcal Infections in Schools*, and *Guidance for School and Student Athletes About Community-Associated Staphylococcus Aureus (CA-MRSA) Infections*, Ill. Dept. of Public Health (IDPH):

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

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

[www.idph.state.il.us/health/infect/MRSA\\_School\\_Recs.htm](http://www.idph.state.il.us/health/infect/MRSA_School_Recs.htm).

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

#### Education/Increased Awareness

Staphylococcus aureus, often referred to as *staph*, are bacteria commonly found on the skin or in the noses of healthy people. On occasion, staph bacteria can cause much more serious skin infections, such as bloodstream infections or pneumonia.

Treatment of some staph infections has become more problematic in recent years because the bacteria have become resistant to various antibiotics. Methicillin-resistant Staphylococcus aureus (MRSA) is a type of staph that is resistant to some antibiotics, including the antibiotic methicillin. CA-MRSA can be transmitted from person to person through close contact. Recently, the IDPH has received increasing reports of both outbreaks and sporadic cases of CA-MRSA infections.

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

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

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

- Poor cleaning of locker rooms/sport rooms

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

### Basic Hygiene Guidelines

#### Hand Hygiene

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

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

#### Hygiene

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

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

#### Hygiene for Sports Participants

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

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

- Report any cuts, abrasions, or wounds to the coach and school nurse.

See also: <http://www.cdc.gov/mrsa>.

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

DRAFT

**Students**

**Exhibit - Certificate of Physical Fitness for Participation in Athletics 1**

To be submitted to the Building Principal. (please print)

_____ Student	_____ Sport/Activity
_____ Parent/Guardian	_____ Home phone
_____ Home address	_____ Cell phone
_____ Emergency contact ( <i>relationship to student</i> )	_____ Contact phone
_____ Physician	_____ Physician phone

**Medical History:**    Date of Birth: \_\_\_\_\_    Height: \_\_\_\_\_    Weight: \_\_\_\_\_

Heart condition     Diabetes     Asthma:     Requires child to self-administer medication  
 Epilepsy     Allergies:     Requires student to carry EpiPen®  
 Other \_\_\_\_\_

List all medications (*prescribed and over the counter*)

Injuries (*brief description and dates*)

Surgeries (*brief description and dates*)

Physical activity restrictions (*brief description and duration*)

**I certify that:**

1. My child is in good health and is capable of participating in the above sport or activity. No need exists to limit his/her participation. –I assume full responsibility for his/her physical condition and participation, and will notify you of any changes.
2. I have completed and submitted the *Authorization for Medical Treatment* form allowing the school to seek medical treatment for my child in the event of a medical emergency when reasonable attempts to contact me are unsuccessful.
3. If my child requires or may need medication while participating in athletics, I have completed and submitted the *School Medication Authorization Form*.

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

The footnotes should be removed before the material is used.

1 Secondary schools should substitute the IHSA and IESA's Pre-Participation Examination Form for this form when the sport is IHSA regulated. It is available at: [www.ihsa.org/documents/sportsMedicine/Pre-participation%20Examination.pdf](http://www.ihsa.org/documents/sportsMedicine/Pre-participation%20Examination.pdf)

## Students

### Student Use of Buildings - Equal Access 1

[For high school and unit districts]

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

1. The meeting is held during those non-instructional times identified by the Superintendent or designee for noncurricular student groups, clubs, or organizations to meet. “Non-instructional time”<sup>2</sup> means time set aside by the school before actual classroom instruction begins or after

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

<sup>1</sup> State or federal law controls this policy’s content. This policy concerns an area in which the law is unsettled. This sample policy implements the Equal Access Act (EAA), 20 U.S.C. §4071 et seq. The EAA applies to public secondary schools that receive federal financial assistance. The policy should be adopted by districts with secondary school(s) that wish to establish or already have a *limited open forum* as defined in the EAA and quoted below. The policy allows non-school sponsored student groups to meet on school premises, free of charge, on the same basis that non-curriculum related student groups are allowed to meet. Hence the policy is named, *Equal Access*.

The EAA has no applicability to the community’s use of school facilities. See policy 8:20, *Community Use of School Facilities*.

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

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

A student group is *non-curriculum related* if it does not directly relate to the body of courses offered by the school. Board of Education of Westside Community School Dist. v. Mergens, 110 S.Ct. 2356-496 U.S. 226 (1990). School officials cannot avoid triggering the EAA’s equal access requirements by tying the purposes of the student clubs it wants to allow to some broadly defined educational goal. Likewise, it does not matter whether the school sponsors, recognizes, or supports the student group – the Act’s equal access requirements will be triggered whenever any student group is allowed to meet that is unrelated to the curriculum. The Mergens Court said that a student group directly relates to a school’s curriculum only if:

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

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

A school violates the EAA by allowing some student groups to meet on campus but refusing similar access to gay-lesbian clubs. Colin v. Orange Unified School Dist., 83 F.Supp.2d 1135 (C.D. Cal. 2000); White County High School Peers Rising In Diverse Education v. White County School Dist., 2006 WL 1991990, (D. Ga. 2006); SAGE v. Osseo Area School Dist. No. 279, 2007 WL 2885810 (D. Minn. 2007). But see Caudillo v. Lubbock Independent School Dist., 311 F.Supp.2d 550 (N.D.Tex. 2004)(school did not violate the EAA when it denied a gay student club’s request for access because the “maintain order and discipline” exception applied). Note the U.S. Supreme Court refused to apply N.J.’s public accommodation law to the Boy Scouts because forcing the Boy Scouts to accept a homosexual as a member would violate the Scouts’ freedom of expressive association. Boy Scouts of America v. Dale, 120 S.Ct. 2093-530 U.S. 120 (2000).

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

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

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

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

LEGAL REF.: 20 U.S.C. §4071 *et seq.*, Equal Access Act.  
Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990).  
Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

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

---

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

<sup>3</sup> 20 U.S.C. §4072.

<sup>4</sup> The Ninth Circuit Court of Appeals found that a school district violated the EAA and the student’s First Amendment rights by denying her Bible club the same rights and benefits as other student clubs. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002). Nothing in the decision suggests that the school was required to <sup>2</sup>“*sponsor*” the Bible club and financially support it. However, the school board voluntarily gave “associated student body” clubs certain benefits that were denied the plaintiff’s religious club. Thus, the district unlawfully treated one non-curriculum related student club differently from another non-curriculum related student club.

<sup>5</sup> In response to a school’s invitation for all student groups to paint murals in the school hallway, a Bible club sought to include a large cross. The school principal forbade the cross in order to avoid conflicts among students – there was evidence the student body contained Satanic and neo-Nazi adherents. The principal’s decision was insulated from liability under the EAA by the Act’s provision that “nothing in [the Act] shall be construed to limit the authority of the school ... to maintain order and discipline on school premises.” – Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, ~~422 S.Ct. 1606~~ 535 U.S. 1017 (2002).



## Students

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

*[For high school and unit districts]*

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

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

Materials to be brought into facility, if any

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

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

*Community Use of School Facilities.*

**I agree to abide by the conditions stated in this application and to adhere to all Board policies and administrative procedures.**

\_\_\_\_\_  
Student applicant signature

\_\_\_\_\_  
Date

*Note to office: after the Building Principal acts on this application, return a copy of it to the student making the request and keep the original in the office.*

**Approved**       **Denied**

**This non-school-sponsored student group may meet in the following location at the identified times:**

\_\_\_\_\_  
Location

\_\_\_\_\_  
Time

\_\_\_\_\_  
Building Principal or designee

\_\_\_\_\_  
Date

DRAFT

## Community Relations

### Advertising and Distributing Materials in Schools Provided by Non-School Related Entities <sup>1</sup>

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.

#### Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement.<sup>2</sup> All advertisements must (1) be student-oriented, (2) prominently display the sponsoring organization's name, and (3) be approved in advance by the Superintendent or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.<sup>3</sup>

**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 but the area of law is unsettled. Schools are *nonpublic forums*, meaning they need not open their doors to private speakers but may not discriminate against disfavored viewpoints or subjects, e.g., religion. *Id.*, *Lamb's Chapel v. Center Moriches Union Free Sch. Dist.*, ~~113 S.Ct. 2141~~ 508 U.S. 384 (1993). This policy establishes a limited public forum, i.e., non-school entities may only distribute material concerning events pertinent to students' interests or involvement. Alternatively, boards may refuse to allow the distribution or posting of any material requested by non-school related organizations. *Hedges v. Wauconda Community Unit Sch. Dist.*, No. 18, 9 F.3d 1295 (7th Cir. 1993); *Muller v. Jefferson Lighthouse Sch. Dist.*, 98 F.3d 1530 (7th Cir. 1996). The following language can be used to completely ban the distribution of material by non-school related organizations:

No material or literature shall be posted in schools or distributed to students by non-school related organizations or individuals.

<sup>2</sup> This sentence establishes a limited public forum, i.e., the school limits non-school expressive activity to "events pertinent to students' interests or involvement." Such a limitation survives First Amendment scrutiny if it is reasonable and not based on the speaker's viewpoint. A school's refusal to post an individual's sign containing the Ten Commandments on the baseball field's fence open to commercial advertising did not violate the individual's free speech rights because the fence was open for a limited purpose (i.e., commercial ads) and the school's content restrictions were reasonable. *DiLoreto v. Downey Unified Sch. Dist.*, 196 F.3d 958 (9th Cir. 1999).

<sup>3</sup> This section authorizes the superintendent or designee to approve non-commercial ads. Most boards do not want to approve these ads because of their frequency; however, a board may use the following alternative for #3, "be approved in advance by the Board."

The distribution of flyers from religious youth organizations will survive scrutiny under the First Amendment's Establishment Clause if the organization's religious message is sufficiently separated from the school to prevent students from confusing the two. *Sherman v. CCSD* 21, 8 F.3d 1160 (7th Cir. 1993); *Rusk v. Crestview Local Schools*, 379 F.3d 418 (6th Cir. 2004). However, a policy allowing viewpoint discrimination will be set aside. *Hills v. Scottsdale Unified Sch. Dist.*, No. 48, 329 F.3d 1044 (9th Cir. 2003)(refusal to distribute summer camp brochures offering Bible classes because of their religious content violated the First Amendment); *Child Evangelism Fellowship of NJ v. Stafford Twp. Sch. Dist.*, 386 F.3d 514 (3rd Cir. 2004)(struck a policy prohibiting classroom distribution of religious fliers because it discriminated on basis of viewpoint); *Child Evangelism Fellowship v. Montgomery Co. Public Schools*, 457 F.3d 376 (4th Cir. 2006)(policy limiting classroom distribution of materials from outside groups based on *type of group*, rather than content of the materials, violates religious group's free speech rights; because ~~off~~ inadequately ~~protection~~s against viewpoint discrimination, i.e., it gave school officials *unfettered discretion* to engage in viewpoint discrimination).

Limitations that are not based on the material's viewpoint are permissible. *Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist.*, 640 F.3d 329 (8th Cir. 2011), *cert. denied*, ~~132 S.Ct. 592-565~~ U.S. 1036 (2011)(policy limiting the volume of promotional materials sent home with elementary students did not violate the First Amendment rights of a nonprofit Ministry Foundation).

## Commercial Companies and Political Candidates or Parties 4

Commercial companies may purchase space for their advertisements in or on: (1) athletic field fences; (2) athletic, theater, or music programs; (3) student newspapers or yearbooks; (4) scoreboards; or (5) other appropriate locations.<sup>5</sup> The advertisements must be consistent with this policy and its implementing procedures and be appropriate for display in a school context. Prior approval from the Board is needed for advertisements on athletic fields, scoreboards, or other building locations. Prior approval is needed from the Superintendent or designee for advertisements on athletic, theater, or music programs; student newspapers and yearbooks; and any commercial material related to graduation, class pictures, or class rings.

No individual or entity may advertise or promote its interests by using the names or pictures of the School District, any District school or facility, staff members, or students except as authorized by and consistent with administrative procedures and approved by the Board.

Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

---

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

Allowing Gideons to meet with students and distribute Bibles during instructional time violates the Establishment Clause. *Berger v. Rensselaer Central Sch. Corp.*, 982 F.2d 1160 (7th Cir. 1993); *Doe v. South Iron R-1 Sch. Dist.*, 498 F.3d 878 (8th Cir. 2007).

<sup>4</sup> Commercial advertising may be accepted without making the school a forum for all types of expressive activity. See f/n 2 above. If the board does not want to sell advertising space, use the following alternative:

Commercial companies and political candidates or organizations are prohibited from advertising in schools, on the school grounds, or on school or District websites.

The list of places where commercial companies may purchase space for their advertisements must be tailored to meet local needs and circumstances.

This sample policy requires board approval only for ads that alter the look of school property. ~~A Board~~ that wants to approve all commercial and political ads ~~should~~ may use ~~the~~ the following alternative for the final two sentences:

Prior approval from the Board is needed for all commercial or political advertisements.

~~A Board~~ that wants to authorize the superintendent or designee to approve all commercial and political ads ~~should~~ may use ~~the~~ the following alternative:

Prior approval from the Superintendent or designee is needed for all commercial or political advertisements.

<sup>5</sup> Consult the board attorney when commercial advertising companies seek to purchase space for their advertisements within the school's available technology platforms. The Student Online Personal Protection Act (SOPPA), 105 ILCS 85/, added by P.A. 100-315, provides safeguards to protect the privacy and security of data about students when it is collected by educational technology companies and specifies that the use of such data may only be for beneficial purposes such as providing personalized learning and innovative educational technologies. It specifically prohibits targeted advertising (presenting advertisements to students where they are selected based on information obtained or inferred over time from that students' online behaviors, usage of applications, or covered information (as defined by SOPPA)). But students may be targeted for online advertisements when they visit an online location based upon their own response to or request for information or feedback, e.g., using Google brand products, where ads are an inherent part of the search engine, or other types of search engines or Internet-based resources to do assignments.

LEGAL REF.: Lamb’s Chapel v. Center Moriches Union Free Sch. Dist., 508 U.S. 384 (1993).  
Berger v. Rensselaer Central Sch. Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).  
Sherman v. Community Consolidated Sch. Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 8 F.3d 1160 (1994).  
Hedges v. Wauconda Community Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).  
Victory Through Jesus Sports Ministry v. Lee’s Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 565 U.S. 1036 (2011).  
DiLoreto v. Downey Unified Sch. Dist., 196 F.3d 958 (9th Cir. 1999).

CROSS REF.: 7:325 (Student Fundraising Activities), 7:330 (Student Use of Buildings - Equal Access)

DRAFT