

School Board

Exhibit - Board Member Travel Expense Voucher

Submit to the Superintendent

Name: _____ Request date: _____

Destination: _____ Purpose: _____

Departure date: _____ Return date: _____

Please print

Expense Voucher									
* Auto Travel Allowance: _____ per mile									
Date	Mileage *		Lodging	Meals			Other Item	Cost	Daily Total
	Miles	Cost		Breakfast	Lunch	Dinner			
Total									\$

School Board Action: **Approved** **Denied**

Board President or Secretary

Date

School Board

Exhibit - Board Member Travel Expense Purchase Order

Submit to the Superintendent who will include this request in the monthly list of bills that is presented to the School Board.

Name: _____ Request date: _____

Destination: _____ Purpose: _____

Departure date: _____ Return date: _____

Please print

Estimated Expenses									
* Auto Travel Allowance: _____ per mile									
Date	Mileage *		Lodging	Meals			Other		Daily Total
	Miles	Cost		Breakfast	Lunch	Dinner	Item	Cost	
Total									\$

Board Action: **Approved** **Denied**

Board President or Secretary

Date

General School Administration

Succession of Authority

If the Superintendent, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Superintendent and approved by the School Board. **1**

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 3:30 (Chain of Command)

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

1 This policy is at the local board's discretion. A board may find it unreasonable and unnecessary to approve the succession plan in the event of an administrator's temporary absence and, if so, should delete this requirement. ~~If a principal is absent due to extended illness or leave, an assistant principal may be assigned as acting principal for a period not to exceed 60 school days (105 ILCS 5/10-21.4a).~~

Operational Services

Insufficient Fund Checks 1

The Superintendent or designee is responsible for collecting the maximum fee authorized by State law for returned checks written to the District that are not honored upon presentation to the respective bank or other depository institution for any reason. 2 The Superintendent is authorized to contact the District's attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest.

LEGAL REF.: 810 ILCS 5/3-806.

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1 State or federal law controls this policy's content.

2 810 ILCS 5/3-806 authorizes a \$25.00 collection fee whenever a check is not honored upon presentation because the individual does not have an account with the bank, the individual does not have sufficient funds in his or her account, or the individual does not have sufficient credit with the bank.

Operational Services

Exhibit - Accident or Injury Form 1

The supervisory staff member must complete this form for submission to the Superintendent whenever any person, student, or adult, is injured on District property or at a District sponsored event.

Name of injured person _____

Age _____ Male Female Telephone _____

Address _____

Class, activity, or event _____

Accident location _____

Accident date _____ Time of accident _____

How did the accident occur? (Describe sequence of events) _____

An Emergency contact **was** notified **as follows?** Yes No **If no, explain why:** _____

If yes, provide the following:

Contact name _____ Relationship _____

Time and method of contact _____ By whom _____

Witnesses Information

Name	Address	Telephone

First aid administered? Yes No **If yes, describe first aid and by whom?** _____

If yes, describe first aid administered and by whom: _____

Name of Supervisor (*please print*)

Signature

Date

The footnotes should be removed before the material is used.

1 A completed accident form can provide useful information for examining and evaluating risks as well as defending a lawsuit. Many insurance companies require completion of their own forms which may be adequate without an additional accident form.

Operational Services

Exhibit - Memo to Staff Members Regarding Contacts by Media About a Crisis

If the media attempts to contact you about a death or other crisis, please follow these guidelines:

1. It is perfectly correct to tell a reporter that you would rather not comment on the incident especially if it has been an emotional strain. Rather than shouting “No comment” (which sounds like you are trying to hide something), say something like, “this incident has affected the school community greatly and I would prefer to not comment on it.” One should then refer the reporter to the Safety Program Coordinator or the designated spokesperson.
2. According to School Board policy and the Family Educational Rights and Privacy Act, the only information about a student that the school is allowed to release is a verification of his or her attendance at the school. If the parents give permission, certain general information (address, date and place of birth, participation in sports or activities, awards received, etc.) may also be released. In the event of parental approval, that information will be given to the media by the Superintendent or the designated spokesperson.
3. Comments such as the following should be avoided: “He was a B student,” “She was having trouble in class and I had referred her to the social worker last week,” and, of course, “He was constantly in trouble for dealing drugs and smoking on school grounds.” For the most part, it is better to avoid comments about individual students. If a reporter persists with these questions, say something like, “Board policy prohibits me from commenting on any student. Furthermore, I do not wish to infringe upon the family’s right to privacy.”
4. If you are comfortable with it, you may make comments about how the crisis has affected you individually. If the incident involved an athlete, the coach might say, “_____’s death is very tragic and the team and I will miss him.”
5. You may also address actions the school is taking to deal with the situation. For example, “Although this is a terrible situation, we are fortunate to have a crisis plan to counsel students and faculty who are understandably upset.”
6. Do not agree to set up interviews with students. All requests for interviews should be directed to the Safety Program Coordinator or the designated spokesperson.
7. Do not speculate or comment on the cause of death, especially in an apparent suicide or murder. Tell reporters that information on the death should be obtained from the police department.
8. Remember, you do not have to answer any questions. Simply refer all reporters to the Safety Program Coordinator or the designated spokesperson.

Operational Services

Exhibit - Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses

The purpose of this form is to give school bus drivers and/or emergency medical technicians information about children who have special needs or medical conditions. One copy of this form is kept in the nurse's office and another copy is kept on the student's school bus in a secure location for bus drivers and emergency medical technicians. If the emergency care of the student requires medication, the parent/guardian must file a *School Medical Authorization Form* with the school nurse.

To be completed by the student's parent/guardian:

_____ Student's Name (<i>Please print</i>)		_____ Birth Date
_____ Parent/Guardian's Name	_____ Home Phone	_____ Cell Phone
_____ School	_____ Grade	_____ Teacher
_____ Physician's Name	_____ Physician's Phone	_____ School Nurse's Phone

My child's special needs are: (*list behavioral or communication challenges and required responses*)

My child requires medication for: (*describe conditions and circumstances*)

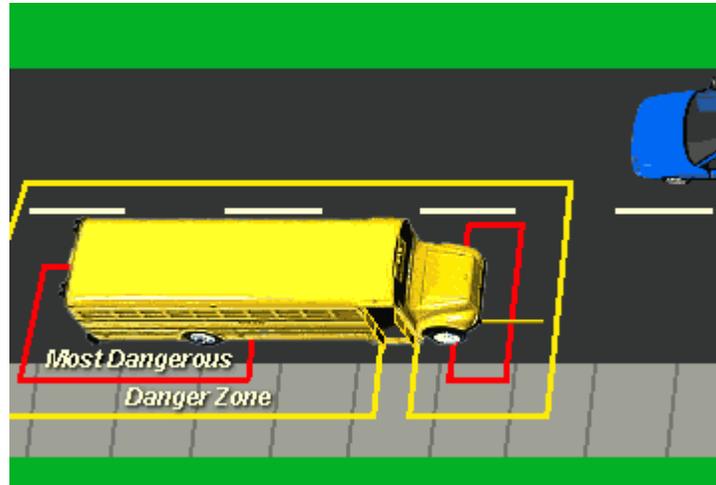
Medication and Where Kept	Dosage	Directions

Parent/Guardian Signature

Date

Operational Services

Administrative Procedure - School Bus Safety Rules 1



The Building Principal shall distribute the following rules to all students. Those students not qualifying for school bus transportation to and from school should receive a copy because they may from time-to-time be transported to school activities by school bus.

1. Dress properly for the weather. Make sure all drawstrings, ties, straps, etc. on all clothing, backpacks and other items, are shortened or removed to lessen the likelihood of them getting caught in bus doors, railings or aisles.
2. Arrive on time at the bus stop and stay away from the street while waiting for the bus.
3. Stay away from the bus until it stops completely and the driver signals you to board. Enter in single file without pushing. Always use the handrail.
4. Take a seat right away and remain seated facing forward. Keep your hands, arms, and head inside the bus.
5. Help keep the bus neat and clean. Keep belongings out of the aisle and away from emergency exits. Eating and drinking are not allowed on the bus.
6. Always listen to the driver's instructions. Be courteous to the driver and other students. Sit with your hands to yourself and avoid making noises that would distract the driver or bother other passengers. Remain seated, keeping your hands, arms, and head inside the bus at all times.
7. Wait until the bus pulls to a complete stop before standing up. Use the handrail when exiting the bus.

The footnotes should be removed before the material is used.

1 105 ILCS 5/10-20.14 requires each district's parent-teacher advisory committee, in cooperation with school bus personnel, to establish and maintain bus safety rules. These sample guidelines are from Ryder Corp. material. The parent-teacher advisory committee's guidelines should be appropriate to the district, e.g., they should include instructions on seat belt use when buses are so equipped.

8. Stay out of the danger zone next to the bus where the driver may have difficulty seeing you. Take five giant steps away from the bus and out of the danger zone, until you can see the driver and the driver sees you. Never crawl under a bus.
9. If you must cross the street after you get off the bus, wait for the driver's signal and then cross in front of the bus. Cross the street only after checking both ways for traffic.
10. Never run back to the bus, even if you dropped or forgot something.

Operational Services

Pandemic Preparedness 1

The School Board recognizes that the District will play an essential role along with the local health department and emergency management agencies in protecting the public's health and safety if an influenza pandemic occurs. ² A pandemic influenza is a worldwide outbreak of a virus for which there is little or no natural immunity and no vaccine; it spreads quickly to people who have not been previously exposed to the new virus. ³

To prepare the School District community for a pandemic, the Superintendent or designee shall: ⁴ (1) learn and understand the roles that the federal, State, and local government would play in an epidemic; (2) form a pandemic planning team consisting of appropriate District personnel and community members to identify priorities and oversee the development and implementation of a comprehensive pandemic influenza school action plan; and (3) build awareness of the final plan among staff, students, and community.

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¹ This policy is optional. A pandemic is a worldwide outbreak of a disease for which there is little or no natural immunity. During an influenza pandemic, a new influenza virus will cause thousands or even millions of people to contract the disease and, in turn, spread the illness to others because people have not been previously exposed to the new virus. Seasonal influenza viruses are similar to those already circulating among people. See, *School Guidance During an Influenza Pandemic, December 2006*; Illinois State Board of Education opening letter to School Officials dated November 2006 from Dr. Randy J. Dunn and Dr. Eric Whitaker. This letter may be found online at:

www.isbe.net/regionaloffices/pdf/sppg_letter.pdf or www.idph.state.il.us/pandemic_flu/school_guide/sppg_letter.pdf.

According to the Centers for Disease Control guidance, schools serve as an "amplification point" of flu epidemics. *School Superintendent's Insider, April 2007*. School officials should be preparing for a flu pandemic as a U.S. Health and Human Services Pandemic Influenza Plan estimates that about 30 percent of the general population would become ill in a pandemic. The agency estimates among school aged children the figure would be higher, about 40 percent. Sources: *NSBA and School Board News 3/14/2006*.

Boards are authorized to adopt a policy on pandemic preparedness even though State and federal law provide little guidance. State law grants boards broad authority to formulate, adopt, and modify school board policies, at the board's sole discretion, subject only to mandatory collective bargaining agreements and State and federal law. 105 ILCS 5/10-20.5 and 115 ILCS 5/1 et seq. See 2:20, *Powers and Duties of the School Board* and also 2:240, *Board Policy Development*.

² Multiple stakeholders have important roles in pandemic influenza preparedness and response. Stakeholders include federal departments and agencies, public health organizations, State and local health departments and laboratories, private health care organizations, influenza vaccine and antiviral manufacturers, and vaccine distributors and vaccinators. Effective response to an influenza pandemic requires planning, infrastructure, and action at many levels and by many groups. *Illinois Pandemic Influenza Preparedness and Response Plan, Version 2.05, October 10, 2006, page 38*, which is located at: http://www.idph.state.il.us/pandemic_flu/planning.htm www.idph.state.il.us/pandemic_flu/planning.htm.

³ See <http://pandemicflu.gov/plan/individual/familyguide.html> www.hss.energy.gov/healthsafety/guidepandemic.pdf.

⁴ 105 ILCS 5/10-16.7. The school board directs, through policy, the superintendent in his or her charge of the district's administration.

Emergency School Closing ⁵

In the case of a pandemic, any decision for an emergency school closing will be made by the Superintendent in consultation with and, if necessary, at the direction of the District's local health department, emergency management agencies, and Regional Office of Education. ⁶

LEGAL REF.: 105 ILCS 5/10-16.7 and 5/10-20.5.
[Ill. Dept. of Public Health Act \(Part 1\), 20 ILCS 2305/2\(b\).](#)
[Ill. Emergency Management Agency Act, 20 ILCS 3305.](#)
[Ill. Educational Labor Relations Act, 115 ILCS 5/4-et seq.](#)

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:20 (Powers and Duties of the School Board), 4:170 (Safety), 7:90 (Release During School Hours), 8:100 (Relations with Other Organizations and Agencies)

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⁵ Local health departments, emergency medical agencies and the Regional Office of Education may direct a school to close during a pandemic. See, *School Guidance During an Influenza Pandemic, December 2006*; Illinois State Board of Education opening letter to school officials dated November 2006 from Dr. Randy J. Dunn and Dr. Eric Whitaker. This letter is online at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_letter.pdf. Since this letter was written, several Illinois schools faced an H1N1 outbreak in 2009. During that outbreak, ISBE directed schools with a statement titled *Closing School in Response to H1N1* that outlined "the decision to close school must be made locally by the school district and in conjunction and support with the relevant local public health department. The impact of pandemic influenza may vary from region to region. Therefore, it is crucial that district administrators rely on the advice and recommendations of their local public health department." See www.isbe.net/htmls/decide_closing.htm.

The Ill. Dept. of Public Health is also authorized to order a place to be closed and made off-limits to the public to prevent the probable spread of a dangerously contagious or infectious disease (20 ILCS 2305/2(b)).

The Governor also has emergency powers upon his or her declaration of a disaster, which includes among other things public health emergencies (20 ILCS 3305/4 and 3305/7). Upon such proclamation, the Governor has and may exercise for a period not to exceed 30 days several emergency powers (Id.).

⁶ Use this alternative for districts in suburban Cook County: replace "Regional Office of Education" with "appropriate Intermediate Service Center." Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

Operational Services

Administrative Procedure - School Action Steps for Pandemic Influenza

Building a strong relationship with the local health department and emergency medical agencies is critical for developing a meaningful school action plan to address pandemic influenza. The key planning activities in this checklist should build upon the District’s existing contingency plans.

The following is a list of important step-by-step actions school officials should take before a pandemic influenza outbreak. This list needs to be repeated when an outbreak has several cycles or waves.

Prior to Outbreak/Preparedness and Planning Phase

Actor	Action
Superintendent or designee	Identify Pandemic Planning Team to operate as a Superintendent Committee and includes one or two School Board members, administrators, and staff members.
Superintendent and School Board	Identify, modify, and monitor relevant policies which a pandemic may possibly affect, including but not limited to: <ul style="list-style-type: none"> 1:20, <i>District Organization, Operations, and Cooperative Agreements</i> 2:20, <i>Powers and Duties of the School Board</i> 2:200, <i>Types of School Board Meetings</i> 3:70, <i>Succession Plan</i> 4:130, <i>Free and Reduced-Price Food Services</i> 4:180, <i>Pandemic Preparedness</i> 5:35, <i>Compliance with the Fair Labor Standards Act</i> 5:40, <i>Communicable and Chronic Infectious Disease</i> 5:180, <i>Temporary Illness or Incapacity</i> 5:185, <i>Family and Medical Leave</i> 5:200, <i>Terms and Conditions of Employment and Dismissal</i> 5:270, <i>Employment At-will, Compensation, and Assignment</i> 5:300, <i>Schedule and Employment Year</i> 5:330, <i>Sick Days, Vacation, Holidays and Leaves</i> 6:20, <i>School Year Calendar and Day</i> 6:120, <i>Education of Children with Disabilities</i> 6:150, <i>Home and Hospital Instruction</i> 7:70, <i>Truancy</i> 7:280, <i>Communicable and Chronic Infectious Disease</i> 8:100, <i>Relations with Other Organizations and Agencies.</i>
Superintendent or designee and Pandemic	Begin use of the <i>School District (K-12) Pandemic Influenza Planning Checklist, 1</i> online at: www.isbe.net/regionaloffices/pdf/sppg_checklist.pdf , or

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1 This comprehensive checklist was prepared by the U. S. Department of Health and Human Services (HHS) and the Centers for Disease Control and Prevention (CDC), a major operating component of HHS. School districts play an integral role in protecting the health and safety of their staff, students and families. The HHS and CDC developed this checklist to assist school districts in developing and/or improving plans to prepare for and respond to an influenza pandemic.

Actor	Action
Planning Team	<p>www.pandemicflu.gov/plan/schoolchecklist.html www.flu.gov/planning-preparedness/school/schoolchecklist.html.</p> <p>Ensure a succession plan exists in case Board members, administrators, and/or others are unable to fulfill duties during the pandemic.</p> <p>Work with local health and emergency preparedness officials. They may want to use the schools to disseminate information to families.</p> <p>Train employees about FLSA, overtime, and recordkeeping requirements necessary to work during a pandemic while the School District is closed.</p> <p>Open communications with employee unions regarding “wages, hours and terms and conditions of employment” during a pandemic.</p> <p>Address policies for employee absenteeism, identifying critical job functions, plans for alternate coverage, and return-to-work policies as well as flu symptom recognition. ²</p> <p>Train nurses and staff in flu symptom recognition. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>. Remember that a person who is infected does not show symptoms right away, but children becoming ill may show different behavior than usual, such as eating less or being irritable. Knowing the differences between seasonal and pandemic flu is also critical to pandemic preparedness. A fact sheet is available on line at:</p> <p>www.isbe.net/regionaloffices/pdf/sppg_fact_sheet_differ.pdf www.flu.gov/pandemic/about/index.html and www.osha.gov/Publications/influenza_pandemic.html#difference.</p> <p>Train staff to protect themselves from occupational exposure to influenza through workplace “social distancing” based upon the Occupational Safety and Health Administration’s (OSHA), <i>Guidance on Preparing Workplaces for an Influenza Pandemic</i>, ³ which may be found online at:</p> <p>www.osha.gov/Publications/influenza_pandemic.html www.osha.gov/Publications/influenza_pandemic.html.</p> <p>Ensure that Standard Surveillance/disease recognition procedures are in place and implemented. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>.</p> <p>Encourage the use of simple non-medical ways to reduce the spread of flu by “cough and sneeze etiquette” and cleansing of hands and work</p>

The footnotes should be removed before the material is used.

² This is an item on which collective bargaining may be required. Any matter 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 matter involves an inherent managerial right.

³ U.S. Department of Labor, Occupational Safety and Health Administration, OSHA 3327-02N, 2007. The handbook provides a general overview of pandemic preparedness related to OSHA standards. It does not alter or determine compliance responsibilities in OSHA standards or the *Occupational Safety and Health Act of 1970*. Because interpretations and enforcement policy may change over time, consult current OSHA administrative interpretations and decisions by the Occupational Safety and Health Review Commission for additional guidance on OSHA compliance requirements.

Actor	Action
	<p>areas.</p> <p>Decide to what extent the District will encourage or require students and staff to stay home when they are mildly ill. Some parents/guardians may need to be more cautious in keeping their students out of school.</p> <p>Identify students who have a greater risk of infection and are most vulnerable to serious illness. Review their health needs and encourage those families to talk with their health care provider.</p> <p>Assess nutritional assistance needs for students who receive free and reduced-price food programs. For more information about school dismissals and closings, see the following link: <u>www.isbe.net/nutrition/htmls/school_closing.htm</u>. For more information about providing continuity of meal distribution for students eligible for reimbursable meals, see Q & A #5, <u>www.isbe.net/nutrition/pdf/usda_qa072309.pdf</u>.</p> <p>Through consultation with the Regional Office of Education and local authorities, develop strategies for remote learning through collaborative agreements (television or other local cable stations, teleconferencing, electronic instructional resources, etc.).</p> <p>Educate staff, students, and parents/guardians about the differences between the various types of flu, best hygienic practices to prevent any sort of flu, and what could occur in a pandemic. Consider issuing <i>See Sample Parent Letter #1, Preparation and Planning</i>, online at: www.isbe.net/regionaloffices/pdf/sppg_ltr_preparation.pdf www.idph.state.il.us/pandemic_flu/school_guide/sppg_ltr_preparation.pdf. <i>Also see, Preparing for the Flu</i>, online at: www.cdc.gov/h1n1flu/schools/toolkit/pdf/schoolflutoolkit.pdf http://www.isbe.net/pdf/H1N1/idph_high-risk_info.pdf</p> <p>Review Sections IV and V of <i>School Guidance During an Influenza Pandemic</i>, online at: http://www.isbe.net/regionaloffices/pandemic_guidance.htm www.idph.state.il.us/pandemic_flu/schoolguide.htm.</p>

Outbreak of Flu Disease

Actor	Action
<p>Superintendent or designee</p>	<p>Consider issuing <i>Sample Parent Letter # 2, First Bird Case</i>, online at: www.isbe.net/regionaloffices/pdf/sppg_ltr_bird.pdf www.idph.state.il.us/pandemic_flu/school_guide/sppg_ltr_bird.pdf.</p> <p>Begin Heightened Surveillance responses. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>.</p> <p>Issue <i>Sample Parent/Guardian Letter #3, Illinois/Regional Cases</i>, informing parents/guardians that some students are sick but schools remain open, include tip sheets and information resource list. A sample is online at:</p>

Actor	Action
	http://www.isbe.net/regionaloffices/pdf/sppg_il_cases.pdf www.idph.state.il.us/pandemic flu/school guide/sppg il cases.pdf .
Pandemic Planning Team	Work with local health department regarding a press release announcing that schools will remain open and advising parents/guardians of their need to prepare. A sample, titled “Schools Open,” is online at: www.isbe.net/regionaloffices/pdf/sppg_media_open.pdf www.idph.state.il.us/pandemic flu/school guide/sppg media open.pdf .
Building Principal	Post flu prevention signs on campuses. See Section V of <i>School Guidance During an Influenza Pandemic</i> , online at: www.isbe.net/regionaloffices/pandemic_guidance.htm www.idph.state.il.us/pandemic flu/schoolguide.htm .

Expansion of the Outbreak

Actor	Action
Local Health Department	Issue epidemic statement to general public.
Superintendent or designee	Begin Intensive Surveillance responses. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i> .

Continued Expansion of the Outbreak

Actor	Action
Local Health Department	Evaluate the need for school closure with local school officials.
Superintendent or designee	In consultation with local health department, emergency management agencies, and Regional Office of Education, close school(s). Issue press release. A sample, titled “Schools Closed,” is at: http://www.isbe.net/regionaloffices/pdf/sppg_media_closed.pdf www.idph.state.il.us/pandemic flu/school guide/sppg media closed.pdf . Issue <i>Sample Parent Letter #4, School Closure</i> . A sample is online at: www.isbe.net/regionaloffices/pdf/sppg_closures.pdf www.idph.state.il.us/pandemic flu/school guide/sppg closures.pdf .
School Board and/or Superintendent	Cancel any non-academic events.

Following the Outbreak

Actor	Action
Local Health Department	Evaluate the advisability of opening school(s) with school officials.
Superintendent or designee	Issue press release that schools are open. Issue <i>Sample Parent Letter #5, Schools Reopen</i> . A sample is online at: www.isbe.net/regionaloffices/pdf/sppg_reopening.pdf

Actor	Action
	www.idph.state.il.us/pandemic_flu/school_guide/sppg_reopening.pdf .
Pandemic Planning Team	Continue communicating with local health department.
Superintendent or designee	Return to Heightened Surveillance response. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i> . Begin checklist again if an outbreak recurs.

Local Health Department:

Regional Office of Education:

Name

Name

Address

Address

Telephone

Telephone

Emergency Management Agencies:

Name

Name

Address

Address

Telephone

Telephone

Important Resources

The Illinois State Board of Education and Department of Public Health released a publication titled *School Guidance During an Influenza Pandemic, December 2006*, online at:

www.isbe.net/regionaloffices/pandemic_guidance.htm; or
www.idph.state.il.us/pandemic_flu/schoolguide.htm.

The resource is meant to guide and supplement, not replace school districts' existing plans.

Further information on pandemic influenza can be found by calling 1-800-CDC-INFO or at the following websites:

www.pandemicflu.gov
www.cdc.gov/flu
www.redcross.org
www.cchealth.org

Operational Services

Administrative Procedure - Pandemic Influenza Surveillance and Reporting

During all levels of a pandemic flu outbreak, monitoring and documenting the number of students and faculty who are absent and report having influenza is critical. Keeping track of these numbers helps health officials determine whether: (1) the outbreak is increasing in scope, (2) to declare an epidemic and (3) to close schools.

The following information assists officials to monitor illness rates and the potential for an epidemic:

- Basic surveillance level definitions and response actions with instructions as outlined below.
- Website links to reporting form(s) to submit to the local public health department.
- Sample attendance log to document flu-related absences.

Surveillance Levels	Response Actions
<p>Standard Surveillance - Reported illnesses are within expected range.</p>	<p>Monitor attendance for increased reports of absence due to flu-like illness.</p> <p>Do not report absences to the local health department.</p>
<p>Heightened Surveillance - Reported illnesses exceed expected range.</p>	<p>Monitor weekly attendance for flu-like illness/absences on <i>Weekly Influenza Census</i>, online at: — www.isbe.net/regionaloffices/pdf/sppg_weekly_census.pdf www.idph.state.il.us/pandemic_flu/school_guide/sppg_weekly_census.pdf.</p> <p>Begin morning <i>flu check</i> first hour of school; screen those who report positive for symptoms.</p> <p>Log absences due to flu-like illness on <i>Daily Pandemic Influenza Census Log</i>, a sample is available online at: — www.eccoe.k12.ca.us/about/flu/school_action_kit/Daily_Pandemic_Flu_Census_Log.pdf www.idph.state.il.us/pandemic_flu/school_guide/sppg_daily_census.pdf.</p> <p>Send weekly absence report to local health department upon request.</p>
<p>Intensive Surveillance - Reported illnesses significantly exceed expected range.</p>	<p>Monitor daily attendance and log absences on <i>Daily Influenza Census</i> or <i>Daily Pandemic Influenza Log</i>, online at: — www.isbe.net/regionaloffices/pdf/sppg_daily_census.pdf www.idph.state.il.us/pandemic_flu/school_guide/sppg_daily_census.pdf.</p> <p>Continue morning <i>flu check</i>.</p> <p>Send daily absence report to local health department upon request.</p> <p>Begin preparation for potential school closure.</p>

Important Resources

~~Surveillance and Reporting at: www.isbe.net/regionaloffices/pdf/sppg_surveillance.pdf.~~

School Guidance During an Influenza Pandemic, Section III. Surveillance, online at: www.idph.state.il.us/pandemic_flu/schoolguide.htm.

General Personnel

Expenses 1

The School Board shall reimburse employees for expenses necessary for the performance of their duties, provided the expenses have been approved by the Superintendent or designee. If the anticipated expense amount exceeds budgeted amounts, prior Board approval is required.

Employees must submit to the Superintendent an itemized, signed voucher showing the amount of actual expenses, attaching receipts to the voucher if possible. Expense vouchers shall be presented to the Board in its regular bill process.

LEGAL REF.: 105 ILCS 5/10-22.32.

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

1 105 ILCS 5/10-22.32 states that “[t]he school board may advance to teachers and other certified employees the anticipated actual and necessary expenses incurred in attending meetings which are related to that employee’s duties and will contribute to the professional development of that employee.” This policy expands beyond those two categories of employees, and the limited purpose of attending meetings, to reimburse all employees for approved expenses necessary for the employee to perform his or her duties.

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. If a local collective bargaining agreement contains a provision on expenses, it will supersede this policy and the board policy should state, “Please refer to the **Professional Agreement between the _____ Association and the Board.**” following current Agreement: [actual title of Collective Bargaining Agreement (not including dates)].”

General Personnel

Administrative Procedure - Expenses ¹

Registration Fees

When possible, registration fees will be paid by the District in advance.

Transportation Costs

The least expensive transportation shall be used. Employees will be reimbursed for:

1. Air travel at the coach or single class commercial airline rate. Copies of airline tickets must be attached to the expense voucher.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets will be attached to the expense voucher to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for personal automobile use in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense voucher.
5. Taxis, airport limousines, or other local transportation costs.

Hotel/Motel Charges

Employees should request conference rate or *mid-fare* room accommodations. A single room rate will be reimbursed. Other expenses incurred by employees will be reimbursed when specifically related to School District business. The expense voucher or hotel bill must explain the types of expenses incurred.

Employees shall pay personal expenses that are charged to hotel room bills at check-out. If this is not possible, deductions for the charges should be made on the expense voucher.

Meal Charges

Meal charges to the School District should represent "~~mid-fare~~" selections for the hotel/meeting facility or general area and generally should not exceed \$ _____ per day. ² Tips shall be included with the meal charges. Expense vouchers must explain the meal charges incurred.

Personal Charges

All personal travel costs must be excluded from the expense voucher.

The footnotes should be removed before the material is used.

¹ If a local collective bargaining agreement contains a provision on expenses, it will supersede this policy and the school board policy should state, "Please refer to the ~~Professional Agreement between the _____ Association and the School Board.~~ following current Agreement: [actual title of Collective Bargaining Agreement (not including dates)]."

² Alternatively, a board could set a daily limit on meal costs, such as:

Employees will be reimbursed for meal costs and tips up to \$ _____ per day.

General Personnel

Exhibit - Employee Travel Expense Voucher

Submit to the Superintendent

Name: _____ Request date: _____

Destination: _____ Purpose: _____

Departure date: _____ Return date: _____

Please print and attach receipts for all expenditures.

Expense Voucher									
* Auto Travel Allowance: _____ per mile									
Date	Mileage *		Lodging	Meals			Other Item	Cost	Daily Total
	Miles	Cost		Breakfast	Lunch	Dinner			
Total									\$

Board Action: **Approved** **Denied**

Superintendent

Date

General Personnel

Religious Holidays ¹

The Superintendent shall grant an employee's request for time off to observe a religious holiday if the employee gives at least 5 days prior notice and the absence does not cause an undue hardship. ²

Employees may use earned vacation time, or personal leave to make up the absence, provided such time is consistent with the District's operational needs. A per diem deduction may also be requested by the employee. ³

LEGAL REF.: Religious Freedom Restoration Act, 775 ILCS 35/15.
Illinois Human Rights Act, 775 ILCS 5/2-101 and 5/2-102.

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

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

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. ~~When If a policy's subject matter is superseded by a local collective bargaining agreement, the school contains a provision on religious holidays, it will supersede this policy and the board policy can should state, "Please refer to the Professional following current Agreement between the Association and the School Board.": [actual title of Collective Bargaining Agreement (not including dates)]."~~

² "Religion" includes "all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business," (775 ILCS 5/2-101(F)). School employers may require employees to provide up to 5 days notice before being absent for a religious holiday (775 ILCS 5/2-102(E)).

³ Not provided by law and optional.

General Personnel

Court Duty ¹

The District will pay full salary during the time an employee is absent due to court duty or, pursuant to a subpoena, serves as a witness or has a deposition taken in any school-related matter pending in court. ²

The District will deduct any fees that an employee receives for such duties, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to the District. ³

An employee should give at least 5 days' prior notice of pending court duty to the District. ⁴

LEGAL REF.: 105 ILCS 5/10-20.7.

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

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

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. ~~When If a policy's subject matter is superseded by a local collective bargaining agreement, the school contains a provision on court duty, it will supersede this policy and the board policy can~~ should state, "Please refer to the Professional following current Agreement between: [actual title of Collective Bargaining Agreement (not including dates)]."

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

² State law mandates this provision for certificated employees only (105 ILCS 5/10-20.7).

³ State law permits these deductions but does not mandate them (105 ILCS 5/10-20.7).

⁴ State law does not provide a deadline and a district cannot refuse to pay full salary to an employee who fails to follow the policy's deadline.

General Personnel

Recognition for Service 1

The School Board will periodically recognize those District employees who contribute significantly to the educational programs and welfare of the students.

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

1 Nothing in this policy is required by law and districts should customize it to meet their needs.

School districts and communities can honor local people for their contributions to local elementary and secondary schools through the annual Those Who Excel/Illinois Teacher of the Year Program. Awards of Excellence, Merit, Recognition, and Honorable Mention are generally given in seven categories – classroom teacher, ~~principal (certified), educational service personnel (noncertificated), early career educator,~~ school administrator, school board members/community volunteer, student support personnel, ~~educational service personnel, (certificated), and parent/community member team.~~ Award of Excellence winners in the classroom teacher category are eligible to become finalists for Illinois Teacher of the Year. Nominations for the awards are sent to the Illinois State Board of Education (ISBE) by June 15. An awards banquet is held in the fall. Questions regarding the program should be directed to ISBE, Public Affairs Information at 217/782-4648. Other information is available online at: www.isbe.net/those_who_excel.htm.

General Personnel

Responsibilities Concerning Internal Information 1

District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed School Board meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees. The Superintendent or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

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

1 State and federal law control the content of this policy to the extent that: (1) the unauthorized disclosure of student school records is prohibited by the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and the Illinois School Student Records Act, 105 ILCS 10/, (2) 5 ILCS 140/7 protects school security and response plans and maps from disclosure, (3) if a district offers a self-insured group health plan or flexible spending account, it must establish clear procedures to protect the employees' health information (45 C.F.R. §164.502), (4) private information, personal information, and personnel file information is exempt from a request for disclosure under the Freedom of Information Act (5 ILCS 140/7), and (5) the Ill. Personnel Record Review Act governs the release of an employee's disciplinary action (820 ILCS 40/). These are just examples of the laws requiring the safekeeping of district and school records.

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. When If a policy's subject matter is superseded by a local collective bargaining agreement, contains a provision on these responsibilities, it will supersede this policy and the board policy ~~can~~ should state, "Please refer to the following current [insert name Agreement: [actual title of CBA].": Collective Bargaining Agreement (not including dates)."

This sample policy's intent is to safeguard district records accessed or created by employees. This includes protecting the district from unauthorized release of confidential records or the destruction of records. While the legal guidance is sparse, districts should take steps to avoid security breaches. Some districts may have more legal obligations than others. School districts that are considered "covered entities" under the Health Insurance Portability and Accountability Act (HIPAA) are required to comply with the HIPAA Security Rule. Furthermore, districts that allow foreign exchange students to attend their schools may need to put safeguards in place in order to protect data that is transferred to the Student and Exchange Visitor Information System (SEVIS).

To help maintain the integrity of records, districts should prevent their over-accumulation. Not all internal information must be preserved even if it is a *public record* for purposes of the Freedom of Information Act, 5 ILCS 140/. According to the Local Records Act, 50 ILCS 205/, a record must be retained only when it contains: (1) evidence of the district's organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. While this is a slippery slope without definitive parameters, recorded information may generally be deleted that are conversational or personal, meeting notices, spam, email of a transient nature, duplicate material sent from other staff members, and draft material. However, no district record, no matter its form, may be destroyed if it is subject to a litigation hold. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. For guidance on Board member use and retention of email, see 2:140-E, *Guidance for Board Member Communications, Including Email Use*.

LEGAL REF.: [Family Educational and Privacy Rights Act](#), 20 U.S.C. §1232g.
[Uses and Disclosures of Protected Health Information; General Rules](#), 45 C.F.R.
§164.502.
[Ill. Freedom of Information Act](#), 5 ILCS 140/~~1-et seq.~~
[Local Records Act](#), 50 ILCS 205/~~1-et seq.~~
105 ILCS 10/~~1-et seq.~~
[Personnel Record Review Act](#), 820 ILCS 40/~~1-et seq.~~

CROSS REF.: 2:140 (Communications To and From the Board), 2:250 (Access to District
Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

General Personnel

Administrative Procedure - Email Retention 1

Email, including attachments, that are sent or received by the District or District employees may be, depending on their content, subject to disclosure under the Freedom of Information Act and/or discovery in litigation as evidence in support of a claim. Employees must use the same standards of judgment, propriety, and ethics with email as they do with other forms of school business-related communications.

Accordingly, employees have the same responsibilities for email messages as they do for any other communication and must distinguish between record and non-record messages. This allows for the proper storage or disposal of email. However, no District record, no matter its form, may be destroyed if it is subject to a litigation hold. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. For guidance on School Board member use and retention of email, see 2:140-E, *Guidance for Board Member Communications, Including Email Use*.

Non-Record Messages

Email messages are “non-record messages” if they do not evidence the District’s organization, function, policies, procedures, or activities; or contain informational data appropriate for preservation. These are generally informal or preliminary drafts, notes, recommendations, or memoranda that do not contain official action. Examples include:

1. Personal correspondence not received or created in the course of District or school business, such as, “What’s for dinner?” or “I’ll be glad to drive to the meeting.”
2. Notices concerning meetings or workshops, dates, discussion topics, and material to prepare for or to be discussed during a meeting.
3. Publications or promotional materials from vendors and similar materials that are available to anyone.
4. Correspondence containing recommendations or opinions that are preliminary to a decision.
5. Informal correspondence to parents/guardians concerning school activities or an individual student’s progress or assignments provided the messages do not contain notice of final or official action.
6. Draft material.
7. If the email is a “non-record message,” the employee should delete it as soon as its purpose is fulfilled unless the email is subject to a litigation hold. The goal is to control excessive accumulation of material.

The footnotes should be removed before the material is used.

1 The process for managing email storage and disposition is generally a local matter subject to the Local Records Act (50 ILCS 205/; governs which documents must be kept until destroyed pursuant to an approved record retention schedule); the Freedom of Information Act (5 ILCS 140/; governs the disclosure of public records; and Federal Rules of Civil Procedure, Rules 16 and 26, prohibits the destruction of material during a discovery hold). See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. For guidance on Board member use and retention of email, see 2:140-E, *Guidance for Board Member Communications, Including Email Use*.

Official Record Messages

Email messages are “official record messages” if they are evidence of the District’s organization, function, policies, procedures, or activities or contain informational data appropriate for preservation. Examples include:

1. Policy documents or contract related documents.
2. Correspondence, e.g., letters, memos, emails from individuals, companies, or organizations requesting information about the District or school policies or practices and the responses to these requests.
3. Project reports.
4. Correspondence dealing with significant aspects of District administration or a school executive office, including messages containing information concerning policies, programs, fiscal and personnel matters, and contracts.

Official record messages should routinely be transferred to the records maintenance location identified by the Records Custodian or Head of Information Technology (IT). Before transferring the message, the employee should identify it as belonging in one of the categories of records established by the Record Custodian or Head of IT. Once transferred, it becomes the official copy and the original electronic version may be deleted according to the District’s approved record preservation and retention schedule. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*.

General Personnel

Solicitations By or From Staff 1

District employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Superintendent.

CROSS REF.: 8:90 (Parent Organizations and Booster Clubs)

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

1 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. If a local collective bargaining agreement contains a provisions on ~~solicitations by or from staff~~ this issue, it will supersede this policy and the ~~school~~ board policy should state, "Please refer to the ~~Professional following current~~ Agreement ~~between the _____ Association and the School Board.~~": [actual title of Collective Bargaining Agreement (not including dates)]."

Professional Personnel

Exhibit - Unsatisfactory Performance Report for Substitute Teachers

To be submitted to the Building Principal. Please print.

Substitute's name

ID #

School

Assignment

Classroom teacher's name

Date of substitution

Areas of concern with a brief explanation:

- Arrived late and/or left early _____
- Inappropriate dress _____
- Improper language _____
- Lack of classroom control _____
- Accurate records not kept _____
- Failed to provide written feedback _____
- Physical aggression against student _____
- Received parental complaint _____
- Did not follow lesson plans or routines _____
- Other _____

Reported by: Student Staff Both

In the future, please do not assign this substitute to:

- Classroom/Teacher's name _____
- Grade level _____
- Building _____
- In any capacity _____

Building Principal's signature

Date

Professional Personnel

Maintaining Student Discipline ¹

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that all teachers, other certificated employees, and persons providing a student's related service(s): (1) maintain discipline in the schools as required in the School Code, and (2) follow the School Board policies and administrative procedures on student conduct and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student. If the unacceptable behavior continues, the teacher should consult with the Building Principal and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. ² A student's removal must be in accordance with Board policy and administrative procedures.

Teachers shall not use disciplinary methods that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used. Teachers may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property. ³

LEGAL REF.: 105 ILCS 5/24-24.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:150 (Committees), 7:190 (Student Discipline), 7:230 (Misconduct by Students with Disabilities)

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

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

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. ~~When a~~ If this policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the Professional following current Agreement between the Classroom Teachers' Association and the School Board": [actual title of Collective Bargaining Agreement (not including dates)]."

² Teachers must be given the authority to remove disruptive students from the classroom (105 ILCS 5/24-24).

³ Required by 105 ILCS 5/24-24. See sample policy 7:190, *Student Discipline*, for a discussion of corporal punishment.

Professional Personnel

Administrative Procedure - School Visitation Leave ¹

Eligible employees

These administrative procedures apply to both professional staff and educational service personnel. An employee is eligible for a school visitation leave if he or she has worked for the District at least 6 consecutive months immediately before the request and works at least one-half of the full-time equivalent position. ~~820 ILCS 147/40.~~ Periods when school is not in session will not count as a break in consecutive service. ²

School Conference and Activity Leave ~~3~~ 820 ILCS 147/15.

An employee is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the employee's child, if the conference or activity cannot be scheduled during non-work hours. Employees must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employee, except sick and disability leave.

Request ~~4~~ 820 ILCS 147/30.

An employee must request a school conference and activity leave in writing at least 7 days in advance; in an emergency situation, 24 hours' notice is required. The employee must consult with the employer to schedule the leave so as to minimize disruption. A leave request may be denied if granting the leave would result in more than 5% of the work force, or work force shift, taking leave at the same time. ~~5~~ 820 ILCS 147/49.

Compensation

A school visitation leave is unpaid. The District will attempt, however, to give the employee the opportunity to make-up the time taken for such a leave. ~~6~~ 820 ILCS 147/20. The employee taking a visitation leave will not lose any benefits. ~~7~~ 820 ILCS 147/35.

The footnotes should be removed before the material is used.

¹ The School Visitation Rights Act applies to only those districts employing at least 50 people (820 ILCS 147/40). Modify this procedure to align with board policy. Customize it to reflect the district's practice, particularly to specify the district's treatment of eligible employees.

² This provision is not in State law, but is consistent with other laws concerning school employees.

~~³ This paragraph re-states 820 ILCS 147/15.~~

~~⁴ This paragraph re-states the law (Id.).~~

~~⁵ 820 ILCS 147/49.~~

~~⁶ Required by 820 ILCS 147/20.~~

~~⁷ 820 ILCS 147/35.~~

Verification § 820 ILCS 147/30.

An employee returning from a school visitation leave must provide the Building Principal with verification of the visitation from the school administrator of the school visited. Failure to provide this verification within 2 working days of the visitation will subject the employee to the standard disciplinary procedures for unexcused absences from work.

LEGAL REF.: 820 ILCS 147/.

The footnotes should be removed before the material is used.

~~§ This paragraph re-states 820 ILCS 147/30.~~

Educational Support Personnel

Evaluation 1

The Superintendent is responsible for designing and implementing a program for evaluating the job performance of each educational support staff member according to standards contained in School Board policies as well as in compliance with State law and any applicable collective bargaining agreement. The standards for the evaluation program shall include, but not be limited to:

1. Each employee shall be evaluated annually, preferably before the annual salary review.
2. The direct supervisor shall provide input.
3. The employee's work quality, promptness, attendance, reliability, conduct, judgment, and cooperation shall be considered.
4. The employee shall receive a copy of the annual evaluation.
5. All evaluations shall comply with State and federal law and any applicable collective bargaining agreement.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:150 (Personnel Records)

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

1 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. A collective bargaining agreement may contain provisions which supersede the policy, in which case, the policy should state: "Please refer to the following current ~~{insert name}~~ Agreement: [actual title of the Educational Support Personnel CBA]." ~~State law does Collective Bargaining Agreement (not address evaluation of educational support personnel including dates)]."~~

State law does not address evaluation of educational support personnel, except to require a district to report on the annual ISBE salary and benefit survey whether the district's salary program, policies or provisions are based upon merit or performance evaluation of individual educational support personnel for the school year covered by the survey (105 ILCS 5/2-3.103, amended by P.A. 96-1423). The survey is provided by ISBE to each school district.

The numbered items are at the local board's discretion. One important consideration for evaluations involves accurate job descriptions. They assist with meaningful evaluations, wage and salary surveys, and help provide an equitable wage and salary structure.

Instruction

Curriculum Development 1

Adoption 2

The Superintendent shall recommend a comprehensive curriculum that is aligned with:

1. The District’s educational philosophy and goals,
2. Student needs as identified by research, demographics, and student achievement and other data,
3. The knowledge, skills, and abilities required for students to become life-long learners,
4. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements, 3
5. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available, 4
6. The Illinois State Learning Standards and any District learning standards, and
7. Any required State or federal student testing.

The School Board will adopt, upon recommendation of the Superintendent, a curriculum that meets the above criteria. 5

Experimental Educational Programs and Pilot Projects 6

The Superintendent may recommend experimental educational programs and/or pilot projects for Board consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Superintendent shall submit to the Board periodic progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program’s completion.

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

1 State or federal law controls this policy’s content.

2 This section is not dictated by State or federal law, but reflects board work regarding curriculum. Each board should dwell over this section to ensure it articulates the board’s intent.

3 State law mandates certain courses of study, but local school boards may set requirements exceeding State law-mandated courses of study (105 ILCS 5/10-20.8 and 5/27-1 et seq.).

4 Alternative for unit districts:

5. The curriculum District-wide and articulated across all grade levels.

5 The following is an alternative for boards that do not want the sample language’s degree of delegation:

The School Board will consider the Superintendent’s recommendation and adopt a curriculum that meets the above criteria.

6 Experimental educational programs may require the approval of the State Board of Education and an agreement with the affected exclusive bargaining agent (105 ILCS 5/10-19). State law addresses pilot programs for teachers in relation to clinical schools, restructuring, and providing special assistance and support to beginning teachers (105 ILCS 5/2-3.52A).

Single-Gender Classes and Activities 7

The Superintendent may recommend a program of nonvocational single-gender classes and/or activities to provide diverse educational opportunities and/or meet students' identified educational needs. Participation in the classes or activities must be voluntary, both genders must be treated with substantial equality, and the program must otherwise comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*. The Superintendent must periodically evaluate any single-gender class or activity to ensure that: (1) it does not rely on overly broad generalizations about the different talents, capabilities, or preferences of either gender, and (2) it continues to comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*.

Development 8

The Superintendent shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The Superintendent shall report to the Board as appropriate, the curriculum review program's efforts to:

1. Regularly evaluate the curriculum and instructional program.
2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents/guardians, and students, representing all schools, grade levels, disciplines, and specialized and alternative programs.
4. Coordinate with the process for evaluating the instructional program and materials.

Curriculum Guides and Course Outlines

The Superintendent shall develop and provide subject area curriculum guides to appropriate staff members.

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

⁷ The U.S. Dept. of Education (DOE) amended its Title IX regulation to make it easier for schools to have single-sex classes and extracurricular activities (34 C.F.R. Part 106). Title IX generally protects students from discrimination on the basis of sex. However, ~~citing recent research suggesting that some students benefit in single-sex classes,~~ the DOE added flexibility to its rules on single-sex classes and activities ~~back in 2006, citing research that suggests that some students benefit in single-sex classes.~~ The rules are very specific and should be ~~consulted~~ reviewed with the board attorney when designing single-sex classes or activities.

⁸ The last two sections of this policy provide a process for the board to monitor the extent that its ends for curriculum development are being pursued. However, a board may be concerned that these sections offend the board's efforts to delegate authority to the superintendent to manage the district. If so, these sections should be deleted. See the IASB's "Foundational Principles of Effective Governance," ~~http://www.iasb.com/pdf/found_prin.pdf~~ ~~www.iasb.com/principles_popup.cfm~~.

LEGAL REF.: 34 C.F.R. Part 106.
105 ILCS 5/10-20.8 and 5/10-19.

CROSS REF.: 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:70 (Teaching About Religions), 6:80 (Teaching About Controversial Issues) 6:100 (Using Animals in the Educational Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Language Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 7:15 (Student and Family Privacy Rights)

Instruction

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

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, all classes that teach sex education emphasize that abstinence from sexual activity is the expected norm. 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.

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 5 days. ²

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.

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 5 school days. ³

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 the prevention, transmission, and spread of AIDS

The footnotes should be removed before the material is used.

¹ 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 the prevention, transmission, and spread of AIDS (105 ILCS 5/27-9.1).
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).

² Schools are not required to provide a means for parents to request to examine material; this sentence and the following check box may be omitted.

³ Schools are not required to provide a means for parents 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.

- 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

Instruction

Teaching About Religions 1

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religious belief or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion. ²

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

¹ State or federal law controls this policy's content.

² Conducting or sponsoring religious practices in public schools violates the First Amendment to the U.S. Constitution. A school district may not provide for religious instruction on public school property. (McCollum v. Board of Educ., 333 U.S. 203 (1948); reciting a prayer (Engel v. Vitale, 370 U.S. 421 (1962)); bible reading and prayer (School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963) and Chamberlin v. Dade Co. Board of Public Instruction, 377 U.S. 402 (1964)); posting of the Ten Commandments (Stone v. Graham, 449 U.S. 39 (1980)); a moment of silence for "meditation and prayer." (Wallace v. Jaffree, 472 U.S. 38 (1985)).

See also Kitzmiller v. Dover Area School Dist., 400 F.Supp.2d 707 (M.D.Pa., 2005). This decision struck a policy on the teaching of intelligent design in high school biology class. The policy required students to hear a statement mentioning intelligent design as an alternative to Darwin's theory of evolution. The court held that it amounted to an endorsement of religion in violation of the Establishment Clause and violated the Establishment Clause.

The Establishment clause, however, permits teaching about religion as part of a balanced, secular education. Thus, the study of the Bible or religion is permissible when presented objectively as part of a secular education. School Dist. of Abington v. Schempp, 374 U.S. 203 (1963).

Generally, holiday observations will survive constitutional scrutiny if they advance society's cultural and religious heritage or provide an opportunity for students to perform a full range of music, poetry, and drama that is likely to interest the students and their audience. Florey v. Sioux Falls School Dist., 619 F.2d 1311 (8th Cir. 1980), approved a school board policy concerning holiday observations. That policy acknowledged that the school district would not promote a religious belief or non-belief. The policy allowed the historical and contemporary values and origins of religious holidays to be explained in an unbiased and objective manner. Furthermore, it permitted the use of religious music, art, literature, and symbols if presented in an objective manner and as part of the cultural and religious heritage of the particular holiday. The Court believed that Christmas programs, including Christmas carols, allowed students to learn about this country's customs and cultural heritage. Of course, a student who objects to participating in such programs must be accommodated.

Public schools are prohibited from appearing to endorse or promote religion through religious holiday displays. Whether a particular display endorses or promotes religion will depend upon the particular context in which it appears. A display that is purely religious and located prominently may send the message that the school is endorsing religion. Mixing secular symbols with the religious symbols and injecting cultural and historical messages into the holiday display will more likely make it acceptable. Allegheny County v. Pittsburgh ACLU, 446 A.2d 334, appeal after remand, 471 A.2d 128, cert. denied, 488 U.S. 815 (1989).

See also Skoros v. City of New York, 437 F.3d 1 (2d Cir., 2006). This decision upheld a holiday display policy restricting displays to "secular" symbols, including Christmas trees, menorahs, and the star and crescent, but not allowing displays of a crèche or nativity scene. The ruling was not on the question of whether a public school ever could include a crèche in a display. Instead, the case upheld the board's decision to classify Christmas trees, menorahs, and the star and crescent as either secular or as being both religious and secular, whereas a crèche "is solely a religious symbol."

LEGAL REF.: School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963).
Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573, 109 S.Ct. 3086, 106
L.Ed.2d 472 (1989).

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60
(Curriculum Content), 6:255 (Assemblies and Ceremonies)

Instruction

Administrative Procedure - Teaching About Religions

The following are guidelines for teaching about religions:

1. Instruction must be age appropriate to ensure that students will not believe the District is sponsoring religion.
2. Instruction may expose students to religious views, but may not impose any particular views.
3. Instruction must be informational, not indoctrination.
4. Instruction must be academic, not devotional.
5. Instruction may study what people believe, but may not teach a student what to believe.
6. Instruction should strive for student awareness of a variety of religions, but should not press for student acceptance of any one religion.

Within the parameters of the academic study of religion, teachers may display objects, artifacts, and symbols that illustrate a variety of religious customs, beliefs, and expressions. Any classroom and school display presented as a part of religious studies or holiday activities must meet the following criteria:

1. The display will be exhibited on a temporary basis.
2. The display will be constructed in a manner that presents no endorsement, favoritism, or promotion of a single religion or religious belief.
3. The display will include non-secular as well as secular symbols.
4. The display will include appropriate descriptive labels attached to the symbols.

Individual student participation in the preparation of a religious study display or a religious holiday display is strictly voluntary. If the display is a class activity, any student who wishes not to participate must be given an alternative assignment.

Instruction

Teaching About Controversial Issues 1

The Superintendent shall ensure that all school-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose. 2
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander. Disruptive conduct is prohibited and may subject a student to discipline.

The District specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the District or the students, or violates State or federal law.

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies)

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

1 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. Before adopting this policy, a school board should review the scope of any clause on academic freedom contained in a collective bargaining agreement.

While this sample policy and its contents are discretionary with each board, its implementation should respect the constitutional rights of students and teachers to free speech and free association. The intent of this policy is to inform students, staff members, and the community that the board has established standards for the teaching and discussion of controversial topics in order to avoid culture wars from being fought in school.

2 Public employee First Amendment issues involve the balance between the importance of the speech and the district's interest in maintaining order and effective school operations. The First Amendment "does not entitle primary and secondary teachers, when conducting the education of captive audiences, to cover topics, or advocate viewpoints, that depart from the curriculum adopted by the school system." See Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007). Nor is the First Amendment likely to entitle a teacher to protection for purely personal speech that does not touch on a matter of public concern. See Pickering v. High School Dist. 205, 391 U.S. 563 (1968). However, when public employees speak as private citizens on their own time about matters of public concern, they may face only those speech restrictions that are necessary for their employers to operate efficiently and effectively (Garcetti v. Ceballos, 547 U.S. 410 (2006)).

Instruction

Migrant Students 1

The Superintendent will develop and implement a program to address the needs of migrant children in the District.

This program will include a means to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.
4. Provide advocacy and outreach programs to migrant children and their families and professional development for District staff.
5. Provide parents/guardians an opportunity for meaningful participation in the program.

Migrant Education Program for Parents/Guardians Involvement

Parents/guardians of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parents/guardians of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

LEGAL REF.: 20 U.S.C. §6391 et seq.
 34 C.F.R. §200.80 et seq.
~~105 ILCS 5/14B-6.~~

CROSS REF.: 6:170 (Title I Programs)

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

1 State or federal law controls this policy’s content. The first sentence of this policy allows a school board to consider the goals for its migrant education program and to amend the sample policy accordingly. The Migrant Education Program is a federally funded program authorized under Title I, Part C, of NCLB (20 U.S.C. §6391 et seq.). To qualify for the program, a migrant child must have moved within the last 3 years across state or school district lines with a parent or guardian or on his/her own to obtain qualifying temporary or seasonal work in agriculture or fishing. Although most of the requirements are directed to State agencies, local school districts that receive State money for these programs will be held to many of the same requirements by the State. For additional information, see NCLB, Non-Regulatory Guidance, “Education of Migratory Children,” 10-23-03, at: www.ed.gov/programs/mep/mepguidance2003.doc
<http://www.ed.gov/programs/mep/mepguidance2003.doc>; ISBE’s collection of material about the Migrant Education Program in Illinois is available at www.isbe.net/bilingual/htmls/migrant.htm.

Instruction

Complaints About Curriculum, Instructional Materials, and Programs

Persons with suggestions or complaints about curriculum, instructional materials, and programs should complete a curriculum objection form and/or use the Uniform Grievance Procedure. A parent/guardian may request that his/her child be exempt from using a particular instructional material or program by completing a curriculum objection form. ¹

CROSS REF.: 2:260 (Uniform Grievance Procedure), 8:110 (Public Suggestions and Concerns)

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

¹ A school district is not required to automatically accommodate a student's or his/her parents' religious beliefs by allowing the student to opt out of reading required materials or programs. A student is entitled to accommodation only if a district's requirement *burdens* his/her free exercise of religion and the requirement is not justified by a *compelling state interest*. *Mozert v. Hawkins Co. Board of Educ.*, 827 F.2d 1058 (6th Cir., 1987). A student's free exercise right would unlikely be burdened by compelling the student to be exposed to ideas with which his/her religion disagrees. On the other hand, compelling a student to perform an act which violates the student's religious beliefs would burden his/her free exercise right and the school district would need to justify the requirement with a compelling state interest in order to be able to enforce it.

Instruction

Exhibit - Curriculum Objection

Please complete this form and return it to the Building Principal who will submit it to the District Complaint Manager. Please print.

Subject area

Classroom teacher

Please state, as precisely as possible, the specific curriculum area, instructional material, or program to which the user objects (*include name, title, author, and any other identifying information*).

How did you become aware of the curriculum area, instructional material, or program?

- by classroom observation by review
- by word-of-mouth other _____

To what in the curriculum area, instructional material, or program do you object? Be specific.

Do you want your child excluded from participation? Yes No

In place of participation in the curriculum area, what course of study would you recommend for your child?

Complainant name (*please print*)

Telephone

Complainant represents: Student Parent/guardian of student

Other _____

Complainant address

Signature of complainant

Date

Instruction

Achievement and Awards 1

[High school and unit districts only]

Grade Point Average, Class Rank, and Class Honor Roll

The Superintendent shall maintain a uniform process for secondary schools to calculate, on at least a yearly basis, each student's grade point average and class rank, as well as an honor roll for each class.

[All districts]

Awards and Honors

The Superintendent shall maintain a uniform process for presenting awards and honors for outstanding scholarship, achievement, and/or distinguished service in school activities in such a way as to minimize bias and promote fairness. ² The Superintendent shall supervise the selection of the recipient(s).

All donations for awards, honors, and scholarships must receive the School Board's prior approval.

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

¹ This policy's contents are at the local board's discretion; a board should customize it to reflect the district's practices.

² As an alternative, a board may want to list the awards and honors, such as in the following:

The School District annually presents the following awards and honors to students for outstanding scholarship and distinguished service in District activities: *[insert list]*

For high school or unit districts, a board may want to recognize a valedictorian and salutatorian, such as by inserting the following:

In addition to other awards, the Superintendent shall maintain a uniform process for identifying a high school senior as a valedictorian and one as a salutatorian.

Students

Release Time for Religious Instruction/Observance ¹

A student shall be released from school, as an excused absence, to observe a religious holiday or for religious instruction. The student's parent/guardian must give written notice to the Building Principal at least 5 calendar days before the student's anticipated absence(s). ² This notice shall satisfy the District's requirement for a written excuse when the student returns to school.

The Superintendent shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons and include a list of religious holidays on which a student shall be excused from school attendance, how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement. ³

LEGAL REF.: Religious Freedom Restoration Act, 775 ILCS 35/~~5~~.
105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.: 7:70 (Attendance and Truancy)

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

¹ 105 ILCS 5/26-1(5) requires school boards to adopt a policy on student absences for religious holidays. See also 105 ILCS 5/26-2b. State and federal law controls this policy's content. 105 ILCS 5/26-1(4) allows a child over 12 and less than 14 years of age to be absent from school while in attendance at confirmation classes. The sample policy does not contain these age or specific religious rite limitations in order to be consistent with First Amendment jurisprudence. According to the United States Supreme Court, a release time policy does not violate the Establishment Clause; it only accommodates a program of outside religious instruction. *Zorach v. Clauson*, 72 S.Ct. 679 (1952).

² Five days is the most prior notice that can be required (105 ILCS 5/26-1(5)).

³ 105 ILCS 5/26-2b.

Students

Student Rights and Responsibilities 1

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting. ² These rights include the right to voluntarily engage in individually initiated, non-disruptive prayer that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, is not sponsored, promoted, or endorsed in any manner by the school or any school employee. ³ Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures. ⁴

LEGAL REF.: 20 U.S.C. §7904.
105 ILCS 20/5.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:190 (Student Discipline)

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

¹ State or federal law controls this policy's content.

² In 1969 the U.S. Supreme Court changed the relationship between schools and students by finding that students "do not shed their constitutional rights at the schoolhouse door." Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

³ 105 ILCS 20/5. In addition, ~~the No Child Left Behind Act of 2001~~ federal law requires districts to certify that "no [district] policy... prevents, or otherwise denies participation in, constitutionally protected prayer in both public elementary and secondary schools," (20 U.S.C. §7904). The State provides certification instructions and the U.S. Dept. of Education provides guidance on constitutionally protected prayer in public schools ("Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools," http://www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html); www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html).

⁴ Consult the board attorney to ensure the district's non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon bullying and/or sexual violence under Title IX's sexual harassment umbrella. The U.S. Dept. of Education's guidance states that while acts of sexual violence are crimes, they may also be discrimination under Title IX. See *Dear Colleague Letter: Sexual Violence Background, Summary, and Fast Facts*, 111 LRP 23852 (OCR 04/04/11), at www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html.

Students

Search and Seizure 1

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers. ²

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. ³

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal

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¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. [Consult the board's attorney with questions about implementing this policy and searching students or seizing their possessions.](#)

According to Fourth Amendment cases, a search by the police requires "probable cause" supported by a warrant. However, in a U.S. Supreme Court decision, cited in every student search case, the Court upheld the warrantless search of a student. A search is: (1) justified at its inception when there are reasonable grounds for suspecting the search of a particular student will turn up evidence that the student violated the law or school rules, and (2) permissible in its scope when it is reasonably related to the search's objective and not excessively intrusive. *T.L.O. v. New Jersey*, 105 S.Ct. 733 (1985).

² The Ill. Supreme Court upheld a search conducted by a school liaison officer, saying: "Decisions ... that involve police officers in school settings can generally be grouped into three categories: (1) those where school officials initiate a search or where police involvement is minimal, (2) those involving school police or liaison officers acting on their own authority, and (3) those where outside police officers initiate a search. Where school officials initiate the search or police involvement is minimal, most courts have held that the reasonable suspicion test [applies]. ...The same is true in cases involving school police or liaison officers acting on their own authority. ...However, where outside police officers initiate a search, or where school officials act at the behest of law enforcement agencies, the probable cause standard has been applied. In the present case, the record shows that Detective Ruettiger was a liaison police officer on staff at the Alternate School, which is a high school student with behavioral disorders. ... We hold that the reasonable suspicion standard applies under these facts." *People v. Dilworth*, 661 N.E.2d 310 (Ill., 1996).

³ A State statute 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 (105 ILCS 5/10-22.6(e)). This law does not mean that school officials have an excuse for unjustifiably opening students' possessions looking for contraband (see footnote 1). See *Doe v. Little Rick School Dist. #12*, 380 F.3d 349 (8th Cir., 2004) (Searches conducted pursuant to the following policy were unconstitutional: "[B]ook bags, backpacks, purses and similar containers are permitted on school property as a convenience for students," and "if brought onto school property, such containers and their contents are at all time subjects to random and periodic inspections by school officials.").

The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. While case law supports that lockers, as school property, may be searched without individualized suspicion of wrongdoing, many cases suggest that in order to search a student's possessions left in the locker, school officials need individualized suspicion of wrongdoing. This paragraph, as well as 105 ILCS 5/10-22.6(e), attempts to avoid Fourth Amendment protection for personal property left by students on school property by telling students not to expect privacy in these places or in their personal property left there. **This is an unsettled area of the law and should be reviewed with the school board's attorney.**

Option for high school and unit districts:

This paragraph applies to student vehicles parked on school property. In addition, Building Principals shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. ⁴

Students ⁵

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. ⁶ The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction. ⁷

When feasible, the search should be conducted as follows: ⁸

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities. ⁹

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⁴ 105 ILCS 5/10-22.6(e). The sample policy may be amended to name other staff members who are authorized to request law enforcement aid.

⁵ For more information about searches, seizures and interviews of students, see *Guidelines for Interviews of Students at School by Law Enforcement Authorities*, published by the Ill. Council of School Attorneys and available at: www.iasb.com/law/icsaguidelines.cfm.

⁶ *TLO*, 105 S. Ct. at 743. An unsubstantiated tip from a student may serve as the grounds for a search. *People v. Pruitt*, 662 N.E.2d 540 (Ill.App.1, 1996).

⁷ 105 ILCS 5/10-22.6(e) and *TLO*, 105 S. Ct. at 735.

⁸ Optional; these are practical guidelines that will help to ensure that all searches comply with constitutional requirements. State or federal law requires nothing in this paragraph. For an alternative to intrusive pat-down searches and guidelines on strip searches, see *Cornfield v. Consolidated High School Dist. No. 230*, 991 F.2d 1316 (7th Cir. 1993). There, school officials had reason to believe that a high school student was concealing illegal drugs in his crotch area. Believing a pat down to be excessively intrusive and ineffective at detecting drugs, the school officials required the student to change into his gym clothes in a locked locker room while male school officials observed him. The search was upheld. But see, *Stuczynski v. Bremen High School*, 423 F.Supp.2d 823 (N.D.Ill., 2006) (The requisite individualized, reasonable suspicion to conduct a strip search was missing where the only reason for the strip search was the dean's belief that the students were the last students in a locker room before the money was reported missing.). See also, *Safford Unified School Dist. v. Redding*, 129 S. Ct. 2633 (2009) (finding a strip search of student was not justified under the circumstances even though the asst. principal had reasonable suspicion but still awarded qualified immunity to the asst. principal because the law was unclear).

A school district may randomly conduct a mass search by using a metal detector. *People v. Pruitt*, 662 N.E.2d 540 (Ill.App.1, 1996). The use of a metal detector must be according to the district's standards for when and how metal detector searches are to be conducted.

The U.S. Supreme Court upheld a random drug testing policy for student athletes and extracurricular participants, (*Vernonia School Dist. v. Acton*, 115 S.Ct. 2386 (1995); and *Independent School Dist. of Pottawatomie County v. Earls*, 122 S.Ct. 2559 (2002)). The circumstances justifying random drug searches do not exist for the entire student body; thus, random drug tests of the student body would probably not survive constitutional scrutiny.

⁹ See 105 ILCS 5/10-22.6(e).

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).
People v. Dilworth, 661 N.E.2d 310 (Ill., 1996), *cert. denied*, 116 S.Ct. 1692 (1996).
People v. Pruitt, 662 N.E. 2d 540 (Ill.App.1, 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).
T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).
Vernonia School Dist. ~~riet~~ 47J v. Acton, 115 S.Ct. 2386 (1995).
Safford Unified School Dist. No. 1 v. Redding, 129 S. Ct. 2633 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Discipline)

Students

Student Appearance ¹

A student's appearance, including dress and grooming, must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Superintendent and included in the Student Handbook. ²

LEGAL REF.: 105 ILCS 5/10-22.25b.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:165 (School Uniform), 7:190 (Student Discipline)

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

¹ State or federal law controls this policy's content. 105 ILCS 5/10-22.25b specifically authorizes a school board to adopt a school uniform or dress code policy. **There are hundreds of decisions on dress codes and uniform policies making it imperative that a board contact its attorney for assistance in applying the law to specific fact situations.**

Generally, if a student's dress has sufficient communicative content, it will warrant First Amendment protection. If protected, a school's ability to regulate the dress will be analyzed according to Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969) – it may be regulated only if it would substantially disrupt school operations or interfere with the right of others. ~~However, in upholding In Board of Educ. of City of Chicago, 2006 WL 623651 (N.D.Ill., 2006), earlier decision, 326 F.Supp.2d 916 (N.D.Ill., 2004), an Illinois federal court upheld a school's authority to punish students for wearing t-shirts portraying a one-handed boy, an Illinois federal; the court said: "A school need not tolerate student speech that is inconsistent with the school's basic educational mission even though the First Amendment would protect similar speech or expressive conduct outside of the school setting." Brandt v. Board of Educ. of City of Chicago, 2006 WL 623651 (N.D.Ill., 2006), earlier decision, 326 F.Supp.2d 916 (N.D.Ill., 2004). This holding is suspect after the Seventh Circuit decision in Brandt v. Zamecnik v. Indian Prairie School Dist. #204, 636 F.3d 874 (7th Cir. 2011). There the court held that the school district violated students' free speech rights by forbidding them from wearing during school hours a T-shirt saying "Be Happy. Not Gay."~~

A school may regulate student dress that does not have sufficient communicative content to receive free speech protection, provided the regulation is not arbitrary or excessive. Although many courts have ruled similarly with respect to grooming (e.g., hair length, and non-earring piercings), the Seventh Circuit, the federal appellate court that governs Illinois, has struck down school regulations governing hair length and earrings (See Boden v. Kahl, 419 F.2d 1034 (7th Cir., 1969); Crews v. Clones, 432 F.2d 1259 (7th Cir., 1970) (exclusion of long-haired student from class constituted denial of equal protection to male students); Arnold v. Carpenter, 459 F.2d 939 (7th Cir., 1972); Holsapple v. Woods, 500 F.2d 49 (7th Cir., 1974); Olesen v. Board of Education, 676 F.Supp. 820, 822 (N.D.Ill.1987) (male students have a liberty interest in wearing an earring to school). But see Blau v. Fort Thomas Public Sch. Dist., 401 F.3d 381 (6th Cir. 2005) (upheld a Kentucky middle school's student dress code that prohibited visible body piercing other than ears). A school's uniform policy was upheld in Alwood v. Belleville Township High School Dist., 2005 WL 2001317 (S.D.Ill., 2005).

² A comprehensive Student Handbook can provide notice to parents and students of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The Handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

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 against 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
2. Expulsion for the remainder of the school term.

The footnotes should be removed before the material is used.

¹ State or federal law controls this policy’s content. This policy 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 School, 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 ~~some 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 School and Northfield Township School District 225, 2003 WL 21209880 (N.D.Ill., 5-~~21-03~~/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*.

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 120/5 and 10). Hazing is a Class A misdemeanor, except hazing that results in death or great bodily harm is a Class 4 felony. People v. Rokita, 591 N.E.2d 461 (Ill., 1992)(hazing statute was not overbroad by punishing constitutionally protected speech because it reached only conduct that recklessly, knowing, or intentionally results in bodily injury). The handbook definition here is significantly broader and assumes that school districts have very broad authority to discipline students. Districts that desire to state a more limited scope of authority may substitute the following sentence:

“~~Hazing~~” means any intentional, knowing, or reckless act directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any school-sponsored or school-recognized organization, club, or athletic team.

Students

Exhibit - Aggressive Behavior Reporting Letter and Form

Dear Parent(s)/Guardian(s):

Illinois law requires a school district to notify the parent or guardian of a child who engages in aggressive behavior, including such behaviors as bullying (105 ILCS 5/10-20.14). The School Board policy prohibits a student while at school from engaging in aggressive behavior that causes physical or psychological harm to someone else and/or urging other students to engage in such conduct. Prohibited aggressive behavior includes, without limitation, the use of violence, force, noise, coercion, threats, intimidation, fear, bullying, or other comparable conduct. This early notification is intended to help all of us work together to avoid repetition of the behavior.

Student _____ Incident date _____
Incident location _____ Incident time _____
Reported by _____ Reporting date _____

Aggressive behavior description: *(Reporters, be specific. List all pertinent information regarding the incident including: names of all parties present and involved, weapons or objects used as weapons, pertinent and/or precipitating acts or statements, description of injuries sustained and names of injured parties, etc.)*

The following consequence(s) is/are recommended:

- I will telephone you to schedule an in-person meeting or telephone conference to discuss the necessary next steps.
- Counseling service _____
- Non-District affiliated psychological service _____
- Alternative school assignment _____
- Community agency service _____

Together, I am confident we can help your child understand that aggressive behavior is not allowed at school.

Building Principal Date

Students

Exhibit - Consent to Participate in Extracurricular Drug and Alcohol Testing Program

To be returned to the Building Principal. Please print.

Student _____ **School year** _____

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

We have received, and have read and understand, the District Extracurricular Drug and Alcohol Testing Program. We voluntarily agree that our child shall be subject to its terms for his or her entire high school career (grades 9-12). We accept the method of obtaining breath and urine specimens, the testing and analyses of such specimen, and all other aspects of the program. The student-participant agrees to cooperate in furnishing urine specimens upon request.

We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program. This consent is given pursuant to all State and federal privacy statutes, and is a waiver of nondisclosure rights only to the extent of the disclosures required in the program.

[We understand that there is more information available on the following websites: www.ihsa.org/documents/sportsMedicine/Resource_Exchange_Center_Flyer.pdf](http://www.ihsa.org/documents/sportsMedicine/Resource_Exchange_Center_Flyer.pdf)
[and www.ihsa.org/Resources/SportsMedicine/PerformanceEnhancingDrugsSteroidEducation.aspx.](http://www.ihsa.org/Resources/SportsMedicine/PerformanceEnhancingDrugsSteroidEducation.aspx)

Parent/Guardian

Date

Parent/Guardian signature

Student signature

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

I have decided **not to participate** in any extracurricular activities sponsored by the School District for the remainder of this school year. In order for me to participate in the extracurricular activity program at a later date, I understand that I must submit to a urinalysis.

Student signature

Date

Students

Student Support Services 1

The following student support services may be provided by the School District: 2

1. Health services supervised by a qualified nurse. 3 The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease, including head lice (*Pediculus Humanus Capitis*).
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student’s parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a social worker. A student’s parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. Guidance and counseling services.

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health problems that impact learning ability. 4 The District, however, assumes no liability for preventing, identifying, or treating such problems.

This policy shall be implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

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

1 State or federal law controls this policy’s content.

2 All districts are required to conduct a comprehensive needs assessment to determine the scope of student personnel services needs (23 Ill.Admin.Code §1.420(q).

105 ILCS 5/2-3.142 created the Ensuring Success in School Task Force. This task force developed recommendations for policies, procedures, and protocols for school boards to adopt to address the education and related needs of students who are parents, expectant parents, or victims of domestic or sexual violence. The intent of the recommendations is to ensure these student populations’ ability to: (1) stay in school, (2) stay safe at school and (3) successfully complete their education. A copy of this report is available at: www.povertylaw.org/advocacy/women-and-family/essa-task-force/essa-task-force-report. School boards and superintendents may want to create their own study groups to discuss implementation of the task force’s recommendations for policies, procedures and protocols.

3 Any nurse first employed on or after 7-1-76, whose duties require teaching or the exercise of instructional judgment or educational evaluation of students, must be certified. A non-certified registered professional nurse may perform nursing services (105 ILCS 5/10-22.23 and 5/21-25; 23 Ill.Admin.Code §1.760).

4 Required by the Children’s Mental Health Act of 2003, 405 ILCS 49/.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/~~1-et seq.~~
Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

CROSS REF.: 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:280 (Communicable and Chronic Infectious Diseases), 7:340 (Student Records)

Students

Orders to Forgo Life-Sustaining Treatment ¹

Written orders from parent(s)/guardian(s) to forgo life-sustaining treatment for their child or ward must be signed by the child's physician and given to the Superintendent. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act (755 ILCS 40~~1-et seq.~~). ²

Whenever an order to forgo life-sustaining treatment is received, the Superintendent shall convene a multi-disciplinary team that includes the child's parent(s)/guardian(s) and physician, as well as school personnel designated by the Superintendent. ³ The team shall determine specific interventions to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event. The District personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

LEGAL REF.: [Health Care Surrogate Act, 755 ILCS 40/1-et seq.](#)
[Cruzan v. Director, Missouri Department Dept. of Health, 497 U.S. 261 \(1990\).](#)
[In re: C.A., a minor, 603 N.E.2d 1171 \(Ill.App.1, 1992\).](#)

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

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled in that there is no statute or binding decision resolving competing interests and providing direction to schools for handling "do not resuscitate" orders.

² The Health Care Surrogate Act grants parents the authority to decide whether to forgo life-sustaining treatment on behalf of their minor child in certain situations (755 ILCS 40/20). The child must suffer a "qualifying condition," which means the existence of a terminal condition, permanent unconsciousness, or incurable or irreversible condition. These terms are defined in the Act.

The Act does not address the obligation of school staff members to comply with orders to forgo life-sustaining treatment, including "do not resuscitate" orders. Rather, the Act is silent regarding directives on life-sustaining care outside a health care facility or performed by a non-health care provider. The law does, however, indicate who should be the ultimate decision maker – the parent(s)/guardian(s). School officials should use the Act, after consulting the school board's attorney, as a guideline.

³ Implementing orders to forgo life-sustaining care implicates the laws prohibiting discrimination on the basis of a disability (IDEA, 20 U.S.C. §1401; section 504, 29 U.S.C. §794; ADA, 42 U.S.C. §12101). A school agreeing to abide by such an order does so because of the disability's severity; a less severely disabled or non-disabled student would be treated differently. The U.S. Dept. of Education's Office of Civil Rights approved a policy that provided for a multi-disciplinary team to develop individually designed interventions. School staff members must use these interventions that might require honoring an order to forgo life-sustaining care (21 IDELR 83, 3-31-94). This sample policy balances the interests of the parents with the district's obligation under federal law by using such a team.

Students

Administrative Procedure - Adolescent Suicide and Crisis Intervention

Identification of the At-Risk Student

- A. An employee having any reason to believe a student is considering or threatening suicide is to contact the Building Principal and District social worker/counselor.
- B. The social worker/counselor or Principal will meet with the student.
- C. The social worker/counselor will call the student's parent(s)/guardian(s) and arrange a meeting.
 - 1. All calls and meetings with parent(s)/guardian(s) will be documented and a copy of the documentation sent by certified mail to the parent(s)/guardian(s).
 - 2. The social worker/counselor will suggest to the parent(s)/guardian(s) that the State or community mental health agency be contacted. This suggestion shall be a part of the documentation sent to the parent(s)/guardian(s).
- D. A student should never be left alone if an employee reasonably believes the student is in imminent risk of suicide. An employee should immediately contact the student's parent(s)/guardian(s).

Documentation Regarding the At-Risk Student

- A. District employees shall take notes on any conversations which involve or relate to the at-risk student. The notes shall become a part of a written report to the Building Principal.
- B. Conversations which involve or relate to the at-risk student shall be confirmed in writing with the other party(s).
- C. The Superintendent shall receive a copy of all reports and documentation regarding the at-risk student.
- D. The social worker/counselor shall prepare a report of the situation for the student's records.

Other available resources include:

[The Suicide Resource Center has an awareness public prevention pilot program titled "It Only Takes One," available at: www.itonlytakesone.org/.](http://www.itonlytakesone.org/)

[National Suicide Prevention Center, available at: www.suicidepreventionlifeline.org/GetHelp/WhatIfSomeoneIKnowNeedsHelp.aspx.](http://www.suicidepreventionlifeline.org/GetHelp/WhatIfSomeoneIKnowNeedsHelp.aspx)

[Assessing Tips for Suicide Risk, available at: www.suicidepreventionlifeline.org/App_Files/Media/PDF/NSPL_WalletCard_AssessingRisk_GREEN.pdf.](http://www.suicidepreventionlifeline.org/App_Files/Media/PDF/NSPL_WalletCard_AssessingRisk_GREEN.pdf)

Students

Exhibit - Using a Photograph or Video Recording of a Student

Distribute to parent(s)/guardian(s) at the time they register a child for school and/or annually at the beginning of the school year. Return to the Building Principal to be kept in the student's temporary record.

Student _____

School year _____

Pictures of Unnamed Students

Students may occasionally appear in photographs and video recordings taken by school staff members, other students, or other individuals authorized by the Building Principal. The school may use these pictures, without identifying the student, in various publications, including the school yearbook, school newspaper, and school website. No consent or notice is needed or will be given before the school uses pictures of unnamed students taken while they are at school or a school-related activity.

Pictures of Named Students

Sometimes the school may want to identify a student in a school picture. For example, school officials want to acknowledge those students who participate in a school activity or deserve special recognition.

In order for the school to publish a picture with a student identified by name, one of the student's parents or guardians must sign the consent below. Please complete and sign this form to allow the school to publish and otherwise use photographs and video recordings, with your child identified, while he or she is enrolled in this school.

I grant consent to the School District to identify a picture of my child, by full name and/or the school he or she attends, in any school sponsored material, publication, video recording, or website. This consent is valid for the entire time my child is enrolled in the District. I may revoke this consent at any time by notifying the Building Principal.

Parent/Guardian

Parent/Guardian signature

Date

Pictures of Students Taken By Non-School Agencies

While the school limits access to school buildings by outside photographers, it has no control over news media or other entities that may publish a picture of a named or unnamed student. School staff members will not, however, identify a student for an outside photographer.

Students

Exhibit - Letter to Parents Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

On District letterhead

Date

Re: Military Recruiters and Postsecondary Institutions Receiving Student Directory Information

Dear Parents:

From time-to-time, military recruiters and postsecondary educational institutions request the names, telephone numbers, and addresses of our secondary students. The school must provide this information unless the parent(s)/guardian(s) request that it not be disclosed without their prior written consent.

Important: If you do not want military recruiters or institutions of higher learning to be given your secondary school student's name, address, and telephone number, please complete the form below and return it to the Building Principal.

Sincerely,

Superintendent

To be submitted to the Building Principal.

Please do not release my child's name, telephone numbers, and/or address, to:

_____ Military Recruiters

_____ Institutions of higher education

Student Name *(please print)*

Student ID Number

Parent/Guardian Name *(please print)*

Parent/Guardian Signature

Date

Students

Exhibit - Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information ¹

1. What do the U.S. Patriot Act and No Child Left Behind Act require of schools with regard to allowing military recruiters access to students?

The Patriot Act has nothing to do with the military recruiter access to students or information. It requires schools to comply with an *ex parte* order issued in connection with the investigation or prosecution of terrorism. A court issues an *ex parte* order without notice to an adverse party. Student records may be disclosed pursuant to such an order without parents' consent or knowledge.

Two pieces of legislation require schools receiving funds under the Elementary and Secondary Education Act to: (1) give military recruiters the same access to secondary school students as they provide to postsecondary educational institutions or to prospective employers or an institution of higher education, and (2) provide students' names, addresses, and telephone listings to military recruiters, when requested. Those laws are:

- §9528 of the No Child Left Behind Act of 2001, 20 U.S.C. §7908.
- 10 U.S.C. §503, as amended by the National Defense Authorization Act for Fiscal Year 2002.

2. What information about students (and which students) must be disclosed to military recruiters by our administration?

Secondary schools must disclose names, addresses, and telephone numbers of secondary students, unless parents/guardians have requested the information not be released.

3. What notification must schools provide to parents before disclosing students' names, addresses, and telephone numbers to military recruiters and institutions of higher education?

Under federal and State laws governing student records, schools must provide notice to parents of the types of student information that it releases publicly. This type of student information, commonly referred to as "*directory information*,"² includes names, addresses, and telephone numbers. The notice must include an explanation of a parent's right to request that the information not be disclosed without prior written consent. Under the No Child Left Behind Act, schools must notify parents that the school routinely discloses names, addresses, and telephone numbers to military recruiters and institutions of higher education upon request, subject to a parent/guardian's request not to disclose such information without written consent.

A notice provided through a mailing or student handbook informing parents of the above information is sufficient to satisfy the parental notification requirements. The notification must advise parents how to opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

If a parent opts out of providing directory information to third parties, the opt-out also applies to requests from military recruiters and institutions of higher education. For example, if the opt-out

The footnotes should be removed before the material is used.

¹ This document answers many questions concerning the topic for school staff members and may be distributed at will.

states that telephone numbers will not be disclosed to the public, schools may not disclose telephone numbers to military recruiters.

If a school does not release “directory information,” it still must provide students’ names, addresses, and telephone numbers to military recruiters and institutions of higher education upon request. The school must notify parents that it discloses information to military recruiters and institutions of higher education, noting that parents have the right to opt their children out of this disclosure.

4. Does recruitment take place in a private office or out in a common area?

Neither federal nor State law addresses where recruitment takes place. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions recruiters and/or prospective employers.

5. How frequently are recruiters present?

Neither federal nor State law addresses how often recruiters may have access to students. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions and prospective employers.

6. What information does a military recruiter request of students during the interview?

The type of questions military recruiters may ask students is generally not limited. Of course, students may refuse to cooperate or even refuse to be interviewed.

7. Can schools supervise recruiters to ensure they do not approach impressionable students too strongly?

Federal law does not grant authority to schools to supervise military recruiting efforts. The school may, of course, require military and postsecondary recruiters to abide by the District’s policy governing conduct on school property.

8. What are parents’ rights relative to military recruiters on campus?

Parents may instruct their children to forgo being interviewed by military and/or postsecondary recruiters or prospective employers.

9. What information do schools provide to families relative to recruiting that goes on at school?

[Aside from the notice described in #3](#), neither federal nor State law addresses what information schools must provide to parents regarding the recruiting that takes place at school – this is a local issue to be determined by the Superintendent or Building Principal.

10. Where can I get more information on the requirements of 10 U.S.C. §503?

The Office of the Secretary of Defense may be contacted for copies of the statute, or questions relating to it. Please contact the Accession Policy Directorate as follows:

Director, Accession Policy
4000 Defense Pentagon
Washington, DC 20301-4000
Telephone: 703/695-5529

11. Where can I get more information on the requirements of §9528 of the ESEA?

The Family Policy Compliance Office (FPCO) in the Department of Education administers FERPA as well as §9528 of the ESEA (20 U.S.C. §7908), as amended by the No Child Left

Behind Act of 2001. School officials with questions on this guidance, or FERPA, may contact the FPCO at FERPA@ED.Gov or write to the FPCO as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605
Telephone: 202/260-3887
Fax: 202/260-9001
www.ed.gov/offices/OM/fpc

Students

Exhibit - Biometric Information Collection Authorization

Distribute to legal custodian(s) at the time they register a child for school and to students reaching their 18th birthdays before graduation, marriage or entry into military service. Return to the Building Principal to be kept in the student's temporary record.

Student Name _____

The District collects biometric information from its students only for identification and/or fraud prevention purposes. Biometric information includes any information collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition, or iris or retinal scans. The School Code requires written permission from the individual who has legal custody of the student, or from the student if he or she has reached the age of 18-~~to~~, before the District may collect biometric information from students.

When collecting biometric information, the School Code also requires the District to:

1. Store, transmit, and protect all biometric information from disclosure.
2. Prohibit the sale, lease, or other disclosure of biometric information to another person or entity unless: ~~-(1)(a)~~ prior written permission by you is granted, or ~~(2b)~~ the disclosure is required by court order.
3. Discontinue the use of a student's biometric information under either of the following conditions:
 - (a) Upon the student's graduation or withdrawal from the school district; or
 - (b) Upon receipt in writing of a request for discontinuation by the individual having legal custody of the student or by the student if he or she has reached the age of 18.
4. Destroy all of a student's biometric information within 30 days after the occurrence of either conditions 3(a) or 3(b) above.

I consent to the collection of biometric information of the above named student by the School District solely for identification or fraud prevention. I understand that this authorization is valid until I request ~~discontinuation of that~~ the District's use of the ~~above named~~ student's biometric information be discontinued or the ~~above named~~ student reaches the age of 18-~~,~~ whichever is earlier. I understand that a request for discontinuation of the use of the above named student's biometric information may be made at any time by notifying the Building Principal in writing.

Legal Custodian (if student is under age 18) signature

Student (if age 18 or over) signature

Date