

BOARD OF EDUCATION

2:120-E1 Exhibit - Guidelines for Serving as a Mentor to a New Board of Education Member

On District letterhead

Date

Dear Board of Education Member:

Congratulations on being asked to serve as a mentor to a new Board member. The goal of the mentoring program is to orient a new Board member to the Board and District and to help him or her be comfortable, develop self-confidence, and become an effective leader. Follow these guidelines to maximize your mentoring effectiveness.

1. Be a good mentor by sharing your knowledge and experiences with others. Take a personal interest in helping others succeed.
2. Try to develop an informal, collegial relationship with the new Board member - explain that you are there to help. Listen respectfully to all concerns and answer questions honestly.
3. During your first contact with the new Board member, introduce yourself and explain that you will serve as his or her mentor and are looking forward to sharing information about the Board and District. If possible, meet with the individual to become acquainted. Be available as needed to provide assistance, advice, and support. The Superintendent's office will have already provided the new Board member with a web link or paper copy of the Board's policies as well as other helpful material.
4. Be prepared to introduce the new Board member at upcoming Board events until he or she becomes a familiar face.
5. Be available and maintain a helpful attitude. You will assist the new Board member become an effective member of the Board and ensure skilled and knowledgeable future leadership for the District.

Being a mentor can bring rewards to you, the new Board member, and the District. Thank you for your assistance and commitment.

Sincerely,

Board of Education President

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:120-E2 Exhibit - Website Listing of Development and Training Completed by Board Members

District webmaster: Post this template (including the explanatory paragraphs) on the District's website and update the table as information is provided.

All Illinois Board of Education members must receive training in *professional development leadership* (P.A. 97-8) and the *Open Meetings Act* (P.A. 97-504). Mandatory training will also be required after the new teacher evaluation requirements are implemented in each school district. For additional information, see Board policy 2:120, *Board Member Development*.

The following table contains mandatory and non-mandatory training and development activities that were completed by each Board member. When the training was provided by the Illinois Association of School Boards, the acronym "IASB" follows the listed activity.

Name	Development and Training Activity and Provider	Date Completed (beginning in 2012 unless otherwise noted)

The Illinois Association of School Boards (IASB) is a voluntary organization of local boards of education dedicated to strengthening the Illinois public schools through local citizen control. Although not a part of State government, IASB is organized by member Board of Educations as a private not-for-profit corporation under authority granted by Article 23 of the School Code. The mission of the IASB is excellence in local school governance in support of quality public education.

For more information regarding IASB and its programs visit www.iasb.com.

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:140-E Exhibit - Guidance for Board Member Communications, Including Email Use

The Board of Education is authorized to discuss District business only at a properly noticed Board meeting (Open Meetings Act, [5 ILCS 120/](#)). Other than during a Board meeting, a majority or more of a Board quorum may not engage in contemporaneous interactive communication, whether in person or electronically, to discuss District business. This *Guidance* assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board*.

Communications Outside of a Properly Noticed Board Meeting

1. The Superintendent or designee is permitted to email information to Board members. For example, the Superintendent may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Superintendent should copy all other Board members and include a do not reply/forward alert to the group, such as: **"BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender."**
2. Board members are permitted to discuss any matter except District business with each other, whether in person or by telephone or email, regardless of the number of members participating in the discussion. For example, they may discuss league sports, work, or current events.
3. Board members are permitted to provide information to each other, whether in person or by telephone or email, that is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
4. A Board member is not permitted to discuss District business with more than one other Board member at a time, whether in person or by telephone or email. Stated another way, a Board member may discuss District business in person or by telephone or email with only one other Board member at a time. However, a Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls or emails to, Board members individually.
5. A Board member should include a do not reply/forward alert when emailing a message concerning District business to more than one other Board member. The following is an example of such an alert: **"BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual."**
6. Board members should not forward email received from another Board member.

When Must Email Be Retained?

According to the Freedom of Information Act, a *public record* is any recorded information, regardless of physical form, "having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body," ([5 ILCS 140/2](#)). Email sent or received by Board members may be, depending on the content, subject to disclosure as a *public record*. Accordingly, Board members must be able to distinguish between official record and non-record messages. **Important:** According to the binding Ill. Public Access Opinion No. 11-6, electronic communications concerning the transaction of public business are public records subject to disclosure under FOIA even if they were sent from or received by an electronic device owned by a member of a public body, rather than the public body itself.

Non-Record Messages

Email messages are *non-record messages* when individual Board members are acting in their 2:140-E

individual or personal capacities. Examples of non-record messages include:

1. Personal correspondence, such as, "Do you want to ride with me to the IASB workshop?"
2. Publications or promotional material from vendors or IASB.
3. Political messages or ones containing campaign strategy.
4. Messages mentioning public business in passing or in a nonsubstantive way.
5. Personal correspondence concerning community activities or children.

Non-record messages are not *public records* under the Freedom of Information Act and do not need to be stored.

Official Record Messages

Email that qualifies under FOIA as a *public record* will need to be stored only if it is evidence of the District's organization, function, policies, procedures, or activities or contains informational data appropriate for preservation (Local Records Act, [50 ILCS 205/](#)). An example is any email from a Board officer concerning a decision made in his or her capacity as an officer. If a Board member uses his or her personal email, he or she must copy this type of email, herein called *official record messages*, to the appropriate District office where it will be stored on the Board member's behalf. If made available, Board members should use their email accounts provided by the District and the District will automatically store the official record messages. The District will delete these official record messages as provided in an applicable, approved retention schedule.

Important: Do not destroy any email concerning a topic that is being litigated without obtaining the Board attorney's direction. In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding not to destroy any electronic records that might be relevant. For more discussion of a litigation hold, see 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*.

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:150-AP Administrative Procedure - Superintendent Committees

The Superintendent or designee creates Superintendent or administrative committees as deemed necessary, makes all appointments, and directs all activities. A Superintendent or administrative committees reports to the Superintendent or administrator who directs its activities. The Superintendent or designee should consult the Board Attorney (a) concerning whether any of these committees must comply with the Open Meetings Act (OMA), and/or (b) to receive guidance for ensuring that the meetings either comply with OMA requirements or do not trigger OMA. Unless otherwise indicated, the listed Superintendent or administrative committees are optional:

Communicable and Chronic Infectious Disease Program Task Force

This task force assists in the development and review of a chronic and infectious disease program consistent with the District's policies and State and federal laws and regulations, and reports directly to the Superintendent or designee. Appointments are made to the task force only if the Superintendent or designee determines that its input is desirable. See policies 5:40, *General Personnel - Communicable and Chronic Infectious Disease*; and 7:280, *Students - Communicable and Chronic Infectious Disease*.

Task force members include the Superintendent or designee, school medical advisor, a school nurse, and representatives from the School Board, local health department, PTA, the professional staff, and other employee groups.

Communicable and Chronic Infectious Disease Review Team

This review team monitors those employees and students who have a communicable and chronic infectious disease, and:

1. Reviews individual medical case histories.
2. Recommends the most appropriate educational setting for a student, which may include temporary removal from and return to the regular educational setting.
3. Recommends the most appropriate work setting for an employee; this may include retention in his/her present position, transfer to another position, or temporarily excused from or returned to his/her work assignment.

Team members include the District's medical advisor, a school nurse, the Building Principal, and the Superintendent or designee.

The review team is guided by the Board's policies, Ill. Dept. of Public Health (IDPH) rules and regulations, and all other applicable State and federal laws. It reports directly to the Superintendent or designee. See also policies 5:40, *General Personnel - Communicable and Chronic Infectious Disease*; and 7:280, *Students - Communicable and Chronic Infectious Disease*. The review team consults the employee's or the student's personal physician and local health department officials before making any recommendations.

The Communicable and Chronic Infectious Disease Review Team respects the privacy rights of each employee and student and takes such precautions as may be necessary to secure confidentiality.

Food Allergy Management Committee

This committee develops and implements the District's Food Allergy Management Program and reports directly to the Superintendent or designee. It monitors the program for effectiveness and establishes a schedule for the Superintendent to report this information to the Board. See policy 7:285, *Food Allergy Management Program*, based upon the *ISBE/IDPH Guidelines* at: www.isbe.net/Documents/food_allergy_guidelines.pdf. See also the modifiable Microsoft® Word version of the *ISBE/IDPH Guidelines* at: www.isbe.net/Pages/Food-Allergy-Guidelines.aspx.

Committee members include District-level administrators, Building Principals, the District Safety Coordinator (see 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*), District 504 Coordinator (see policy 6:120, *Education of Children with Disabilities*), staff members, parents/guardians, community members, and students.

Employee Substance Abuse Prevention Committee

This committee makes recommendations directly to the Superintendent or designee regarding the issues of employee substance abuse and resulting employee conduct standards, and:

1. Cooperates with community and State agencies on substance abuse programs.
2. Gathers information about substance abuse and suggests methods to disseminate it to employees.
3. Develops a support network that encourages employees to self-refer for treatment and suggests procedures for early identification and treatment.
4. Recommends procedures that would protect the privacy of employees while taking into consideration any directives from the Board to the Superintendent regarding the District's obligation to provide a safe environment and to ensure high quality performance, which may include but not be limited to:
 - a. Securing training for designated district employees to educate them to identify symptoms of being impaired by or under the influence of substances prohibited by policy. For guidance about what *impaired by or under the influence of means*, see:
 - i. Footnote discussions in numbers five and six in policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*;
 - ii. [625 ILCS 5/11-501.2](#) and [5/11-501.9](#), amended by P.A. 101-27 (chemical and other tests, validity, etc., a/k/a *field sobriety tests*);
 - iii. [410 ILCS 705/10-50\(d\)](#), added by P.A. 101-27 (an employer may consider an employee to be impaired or under the influence of cannabis if the employer has a *good faith belief* that an employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others) **Note:** Consult the Board Attorney about identifying cannabis use)); and

- iv. Professional development opportunities in the area, e.g., local law enforcement agencies may be a place to begin.
- b. Implementing a reasonable suspicion and/or drug testing program(s) to enhance the District's ability to identify and discipline employees suspected of being impaired by and/or under the influence of prohibited substances. **Note:** Consult the Board Attorney before implementing any drug-testing program(s) or disciplining employees based upon the results of these programs. Drug testing will likely assist the District with the challenges of identifying cannabis-related issues, but the science behind impairment identification and behavioral testing for cannabis impairment is new and emerging.
- c. Addressing expectations for employees in positions of leadership who are perpetually *on call* due to the nature of their positions and responsibilities.
- d. Holding licensed educators to a higher standard than non-licensed employees due to their professional code of conduct expectations.
- e. Holding employees working directly with students to a higher standard than employees not working directly with students.
- 5. Recommends a method to explicitly inform employees of the consequences of violating the District's policy.
- 6. Recommends best practices for discipline of employees who are suspected of or violating the District's policy.

Committee members include the Superintendent or designee, the District's medical advisor/medical review officer, and employee representatives from both professional and educational support personnel. The committee is guided by Board policies, administrative procedures, and relevant State and federal statutes. See policies 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*, 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, and administrative procedure 5:120-AP2, *Employee Conduct Standards*.

Pandemic Planning Team

This team builds a strong relationship with the local health department and emergency medical agencies and uses their assistance to develop and implement a comprehensive pandemic influenza school action plan and build awareness of the final plan among staff, students, and community. See policy 4:180, *Pandemic Preparedness*, and procedure 4:180-AP1, *School Action Steps for Pandemic Influenza*.

Team members may include one or two Board members, administrators, and staff members. It reports directly to the Superintendent or designee.

Sex Equity Committee

This committee supports the District's efforts to eliminate sexual harassment by advising the Superintendent or designee on prevention, intervention, and education. Committee members may include community representatives, District administrators, teachers, and students. See policies 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 7:10, *Equal Educational Opportunities*; and 7:20, *Harassment of Students Prohibited*.

School Violence Prevention Team

This team builds awareness about and supports the development and implementation of the District's:

1. Targeted School Violence Prevention Program. See policy 4:190, *Targeted School Violence Prevention Program*, and procedure 4:190-AP1, *Targeted School Violence Prevention Program*.
2. Anti-bullying program, when and as appropriate. See policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and procedure 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*.

All Building Principals or their designees must be on this team. Other team members may include the District Safety Coordinator (see procedure 4:170-AP1, *Comprehensive Safety and Security Plan, Part C, District Safety Coordinator and Safety Team; Responsibilities*), law enforcement representatives, Board Attorney, District psychologist(s), mental health workers and/or social service agencies, faith leaders, community members, and students. It reports directly to the Superintendent or designee.

Title I Parent Advisory Committee

This committee is required if the District receives or desires to receive Title I funds. See policy 6:170, *Title I Programs*; procedure 6:170-AP1, E1, *District-Level Parent and Family Engagement Compact*; [20 U.S.C. §§6312\(a\)\(1\)\(A\), 6318\(a\)\(2\)\(F\)](#). The committee supports the development and implementation of the District's Title I plan. Its activities may include, at the Superintendent or designee's directive:

1. Facilitating the active involvement of parents/guardians in their children's academic success by such activities as coordinating Title I parent-teacher conferences, providing information to help parents/guardians assist their children, coordinating volunteer or paid participation by parents/guardians in school activities, and establishing a process to respond to parents/guardians' inquiries and recommendations.
2. Distributing Title I informational materials.
3. Consulting regarding the District's Title I Plan.
4. Supporting the implementation of Board policy 6:170, *Title I Programs*.

Committee members include parents/guardians and family members of Title I children. It reports directly to the Superintendent or designee.

PERA (Performance Educational Reform Act) Joint Committee and the RIF (Reduction in Force) Joint Committee

Each committee listed below is required until its function has been fulfilled; each reports directly to the Superintendent or designee.

1. PERA joint committee. This mandatory committee develops a plan for incorporating data and indicators of student growth into the evaluation plan. The joint committee is "composed of equal representation selected by the district and its teachers, or where applicable, the exclusive bargaining representative of its teachers." [105 ILCS 5/24A-4\(b\)](#). If, within 180 calendar days of the committee's first meeting, the committee does not reach an agreement on the plan, the District must implement ISBE's model evaluation plan with respect to the use of data and indicators on student growth. The amendment of an evaluation plan continues to be a mandatory subject of bargaining. This committee also agrees to the panel of qualified evaluators that reviews appeals of unsatisfactory

performance ratings and determines the criteria for successful appeals. [105 ILCS 5/24A-5.5](#), added by P.A. 101-591.

2. RIF joint committee. This mandatory committee convenes annually to consider issues identified in the statute concerning the selection of teachers for layoff. [105 ILCS 5/24-12\(c\)](#). On or before December 1 each year, the RIF joint committee must be established and must hold its first meeting. It is composed of individuals appointed by the Board and the teachers (or the exclusive bargaining representative of its teachers).

Concussion Oversight Team

The Concussion Oversight Team is required until its function has been fulfilled; it reports directly to the Superintendent or designee. State law requires the team to establish protocols for return-to-play and return-to-learn for students who have suffered a concussion or head injury during interscholastic athletic activities. See policy 7:305, *Student Athlete Concussions and Head Injuries*. [105 ILCS 5/22-80\(d\)](#), amended by P.A. 100-309. The Board must appoint or approve a Concussion Oversight Team. [Section 22-80\(d\)](#) identifies who must be on each Concussion Oversight Team. A physician, to the extent possible, must be on the Team. If the school employs an athletic trainer and/or nurse, they must be on the Team to the extent practicable. The Team must include, at a minimum, one person who is responsible for implementing and complying with the return-to-play and return-to-learn protocols adopted by the Team. Other licensed health care professionals may be appointed to serve on the Team. If it is not practicable for a physician, athletic trainer and/or nurse to be on the Team and other licensed health care professionals are not appointed to serve on the Team, the Team may be composed of only one person who need not be a licensed healthcare professional; however, that individual may not be a coach.

Wellness Committee

The Wellness Committee includes at least one representative from each of the following groups: parents, students, representatives of the school food authority, teachers of physical education, school health professionals, a member of the Board, school administrators, and members of the community. It reports directly to the Superintendent or designee. Individuals of this committee will participate in the development, implementation, periodic reviews, and updates of policy 6:50, *School Wellness*. [7 C.F.R. §210.31\(d\)\(1\)](#).

DATED: February 26, 2020

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:170-AP Administrative Procedure - Qualification Based Selection

These procedures describe how the District will procure architectural, engineering, and land surveying services; the Local Government Professional Services Selection Act will control in the event of a conflict. [50 ILCS 510/](#). The Superintendent will modify these procedures whenever the School Board determines by resolution that an emergency exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$40,000. [50 ILCS 510/8](#), amended by P.A. 100-968. Effective January 1, 2019, this amount will increase annually by a percentage equal to the annual unadjusted percentage increase, if any, as determined by the consumer price index published by the U.S. Department of Labor Bureau of Labor Statistics for all urban consumers (CPI-U), available at: www.bls.gov/regions/new-england/data/consumerpriceindex_us_table.htm.

Actor	Action
Architectural, engineering, or land surveying firms	May annually file a statement of qualifications and performance data with the District. 50 ILCS 510/4 .
Superintendent and/or designee	Store statements of qualifications and performance data received from firms engaged in architectural, engineering, or land surveying services. Unless the District has a satisfactory relationship for services with one or more firms, request a statement of interest in the specific project utilizing <i>one or more</i> of the following methods: 1. Mail or email notices of the proposed project to firms that have current statements of qualifications and performance data on file. 2. Advertise in a daily newspaper of general circulation in the District. The advertisement must request a statement of qualifications and performance data from those firms which do not have a statement on file with the District, and must state the day, hour, and location that the statements of interest and qualifications and performance data are due. 3. Advertise on the District's website. The advertisement must include a description of the project and state the time and place for interested firms to submit their letters of interest and statements of qualifications and performance data, as required. 50 ILCS 510/4. Unless the District has a satisfactory relationship for services with one or more firms, evaluate the firms that submitted interest letters, according to criteria for ranking described in the last section of this procedure. The Superintendent and/or designee may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services. 50 ILCS 510/5. Do not, prior to selecting a firm for contract negotiation, seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation. 50 ILCS

510/5.

Select no less than three firms, who would be most qualified to provide services, and rank them in order of their qualifications. If fewer than three firms submit interest letters and the Board determines that one or both of those firms are so qualified, negotiate a contract as provided herein. 50 ILCS 510/6.

Attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. 50 ILCS 510/5.

If unable to agree on a satisfactory contract, terminate negotiations and proceed to negotiate with the firm ranked next in qualifications. 50 ILCS 510/5.

If unable to negotiate a satisfactory contract with any of the three originally-selected firms, inform the Board. The District will re-evaluate the services requested, compile a second list of not less than three qualified firms, and continue the process. 50 ILCS 510/5.

Criteria for Ranking Firms

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

Required Criteria for Consideration (50 ILCS 510/5)

Qualifications and ability of professional personnel

Past record and experience

Performance data

Acceptance of District's time and budget requirements

Location of firm's administrative offices

Workload

Permissive Criteria for Consideration

Firm's credit rating

Firm's financial stability

Reputation

Technological resources

LEGAL REF.:

40 U.S.C. §541.

50 ILCS 510/, Local Government Professional Services Selection Act.

105 LCS 5/10-20.21.

DATED: May 29, 2019

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:200-AP Administrative Procedure - Types of School Board Meetings

Meeting Type	Notice	Agenda	Notice to News Media	District's Website
Regular	Given once a year when the Board adopts its regular meeting schedule. 105 ILCS 5/10-6, 5/10-16. The notice and agenda must be continuously available for public review during the entire 48-hour period before the meeting. Posting on the District's website satisfies the requirement for continuous posting. However, to comply with the legislative intent, posting on the District's website does not replace the posting described in the Agenda column. 5 ILCS 120/2.02.	Post at the District's main office and at the meeting site, at least 48 hours before the meeting. 5 ILCS 120/2.02.	Give to any news media that filed an annual request for such notices. 5 ILCS 120/2.02.	Post the annual schedule of regular meetings and post a public notice of each meeting along with the meeting agenda. 5 ILCS 120/2.02. Post regular Board meeting minutes within ten days after approval; the minutes remain there for at least 60 days. 5 ILCS 120/2.06.
Special	Post a notice at the District's main office or, if no main office exists, at the meeting site, at least 48 hours before the meeting. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the	Include with the public notice. 5 ILCS 120/2.02.	Give to any news media that files an annual request. Must also give the same	Post a public notice of each meeting along with the meeting agenda, at

	Regular meeting row. Notice to Board members must be served by mail 48 hours before the meeting or by personal service 24 hours before the meeting. 105 ILCS 5/10-16.		notice as that given Board members if the news media provides an address or telephone number within the District's jurisdiction. 5 ILCS 120/2.02.	least 48 hours before the meeting. The notice and agenda must remain posted on the website until the meeting is concluded. 5 ILCS 120/2.02.
Emergency	Post the notice at the District's main office or, if no main office exists, at the meeting site, as soon as practicable before the meeting. 5 ILCS 120/2.02. The notice and agenda must be continuously available and/or posted on the District's website as provided in the Regular meeting row. No specific notice to Board members is specified, but it is advisable to provide the notice as soon as possible.	No State law requirements.	Same as for special meetings.	Post a public notice. 5 ILCS 120/2.02.
Closed	May hold a closed meeting, or close a portion of an open meeting, upon a majority vote of a quorum present, taken at a properly noticed open meeting. 5 ILCS 120/2a.	None required, but only topics specified in the vote to hold the closed meeting may be considered. 5 ILCS 120/2a.	No additional notice required.	Post a public notice. 5 ILCS 120/2.02.
Rescheduled or Reconvened	Post a notice at the District's main office or, if no main office exists, at the meeting site at least 48 hours before the meeting. 5 ILCS 120/2.02.	Included with any public notice.	Same as for a special meeting.	Post a public notice. 5 ILCS

	The notice and agenda must be continuously available and/or posted on the District's website as provided in the Regular meeting row. No notice is needed when an open meeting is reconvened within 24 hours, or when the time and place of a reconvened meeting was announced at the original meeting and the agenda is not changed. <u>5 ILCS 120/2.02.</u>		<u>120/2.02.</u>
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DATED: December 7, 2016

Hinckley Big Rock School District 429 - AP

2:220-E1 - Board Treatment of Closed Meeting Verbatim Records and Minutes

The following procedures govern the verbatim audio recordings and minutes of School Board meetings that are closed to the public.

Actor	Action
<i>Before any Board meeting:</i> Superintendent or designee	Arranges to have an audio recording device with extra recording tapes and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled. The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.
<i>Before a closed meeting:</i> Board President or presiding officer	On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified in the motion, (3) takes a roll call vote, (4) asks that the minutes record the vote of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.
<i>Before a closed meeting:</i> Superintendent or Board Secretary	Immediately before a closed meeting, tests and activates the audio recording device.
<i>During a closed meeting:</i> Board President or presiding officer	Convenes the closed meeting stating: Seeing a quorum of the Board of Education gathered today, ___ date, at ___ o'clock, at ___ location, for the purpose of holding a closed meeting in order to confidentially discuss ___, I call the meeting to order. In order to record who is present, I request that each individual state his or her name and position with the District. (NOTE: this script is an example.) Limits discussion to the topics that were included in the motion to go into a closed meeting. The failure to immediately call a person out-of-order who strays from the purposes included in the motion may result in an appearance of acquiescence. This responsibility to call a person out-of-order falls on each Board member in the event of the President's failure. Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.
<i>After a closed meeting:</i> Superintendent or Board Secretary	Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed. Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings. As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings. Prepares written closed meeting minutes that include: • The date, time, and place of the closed meeting

Actor	Action
	• The Board members present and absent • A summary of discussion on all matters proposed or discussed • The time the closed meeting was adjourned
<i>After a closed meeting:</i> School Board	Approves the previous closed meeting minutes at the next open meeting.
<i>In preparation for the semi-annual review:</i> Superintendent or designee	Prepares a recommendation concerning the continued need for confidential treatment of closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review. This step is in preparation of the Board's meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist. If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda. Places "result of Board's review of unreleased closed meeting minutes" as an item on a subsequent open meeting agenda.
<i>In preparation for the semi-annual review:</i> Individual Board members	Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent. Individual Board members should consider: (1) the Superintendent's recommendation, (2) the recommendation of the Board Attorney, (3) other Board members' opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act.
<i>During the semi-annual review:</i> School Board	The Board decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or (2) the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.
<i>After the semi-annual review:</i> Superintendent or designee	Re-labels and re-files closed meeting minutes as appropriate.
<i>Monthly:</i> Board President	Adds "destruction of closed meeting audio recording" as an agenda item to an upcoming open meeting.
<i>Monthly:</i> School Board	Approves the destruction of particular closed meeting recording(s) that are at least 18 months old and for which approved minutes of the closed meeting already exist.

LEGAL REF.: 5 ILCS 120/1 et seq.

DATED: April 6, 2015

2:220-E2 - Motion to Adjourn to Closed Meeting

Motion to Adjourn to Closed Meeting

Date: _____ Time: _____

Location: _____

A motion was made by _____, and seconded by _____, to adjourn to closed meeting to discuss:

- ☐ The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity. 5 ILCS 120/2(c)(1).
- ☐ Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
- ☐ The selection of a person to fill a public office, including a vacancy in a public office, when the District is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the District is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
- ☐ Evidence or testimony presented in open hearing, or in closed hearing where authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision with its determinative reasoning. 5 ILCS 120/2(c)(4).
- ☐ The purchase or lease of real property for the use of the District, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
- ☐ The setting of a price for sale or lease of property owned by the District. 5 ILCS 120/2(c)(6).
- ☐ The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
- ☐ Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8).
- ☐ Student disciplinary cases. 5 ILCS 120/2(c)(9).
- ☐ The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
- ☐ Litigation, when an action against, affecting or on behalf of the particular District has been filed and is pending before a court or administrative tribunal, or when the District finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the closed meeting minutes. 5 ILCS 120/2(c)(11).
- ☐ The establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the District or any intergovernmental risk management association or self insurance pool of which the District is a member. 5 ILCS 120/2(c)(12).
- ☐ Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the District is a member. 5 ILCS 120/2(c)(16).
- ☐ Discussion of minutes of meetings lawfully closed, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
- ☐ Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29), amended by P.A. 97-318.

Closed Meeting Roll Call:

"Yeas"	"Nays"

Motion: ☐ Carried ☐ Failed

DATED: April 6, 2015

BOARD OF EDUCATION

2:220-E3 Exhibit - Closed Meeting Minutes

Items in bold are required by [5 ILCS 120/2.06\(a\)\(1\)-\(3\)](#). Non-bolded items align with best practices.

Date: _____

Time: _____

Location: _____

Name of person(s) taking and recording the minutes: _____

Name of person presiding: _____

Members in attendance:

Members absent:

1.

1.

2.

2.

3.

3.

4.

5.

6.

7.

Summary of the discussion on all matters (as specified in the vote to close the meeting):

Basis for the finding that litigation is probable or imminent, if applicable ([5 ILCS 120/2\(c\)\(11\)](#)):

Time of adjournment or return to open meeting: _____

The School Board, during its semi-annual review of closed session minutes, has decided these minutes be given the treatment of [5 ILCS 120/2.06\(d\)](#).

☐ **These minutes are available for public inspection as of:**

(Date) _____

DATED: July 2017

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:220-E4 Exhibit - Open Meeting Minutes

Meeting Minutes Protocol

1. Meeting minutes are the permanent record of the proceedings during a Board of Education meeting. All Board action must be recorded in the minutes; thus, the minutes focus on Board action.
2. The minutes only include information provided at the meeting. Information may not be corrected or updated in the minutes unless it was discussed at the meeting.
3. Minutes include a summary of the Board's discussion on an agenda topic; the minutes do not state what is said verbatim. The minutes do not repeat the same point made by different individuals. If appropriate, the minutes include a brief background and an explanation of the circumstances surrounding an issue discussed. The minutes do not include the names of members making specific points during discussion. Requests from individual Board members to include their vote or an opinion are handled according to Board policy 2:220, *Board of Education Meeting Procedure*.
4. The minutes include the topic of reports that are made to the Board including reports from the Superintendent or a Board committee. Written reports are filed with the minutes but do not become part of the minutes.
5. The minutes note when a member is not present for the entire meeting due to late arrival and/or early departure.
6. Although items may be considered by the Board in a different order than appeared on the agenda, items in the minutes are generally recorded in the same order as they appeared on the agenda. When a meeting is reconvened on a different date, the minutes must describe what happened on each meeting date.
7. The minutes should be recorded in an objective but positive/constructive tone. Answers and explanations, rather than questions, are recorded. Writing style, including choice of words and sentence structure, is at the discretion of the individual recording the minutes.
8. The minutes include individuals' names who speak during the meeting's public participation segment as well as the topics they address. All written documents presented at a Board meeting are filed with the minutes but do not become part of the minutes.
9. The following template generally governs meeting minutes.

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP

2:220-E5 - Semi-Annual Review of Closed Meeting Minutes

Logging and Review Process

- Step 1. The Board Secretary or Recording Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Board held the closed meeting. 2:220-E6, *Log of Closed Meeting Minutes*.
- Step 2. The Board meets in closed session to review the log of unreleased closed meeting minutes. The Board or Recording Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Board members to review the actual minutes. The Board identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Board's Semi-Annual Review of Closed Meeting Minutes*, below.
- Step 3. At least semi-annually in an open meeting, the Board takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees' and Board members' personal information.
- Step 4. The Board or Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Board made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Board's action to release it or a portion of it for public inspection; and (3) continues to log new closed meeting minutes that the Board has not released for public inspection. 2:220-E6, *Log of Closed Meeting Minutes*.

Report Following the Board's Semi-Annual Review of Closed Meeting Minutes

The Board of Education met on _____ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment: *(insert closed meeting dates)*

The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual's privacy or the District's interests.

Action to Accept the Board's Semi-Annual Review of Closed Meeting Minutes

Open meeting date: _____

Motion to approve the Board's semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Board identified as no longer needing confidential treatment made by: _____

Motion seconded by: _____

Action: ☐ Passed ☐ Failed

DATED: April 6, 2015

2:220-E6 - Log of Closed Meeting Minutes

The purpose of this log is to facilitate the Board's semi-annual review of closed meeting minutes. See 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*.

The Board Secretary or Recording Secretary shall maintain a list of closed meeting minutes, arranged according to the reason for the closed meeting, that have not been released for public inspection.

Closed Session Held to Discuss:	Dates of Closed Sessions		
Specific employee(s) or District legal counsel. 5 ILCS 120/2(c)(1).			
Collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).			
Selection of a person to fill a vacancy on the Board. 5 ILCS 120/2(c)(3).			
Evidence or testimony presented in a hearing where authorized by law. 5 ILCS 120/2(c)(4).			
Purchase or lease of real property. 5 ILCS 120/2(c)(5).			
Setting of a price for sale or lease of District property. 5 ILCS 120/2(c)(6).			
Sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).			
Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger. 5 ILCS 120/2(c)(8).			
Student disciplinary cases. 5 ILCS 120/2(c)(9). <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i>			
Any matter involving an individual student. 5 ILCS 120/2(c)(10). <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i>			

Closed Session Held to Discuss:	Dates of Closed Sessions		
Litigation, when an action against, affecting, or on behalf of the District has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent. 5 ILCS 120/2(c)(11).			
Establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the District or any intergovernmental risk management association or self-insurance pool. 5 ILCS 120/2(c)(12).			
Self-evaluation, practices and procedures or professional ethics, when meeting with an IASB representative. 5 ILCS 120/2(c)(16).			
Minutes of meetings lawfully closed, whether for purposes of approval or semi-annual review. 5 ILCS 120/2(c)(21).			
Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).			

DATED: April 6, 2015

BOARD OF EDUCATION

2:240-E2 Exhibit - Developing Local Policy

Actor	Action
Anyone (Superintendent, Board of Education member, staff, parent, student, community member, or Board Attorney)	Brings a concern that may necessitate a new policy or a current policy's re attention of the Board of Education.
Policy Committee (or Full Board)	First, answers these questions to decide whether new policy language is 1. Does the IASB Policy Reference Manual provide guidance? 2. Is the request something that should be covered in policy (i.e., Board something that should be handled by the staff (i.e., staff work)? 3. Is it already covered in policy? Checks for policies that cover similar topics using tools such as search engines, cross references, and index Second, uses a 4-step process to draft new policy language: 1. Frames the question and discusses the topic. 2. Requests the Superintendent to provide research, including appropri and input from others, such as, those who may be affected by the policy who will implement the policy. 3. Assesses existing policy and decides whether new or revised policy needed. 4. Drafts or requests the Superintendent or Board Attorney to draft, lang addressing the concern that aligns with the Board's mission, vision, goa objectives. Third, decides whether the new language should be included in an existin added as a new policy. Assigns any new policy an appropriate location ar The PRESS coding system reserves policy numbers ending in a '0' and '5 material. Local districts are encouraged to use policy numbers ending in e other than '0'.
Full Board	Conducts a first reading of the policy that is recommended for adoption or During the next regular meeting, conducts a second reading. A second reading allows the Board to hear feedback from interested parti staff, parents, students, and community members; however, State law doe two readings.
Superintendent	Confers with the Board Attorney as appropriate. Manages the Board's compliance with the Open Meetings Act. Ensures th appropriate, the agendas for the Board Policy Committee and Board of E include discussion and action to consider, adopt, or revise Board policies Manages the process for approving new or revised administrative proced

	revisions to employee and student handbooks. Communicates all policy and procedure revisions or adoptions as appropriate members, parents, students, and community members.
Designated support staff	After a policy is adopted or revised, updates the District's policy manual in electronic file and adds adoption dates. Archives "old" policy. Follows district process for updating paper and online manuals.
Assistant Superintendents, Directors, and Building Principals	Reads the adopted policy and follows the Superintendent's process for updating administrative procedures, and changes to employee and student handbooks in their assigned building(s).

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:250-AP1 Administrative Procedure - Access to and Copying of District Public Records

- A. Legal Citations and Definitions
- B. FOIA Compliance
- C. Availability and Posting Requirements
- D. Fee Schedule
- E. Response to FOIA Requests
- F. Extensions of Time to Respond
- G. Unduly Burdensome Requests
- H. Requests for Commercial Purposes
 - I. Managing Requests from a Recurrent Requester
 - J. Managing Voluminous Requests
- K. Denials
- L. Consultation with the Board Attorney

A. Legal Citations and Definitions

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

Definitions are found in the Ill. Freedom of Information Act (FOIA) ([5 ILCS 140/2](#)). For easy reference, some definitions are re-printed in this procedure. The IASB reports on Ill. Public Access Counselor (PAC) opinions concerning FOIA on its **Recent Court and Agency Decisions** website, located at: www.iasb.com/law/courtdecisions.cfm.

B. FOIA Compliance

The District's Freedom of Information Officer (FOIA Officer) implements the Board policy (2:250, *Access to District Public Records*) and has the duties, without limitation, listed below:

1. Manages the District's compliance with FOIA including without limitation, performing the following duties specified in FOIA, [5 ILCS 140/3.5](#):
 - a. Receives FOIA requests, ensures that the District responds to requests in a timely fashion, and issues responses to FOIA requests.
 - b. Develops a list of documents or categories of records that will be immediately disclosed upon request. See 2:250-E2, *Immediately Available Public Records and Web-Posted Reports and Records*.
 - c. Upon receiving a request for a public record, (a) notes the date the District received the written request; (b) computes the day on which the period for response will expire and makes a notation of that date on the written request; (c) maintains an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and (d) creates a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.
2. Identifies other staff members to assist with FOIA compliance and delegates specific

responsibilities to them. These individuals may include the information technology specialist and department heads.

3. Informs and/or trains staff members concerning their respective responsibilities regarding FOIA. This includes explaining the requirement that all FOIA requests must be immediately forwarded to the FOIA Officer, including those that are received via email.
4. Successfully completes the annual training program developed by the Ill. Public Access Counselor (PAC) in the Ill. Attorney General's office. Each newly appointed FOIA Officer must successfully complete the training program within 30 days after assuming the position.

C. Availability and Posting Requirements

Full access to the District's *public records* is available to any person as provided in FOIA. The FOIA Officer approves all requests for *public records* unless: (1) the requested material does not exist, (2) the requested material is exempt from inspection and copying by FOIA, or (3) complying with the request will be unduly burdensome after extending an opportunity to the requester to reduce the request to manageable proportions.

The FOIA Officer shall:

1. Prominently display at each administrative office and school, and post on the District website, if any, the following:
 - a. A brief description of the District, and
 - b. The methods for requesting information and District public records, directory information listing the FOIA Officer and where requests for public records should be directed, and any fees. [5 ILCS 140/4](#). This information must be copied and mailed if requested.
2. Maintain and make available for inspection and copying a reasonably current list of all types or categories of records under the District's control. [5 ILCS 140/5](#). The list below contains the categories of records kept by the District; some of the records within these categories are exempt and, therefore, will not be disclosed in response to a FOIA request.
 - a. Board governance, including without limitation, Board meeting calendar and notices, Board meeting agendas and minutes, Board policy
 - b. Fiscal and business management, including without limitation, levy resolution and certificate of tax levy, audit, line-item budget, grant documents, account statements, accounts payable list, contracts, legal notices, bidding specifications, requests for proposals
 - c. Personnel, including without limitation, employee contact information, salary schedules, staff handbook, collective bargaining agreements, personnel file material
 - d. Students and instruction, including without limitation, accountability documents, calendars, student handbooks, learning outcomes, student school records

D. Fee Schedule

The FOIA Officer establishes a fee schedule (from time-to-time as appropriate) that complies with [5 ILCS 140/6](#), including each of the following:

1. The fees, except when otherwise fixed by statute, must: (a) be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records, and (b) not exceed that maximum fee amount set by FOIA.
2. Statutory fees applicable to copies of public records when furnished in a paper format are not applicable to those records when furnished in an electronic format.

3. No fee is charged for the first 50 pages of black and white, letter or legal sized copies furnished to a requester.
4. The fee for black and white, letter or legal sized copies shall not exceed 15 cents per page.
5. If the District provides copies in color or in a size other than letter or legal, the fee may not be more than its actual cost for reproducing the records.
6. A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. In setting the reduction's amount, the FOIA Officer considers the amount of materials requested and the cost of copying them.
7. In accordance with [5 ILCS 140/6\(a-5\)](#), if a voluminous request is for electronic records and the responsive records are:
 - a. Not in a portable document format (PDF), the District charges up to \$20 for not more than two megabytes of data, up to \$40 for more than two but not more than four megabytes of data, and up to \$100 for more than four megabytes of data.
 - b. In a PDF, the District charges up to \$20 for not more than 80 megabytes of data, up to \$40 for more than 80 megabytes but not more than 160 megabytes of data, and up to \$100 for more than 160 megabytes of data.
 - c. In both a PDF and not in a PDF, the District separates the fees and charges the requester under both fee scales.
8. Unless the request is for a commercial purpose or a voluminous request, the costs of any search for and review of the records or other personnel costs associated with reproducing the records are not included in the fee calculation. [5 ILCS 140/6\(a\)](#).
 1. *Section 6(a) states: "If a request is *not* a request for a *commercial purpose* or a *voluminous request*, a public body *may not* charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records." (Emphasis added) This implies that a search and review fee may be charged when responding to a request for a *commercial purpose* or a *voluminous request*. However, Sec. 6(b) states that the search and review fee described in Sec. 6(f) may be charged *only to* someone making a *commercial request*. Sec. 6(f) contains the maximum amounts that may be charged for search and review but does not explain when they may be charged. The FOIA Officer will need to consult the Board Attorney.
2. When responding to a request for commercial purposes, as defined in [5 ILCS 140/2\(c-10\)](#), the District charges:
 - a. Up to \$10.00 for each hour spent by personnel in searching for or retrieving a requested record or examining the record for necessary reductions. No fee is charged for the first eight hours spent by personnel in searching for or retrieving a requested record. [5 ILCS 140/6\(f\)](#).
 - b. The actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the District. [5 ILCS 140/6\(f\)](#).
1. Someone making a voluminous request may be charged the fees as described above upon the FOIA Officer's consult with the Board Attorney.
2. The FOIA Officer provides the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records under 7 and 8 above. [5 ILCS 140/6\(a-5\)](#) and (f).

E. Response to FOIA Requests

The FOIA Officer must:

1. Comply with or deny a request for inspection or copying within five business days of receiving a records request, unless the time for response is extended. [5 ILCS 140/3](#). He or she may use forms prepared by the PAC available at:
 1. www.foia.ilattorneygeneral.net/foia_formssampleletters.aspx.
2. Redact any and all exempt portion(s) of requested records containing both exempt and non-exempt material and release the remaining material. [5 ILCS 140/7](#).
3. Comply with the Personnel Record Review Act (PRRA), [820 ILCS 40/](#), amended by P.A. 101-531.
 - a. The response to a request for a disciplinary report, letter of reprimand, or other disciplinary action depends on the age and nature of the responsive record.
 - 1) If the responsive record is more than four years old and is not related to an incident or an attempted incident of sexual abuse or severe physical abuse, the request must be denied unless the release is ordered in a legal action or arbitration. [5 ILCS 140/7.5\(q\)](#); [820 ILCS 40/8](#), amended by P.A. 101-531.
 - 2) If the responsive record is more than four years old and is related to an incident or an attempted incident of sexual abuse or severe physical abuse, the request cannot be denied. [820 ILCS 40/8](#), amended by P.A. 101-531.
 - 3) If the responsive record is four years old or less, it must be disclosed (regardless of its nature) and the employee must be notified in writing (first class mail) or by email, if available, on or before the day any such record is released, unless notice is not required under the PRRA. [5 ILCS 140/7.5\(q\)](#); [820 ILCS 40/7](#). A notice to the employee is not required if:
 - The employee specifically waived written notice as part of a written, signed employment application with another employer;
 - The disclosure is ordered to a party in a legal action or arbitration; or
 - Information is requested by a government agency as a result of a claim or complaint by an employee, or as a result of a criminal investigation by such agency.
 - b. A request for a performance evaluation(s) must be denied. [820 ILCS 40/11](#).

F. Extensions of Time to Respond

1. The District FOIA Officer may extend the time for a response for any of the reasons stated in [5 ILCS 140/3\(e\)\(i-vii\)](#), **quoted below**:
 - (i) The requested records are stored in whole or in part at other locations than the office having charge of the requested records;
 - (ii) The request requires the collection of a substantial number of specified records;
 - (iii) The request is couched in categorical terms and requires an extensive search for the records responsive to it;
 - (iv) The requested records have not been located in the course of routine search and

additional efforts are being made to locate them;

(v) The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under [5 ILCS 140/7](#) or should be revealed only with appropriate deletions;

(vi) The request for records cannot be complied with by the public body within the time limits prescribed by [5 ILCS 140/3\(c\)](#) without unduly burdening or interfering with the operations of the public body; or

(vii) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

1. If an extension of time for a response is needed, the FOIA Officer must perform one of the following actions within five business days after receipt of the request:
 1. Notify the requester that the District is extending its time for response for no longer than 5 business days from the original due date, and identify the reason for the delay and the date on which a response will be made. [5 ILCS 140/3\(e\)](#) and (f); or
 2. Confer with the requester in an attempt to reach an agreement on an extended compliance date. The agreement must be in writing. [5 ILCS 140/3\(e\)](#).

G. Unduly Burdensome Requests

1. Before invoking the *unduly burdensome* exemption, the FOIA Officer must confer with the requester in an attempt to reduce the request to manageable proportions. [5 ILCS 140/3\(e\)](#) and (g). A request may be unduly burdensome due, for example, to the request's breadth. The FOIA Officer must explain to the requester in writing when a request continues to be unduly burdensome, specifying the reason why the request is unduly burdensome.

H. Requests for Commercial Purposes

1. A request is for *commercial purposes*, according to [5 ILCS 140/2\(c-10\)](#), if:

[T]he use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a *commercial purpose* when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

The FOIA Officer responds to a request that appears to be for commercial purposes pursuant to [5 ILCS 140/3.1](#) by:

1. Asking the requester to identify if the record is for a commercial purpose. See 2:250-E1, *Written Request for District Public Records*. It is unlawful for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the District. [5 ILCS 140/3.1\(c\)](#).
2. Responding to a request for records to be used for a commercial purpose within 21 working days after receipt. The response must be one of the following: (a) provide an estimate of the time required by the District to provide the records and an estimate of the fees, which the

requester may be required to pay in full before copying the requested documents; (b) deny the request pursuant to one or more of the exemptions; (c) notify the requester that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions; or (d) provide the records requested.

3. Complying with a request, unless the records are exempt from disclosure, within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes.
4. Collecting a fee as described in subsection D. above.

I. Managing Requests from a Recurrent Requester

1. A request is from a *recurrent requester*, according to [5 ILCS 140/2\(g\)](#), if:

[A] person that, in the 12 months immediately preceding the request, has submitted to the same public body (i) a minimum of 50 requests for records, (ii) a minimum of 15 requests for records within a 30-day period, or (iii) a minimum of seven requests for records within a seven-day period. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time period in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning new and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

1. For purposes of this definition, one *request* may identify multiple records to be inspected or copied.
2. The District complies with a request from a recurrent requester within a reasonable period considering the size and complexity of the record, unless the records are exempt from disclosure. [5 ILCS 140/3.2\(c\)](#).
3. The FOIA Officer responds to a request from a recurrent requester by:
 1. Notifying the requester within five business days after receiving a request from a recurrent requester ([5 ILCS 140/3.2\(b\)](#)) that:
 - a. The request is being treated as coming from a recurrent requester under [5 ILCS 140/2\(g\)](#);
 - b. The reasons the request is being treated as coming from a recurrent requester;
 - c. The District will send an initial response within 21 business days after receipt of the request; and
 - d. The proposed FOIA responses that may be asserted pursuant to [5 ILCS 140/3.2\(a\)](#). These are the same responses that the District can provide within 21 business days after receipt of a request.
 2. Responding within 21 business days after receipt of a recurrent request with one of the following ([5 ILCS 140/3.2\(a\)](#)):
 - a. An estimate of the time required by the District to provide the records and an estimate of the fees, which the requester is required to pay in full before the District copies the requested documents;
 - b. A denial pursuant to one or more of the exemptions;
 - c. Notification that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions; or
 - d. The records as requested.

J. Managing Voluminous Requests

1. A *voluminous request*, according to [5 ILCS 140/2\(h\)](#), means:

[A] request that:

- i. Includes more than five individual requests for more than five different categories of records or a combination of individual requests that total requests for more than five different categories of records in a period of 20 business days; or
- ii. Requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages. *Single requested record* may include, but is not limited to, one report, form, email, letter, memorandum, book, map, microfilm, tape, or recording.

According to [5 ILCS 140/2\(h\)](#), a *voluminous request* “does not include a request made by news media and non-profit, scientific, or academic organizations if the principal purpose of the request is: (1) to access and disseminate information concerning news and current or passing events; (2) for articles of opinion or features of interest to the public; or (3) for the purpose of academic, scientific, or public research or education.”

The FOIA Officer responds to a voluminous request by:

1. Notifying the requester within five business days after receiving a voluminous request that:

a. The District is treating the request as a voluminous request under [5 ILCS 140/3.6](#).

b. The District is treating the request as voluminous for one of the following reasons:

1) Includes more than five individual requests for more than five different categories of records or a combination of individual requests that total requests for more than five different categories of records in a period of 20 business days; or

2) Requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages.

c. The requester must respond to the District within ten business days after this response is sent. The requester must specify whether the requester would like to amend the request in such a way that the District will no longer treat the request as a voluminous request.

d. If the requester does not respond within ten business days or if the request continues to be a voluminous request following the requester response, the District will respond to the request and assess any fees the District charges pursuant to [5 ILCS 140/6](#).

e. The District has five business days after receipt of the requester's response or five business days from the last day for the requester to amend the request, whichever is sooner, to respond to the request.

f. The District may request an additional ten business days to comply with the request.

g. The requester has the right to review the District's determination by the public access counselor whose address and phone number follows:

Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
Phone: 1-877-299-3642

h. If the requester fails to accept or collect the responsive records, the District will still charge

the requester for its response pursuant to [5 ILCS 140/6](#) and the requester's failure to pay will be considered a debt due and owing to the District and may be collected in accordance with applicable law.

2. Providing the requester ten business days from the date the District responded to amend the request in such a way that the District will no longer treat it as a voluminous request.
3. If a request continues to be a voluminous request following the requester's reply or the requester fails to reply, responding within the earlier of five business days after the District receives the requester's reply or five business days after the final day for the requester to reply to the District's notification. The District's response must:
 - a. Provide an estimate of the fees to be charged, indicating whether the District requires the person to pay in full before the District copies the requested documents;
 - b. Deny the request pursuant to one or more of the exemptions sent out in FOIA;
 - c. Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or
 - d. Provide the records as requested.

The District may extend the time for responding by not more than five business days from the final date for the requester to reply to the District's notification for any of the reasons provided in [5 ILCS 140/3\(e\)](#).

The requester and District may agree in writing to extend the time for compliance for a period to be determined by the parties.

K. Denials

1. The FOIA Officer will deny a FOIA request for any of the exemptions in [5 ILCS 140/7](#) or [7.5](#). He or she will comply with [5 ILCS 140/9](#) by:
 1. Providing the requester with a written response containing: (a) the reasons for the denial, including a detailed factual basis for the application of any exemption claimed; (b) the names and titles or positions of each person responsible for the denial; and (c) information about his or her right to review by the Public Access Counselor (include the address and phone number for the Public Access Counselor), and to judicial review under [5 ILCS 140/11](#).
 2. Specifying the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority when the denial is based on the grounds that the records are exempt under [5 ILCS 140/7](#).
 3. Retaining copies of all denial notices in a single central office file that is open to the public and indexed according to the type of exemption asserted and, to the extent feasible, according to the types of records requested. [5 ILCS 140/9\(b\)](#).

L. Consultation with the Board Attorney

The FOIA Officer may consult with the Board Attorney, as needed, for legal advice concerning compliance with FOIA, including without limitation:

1. Responding to specific requests,
2. Communicating with the Office of the Ill. Attorney General or PAC, or
3. During any judicial proceeding.

LEGAL REF.:

5 ILCS 140/, Freedom of Information Act.

DATED: February 26, 2020

Hinckley Big Rock School District 429 - AP

BOARD OF EDUCATION

2:250-AP2 Administrative Procedure - Protocols for Record Preservation and Development of Retention Schedules

Legal Citations

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

Actor	Action
All Staff Members and School Board Members	Maintain all records, as defined and required in the Ill. Local Records Act (LRA). No public record shall be destroyed except as allowed by the LRA. <i>"Public record means any book, paper, map, photograph, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization's function, policies, decisions, procedures, or other activities thereof, or because the informational data contained therein."</i> 50 ILCS 205/3. Do not destroy any District record, no matter its form, if it is subject to a litigation hold. F.R.C.P. 37(e). In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding to not destroy any electronic records that might be relevant. The receipt of a <i>litigation hold</i> or preservation letter from the Board's attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all email, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere. Whenever disposing of materials containing <i>personal information</i>, render the <i>personal information</i> unreadable, unusable, and undecipherable. 815 ILCS 530/40; 44 Ill.Admin.Code §4000.40(b). The Personal Information Protection Act (815 ILCS 530/) contains mandates for disposing of materials containing personal information (<i>personal information</i> is defined in 815 ILCS 530/5 as either of the following: (1) an individual's first name or first initial and last name combined with any of the following data elements, when either the name or data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the name or data elements have been acquired without authorization through a security breach: social security number, driver's license number or State identification card number, financial account information, medical information, health insurance information, or unique biometric data; or (2) user name or email address, combined with a password or security question and answer that would permit

	access to an online account, when any of these data elements are not encrypted/redacted or are encrypted/redacted but the keys to unencrypt/unredact or otherwise read the data elements have been acquired without authorization through a security breach). The Ill. Attorney General is authorized to impose a fine and bring court action for noncompliance. 815 ILCS 530/40.
Superintendent	Assign the following activities to the Records Custodian and Head of Information Technology (IT): 1. Develop and maintain a protocol for preserving and categorizing District records; 2. Develop and maintain a record retention and destruction schedule; and 3. Develop protocols to implement a litigation hold.
Records Custodian and Head of IT	1. Develop and maintain a protocol for preserving and categorizing District records. Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to business, students, personnel, board meetings, etc. Align this list with the list of District records required by the Freedom of Information Act. 5 ILCS 140/5. Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available clouds, servers, tapes, hard drives, computers, and similar types of electronic devices (e.g., laptops, tablets, smart phones, voicemail, etc.). Prepare a description of how District records stored by means of electronic data processing may be obtained in a form understandable to persons lacking computer knowledge. 5 ILCS 140/5; 44 Ill.Admin.Code §4000.70, <i>Digital Reproduction</i>; 44 Ill.Admin.Code §4000.80, <i>Management of Electronic Records</i>. Such a description may include contact information for a person who can aid in obtaining records stored electronically. Provide for keeping only <i>records</i> and destroying non-records. Avoid filing non-record material with records. Determine what is a non-record, e.g., identical copies of documents maintained in the same file; extra copies of printed or processed material (official copies of which are retained by the office); blank forms; and personal communications. The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9. Absent a litigation hold, email must be retained only when it contains: (1) evidence of the District's organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. 50 ILCS 205/3. Email that is conversational, personal, or contains brainstorming may generally be deleted. A consistent email retention policy for use across the District ensures that the necessary emails are being retained and emails that are not required to be preserved are purged on a regular basis.

Determine whether each sub-category of documents should be reproduced by photography ([44 Ill.Admin.Code §4000.60](#)), microphotographic and electronic microimaging processes ([44 Ill.Admin.Code §4000.50](#)), or digitized electronic format ([44 Ill.Admin.Code §4000.70](#)).

Any public record may be reproduced in a microfilm or digitized electronic form and the analog/paper version destroyed, provided: (a) the records are reproduced on "a durable medium that accurately and legibly reproduces the original record in all details," and "that does not permit additions, deletions, or changes to the original document images," and "if electronic, that are retained in a trustworthy manner so that the records...are accessible and usable for subsequent reference at all times when the information must be retained," (b) the reproduction is retained for the prescribed retention period, and (c) the Local Records Commission is notified when the original record is disposed of and also when the reproduced record is disposed of. [50 ILCS 205/7](#).

Use the Ill. Secretary of State publication Guidelines for Using Electronic Records (www.cyberdriveillinois.com/departments/archives/records_management/electrecs.html) and [44 Ill.Admin.Code §§4000](#). APPENDIX A

Sustainable File Formats for Electronic Records - A Guide for Government Agencies (www.ilga.gov/commission/jcar/admincode/044/04404000ZZ9996aR.html), [4000](#). APPENDIX B

Reliable Storage Media for Electronic Records - A Guide for Government Agencies (www.ilga.gov/commission/jcar/admincode/044/04404000ZZ9996BR.html).

Identify and index the location of each category and sub-category of District records. Organize electronic record and data storage.

The goal is to ensure that all documents, including electronically created ones, are retained for the required timeframes and are easy to retrieve and produce if necessary.

2. Develop and maintain a record retention and destruction schedule for submission to the Superintendent and eventually to the Local Records Commission.

Prepare a list of public records that: (1) are not needed for current business, and (2) do not have sufficient administrative, legal, or fiscal value to warrant their further preservation. Stated differently, identify records that have no administrative, legal, or fiscal value, as this is the criteria the Commission uses to determine whether or not to authorize the records' destruction.

Records that have no administrative, legal, or fiscal value may be destroyed according to provisions in the LRA. [50 ILCS 205/10](#).

Prepare a schedule for record destruction by identifying the length of time a record category or series warrants retention after it has been received or produced by the District.

The ultimate goal is to obtain permission to destroy unnecessary public records. The Local Records Commission must approve the destruction of any public record. [50 ILCS 205/7](#); [44 Ill.Admin.Code Part 4000](#) (Local Records Commission)

for agencies comprising counties of less than 3,000,000 inhabitants); [44 Ill.Admin.Code Part 4500](#) (Local Records Commission of Cook County). See the Archives Department on the Secretary of State's website: www.cyberdriveillinois.com/departments/archives/databases/home.htm

[44 Ill.Admin.Code Part 4000.30](#) details the procedures for compiling and submitting lists and schedules of records for disposal.

The School Code and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board attorney should be consulted.

The e-discovery rules provide a safe harbor for parties during a lawsuit that can provide information because it was destroyed as a result of routine practices. [F.R.C.P. 37\(e\)](#).

3. Develop protocols to implement a litigation hold.

Understand what a *litigation hold* is.

A litigation hold refers to the notification made by the Board's attorney telling the District to preserve all information that may be relevant to current or anticipated litigation. While it may occur anytime in the legal process, it will usually occur during discovery, the pretrial phase of a lawsuit designed to compel the exchange of information between parties. A litigation hold triggers the need to immediately suspend destruction of electronic and other records relevant to the current or potential claim. [F.R.C.P. 37\(e\)](#).

Specify how to implement a litigation hold, i.e.:

- Who can trigger a litigation hold?
- How is a litigation hold communicated?
- Who should gather the records?
- What records are subject to a litigation hold and who determines this?
- In what format should records be gathered?
- Where should records be gathered?

Identify how to implement a litigation hold for all IT systems, including backup tapes, to ensure they are not deleted or overwritten as part of the normal tape rotation process.

Prepare a map of potentially relevant data and otherwise assist the Board attorney in locating all potentially relevant information.

Superintendent	Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval. Disseminate the record retention schedule, along with instructions, to all affected staff members and Board members. Immediately inform the Records Custodian and Head of IT whenever a record must be preserved because: (1) it may be relevant to present or future litigation, or (2) the Board Attorney has notified the District to preserve a record, including electronic information
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(*litigation hold*).

Authorize and/or order the destruction of District records after ensuring that the following steps have been performed:

1. The Local Records Commission approved a schedule for continuing authority to destroy District records after the expiration of the applicable period.
2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a *litigation hold*.
3. Thirty days prior to disposal or destruction of any records, regardless of physical format or characteristics, submit a Local Records Disposal Certificate to the Commission and dispose only after a copy of that certificate has been reviewed and approved by the Chairman and returned to the District. The original copy of that Local Records Disposal Certificate is kept in the files of the Commission, and the duplicate copy approved and returned by the Chairman must be retained by the District. [44 Ill.Admin.Code §§4000.40\(c\), 4500.40\(c\)](#).
4. In the case of records with scheduled retention of less than one year, a single Local Records Disposal Certificate for more than one disposal event within a given year may be used. Local Records Disposal Certificates submitted with this intent must include a schedule of proposed records disposal in addition to the normally required information. The District must wait to dispose of records until receipt of approval from the Commission, as required in number 3, above. [44 Ill.Admin.Code §§4000.40\(d\), 4500.40\(d\)](#).
5. For records that have been damaged by water, fire, smoke, insects or vermin, mold or some other natural disaster that poses a health or safety risk to employees, the District may apply to the Commission for permission to dispose of those records ahead of their scheduled disposal date. The request must include a Local Records Disposal Certificate accompanied by the District's explanation of why the records need early disposal. The Commission may grant the request or deny it after physically reviewing the damaged records. [44 Ill.Admin.Code §§4000.40\(e\), 4500.40\(e\)](#).

Links to Web-based Record Management Resources:

[Cook County Local Records Commission Meetings](#)

Cook County Local Records Commission Rules ([44 Ill.Admin.Code Part 4500](#))

[Downstate Local Records Commission Meetings](#)

Rules of the Downstate Local Records Commission ([44 Ill.Admin.Code Part 4000](#))

Ill. School Student Records Act ([105 ILCS 10/](#), amended by P.A. 101-161, eff. 1-1-20)

Local Records Act ([50 ILCS 205/](#))

[Local Records Disposal Certificate](#)

LEGAL REF.:

Federal Rules of Civil Procedure, [Rules 16, 26](#) and [37](#).

[5 ILCS 140/](#), Freedom of Information Act.

[50 ILCS 205/](#), Local Records Act.

[105 ILCS 10/](#), III. School Student Records Act.

[815 ILCS 530/](#), Personal Information Protection Act.

[820 ILCS 40/](#), III. Personnel Record Review Act.

[44 Ill.Admin.Code Part 4000](#), Local Records Commission.

[44 Ill.Admin.Code Part 4500](#), Cook County Local Records Commission.

DATED: February 26, 2020

Hinckley Big Rock School District 429 - AP

2:250-E1 - Written Request for District Public Records

All requests to inspect and/or to obtain a copy of a District record must be made in writing. This form is provided for convenience – its use is not required. Please submit all requests to the District's Freedom of Information Officer. Copying fees, if any, must be paid before copies will be provided. The Freedom of Information Officer can give you an estimate of the copying fees, if any.

Name of individual(s) requesting District records			Email address
Address			Telephone number
City	State	Zip	Date of request

☐ Please check if this request of records is being made for a commercial purpose. Section 2 of the Freedom of Information Act states: "*Commercial purpose* means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education. Section 3.1 states: "It is a violation of this Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body."

☐ Please check if a fee waiver or reduction is being requested. Section 6 of the Freedom of Information Act states: "Documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit."

Please indicate your reason for requesting a fee waiver: _____

<i>Check if you are requesting:</i>			
Record description (Please be specific)	Electronic Copy	Inspection	Copy

DATED: April 6, 2015

Protocols for Record Preservation and Development of Retention Schedules

2:250-E2 Exhibit - Immediately Available District Public Records and Web-Posted Reports and Records

The District's Freedom of Information Officer designates the public records that are listed in this table as being immediately available to the public. The records that are asterisked are posted on the District's website and may be immediately inspected, downloaded, printed, and/or copied. Any asterisked public record is also immediately available for inspection or copying upon request at the District's administrative office during its regular business hours, provided any applicable fees are paid. Records without an asterisk will be provided within 5 business days as allowed by the Freedom of Information Act, provided any applicable fees are paid.

Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference
*Annual schedule of regular meetings for the current school year that are posted at the beginning of each calendar or fiscal year *Public notice of each Board meeting that is posted at least 48 hours before the meeting and remains posted until the meeting is concluded *Agenda of each regular meeting that is posted at least 48 hours before a meeting and remains posted until the meeting is concluded Note: For school districts that do not post board meeting notices and/or agendas on a website (because they do not have a website maintained by a fulltime staff member), the notice and agenda must be continuously available for public review during the entire 48-hour period preceding the meeting	<u>5 ILCS 120/2.02.</u>
*Official open meeting minutes that are posted within 10 days of the Board's approval and remain posted for at least 60 days	<u>5 ILCS 120/2.06(b).</u>
*Description of the District and its records including: - Summary of the District's purpose - Functional subdivisions - Total amount of operating budget - Number and location of all of its separate offices - Approximate number of full and part-time employees (see also, salary and benefits information report for the Superintendent, administrators, and teachers, District's Statement of Affairs) - Identification and membership of the Board - Brief description of the methods whereby the public may request information and public records - Directory information for the Freedom of Information Officer - Address where requests for public records should be directed	<u>5 ILCS 140/4.</u> The District must prominently post this information in its main office and make it available for inspection.

Fees	
*A hyperlink to an email address(es) for members of the public to communicate with members of the Board	50 ILCS 205/20, added by P.A. 98 done within 90 days of 1-1-2015). The hyperlink must be easily acces page.
Annual budget for current fiscal year, itemized by receipts and expenditures	105 ILCS 5/17-1.2. This may be accomplished using IS Form 50-36 or the summary pages The District must notify its students budget is web-posted along with its
*District Report Card and a Report Card for each School (the Report Cards will be provided by ISBE by Oct. 31 of each year)	105 ILCS 5/10-17a. Annually, no more than 30 calendar Report Cards from the State Super present them at a regular Board me District's website, (3) make them a general circulation serving the Dist send them home to parents/guardi The District also must send a writte parents/guardians stating: (1) that t on the website, (2) the website's ac will be sent upon request, and (4) th request a printed copy.
*A list of all contracts in excess of \$25,000 and any contracts with an exclusive bargaining representative	105 ILCS 5/10-20.44. There is no statutory timeline for we Each year, in conjunction with the s Affairs to ISBE, before Dec. 1, the an annual report on all contracts ov the previous fiscal year.
*Contract(s) with any commercial driver training school(s) for driver education	105 ILCS 5/2-3.25g(d). The District is required to web-pos website. If the District has no webs available upon request.
Annual Statement of Affairs	105 ILCS 5/10-17. The District is not required to web- annually by Dec. 1, submit the State ISBE's website, have copies of the main administrative office, and pub Statement in a newspaper of gene District.
*Board policy, 7:180, <i>Prevention of and Response to Bullying, Intimidation, and Harassment</i> *Information developed as a result of the evaluation and assessment of the bullying policy's outcomes and effectiveness	105 ILCS 5/27-23.7(b)(10) & (11),

*Administrator and Teacher Salary and Benefits Report (itemized salary report for the Superintendent and all administrators and teachers); <i>benefits</i> includes without limitation vacation days, sick days, bonuses, annuities, and retirement enhancements	105 ILCS 5/10-20.47. Annually on or before October 1: (1) presented at a regular Board meet District's website, and (2) after the information was presented, the Re
*As an employer that participates in the Illinois Municipal Retirement Fund (IMRF), a compensation report for employees who have a total compensation package that exceeds \$75,000 per year; <i>total compensation package</i> means salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted As of Oct. 1, 2014, IASB has not received a response from the Ill. Attorney General's office to its request for guidance concerning whether this requirement applies to employees who do not participate in IMRF, e.g., TRS participants.	5 ILCS 120/7.3. The report must be posted within 6 District approves a budget. The Di physical copy of this information at posting the information directly on t must post directions on the website information.
*As an employer that participates in the Illinois Municipal Retirement Fund, a compensation report for employees who have a total compensation package that is equal to or in excess of \$150,000 per year; <i>total compensation package</i> means payment by the employer to the employee for salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted As of Oct. 1, 2014, IASB has not received a response from the Ill. Attorney General's office to its request for guidance concerning whether this requirement applies to employees who do not participate in IMRF, e.g., TRS participants.	5 ILCS 120/7.3. The report must be posted at least approves an employee's total comp equal to or in excess of \$150,000. post a physical copy of this informa lieu of posting the information direc case it must post directions on the information.
A description of activities to address intergroup conflict (an optional program authorized by Sec. 27-23.6)	105 ILCS 5/27-23.6(c).
*Names of Board members who have completed professional development leadership training	105 ILCS 5/10-16a Requires the D the names of all Board members w professional development leaderst members taking office after 6/13/21 expanded to log all Board member activities. 5 ILCS 120/1.05(b) and (c) require complete training on the Open Mee training, each Board member must of completion with the School Boar 105 ILCS 5/24-16.5 requires each training program on performance e dismissal based on a performance Performance Evaluation Reform Ac
Immunization data reported to ISBE by each Nov. 15	105 ILCS 5/27-8.1. By Dec. 1, the District must annuall

that it must report to ISBE each year. The format, not its content, must be identical to the format that the Boards have control over the method of data collection. One method is to make the data publicly available. One method is to make the data directly from ISBE.

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP

2:250-E3 - Recurrent Requester Notification

The District Freedom of Information Officer completes this form on District letterhead.

Name of record(s) requester

Date of receipt of request

Contact information

You are notified that your request for a District record(s) is being treated as a request from a recurrent requester, as defined in Section 2(g) of the Freedom of Information Act.

Your request is being treated as a request from a recurrent requester because, in the 12 months immediately preceding this request, you have submitted to the District one or more of the following:

- ☐ 1. A minimum of 50 requests for records
- ☐ 2. A minimum of 15 requests for records within a 30-day period
- ☐ 3. A minimum of 7 requests for records within a 7-day period

You will be provided an initial response to your request for documents within 21 business days following the date the District received your request.

In that response, you will receive one of the following responses, whichever is appropriate:

- 1. An estimate of the time required by the District to provide the records requested and an estimate of the fees to be charged, which you must pay in full before the District copies the requested documents; or
- 2. A denial of the request pursuant to one or more of the exemptions set out in the Freedom of Information Act; or
- 3. A notification that the request is unduly burdensome and an extension of an opportunity for you to reduce the request to manageable proportions; or
- 4. Provision of the records requested.

Name of Freedom of Information Officer (Printed)

Telephone or email contact information

Freedom of Information Officer (Signature)

Date of Recurrent Requestor Notification

DATED: April 6, 2015

BOARD OF EDUCATION

2:260-AP1 Administrative Procedure - Guidelines for Investigating Complaints and Allegations of Misconduct

As a general rule, all complaints should be investigated, even when the complainant requests that nothing be done or is anonymous.

Step 1: Before the Investigation

A. School employees must immediately report a suspicion of child abuse or neglect to the Illinois Department of Child and Family Services in compliance with policy 5:90, *Abused and Neglected Child Reporting*. Reporting is required before proceeding further with the investigation.

B. According to policy 2:260, *Uniform Grievance Procedure*, the Superintendent appoints at least two District Complaint Managers, one of each gender. A Complaint Manager investigates: (1) complaints filed under policy 2:260, *Uniform Grievance Procedure*, and (2) allegations of employee misconduct.

C. The appropriate Building Principal or designee investigates all allegations of student misconduct.

D. Anyone with a complaint or making an allegation of misconduct should be referred to a Complaint Manager of their choosing or a Building Principal without delay.

E. A Complaint Manager or Building Principal (hereafter referred to as "investigator") will investigate all complaints or allegations of misconduct, except that, depending on the circumstances, the Superintendent or Board of Education may appoint a special investigator. Whenever the Superintendent deems necessary an attorney may serve as a special investigator. The investigator should not have any involvement with the complainant or the alleged wrongdoer outside of the investigation. The Superintendent will ensure that investigators have sufficient authority and resources, including access to the Board of Education Attorney.

F. The investigator should provide a fair opportunity for both sides to be heard.

G. The investigator should begin by carefully reading the complaint. Next the investigator should review applicable Board policies, administrative procedures and manuals, laws, regulations, and collective bargaining agreements.

H. The investigator should develop a plan, including:

- Witness list
- Order of interviews
- Questions for witnesses
- Physical evidence needed, e.g., records, documents, reports, photos, and letters

I. The investigator should make logistical arrangements, e.g., determine interview location and the need for photographs and/or a video or audio recording.

J. If the investigator encounters an issue with legal ramifications outside of his/her understanding, either before or during the investigation, he/she should consult the Board Attorney before proceeding further on that legal issue, as well as any other areas of the investigation it impacts.

Step 2: The Investigation

A. Typically, interview the complainant first, next the subject of the investigation, and, finally, all witnesses. The following applies to all interviews:

- If possible, statements should be written, dated, and signed by the person being interviewed. Consider audio or video recording statements.
- Ask open-ended questions and do not suggest answers to questions.
- Record important details, essentially who, did what, to whom, when and how done and, if appropriate, why?
- Be objective and nonjudgmental; do not prejudge an alleged wrongdoer's guilt. Never show outrage or dismay.
- Ask for the names of any other witnesses.
- Deal with emotional outbursts and anger by patiently explaining that details are needed for an accurate investigation.
- If a witness cannot be interviewed, record the reason.

B. While confidentiality should be maintained, do not make promises of confidentiality or anonymity. Only the Superintendent may promise confidentiality or anonymity.

C. Keep the Superintendent informed, but do not discuss the investigation with Board members in order to avoid the appearance of prejudice or unfairness.

D. Obtain copies of all necessary papers. Originals are not needed, but record how to get them.

E. Collect physical evidence and photographs. Keep a record of when, and where, or from whom physical evidence was gathered.

F. Document any information about the interview that is, or may become relevant, including the person's demeanor, gestures, accuracy of memory, and overall credibility.

G. During the investigation, keep the investigation file separate from personnel or student record files. In a subsequent hearing, the opposing side may be able to view the investigation file. Records relating to a public body's adjudication (hearing) of employee grievances or disciplinary cases are exempt from Freedom of Information Act public records requests under [5 ILCS 140/7\(1\)\(n\)](#). However, the exemption does not extend to the final outcome of cases in which discipline is imposed.

Step 3: Following the Investigation

A. Report to the Superintendent or designee the investigation results, that is, the matters investigated, facts, conclusions, and recommendations. Prepare a written report if requested.

- Answer who, what, when, where, why, and how.
- Factual findings are based on whether an incident's occurrence is more likely than not. Identify as many factual findings as possible to support a conclusion. In a "he said, she said" scenario, a decision can be based on the credibility of the parties and witnesses. Include in the report any findings that are inconclusive.
- Make a determination regarding credibility of specific evidence, that is, how believable is it and why by explaining the basis for the determination. Credible evidence is capable of belief by a reasonable person.

B. Be prepared to testify as to the fairness of the investigation, the authenticity of the evidence, and the contents of the investigation report.

DATED: April 6, 2015

BOARD OF EDUCATION

2:260-AP2 Administrative Procedure - Nondiscrimination Coordinator and Complaint Manager

The Nondiscrimination Coordinator directs the District's compliance with federal and State laws governing discrimination and harassment in the workplace. The Complaint Manager administers the complaint process in Board policy 2:260, *Uniform Grievance Procedure*.

Superintendent Responsibilities

- A. Appoints individuals to serve as a Nondiscrimination Coordinator and Complaint Manager whose skill set suggest they could effectively fulfill the responsibilities identified in this procedure. One individual may serve in both capacities. The Superintendent may serve in either capacity. If possible, at least 2 Complaint Managers are appointed, one of each gender.
- B. Identifies individuals to supervise the performance of the Nondiscrimination Coordinator and Complaint Manager. The supervisor must understand the responsibilities of each role and have authority to take action. If possible, a different individual is assigned to supervise each role as a control measure, e.g., the Human Resources Manager supervises the Nondiscrimination Coordinator's performance and the Superintendent supervises the Complaint Manager's performance.
- C. Requires each Nondiscrimination Coordinator and/or Complaint Manager to possess or obtain:
 - 1. In-depth knowledge of Board policies as well as rules and conduct codes for students and employees.
 - 2. General knowledge of State and federal laws concerning equal employment and educational opportunities.
 - 3. Ability to:
 - a. Communicate effectively, both orally and in writing, and to establish rapport with others;
 - b. Plan, implement, evaluate, and report activities conducted;
 - c. Be both consistent and flexible as circumstances warrant; and
 - d. Analyze, clarify, and mediate differences of opinion.
- D. Facilitates the effective performance of the Nondiscrimination Coordinator and Complaint Managers by:
 - 1. Providing them with clear expectations concerning their roles and responsibilities.
 - 2. Communicating to employees and students their functions and responsibilities.
 - 3. Providing them resources and professional development opportunities.
 - 4. Providing them access to the Board Attorney for legal advice concerning their responsibilities.

Nondiscrimination Coordinator Responsibilities

- A. Directs the District's efforts to provide equal employment and educational opportunities and prohibit the harassment of employees, students, and others. Manages compliance with Board policies 2:260, *Uniform Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; and 7:20, *Harassment of Students Prohibited*.

- B. Develops and manages a program that will fully inform all employees and students about the

District's commitment to equal employment and educational opportunities and a harassment-free environment. A component of this program is to inform employees and students about Board policies and administrative procedures.

C. Provides ongoing consultation, technical assistance, and information services regarding compliance requirements and programs.

D. Assists the Human Resources Manager with monitoring compliance with the recordkeeping and notice requirements contained in federal and State laws concerning discrimination and harassment in schools and the workplace.

E. Maintains grievance and compliance records and files.

F. Makes recommendations for action by appropriate decision makers.

G. Establishes a positive climate for nondiscrimination compliance efforts. This effort includes encouraging individuals to come forward with suggestions and complaints.

Complaint Manager Responsibilities

A. Implements and administers the grievance process contained in Board policy 2:260, *Uniform Grievance Procedure*.

B. Manages complaints alleging a violation of any Board policy or procedure listed in the next section.

C. Assists complainants and potential complainants by, among other things, providing consultation and information to them.

D. Attempts to resolve complaints without resorting to the formal grievance process provided in Board policy 2:260, *Uniform Grievance Procedure*.

E. Informs potential complainants, complainants, and witnesses that the District prohibits any form of retaliation against anyone who, in good faith, brings a complaint or provides information to the individual investigating a complaint.

F. Receives formal complaints and notifies relevant individuals of the ensuing process.

G. Investigates complaints or appoints a qualified individual to undertake the investigation on his or her behalf. Each complaint shall be investigated promptly, thoroughly, and impartially, and as confidentially as possible.

H. For each formal complaint, prepares a comprehensive written report describing the: (a) complaint, (b) investigation, and (c) findings and recommendations. Provides the report to the Superintendent or School Board if the Superintendent is an alleged responsible party.

I. Receives a request from a complainant to appeal the Superintendent's resolution of the complaint and promptly forwards all relevant material to the Board.

J. Monitors compliance with all requirements and time-lines specified in Board policy 2:260, *Uniform Grievance Procedure*.

Applicable Policies and Procedures

Section 2

2:260 Uniform Grievance Procedure

2:260-AP2 Administrative Procedure - Nondiscrimination Coordinator and Complaint Manager

Section 5

5:10 Equal Employment Opportunity and Minority Recruitment

5:20 Workplace Harassment Prohibited

5:20-AP Administrative Procedure - Sample Questions for Conducting the Internal Sexual Harassment in the Workplace Investigation

Section 6

6:120 Education of Children with Disabilities

6:140 Education of Homeless Children

6:140-AP Administrative Procedure - Education of Homeless Children

6:170 Title I Programs

6:260 Complaints About Curriculum, Instructional Materials, and Programs

Section 7 - Students

7:10 Equal Educational Opportunities

7:10-AP Accommodating Transgender Students or Gender Non-Conforming Students; Supports and Inclusion

7:20 Harassment of Students Prohibited

7:20-AP Administrative Procedure - Harassment of Students Prohibited

7:180 Prevention of and Response to Bullying, Intimidation, and Harassment

7:190 Student Discipline

Section 8 - Community Relations

8:70 Accommodating Individuals with Disabilities

8:110 Public Suggestions and Concerns

Resources

U.S. Equal Employment Opportunity Commission,

www.eeoc.gov.

"Enforcement Guidance and Related Documents," U.S. Equal Employment Opportunity Commission,

www.eeoc.gov/policy/guidance.html.

"Sexual Harassment: It's Not Academic" U.S. Dept. of Education, Office for Civil Rights,

www.ed.gov/about/offices/list/ocr/docs/ocrshpam.html.

"Frequently Asked Questions about Sexual Harassment," U.S. Dept. of Education, Office for Civil Rights,

www.ed.gov/about/offices/list/ocr/qa-sex.html.

"Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties," Office for Civil Rights,

www.ed.gov/about/offices/list/ocr/docs/shguide.html.

"Q&A Regarding Title IX Procedural Requirements," U.S. Dept. of Justice,

www.justice.gov/crt/about/cor/coord/TitleIXQandA.php.

DATED: April 6, 2015

Hinckley Big Rock School District 429 - AP