

**River Forest District 90**  
**PRESS Policy Updates - October, 2016**

First Reading – December 19, 2016

| <b>Policy Number</b> | <b>Policy Description</b>   | <b>Recommended Action</b>          |
|----------------------|---|------------------------------------|
| 2:120                | Board Member Development  | Recommend with edits               |
| 2:125                | Board Member Compensation; Expenses REWRITTEN                                     | Recommend (see option suggestions) |
| 2:125-E1             | Exhibit [Resolution] to Regulate Expense Reimbursements, with Attachments A and B | Recommend as presented             |
| 2:200                | Types of School Board Meetings  | Recommend as presented             |
| 2:220                | School Board Meeting Procedure  | Recommend (see option suggestions) |
| 2:220-E1             | Board Treatment of Closed Meeting Verbatim Recordings and Minutes                 | Recommend as presented             |
| 2:220-E2             | Motion to Adjourn to Closed Meeting   | Recommend as presented             |
| 2:220-E4             | Open Meeting Minutes – NEW to District  | Recommend with edits               |
| 2:220-E5             | Semi-Annual Review of Closed Meeting Minutes – NEW to District                    | Recommend as presented             |
| 2:220-E6             | Log of Closed Meeting Minutes – NEW to District                                   | Recommend as presented             |
| 2:220-E7             | Access to Closed Meeting Minutes and Verbatim Recordings – NEW                    | Recommend with edits               |
| 2:220-E8             | School Board Records Maintenance Requirements and FAQs – NEW                      | Recommend as presented             |
| 4:60                 | Purchases and Contracts   | Recommend as presented             |
| 4:110                | Transportation  | Recommend as presented             |
| 4:175                | Convicted Child Sex Offender; Screening; Notifications                            | Recommend as presented             |
| 5:10                 | Equal Employment Opportunity and Minority Recruitment                             | Recommend with edits               |
| 5:60                 | Expenses – REWRITTEN  | Recommend (see option suggestions) |
| 5:60-E1              | Exhibit [Resolution] to Regulate Expense Reimbursements, with Attachments A & B   | Recommend as presented             |
| 5:100                | Staff Development Program   | Recommend as presented             |
| 5:125                | Personal Technology and Social Media; Usage and Conduct                           | Recommend as presented             |
| 5:190                | Teacher Qualifications  | Recommend as presented             |
| 5:250                | Leaves of Absences  | Recommend as presented             |
| 5:260                | Student Teachers  | Recommend (see option suggestions) |
| 5:280                | Duties and Qualifications   | Recommend as presented             |
| 5:330                | Sick Days, Vacation, Holidays and Leaves  | Recommend as presented             |
| 6:15                 | School Accountability   | Recommend as presented             |
| 6:60                 | Curriculum Content  | Recommend as presented             |

|       |   |                                    |
|-------|---|------------------------------------|
| 6:160 | English Learners  | Recommend as presented             |
| 6:170 | Title I Programs  | Recommend as presented             |
| 6:340 | Student Testing and Assessment Program                                  | Recommend as presented             |
| 7:50  | School Admissions and Student Transfer To and From Non-District Schools | Recommend (see option suggestions) |
| 7:60  | Residence   | Recommend as presented             |
| 7:250 | Student Support Services  | Recommend (see option suggestions) |
| 7:305 | Student Athlete Concussions and Head Injuries                           | Recommend as presented             |
| 7:310 | Restrictions on Publications; Elementary Schools                        | Recommend as presented             |
| 8:70  | Accommodating Individuals with Disabilities                             | Recommend as presented             |
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|       |   |                                    |

# DRAFT UPDATE

## Board of Education

### Board Member Development

The Board of Education desires that its individual members learn, understand, and practice effective governance principles. The Board is responsible for member orientation and development. Board members have an equal opportunity to attend state and national meetings designed to familiarize members with public school issues, governance, and legislation.

The Board of Education may maintain an affiliation with the Illinois Association of School Boards, Ed Red (Education-Research-Development), the Illinois Association of School Administrators, and other similar local, state, and national organizations.

Individual Board Members are encouraged to participate in local, state, and national organizations related to public education.

The Board President and/or Superintendent shall provide all Board members with information regarding pertinent educational materials, publications, and notices of training or development.

### Mandatory Board Member Training

Each Board member is responsible for his or her own compliance with the mandatory training laws that are described below:

1. Each Board member ~~elected or appointed to fill a vacancy of at least one year's duration~~ must complete at least ~~4~~ four hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities within the first year of his or her first term. ~~This requirement is applicable to Board members who are elected after June 13, 2011 or who are appointed to fill a vacancy of at least one year's duration after that date.~~
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on the Open Meetings Act is only required once.
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date.

The Superintendent or designee shall maintain on the District website a log identifying the complete training and development activities of each Board member, including both mandatory and non-mandatory training.

### Professional Development; Adverse Consequences of School Exclusion; Student Behavior

~~The Board President or Superintendent, or their designees, will make reasonable efforts to provide ongoing professional development to Board members about the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates, i.e., Senate Bill 100 training topics.~~

### New Board Member Orientation

The following steps shall be taken to orient newly elected or appointed Board of Education members:

**Comment [APowell1]:**

Updated to remove the past date.

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**Comment [APowell2]:**

Optional. The School Code encourages Board members to be trained on these issues. A course on SB 100 will soon be available through IASB's Online Learning Center (OLC). Inquire at: [onlinelearning@iasb.com](mailto:onlinelearning@iasb.com).

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RECOMMEND RETAINING

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1. The Board President or Superintendent or their designees shall arrange a meeting of the Board President, the Superintendent and other appropriate staff, and the new member for the purpose of answering questions and acquainting the member with the District.
2. The Superintendent shall give each new Board of Education member copies of the Board of Education Policy Manual, the Board of Education meetings minutes for the past year, and other helpful information including material describing the District and explaining the Board of Education's roles and responsibilities.
3. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
4. The Board President may request a veteran Board member to mentor a new member.
5. New members are encouraged to attend workshops for new members conducted by the Illinois Association of Board of Educations.

ONCE KNOWN, ↑

## Candidates

The Superintendent or designee shall invite all current candidates for the office of Board of Education member to attend (1) Board of Education meetings, except that this invitation shall not extend to any closed meetings, and (2) pre-election workshops for candidates.

LEGAL REF.: 5 ILCS 120/1.05 and 120/2.  
105 ILCS 5/10-16a and 5/24-16.5.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:125 (Board Member Compensation; Expenses)

ADOPTED: ~~November 18, 2013~~

# DRAFT UPDATE – REWRITTEN

2:125 - BOE

## School Board

### Board Member Compensation; Expenses<sup>1</sup>

#### Board Member Compensation Prohibited<sup>2</sup>

Board of Education members provide volunteer service to the community and may not receive compensation for services, except that a Board member serving as the Board Secretary may be paid an amount up to the statutory limit if the Board so provides.

#### Roll Call Vote<sup>3</sup>

All Board member expense requests for travel, meals, and/or lodging must be approved by roll call vote at an open meeting of the Board.

#### Regulation of School District Expenses<sup>4</sup>

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution.<sup>5</sup> No later than approval of the annual budget and when necessary,<sup>6</sup> the Superintendent will

#### Comment [APowell1]:

This policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.

The footnote material is provided here for your information; once this policy has been adopted, the footnotes and copyright information will be removed.

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#### Comment [APowell2]:

The introduction provides information to the community that board members are public servants, and they do not receive *perks* or *compensation*.

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**OPTION 3 RECOMMENDED**

#### Comment [APowell3]:

50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 allows boards to determine this timeline locally.

Other options for the timing of when boards should set the MARA include:

**OPTION 1:** Delete ~~No later than approval of the annual budget~~ and replace it with "At the start of each fiscal year"

**OPTION 2:** Delete ~~No later than approval of the annual budget~~ and replace it with "At the start of each school year"

**OPTION 3:** Delete ~~No later than approval of the annual budget~~ and replace it with "At the start of each calendar year" or

**OPTION 4:** Delete "No later than approval of the annual budget" and replace it with "When presenting the proposed budget".

Consider consulting the board's auditors to assist with this decision.

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

<sup>1</sup> State law controls this policy's content (105 ILCS 5/10-9, 5/10-10 and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses)). The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter, see the third paragraph of ¶n 3, below.

<sup>2</sup> The legal limit for board secretary compensation is \$500 (105 ILCS 5/10-14).

<sup>3</sup> 50 ILCS 150/15, added by P.A. 99-604, eff. 1-1-17. 105 ILCS 5/10-7 also states, "[o]n all questions involving the expenditure of money, the yeas and nays shall be taken and entered on the records of the proceedings of the board," i.e., a roll call vote.

Although the School Code has always required a roll call vote on public expenditures, on and after 60 days after the effective date of the ECA, a roll call vote will also be required for any:

1. Officer or employee of the board that exceeds the *maximum allowable reimbursement amount* (MARA) set by the board in its resolution to regulate expenses, and
2. Board member (50 ILCS 150/15, added by P.A. 99-604, eff. 1-1-17).

A majority of school law firms agree that the "on or after 60 days" date discussed in the paragraph above is 3-2-17. Some school law firms will use the date 3-1-17. There is also a policy-component deadline "[o]n and after 180 days after the effective date of [the ECA]." That date is 6-30-17. Many school law firms opine that, as a practical matter, boards should complete both the MARA and policy requirements of the ECA by late Feb. 2017 and no later than 3-1-17. Consult the board attorney about these dates. See ¶n 13, below for more discussion about amending or adopting another resolution when expenses exceed the MARA required by the ECA.

<sup>4</sup> 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 requires boards to regulate the reimbursement of expenses by *resolution or ordinance*. Unlike like the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies* (105 ILCS 5/10-20.5). Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board (105 ILCS 5/10-20). Therefore, to effectuate the intent of the ECA's requirement to *regulate* expenses with an ordinance or resolution and stay within the confines of the School Code and best practice (minimize liability while aligning with the IASB "Foundational Principles of Effective Governance"), the language in this subhead:

1. Retains with the board its duty to *regulate* expenses through policy with a reference to a resolution that will define and set the types of allowable expenses in the district through the adoption of board policies 2:125, *Board Member Compensation; Expenses* and 5:60, *Expenses* (105 ILCS 5/10-20)(see ¶n 5, below);
2. Delegates to the superintendent the duty to recommend an appropriate MARA to the board for adoption in its resolution to regulate expenses (see ¶n 7, below).

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recommend a maximum allowable reimbursement amount for expenses to be included in the resolution.<sup>7</sup> The recommended amount should be based upon the District's budget and other financial considerations.<sup>8</sup>

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member,<sup>9</sup> (2) anyone's personal expenses,<sup>10</sup> or (3) entertainment expenses.<sup>11</sup> Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events,

<sup>5</sup> *Id.* For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*. Consult the board attorney about how often the board should adopt or revisit its resolution (see f/n 6 and 8, below). For discussion about setting an annual time of year to adopt the resolution, see f/n 6, below.

<sup>6</sup> 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 allows boards to determine this timeline locally.

While the ECA does not require boards to adopt an *annual* resolution to regulate expenses, an annual review provides a way for the board to monitor this policy's implementation and its duties under the ECA and policy 2:240, *Board Policy Development*.

This sample policy uses "No later than approval of the annual budget" to align with 105 ILCS 5/17-1 (annual budget adoption within the first quarter of each fiscal year). The words *and when necessary* allow for flexibility in situations discussed in f/n 13, below (*emergency and/or an extraordinary circumstance*).

Consider consulting the board's auditors to assist with this decision. Other options for the timing of when boards should set the MARA include:

1. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each fiscal year"
2. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each school year"
3. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each calendar year" or
4. Deleting "~~No later than approval of the annual budget~~" and replacing it with "When presenting the proposed budget".

<sup>7</sup> For practical purposes, this duty is delegated to the superintendent because:

1. The School Code:
  - a. Allows the board to delegate duties to the superintendent (105 ILCS 5/10-16.7), and
  - b. Assigns to the superintendent the duty to make recommendations to the board concerning the budget (105 ILCS 5/10-21.4); and
2. The MARA should be based upon a district's financial resources and other considerations important to the local district.

<sup>8</sup> The ECA does not define MARA or how to determine it (see the first sentence of f/n 6, above). The board and superintendent should have a conversation that addresses at minimum the following topics:

1. Should the superintendent use and refer to line items from the current budget?
2. Would the board set per diems or set a very large number for the board and/or all of the district employees -- both have their advantages and disadvantages.
3. Should the board categorize MARA by activity?
4. Will it categorized by individual responsibilities to the district or job titles/classes?
5. Should there be an amount category for each type of travel: airfare, train, automobile, taxi, etc.?
6. Will there be a special category for recurring and/or required training opportunities for teachers and board members?

These choices will depend upon many factors, including the budget, perhaps an auditor's recommendation, the community's preferences, and advice from the board attorney.

Amend the language throughout this subhead and in the fourth WHEREAS paragraph in 2:125-E3, *Resolution to Regulate Expense Reimbursements* to reflect local preferences. Consider that inserting the actual MARA into the policy would likely require more formal continual policy updates as opposed to amending the resolution if a board needs to increase its MARA for any reason. For example, see the discussion in f/n 13, below.

<sup>9</sup> 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses from being advanced or reimbursed to any person other than a board member or employee of the district.

<sup>10</sup> Optional. *Personal expenses* are not defined in 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

<sup>11</sup> 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17.

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or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.<sup>12</sup>

## Exceeding the Maximum Allowable Reimbursement Amount(s)

All requests for expense advancements, reimbursements, and/or purchase orders that exceed the maximum allowable reimbursement amount set by the Board may only be approved by it when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.<sup>13</sup>

## Advancements

The Board may advance to its members actual and necessary expenses to be incurred while attending:<sup>14</sup>

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools;<sup>15</sup>
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board's standardized estimated expense approval form. After spending expense advancements, Board members must use the Board's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an

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<sup>12</sup> *Id.*

<sup>13</sup> 50 ILCS 150/10 and 15, added by P.A. 99-604, eff. 1-1-17. A board may need to revisit its resolution to regulate expenses more often than annually if (a) an expense reimbursement amount exceeds the MARA set in the board's resolution, and (b) an *emergency* or an *extraordinary circumstance* does not exist. Consult the board attorney in these circumstances to determine whether the board may need to revisit and amend its resolution to increase the MARA before approving the expenses exceeding it.

*Emergency* or an *extraordinary circumstance* is not defined by the ECA, but these terms are meant to allow boards flexibility when expenses exceed the MARA. Yet approving expense reimbursement requests that exceed the MARA as *emergencies* or *extraordinary circumstances* when the board or superintendent "did not plan well" or "an organization's conference fees went up more than expected this year after the board adopted its resolution," may open the board to public relations and other legal challenges. See *Lankhuf v. Board of Education*, 2003 WL 23936148 (Ill. Cir. 2003) (addressing what constitutes an *emergency* in the context of the Open Meetings Act, which similar to the ECA, also does not define the term, and holding an emergency meeting to cure a situation that a school board created itself is not an emergency within the confines of OMA).

While the ECA does not provide for specific legal penalties for the wrongful approval of expenses, it is not clear whether a court may find in circumstances of poor MARA planning, that an *emergency* or *extraordinary circumstance* under the ECA did not exist and grant relief requested by a challenger as allowed under State law.

<sup>14</sup> 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This advancement language pre-dates the ECA and is narrower than the ECA. A reasonable interpretation is that the MARA required in the ECA would apply to any advancement amount. This policy seeks to reconcile and highlight the differences between the School Code and the ECA requirements by separating School Code advancements into a separate subhead from ECA reimbursements (estimated and actual). For more distinctions between these laws and further discussion, see *fn 20*, below.

<sup>15</sup> Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center." The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

### Comment [APowell4]:

The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

**OPTION:** Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center."

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USE OPTION

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expense advancement not used.<sup>16</sup> If an expense advancement is not requested, expense reimbursements may be issued by the Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code (see the **Reimbursements and Purchase Orders** subhead, below).<sup>17</sup> Expense advancements and vouchers shall be presented to the Board in its regular bill process.

OPTION NOT RECOMMENDED

**Comment [APowell5]:**

**OPTION:** A board may expand this provision's scope by amending and adding to the sentence as follows:  
“, and other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list.”

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## Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses<sup>18</sup> by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

## Credit and Procurement Cards <sup>19</sup>

Credit and procurement cards shall not be issued to Board members.

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

<sup>16</sup> 105 ILCS 5/10-22.32 requires the return of excess advancements that are issued.

<sup>17</sup> Boards have this power under 105 ILCS 5/10-20; this statute specifies that the grant of powers to school boards is not exclusive and that school boards may exercise other powers that are not inconsistent with duties. A board may expand this provision's scope by amending and adding to the sentence as follows:

“, and other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list.”

See also *f/n 8* in policy 2:120, *Board Member Development* for an example of a board member professional development opportunity that is encouraged by the School Code.

<sup>18</sup> Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: “an *estimate* if expenses have not been incurred ...” or “a *receipt* ... if the expenses have already been incurred,” suggesting no pre-approval is necessary. However, pre-approval is a best practice, and a board member who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements* reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 2:125-E2, *Board Member Estimated Expense Approval Form*. The form provides three methods for board members to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

<sup>19</sup> Optional. Consult the board attorney about issuing credit and procurement cards to board members. See *f/n 1* of policy 4:55, *Use of Credit and Procurement Cards*.

If in consultation with the board attorney credit and procurement cards will be issued to board members, delete “Credit and procurement cards shall not be issued to Board members” and insert “Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.”



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## Standardized Expense Form(s) Required <sup>20</sup>

All requests for expense advancement, reimbursement, and/or purchase orders in the District must be submitted on the appropriate itemized, signed standardized form(s). The form(s) must show the following information:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants, <sup>21</sup>
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

## Types of Official Business for Expense Advancements, Reimbursements, and Purchase Orders

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
  - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
  - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
  - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
  - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
  - e. Taxis, airport limousines, or other local transportation costs.
3. Meals. Meals charged to the School District should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement

NO OPTION RECOMMENDED

### Comment [APowell6]:

OPTION: Alternatively, a board could set a daily limit on meal costs, such as:  
Board members will be reimbursed for meal costs and tips up to \$ \_\_\_ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

Consult the Board's previous version of policy 2:125 to see whether a daily limit is currently in place.

But see also footnote 8 and ensure this amount is consistent with the MARA set by the board resolution.

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

<sup>20</sup> 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32). The PRESS materials on expenses marry the School Code's advancement voucher requirement into the ECA's requirement for a standardized estimated expense form. For an example, see 2:125-E2, *Board Member Estimated Expense Approval Form* and 5:60-E2, *Employee Estimated Expense Approval Form*. These forms provide three methods for board members or district employees to submit anticipated/estimated expenses:

1. Providing estimated expenses under 50 ILCS 150/,
2. Requesting expense advancements for the activities listed under 105 ILCS 5/10-22.32, or
3. Obtaining a purchase order (highly unlikely for anticipated board member expenses but possible).

<sup>21</sup> Id. at (2) and (3).

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amount set by the Board.<sup>22</sup> Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-20 and 5/10-22.32.  
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:120 (Board Member Development), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 5:60 (Expenses)

ADOPTED:

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

<sup>22</sup> Alternatively, a board could set a daily limit on meal costs, such as:

Board members will be reimbursed for meal costs and tips up to \$ \_\_\_\_\_ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

But see also f/n 8, above and ensure this amount is consistent with the MARA set by the board resolution.

**BOARD OF EDUCATION OF RIVER FOREST PUBLIC SCHOOLS DISTRICT 90  
RESOLUTION APPROVING TRAVEL, MEAL AND LODGING POLICY**

WHEREAS, the Illinois General Assembly has recently enacted Public Act 99-0604, known as the "Local Government Travel Expense Control Act", which Act becomes effective on January 1, 2017; and

WHEREAS, pursuant to the Act, non-home rule units of local government, including school boards, are required to establish regulations with respect to allowable travel expenses;

NOW, THEREFORE, be it ordained by the Board of Education of River Forest Public Schools District 90 as follows:

Section 1. The recitals set forth hereinabove shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. The Board of Education has prepared Board Policy Nos. 2:125 and 5:60, which regulate the reimbursement of all travel, meal, and lodging expenses of Board members, administrators, and employees. A copy of Board Policy Nos. 2:125 and 5:60, and the applicable attachments, are attached hereto.

Section 3. The Board of Education approves and adopts Board Policy Nos. 2:125 and 5:60.

Section 4. Any policy, resolution, or ordinance that conflicts with the provisions of this ordinance shall be and is hereby repealed to the extent of such conflict.

Section 5. This Resolution shall be in full force and effect upon its passage.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
President, Board of Education

\_\_\_\_\_  
Secretary, Board of Education

**ATTACHMENT A – RIVER FOREST PUBLIC SCHOOLS DISTRICT 90**  
**PERMISSIBLE TRAVEL EXPENSES**

**Types of Official Business Applicable to this Policy.** The School District shall only reimburse travel expenses, including transportation, meals and lodging that are ancillary or otherwise necessary for official School District business. Types of official School District business for which travel expenses may be reimbursed include conferences, meetings, athletic or other student events, board, administrator, or faculty events, lobbying or other government relations activities, or any other event or program that is attended to further the School District's mission.

The maximum reimbursable rates for travel are set forth as follows:

| <b>Maximum Reimbursable Rates for Transportation</b> |  |
|--|--|
| Air Travel   | Lowest reasonable rate (coach)                           |
| Auto   | IRS standard mileage rate at time of reimbursement       |
| Rental Car   | Lowest reasonable rate (midsize)                         |
| Rail or Bus  | Lowest reasonable rate and cost shall not exceed airfare |
| Taxi, Shuttle, Rideshare, or Public Transportation   | Actual reasonable rate                                   |

| <b>Maximum Reimbursable Rates for Meals</b> |   |
|---|---|
| Breakfast                                   | Mid-Fare selections for the hotel/meeting facility or general area. |
| Lunch                                       |   |
| Dinner                                      |   |

| <b>Maximum Reimbursable Rates for Lodging</b> |   |
|---|---|
| Chicago and Suburban Cook County              | Conference rate or mid-fare room accommodations for single room rate. |
| DuPage, Kane, Lake, McHenry and Will Counties |   |
| All other Illinois Counties                   |   |
| Outside of Illinois                           | As approved by the Board  |

**ATTACHMENT B – RIVER FOREST PUBLIC SCHOOLS DISTRICT 90**  
**TRAVEL EXPENSE REIMBURSEMENT REQUEST FORM**

Before an expense for travel, meals, or lodging may be approved under District Policy Nos. 2:125 and 5:60, the following minimum documentation must first be submitted, in writing, to the Board of Education of the District:

- (1) The name of the individual who received or is requesting the travel, meal, or lodging expense and the individual's job title or office.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Job Title/Office

- (2) The date or dates and nature of the official District business in which the travel, meal, or lodging expense was or will be expended. Please attach supporting documentation describing the nature of the official District business event or program.

\_\_\_\_\_  
Name of Event or Program

\_\_\_\_\_  
Date(s) of Event or Program

\_\_\_\_\_  
Location of Event or Program

\_\_\_\_\_  
Purpose of Event or Program

- (3) An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred. Please attach either (a) a document explaining the basis for your estimate if expenses have not yet been incurred or (b) receipts if the expenses have already been incurred.

You may also provide such other documentation as would assist the Board of Education in considering your request for reimbursement. In the discretion of the Board of Education, additional documentation relevant to the request for reimbursement may be required prior to action by the Board of Education with respect to the reimbursement request.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

# DRAFT UPDATE

River Forest School District 90

2:200

## Board of Education

### Types of Board of Education Meetings

#### General

For all meetings of the Board of Education and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein, as well as the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them and to others as approved by the Board of Education. Unless otherwise specified, monthly business meetings and committee of the whole meetings are held in Roosevelt School. Board policy 2:220, *Board of Education Meeting Procedure*, governs meeting quorum requirements.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is required by Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training. In addition, each Board member must complete a course of training on the Open Meetings Act as required by Section 1.05(b) or (c) of that Act.

#### Regular Meetings

The Board of Education announces the time and place for its regular meetings at the beginning of each fiscal year. The Superintendent shall prepare and make available the calendar of regular Board of Education meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law.

A meeting agenda shall be posted at the District's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting.

#### Closed Meetings

The Board of Education and Board of Education committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act], 5 ILCS 120/2(c)(1), amended by P.A. 99-646.
2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).

#### Comment [APowell1]:

Discussing the elimination of an employee's position for reasons unrelated to the performance of the employee is not within the scope of Section 2(c)(1). Nor does the exception permit a public body to hold closed sessions to discuss employees in general or issues that may ultimately have an impact on employees.

The Local Government Wage Increase Transparency Act, 50 ILCS 155/1, added by P.A. 99-646, allows *disclosable payments* (described below) to IMRF employees only when the school board has first discussed the specific payment to be made at a meeting open to the public and posted and held in accordance with the requirements of the Open Meetings Act.

The provisions apply only to disclosable payments made to participating employees under Article Seven of the Illinois Pension Code (IMRF) who began participation before 1-1-11 and who are not subject to a collective bargaining agreement with respect to the employment upon which the participation is based.

*Disclosable payments* means a payment, whether in the form of an increase in the rate of earnings or a lump-sum payment, that would:

1. Be made by a participating employer to a participating employee after the employee has expressed to the employer his or her intent to retire or withdraw from service;
2. Have the effect of increasing the employee's reportable monthly earnings from that employer by more than 6% compared to the previous month; and
3. Be made between 12 months and 90 days prior to the employee's expected termination of service.

It does not include a refund of contributions or any payment required to be paid by State or federal law.

Issue 93, October 2016

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5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, school building safety and security, 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), amended by P.A. 99-235, eff. 1-1-16.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Governmental 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 public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
13. Self-evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
14. Discussion of minutes of meetings lawfully closed under this Act, 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).
15. 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).

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum, taken at an open meeting. The vote of each Board of Education member present, and the reason for the closed meeting, will be publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes.

No final Board of Education action will be taken at a closed meeting.

## Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required when the original meeting is open to the public and: (1) is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

# ***DRAFT UPDATE***

## Special Meetings

Special meetings may be called by the President or by any 3 members of the Board of Education by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting.

Public notice of a special meeting is given by posting a notice at the District's administration office at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice. A meeting agenda shall accompany the notice.

All matters discussed by the Board at any special meeting must be related to a subject on the meeting agenda.

## Emergency Meetings

Public notice of emergency meetings shall be given as soon as practical, but in any event, before the meeting to news media that have filed a written request for notice.

## Posting on the District's Website

In addition to the other notices specified in this policy, the Superintendent or designee shall post the following on the District website: (1) the annual schedule of regular meetings, which shall remain posted until the Board approves a new schedule of regular meetings; (2) a public notice of all Board meetings; and (3) the agenda for each meeting which shall remain posted until the meeting is concluded.

LEGAL REF.: 5 ILCS 120/1 et seq.  
105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:110 (Qualifications Term, and Duties of Board Officers), 2:120 (Board Member Development), 2:210 (Organizational School Board Meetings), 2:220 (School Board Meeting Procedure), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks)

ADOPTED: ~~January 19, 2016~~



# DRAFT UPDATE

River Forest School District 90

2:220

## Board of Education

### Board of Education Meeting Procedure

#### Agenda

The Board President is responsible for focusing the Board meetings' agendas on appropriate content. The Superintendent shall prepare agendas in consultation with the Board President. The President shall designate a portion of the agenda as a consent agenda for those items that usually do not require discussion or explanation before Board of Education action. Upon the request of any Board member, an item will be withdrawn from the consent agenda and placed on the regular agenda for independent consideration.

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting. Items submitted by Board of Education members to the Superintendent or the President shall be placed on the agenda for an upcoming meeting. District residents may suggest inclusions for the agenda. The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed.

The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each Board of Education member at least 48 hours before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with policy 2:200, *Types of Board of Education Meetings*.

The Board President shall determine the order of business at regular Board of Education meetings. Upon consent of a majority of members present, the order of business at any meeting may be changed.

#### Voting Method

Unless otherwise provided by law, when a vote is taken upon any measure before the Board of Education, with a quorum being present, a majority of the votes cast shall determine its outcome. A vote of "abstain" or "present," or a vote other than "yea" or "nay," or a failure to vote, is counted for the purposes of determining whether a quorum is present. A vote of "abstain" or "present," or a vote other than "yea" or "nay," or a failure to vote, however, is not counted in determining whether a measure has been passed by the Board, unless otherwise stated in law. The sequence of casting votes shall be alphabetical.

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes. An individual Board member may request that a roll call vote be taken on any other matter; the President or other presiding officer may approve or deny the request but a denial is subject to being overturned by a majority vote of the members present.

Any Board member may include a written explanation of his/her vote in the District file containing individual Board member statements; the explanation will not be part of the minutes.

#### Minutes

The Board Secretary shall keep written minutes of all Board of Education meetings (whether open or closed), which shall be signed by the President and the Secretary. The minutes include:

1. The meeting's date, time, and place;
2. Board of Education members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted "yea" and "nay";

2:220

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#### **Comment [APowell1]:**

1. This policy language is unchanged, but new information was added to the footnote:

Directing the sale of district real property or buildings thereon must be approved by at least 2/3 of the board members (105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17), unless the sale is residential property constructed or renovated by students as part of a curricular program, in which case, the board could engage the services of a licensed real estate broker to sell the property for a commission not to exceed 7%, contingent upon the public listing of the property on a multiple listing service for a minimum of 14 calendar days and a sale of the property happens within 120 days.

This law originated through IASB resolutions.

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# DRAFT UPDATE

5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting;
7. A record of all motions, the members making the motion and the second; and
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

The minutes shall be submitted to the Board of Education for approval or modification at its next regularly scheduled open meeting. Minutes for open meetings must be approved within 30 days after the meeting or at the second subsequent regular meeting, whichever is later.

At least semi-annually in an open meeting, the Board: (1) reviews minutes from closed meetings that are currently unavailable for public release, and (2) decides which, if any, no longer require confidential treatment and are available for public inspection. The Board of Education may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release.

The Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require.

The official minutes are in the custody of the Board Secretary. Open meetings minutes are available for inspection during regular office hours within 10 days after the Board's approval, in the office of the Superintendent or designee, in the presence of the Secretary, the Superintendent or designee, or any Board of Education member.

Minutes from closed meetings are likewise available, but only if the Board has released them for public inspection, except that Board members may access closed session minutes not yet released for public inspection (1) in the District's administrative offices or their official storage location, and (2) in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member. The minutes, whether reviewed by members of the public or the Board, shall not be removed from the District's administrative offices or their official storage location Superintendent's office except by vote of the Board or by court order.

The Board's open meeting minutes shall be posted on the District website within 10 days after the Board approves them; the minutes will remain posted for at least 60 days.

## Verbatim Record of Closed Meetings

The Superintendent, or the Board Secretary when the Superintendent is absent, shall audio record all closed meetings. If neither is present, the Board President or presiding officer shall assume this responsibility. After the closed meeting, the person making the audio recording shall label the recording with the date and store it in a secure location. The Superintendent shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Board for every closed meeting, and (2) a secure location for storing closed meeting audio recordings is maintained within the central administrative office.

After 18 months have passed since being made, the audio recording of a closed meeting is destroyed provided the Board approved: (1) its destruction, and (2) minutes of the particular closed meeting.

Individual Board members may access listen to verbatim recordings in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member. Access to the verbatim recordings is available at the District's administrative offices or the verbatim recording's official storage location. Requests shall be made to the Superintendent or Board President, when that action is While a Board member is listening to a verbatim recording, it shall not be re-recorded or removed from the District's main office or official storage location, except by vote of the Board or by court order.

OPTION NOT RECOMMENDED

### **Comment [APowell2]:**

5 ILCS 120/2.06(e), amended by P.A. 99-515. The listed individuals in the statute are matched to the titles in the IASB Policy Reference Manual.

**OPTION:** If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body." This will also change the titles in 2:220-E1 and 2:220-E7, if implemented by the Board.

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### **Comment [APowell3]:**

The intent of the *in the presence of* language is meant to protect both (1) the verbatim recordings/closed session minutes and (2) the board members requesting access to them. It ensures that a school district official is present at all times when a requesting board member accesses the verbatim recording/closed session minutes. The requirement is meant to prevent misuse and removal of the verbatim recording/closed session minutes from the district offices or official storage location. It is also meant to protect the board member who requests the access from being alone and in a situation where he or she could potentially be accused of tampering with or taking the verbatim recording/closed session minutes.

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### **Comment [APowell4]:**

Consult the board attorney about:

1. The practice of sending an *appointed* board member to be present with a board member who requests access to verbatim recordings/closed session minutes. 105 ILCS 120/2.06(e) states, "any *elected* member of the Board;" appointed is not listed but is mentioned elsewhere in the language of this section of the law;
2. Access to verbatim recordings/closed session minutes by other officials employed by the district, e.g., superintendent or other high-level administrators and even the board attorney; and
3. How this law affects the sharing of closed session minutes with board members prior to a meeting at which the closed session minutes will be approved.

The intent of P.A. 99-515 was to manage a board member's *individual* request for access to these items in his or her individual capacity (see 2:80, *Board Member Oath and Conduct*), not change prior practices in regard to other officials and board attorneys or the required work of school boards under various laws. While many attorneys do not interpret the new law to restrict access or change procedures for these other high-level school officials and attorneys employed by the district, some attorneys do and it is important to obtain legal advice on this specific issue.

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Before making such requests, Board members should consider whether such requests are germane to their responsibilities, service to District, and/or Oath of Office in policy 2:80, Board Member Oath and Conduct. In the interest of encouraging free and open expression by Board members during closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections.

RECOMMEND RETAINING

## Quorum and Participation by Audio or Video Means

A quorum of the Board must be physically present at all Board meetings. A majority of the full membership of the Board of Education constitutes a quorum.

Provided a quorum is physically present, a Board member may attend a meeting by video or audio conference. A Board member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Board meeting including voting on any item.

## Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use Robert's Rules of Order, Newly Revised (10th Edition), as a guide when a question arises concerning procedure.

## Broadcasting and Recording Board Meetings

Any person may record or broadcast an open Board meeting. Special requests to facilitate recording or broadcasting an open Board meeting, such as seating, writing surfaces, lighting, and access to electrical power, should be directed to the Superintendent at least 24 hours before the meeting.

Recording meetings shall not distract or disturb Board members, other meeting participants, or members of the public. The Board President may designate a location for recording equipment, may restrict the movements of individuals who are using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meeting.

LEGAL REF.: 5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.  
105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:200 (Types of Board of Education Meetings), 2:150 (Committees), 2:210 (Organizational Board of Education Meeting), 2:230 (Public Participation at Board of Education Meetings and Petitions to the Board)

ADOPTED: December 17, 2012

### Comment [APowell5]:

This paragraph is optional. It provides boards an opportunity to discuss and encourage each member to carefully think about purposes for their requests to listen to verbatim recordings, which historically has been and should continue to be to "access information relevant to the exercise of duties" for the public body. Intra-board conflicts may escalate if the recording is used to confirm or dispute who-said-what. Prior to P.A. 99-515, the Open Meetings Act did (and still does) allow boards to release these types of information (5 ILCS 120/2.06(e)). Further, Att'y Gen. Op. 32, 1996, opined that board members cannot be denied access to information relevant to the exercise of his or her duties. Board members should evaluate whether their requests under P.A. 99-515 are "relevant to the exercise of their duties" before making such requests. Confirming or disputing who-said-what diverts resources away from operations of the district in educating its students. Additional considerations in listening to verbatim recordings may include personnel and student records confidentiality issues, which should be discussed with the board attorney.

Issue 93, October 2016

# DRAFT UPDATE

River Forest School District 90

2:220-E1

## Board of Education

### Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes

The following procedures are suggested for the verbatim audio recordings and minutes of Board of Education meetings that are closed to the public.

| Actor  | Action  |
|--|---|
| Before any Board meeting:<br>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.<br><br>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.   |
| Before a closed meeting:<br>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 authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.   |
| Before a closed meeting:<br>Superintendent or Board Secretary            | Immediately before a closed meeting, tests and activates the audio recording device.  |
| During a closed meeting:<br>Board President or presiding officer         | Convenes the closed meeting stating:<br><br>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.<br><br>Limits discussion to the topics that were included in the motion to go into a closed meeting.<br><br>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.<br><br>Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time. |
| After a closed meeting:<br>Superintendent, Recording Secretary, or Board | <b>For Verbatim Recordings:</b><br>Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and   |

#### Comment [APowell1]:

While the responsibilities for the *preparation and storage* of verbatim recordings and closed session minutes may be delegated to anyone, 5 ILCS 120/2.06(e), amended by P.A. 99-515 (adding another purpose for access to verbatim recordings and closed session minutes) requires certain individuals to be present when seated board members request access to these items, which in these instances will not allow delegation by the superintendent, recording secretary, or board secretary in the context of supervising access to closed session minutes and verbatim recordings only. Delegation is appropriate in all other circumstances.

Access to these items no longer requires board approval and must be provided in the public body's main office or official storage location, *in the presence of:*

- a. A records secretary,
- b. An administrative official of the board, or
- c. Any elected board member.

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| Actor   | Action  |
|---|---|
| Secretary                                     | <p>items discussed.</p> <p>Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings.</p> <p>As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.</p> <p><u>Upon request of a Board member:</u></p> <ol style="list-style-type: none"> <li>1. <u>Provides access to the verbatim recordings minutes at a reasonable time and place without disrupting District operations;</u></li> <li>2. <u>Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District:</u> <ol style="list-style-type: none"> <li>a. <u>The Recording Secretary.</u></li> <li>b. <u>The Superintendent or designated administrator, or</u></li> <li>c. <u>Any elected Board member; and</u></li> </ol> </li> <li>4.3. <u>Logs the access to the recordings in 2:220-E7, Access to Closed Meeting Minutes and Verbatim Recordings.</u></li> </ol> <p><b><u>For Closed Meeting Minutes:</u></b></p> <p>Prepares written closed meeting minutes that include:</p> <ul style="list-style-type: none"> <li>• The date, time, and place of the closed meeting</li> <li>• The Board members present and absent</li> <li>• A summary of discussion on all matters proposed or discussed</li> <li>• The time the closed meeting was adjourned</li> </ul> <p><u>Upon request of a Board member:</u></p> <ol style="list-style-type: none"> <li>1. <u>Provides access to the closed session minutes at a reasonable time and place without disrupting District operations;</u></li> <li>2. <u>Supervises the access to the closed session minutes or delegates it to one of the following individuals in the District:</u> <ol style="list-style-type: none"> <li>a. <u>The Recording Secretary.</u></li> <li>b. <u>The Superintendent or designated administrator, or</u></li> <li>c. <u>Any elected Board member; and</u></li> </ol> </li> <li>4.3. <u>Logs the access in 2:220-E7, Access to Closed Meeting Minutes and Verbatim Recordings.</u></li> </ol> |
| After a closed meeting:<br>Board of Education | Approves the previous closed meeting minutes at the next open meeting.  |

# DRAFT UPDATE

| Actor  | Action  |
|--|---|
| <p><i>In preparation for the semi-annual review:</i><br/>Superintendent or designee</p>            | <p>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.</p> <p>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.</p> <p>If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda.</p> <p>Places "result of Board's review of unreleased closed meeting minutes" on a subsequent open meeting agenda.</p> |
| <p><i>In preparation for the semi-annual review:</i><br/>Individual Board of Education members</p> | <p>Before the meetings in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent.</p> <p>Individual Board members should consider: (1) the Superintendent's recommendation, (2) the recommendation of the attorney representing the District, (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.</p>  |
| <p><i>During the semi-annual review:</i><br/>Board of Education</p>                                | <p>During an open meeting, decides whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p>The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.</p> <p>During the semi-annual review, 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.</p>   |
| <p><i>After the semi-annual review:</i><br/>Superintendent or designee</p>                         | <p>Re-labels and re-files closed meeting minutes as appropriate.</p>  |
| <p><i>Monthly, beginning July 2005:</i><br/>Board President</p>                                    | <p>Adds "destruction of closed meeting audio recording" as an agenda item to an upcoming open meeting.</p>  |
| <p><i>Monthly, beginning July 2005:</i><br/>Board of Education</p>                                 | <p>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.</p>   |

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

DATED: ~~March 19, 2007~~

# DRAFT UPDATE

River Forest School District 90

2:220-E2

## Board of Education

### Exhibit – 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. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act. 5 ILCS 120/2(c)(1), amended by P.A. 99-646.
- 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-judicative body, as defined in this 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, school building safety and security, 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), amended by P.A. 99-235.
- 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 lawfully closed meeting minutes, 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).

**Comment [APowell1]:**  
Updated in response to 5 ILCS 120/2(c)(1), amended by P.A. 99-646.  
Issue 93, October 2016

#### Closed Meeting Roll Call:

| "Yeas" | "Nays" |
|--------|--------|
|        |        |

Motion carried.

# ***DRAFT UPDATE***

DATED: January 19, 2016



# ***DRAFT UPDATE – NEW TO DISTRICT***

2:220-E4

## **School Board**

### **Exhibit - Open Meeting Minutes** <sup>1</sup>

#### **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, *School Board 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~~ **CONTENT IS GENERALLY INCLUDED IN MEETING MINUTES -**

#### **Open Meeting Minutes**

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

<sup>1</sup> Other than the required inclusions, the listed meeting protocols are at the board's discretion. They should facilitate a discussion and common understanding concerning what the board wants recorded in its meeting minutes. The required inclusions for meeting minutes are: (5 ILCS 120/2.06)

1. The meeting's date, time, and place;
2. Board members recorded as either physically present, remotely present, or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted *yea* and/or *nay*;
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting; and
6. When a vote is taken to hold a closed meeting, the vote of each member and the reason for the closed meeting with a citation to the specific exception authorizing the closed meeting.

# DRAFT UPDATE – NEW TO DISTRICT

Location: \_\_\_\_\_

Type of meeting:  Regular  Special  Reconvened or rescheduled  Emergency

Name of person taking the minutes: \_\_\_\_\_

Name of person presiding: \_\_\_\_\_

Members in attendance:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

Members absent:

- 1.
- 2.
- 3.

Members in attendance remotely:

- 1.
- 2.
- 3.

## Approval of Agenda

List any items removed from the consent agenda:

Motion made by: \_\_\_\_\_

Motion:  To approve  
 To add items as follows: *(No action may be taken on new agenda items.)*

Motion seconded by: \_\_\_\_\_

Action:  Passed  Failed

## Approval of Previous Meeting Minutes *(Needed only if this item is not on the consent agenda.)*

Minutes from the Board meeting held on: \_\_\_\_\_

Motion made by: \_\_\_\_\_

Motion:  To approve  
 To approve subject to incorporation of the following amendment(s):

Motion seconded by: \_\_\_\_\_

Action:  Passed  Failed

**Approval of Items on Consent Agenda** *(This may include expense advancements, reimbursements, and/or purchase orders regulated by the Local Government Travel Expense Control Act (see Board policies 2:125, Board Member Compensation; Expenses, and 5:60, Expenses))*

Summary of discussion:

Motion to approve the consent agenda made by: \_\_\_\_\_

Motion seconded by: \_\_\_\_\_

Roll Call: *(Needed when consent agenda contains an item involving the expenditure of money.)*

**Comment [APowell1]:**  
Updated to implement the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.  
Issue 93, October 2016

# DRAFT UPDATE – NEW TO DISTRICT

“Yeas”

“Nays”

Action:  Passed  Failed

**Public Comments** (*Reproduce this section for each individual making a comment.*)

The following individual appeared and commented on the topic noted below: (*Include the title of any documents presented to the Board.*)

Name: \_\_\_\_\_

Topic: \_\_\_\_\_

**Remaining Agenda Items** (*Reproduce this section for each agenda item.*)

Agenda item: \_\_\_\_\_

Summary of discussion: \_\_\_\_\_

Motion made by: \_\_\_\_\_

Motion to: \_\_\_\_\_

Motion seconded by: \_\_\_\_\_

Action:  Passed  Failed

(*If a roll call vote occurred, record the vote of individual Board members.*)

“Yeas”

“Nays”

**If Applicable, Approval of Motion to Adjourn to Closed Meeting** (*Insert 2:220-E2, Motion to Adjourn to Closed Meeting.*)

**Approval of Motion to Adjourn**

Motion to adjourn made by: \_\_\_\_\_

Motion seconded by: \_\_\_\_\_

Action:  Passed  Failed

Time of adjournment: \_\_\_\_\_

**Post-Meeting Action**

Date minutes approved: \_\_\_\_\_

Date minutes were available for public inspection: \_\_\_\_\_

Date minutes were posted on District website: \_\_\_\_\_

DATED:

# DRAFT UPDATE – NEW TO DISTRICT

2:220-E5

## School Board

### Exhibit - 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; (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*), and (4) maintains logs for access to closed session minutes pursuant to 5 ILCS 120/2.06(e), amended by P.A. 99-515.

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

The Board 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

**Comment [APowell1]:**  
Exhibit is updated in response to P.A. 99-515.  
Issue 93, October 2016

***DRAFT UPDATE – NEW TO DISTRICT***

DATED:

# DRAFT UPDATE – NEW TO DISTRICT

2:220-E6

## School Board

### Exhibit - 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; however, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act]. 5 ILCS 120/2(c)(1), amended by P.A. 99-646. |                          |  |  |
| 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   |                          |  |  |

**Comment [APowell1]:**  
Updated in response to P.A. 99-646.  
Issue 93, October 2016

## **DRAFT UPDATE – NEW TO DISTRICT**

| Closed Session Held to Discuss:   | Dates of Closed Sessions |  |  |
|---|--------------------------|--|--|
| 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>   |                          |  |  |
| 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:

# DRAFT UPDATE – NEW

2:220-E7

## School Board

### Exhibit - Access to Closed Meeting Minutes and Verbatim Recordings

The Board must allow its duly elected officials or appointed officials filling a vacancy of an elected office access to closed session minutes and verbatim recordings (5 ILCS 120/2.06(e)), amended by P.A. 99-515. The following subheads implement the logistics of granting this access.

*Note: If the board wishes to mirror the statutory language, replace checkboxes below with: " Records Secretary;  Administrative official of the public body; and  Any elected official of the public body."*

#### Access to Closed Meeting Minutes

Duplicate this section for each grant of access to closed meeting minutes.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Storage Location: \_\_\_\_\_

Name of person(s) responsible for storing the closed meeting minutes: \_\_\_\_\_

Access granted

Date access occurred: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

Requesting Board member's name (Please print) \_\_\_\_\_

In the presence of: (Check appropriate box and insert name on line.)

Recording Secretary \_\_\_\_\_

Superintendent or designated administrator \_\_\_\_\_

Elected Board member \_\_\_\_\_

**For requesting Board member:** (Read the following and sign below.)

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Board of Police Commissioners, 555 N.E. 2d 35 (1990)), I acknowledge and understand that any disclosures by me of information in the closed session minutes not yet released to the public could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

\_\_\_\_\_  
Requesting Board Member Signature

\_\_\_\_\_  
Date

#### Verbatim Recording Access

Duplicate this section for each grant of access to verbatim recordings.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Storage Location: \_\_\_\_\_

Name of person(s) responsible for storing the verbatim recording: \_\_\_\_\_

Access granted

Date access occurred: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

Requesting Board member's name (Please print) \_\_\_\_\_

In the presence of: (Check appropriate box and insert name on line.)

**Comment [APowell1]:**

This exhibit is added in response to P.A. 99-515 as a sample for logistical implementation.

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] NOT RECOMMENDED



# ***DRAFT UPDATE – NEW***

Recording Secretary \_\_\_\_\_

Superintendent or designated administrator \_\_\_\_\_

Elected Board member \_\_\_\_\_

Access denied       Access unavailable. Verbatim recording requested is older than 18 months and was destroyed pursuant to 5 ILCS 120/2.06(c).

**For requesting Board member:** *(Read the following and sign below.)*

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Board of Police Commissioners, 555 N.E. 2d 35 (1990)), I acknowledge and understand that any disclosures by me of information in the verbatim recordings could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

\_\_\_\_\_  
Requesting Board Member Signature

\_\_\_\_\_  
Date

DATED:

# DRAFT UPDATE – NEW

2:220-E8

## School Board

### Exhibit - School Board Records Maintenance Requirements and FAQs

**Comment [APowell1]:**

This exhibit is added to provide new resources. It is optional and is not related to any current legislation.

Issue 93, October 2016

#### Open Meetings Act

The Open Meetings Act (OMA) requires public bodies to “keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording.” 5 ILCS 120/2.06(a). Minutes must include, but are not limited to: (1) the date, time, and place of the meeting; (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (3) a summary of discussion on all matters proposed, deliberated, or decided, and record of any votes taken. *Id.*

The remainder of Section 2.06 addresses the approval of open meeting minutes, the treatment of verbatim recordings of closed meetings, the semi-annual review of closed meeting minutes, the confidential nature of closed meeting minutes, and the right of persons to address public officials under rules established and recorded by the public body. The requirements of Section 2.06, as well as OMA requirements pertaining to Board agendas, are included in policy 2:220, *School Board Meeting Procedure*.

Exhibit 2:220-E3, *Closed Meeting Minutes*, provides a sample template for keeping closed meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also includes an area to designate if the Board has determined, pursuant to Section 2.06(d), that the closed meeting minutes no longer need confidential treatment.

Exhibit 2:220-E4, *Open Meeting Minutes*, contains an open meeting minute’s protocol that incorporates the requirements of Section 2.06 of OMA. It also provides a sample template for keeping open meeting minutes.

Exhibit 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*, contains a process for implementing the semi-annual review of closed meeting minutes, and exhibit 2:220-E6, *Log of Closed Meeting Minutes*, is designed to facilitate this semi-annual review.

#### Local Records Act

The Local Records Act (LRA) provides that public records, including “any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connections with the transaction of public business and preserved or appropriate for preservation by such agency or officer” must be preserved unless the State Local Records Commission has given permission to destroy those records. 50 ILCS 205/3 and 7. Board records, including agendas, meeting packets and meeting minutes, fall into this definition.

Public bodies located in Cook County must work with the Local Records Commission of Cook County to determine how long they must retain public records. Public bodies located outside of Cook County must work with the Downstate Local Records Commission to determine how long they must retain public records.

Policy 2:250, *Access to District Public Records*, contains a subhead entitled **Preserving Public Records** which provides as follows:

## ***DRAFT UPDATE – NEW***

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request. Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

See the sample policy, 2:200, *School Board Meeting Procedure*, for all relevant footnotes. Also see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*, for recommendations regarding school district records retention protocols and links to web-based record management resources.

### Open Meeting Minutes

| <b>Are you required to approve them?</b>   | <b>Must they be semi-annually reviewed?</b>   | <b>May you release them to the public?</b>   | <b>May you destroy them?</b>   |
|--|---|--|--|
| <p>Yes, within 30 days or at the next subsequent meeting, whichever is later.</p> <p><i>A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later. 5 ILCS 120/2.06(b).</i></p> | <p>No.</p> <p>Unlike the closed meeting requirement, OMA does not contain semi-annual review requirements for open meeting minutes.</p> | <p>Yes, must within ten days after minutes are approved.</p> <p><i>The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days after the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting. 5 ILCS 120/2.06(b).</i></p> | <p>No.</p> <p>There is no OMA provision permitting the destruction of open meeting minutes, and they <b>must be preserved unless the State Local Records Commission has given permission to destroy them.</b></p> <p>If a public body would like to destroy open meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.</p> |

# DRAFT UPDATE – NEW

## Open Meeting Verbatim Recordings

| Are you required to approve them?   | Must they be semi-annually reviewed?   | May you release them to the public?   | May you destroy them?   |
|---|--|---|---|
| <p>No.</p> <p>OMA does not require public bodies to approve verbatim recordings of open meetings.</p> | <p>No.</p> <p>Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings. OMA does not contain semi-annual review requirements for open meeting verbatim recordings.</p> | <p>Yes.</p> <p>Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings. If a public body makes verbatim recordings of open meetings, then such recordings are subject to public disclosure pursuant to the Freedom of Information Act (5 ILCS 140/).</p> | <p>Possibly.</p> <p>If a public body would like to destroy open meeting verbatim recordings, then it must comply with the LRA and work with its Local Records Commission.</p> |

## Closed Meeting Minutes

| Are you required to approve them?  | Must they be semi-annually reviewed?   | May you release them to the public?   | May you destroy them?   |
|--|--|---|---|
| <p>Yes.</p> <p>OMA does not directly state public bodies are required to approve closed meeting minutes, nor does it set a time frame for such approval. However, OMA Section 2.06(d) requires public bodies to meet at least semi-annually to “review minutes of all closed meetings.” 5 ILCS 120/2.06(d).</p> <p>Moreover, OMA Section 2.06(c) specifically allows the destruction of closed meeting verbatim recordings only if certain conditions are met, one of which is that “the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.” 5 ILCS 120/2.06(c)(2). Both of these tasks would be difficult to achieve if closed meeting minutes were not first approved.</p> <p>One practice is to approve</p> | <p>Yes.</p> <p><i>Each public body shall periodically, but not less than semi-annually, meet to review all existing minutes of all prior closed meetings (this includes records from all time that the board has been in existence). At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.</i> 5 ILCS 120/2.06(d).</p> | <p>Yes, if prerequisites are met.</p> <p><i>Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.</i> 5 ILCS 120/2.06(f).</p> | <p>No.</p> <p>There is no OMA provision permitting the destruction of closed meeting minutes, and they <b>must be preserved unless the State Local Records Commission has given permission to destroy them.</b></p> <p>In addition, per OMA Section 2.06(f), as amended by P.A. 99-515:</p> <p><i>No minutes of meetings closed to the public shall be removed from the public body’s main office or official storage location, except by vote of the public body or by court order.</i> 5 ILCS 120/2.06(f).</p> <p>If a public body would like to destroy closed meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would</p> |

## **DRAFT UPDATE – NEW**

| Are you required to approve them?   | Must they be semi-annually reviewed? | May you release them to the public? | May you destroy them?         |
|---|--------------------------------------|-------------------------------------|-------------------------------|
| closed meeting minutes within the same time frame that open meeting minutes are approved – within 30 days of the meeting or at the next subsequent meeting, whichever is later. |                                      |                                     | approve of their destruction. |

### Closed Meeting Verbatim Recordings

| Are you required to approve them?   | Must they be semi-annually reviewed?  | May you release them to the public?  | May you destroy them?  |
|---|---|--|--|
| No.<br><br>OMA does not require approval of closed meeting verbatim recordings. | No.<br><br>OMA does not require semi-annual review of closed meeting verbatim recordings. | Possibly but unlikely.<br><br><i>Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act.</i> 5 ILCS 120/2.06(e).<br><br>But see <u>Kodish v. Oakbrook Terrace Fire Protection District</u> (235 F.R.D. 447 (N.D. IL 2006)), where a federal district court ordered that closed meeting verbatim recordings be disclosed to the Plaintiff in discovery because his primary claim was brought under federal law. | Yes, after 18 months if prerequisites are met.<br><br><i>The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after: 1.) the public body approves the destruction of a particular recording; and 2.) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.</i> 5 ILCS 120/2.06(c).<br><br>In addition, per OMA Section 2.06(f), as amended by P.A. 99-515:<br><br><i>No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order.</i> 5 ILCS 120/2.06(e). |

DATED:

# DRAFT UPDATE

River Forest School District 90

4:60

## Operational Services

### Purchases

Adoption of the annual budget authorizes the Business Manager to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items not included in the budget require prior Board of Education approval, except in an emergency.

When presenting a contract or purchase for Board approval, the Superintendent or designee shall ensure that it complies with applicable State law, including but not limited to, those specified below:

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 et seq.
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21. The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.

~~6.~~ Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).

~~7.~~ The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*.

~~8.~~ Each contractor with the District is bound by each of the following:

- a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and 5/21B-80(c) to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (23) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.
- b. In accordance with 105 ILCS 5/24-5: (1) concerning each employee who begins providing services in the District after June 16, 2014, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Illinois Department of Public Health rules or order of a local health official.

**Comment [APowell1]:**  
105 ILCS 5/10-20.21(b-10),  
added by P.A. 99-552

Issue 93, October 2016

**Comment [APowell2]:**  
Updated in response to 105 ILCS 5/21B-80, amended by P.A. 99-667.

Issue 93, October 2016

**Comment [APowell3]:**  
See 5:30-AP2, *Investigations*, for a list of offenses that disqualify an individual from having direct, daily contact with one or more students until seven years following the end of the individual's sentence for the criminal offense.

Issue 93, October 2016

# ***DRAFT UPDATE***

The Superintendent or designee shall: (1) execute the reporting and website posting mandates in State law concerning District contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided.

Whenever practical, informal quotations will be obtained on all other expenditures. Major District procedures and/or project expenditures shall be subject to approval by the Board prior to committing any funds for same.

## Requisitions

No employee shall make direct expenditures or purchases, except through the use of petty cash funds, without a properly computed and executed requisition.

LEGAL REF.: 105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., and 5/24-5.  
820 ILCS 130/.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; ~~Criminal Background Check and/or Screening; Notifications~~)

ADOPTED: ~~November 17, 2014~~

# DRAFT UPDATE

River Forest School District 90

4:110

## Operational Services

### Transportation

Free transportation services and vehicle adaptation for special education students shall be provided if included in the students' individualized educational programs. The District may provide transportation to and from school-sponsored activities. Non-public school students shall be transported in accordance with State law. Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act.

Bus schedules and routes shall be determined by the Superintendent or designee and shall be altered only with the Superintendent or designee's approval and direction. In setting the routes, the pick-up and discharge points shall be reasonably safe for students.

No school employee may transport students in school or private vehicles unless authorized by the administration.

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Illinois Department of Transportation regulations. The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) is bearing one or more students. The Superintendent shall implement procedures in accordance with State law for accepting comment calls about school bus driving.

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers. All contracts for transportation services shall be in accordance with the requirements of State law.

### Pre-Trip and Post-Trip Vehicle Inspection

The Superintendent or designee shall develop and implement a pre-trip and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio or cellular radio telecommunication device and ensures that it is functioning properly before the bus is operated, and (2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day, to check the bus for children or other passengers in the bus.

LEGAL REF.: Elementary and Secondary Education Act, 20 U.S.C. §6312(c)(5)(B).  
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.  
105 ILCS 5/10-22.22 and 5/29-1 et seq.  
105 ILCS 45/1-15.  
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813, 5/12-813.1, 5/12-815,  
5/12-816, 5/12-821, and 5/13-109.  
23 Ill.Admin.Code §§1.510 and 226.750; Part 120.  
92 Ill.Admin.Code §440-3.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Ethics and Conduct),  
5:280 (Educational Support Personnel - Duties and Qualifications), 6:140  
(Education of Homeless Children), 6:170 (Title I Programs), 7:220 (Bus  
Conduct)

ADOPTED: February 17, 2015

#### **Comment [APowell1]:**

Required if the district receives Title I funds (20 U.S.C. §6312(c)(5)(B)). Districts are required to collaborate with the State or local child welfare agency to, by December 10, 2016, develop and implement clear written procedures governing how transportation to maintain children in foster care in the school of origin (when in their best interest) will be provided, arranged, and funded for the duration of their time in foster care. Effective December 10, 2016, ESEA foster care transportation requirements also apply to students awaiting foster care placement. See footnote 8 of this policy, available at PRESS Online, for a definition of *foster care student*.

Issue 93, October 2016



# DRAFT UPDATE

River Forest School District 90

4:175

## Operational Services

### Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications

#### Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions:

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the Board of Education, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child's vicinity. If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school.

#### Criminal Background Check and/or Screening

The Superintendent or designee shall perform ~~the fingerprint-based criminal history records information checks and/or criminal background check and/or screenings~~ required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. He or she shall take appropriate action based on the result of any criminal background check and/or screen.

#### Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

#### **Comment [APowell1]:**

The policy and Cross References are updated to:  
1. Align with 5:260, *Student Teachers*, which is updated in response to 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80, amended by P.A. 99-667;  
2. Clarify School Code requirements for student teacher *fingerprint-based criminal history records checks*.

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

The School Code requires school districts to perform a *fingerprint-based criminal history records check* through (a) the Illinois State Police (ISP) for an individual's Criminal History Records Information (CHRI) and (b) the FBI's national crime information databases (105 ILCS 5/10-21.9(a), (a-5) and (a-6)).

Screening only involves checking an individual's name and address against publicly-available databases and information provided for local law enforcement like the: (1) Illinois Sex Offender Registry, [www.isp.state.il.us/sor/](http://www.isp.state.il.us/sor/), and (2) the Violent Offender Against Youth Registry maintained by the State Police, [www.isp.state.il.us/cmvo/](http://www.isp.state.il.us/cmvo/).

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# ***DRAFT UPDATE***

LEGAL REF.: 20 ILCS 2635/, Uniform Conviction Information Act.  
720 ILCS 5/11-9.3.  
730 ILCS 152/, Sex Offender Community Notification Law.  
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community  
Notification Law.

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community  
Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School  
Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: August 18, 2014

# DRAFT UPDATE

River Forest School District 90

5:10

## General Personnel

### Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race, color, creed, religion, national origin, sex, sexual orientation, age, ancestry, marital status, arrest record, military status, order of protection status, or unfavorable military discharge, citizenship status provided the individual is authorized to work in the United States, use of lawful products while not at work, being a victim of domestic or sexual violence, genetic information, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position, or other legally protected categories. No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/.

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

### Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Superintendent shall insert into this policy the titles, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

### Nondiscrimination Coordinator:

|               |  |
|---------------|--|
| Position      | <u>Edward Condon, Superintendent.</u>                    |
| Address       | <u>7776 Lake Street</u><br><u>River Forest, IL 60305</u> |
| Email:        | <u>condone@district90.org</u>                            |
| Telephone No. | <u>708/771-8282</u>                                      |

### Complaint Managers:

|          |   |  |
|----------|---|--|
| Position | <u>Director of <del>Student Services</del><br/>CURRICULUM AND INSTRUCTION</u> | <u>Anthony Cozzi, Director of Finance<br/>and Facilities</u> |
| Address  | <u>7776 Lake Street</u><br><u>River Forest, IL 60305</u>                      | <u>7776 Lake Street</u><br><u>River Forest, IL 60305</u>     |
| Email:   | <u>hawleya@district90.org</u>   | <u>cozzia@district90.org</u>                                 |

# ***DRAFT UPDATE***

Telephone No. 708/771-8282

708/771-8282

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks.

## Minority Recruitment **ACTIVELY.**

The District will ~~attempt to~~ recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

# DRAFT UPDATE

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.  
Americans With Disabilities Act, Title I, 42 U.S.C. §12111 et seq.  
Civil Rights Act of 1991, ~~29 U.S.C. §§621 et seq.~~ 42 U.S.C. §1981 et seq. ~~§2000e et seq., and §12401 et seq.~~  
Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.  
Equal Pay Act, 29 U.S.C. §206(d).  
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.  
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.  
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.  
Pregnancy Discrimination Act, 42 U.S.C. §2000e(k).  
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq., 34 C.F.R. Part 106.  
Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.  
Ill. Constitution, Art. I, §§17, 18, and 19.  
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.  
Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/40.  
Genetic Information Protection Act, 410 ILCS 513/25.  
Ill. Whistleblower Act, 740 ILCS 174/.  
Ill. Human Rights Act, 775 ILCS 5/1-103, 5/2-102, 5/2-103, and 5/6-101.  
Religious Freedom Restoration Act, 775 ILCS 35/5.  
Right to Privacy in the Workplace Act, 820 ILCS 55/10.  
Employee Credit Privacy Act, 820 ILCS 70/.  
Job Opportunities for Qualified Applicants Act, 820 ILCS 820 ILCS 75/.  
Ill. Equal Pay Act of 2003, 820 ILCS 112/.  
Victims' Economic Security and Safety Act, 820 ILCS 180/30.  
Nursing Mothers in the Workplace Act, 820 ILCS 260.  
~~23-III.Admin.Code §1-230.~~

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria, 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment, At-Will, Compensation, and Assignment), 5:300, (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

ADOPTED: February 17, 2015

## Comment [APowell1]:

Legal References are updated in response to Privacy in the Workplace Law, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17.

Issue 93, October 2016

# DRAFT UPDATE – REWRITTEN

5:60

ALIGNS WITH 2:125 -  
BOARD MEMBER  
COMPENSATION

## General Personnel

### Expenses<sup>1</sup>

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution.<sup>2</sup> Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee,<sup>3</sup> (2) anyone's personal expenses,<sup>4</sup> or (3) entertainment expenses.<sup>5</sup> Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.<sup>6</sup> Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:<sup>7</sup>

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and title of the employee who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.<sup>8</sup>

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

<sup>1</sup> State law controls this policy's content (105 ILCS 5/10-9, 5/10-10, and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses)). The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter due to other requirements in the law, the implementation deadline will be 3-2-17; see the third paragraph in fn 3 of policy 2:125, *Board Member Compensation; Expenses*.

<sup>2</sup> 105 ILCS 5/10-22.32 states that "[t]he school board may advance to teachers and other certified employees the anticipated actual and necessary expenses incurred in attending meetings that are related to that employee's duties and will contribute to the professional development of that employee." This policy expands beyond those two categories (105 ILCS 5/10-20) of employees, and the limited purpose of attending meetings, to reimburse all employees for approved expenses necessary for the employee to perform his or her duties.

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. If a local collective bargaining agreement contains a provision on expenses, consult the board attorney about how this policy may impact it.

<sup>3</sup> 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. See fns 4 through 8 in policy 2:125, *Board Member Compensation; Expenses*, for more discussion.

For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*.

<sup>4</sup> 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses to be advanced or reimbursed to any person other than a board member or employee of the district.

<sup>5</sup> Optional. *Personal expenses* are not defined in 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

<sup>6</sup> 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17.

<sup>7</sup> *Id.*

<sup>8</sup> 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32); the ECA requires submission of itemized, signed, standardized forms. Both 5:60-E1, *Employee Expense Reimbursement Form* and 5:60-E2, *Employee Estimated Expense Approval Form* incorporate *voucher* into the ECA's requirement to use standardized forms. See fn 11 below, and see also fn 20 of policy 2:125, *Board Member Compensation; Expenses*, for more discussion.

<sup>9</sup> *Id.* at (2) and (3). This sentence mirrors the statute. The term *offices* is not defined. Consult the board attorney about whether inserting *job titles* would be sufficient for this requirement.

#### Comment [APowell1]:

This policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.

The footnote material is provided here for your information; once this policy has been adopted, the footnotes and copyright information will be removed.

Issue 93, October 2016

## ***DRAFT UPDATE – REWRITTEN***

3. The date(s) of the official business on which the expense advancement, reimbursement, or purchase order will be or was expended.<sup>9</sup>
4. The nature of the official business conducted when the expense advancement, reimbursement, or purchase order will be or was expended.<sup>10</sup>

### Advancements

The Superintendent may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development,<sup>11</sup> provided they fall below the maximum allowed in the Board's expense regulations.<sup>12</sup>

Expense advancement requests must be submitted to the Superintendent or designee on the District's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts.<sup>13</sup> Any portion of an expense advancement not used must be returned to the District.<sup>14</sup> Expense advancements and vouchers shall be presented to the Board in its regular bill process.

### Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Superintendent or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

Expense reimbursements and purchase order approvals are not guaranteed and, when possible, employees should seek pre-approval of expenses<sup>15</sup> by providing an estimation of expenses on the District's standardized estimated expense approval form for employees, except in situations when the expense is diminutive. When pre-approval is not sought, employees must seek reimbursement on the

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

<sup>9</sup> *Id.* at (4).

<sup>10</sup> *Id.*

<sup>11</sup> 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This statute addresses expense advancements for certain activities; its language pre-dates the ECA and is narrower than the ECA. This policy seeks to reconcile the differences by separating advancements into a separate subhead. See *f/n* 7 above, and see also *f/n* 20 of policy 2:125, *Board Member Compensation; Expenses*, for more discussion.

<sup>12</sup> 50 ILCS 150/10 and 20, added by P.A. 99-604, eff. 1-1-17. This phrase recognizes that while advancements are allowed in these situations, they should remain below the MARA set by the board.

<sup>13</sup> 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17.

<sup>14</sup> This paragraph's provisions are required by 105 ILCS 5/10-22.32.

<sup>15</sup> Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense pre-approvals. 50 ILCS 150/20 states: "an *estimate* if expenses have not been incurred ..." or "a *receipt* ... if the expenses have already been incurred," suggesting no pre-approval is necessary. However, pre-approval is a best practice, and an employee who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements* reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 5:60-E2, *Employee Estimated Expense Approval Form*. The form provides three methods for employees to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

# ***DRAFT UPDATE – REWRITTEN***

District's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

## Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.

## Exceeding the Maximum Allowable Expense Amount(s) 16

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.<sup>17</sup>

## Registration 18

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

## Travel

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

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

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

16 50 ILCS 150/1 does not define *maximum allowable reimbursement amount* (MARA). Consult the board attorney to assist with a conversation about how much authority the board wishes to delegate to the superintendent for purposes of setting the MARA. Topics for these conversations are listed in *fn 8* of policy 2:125, *Board Member Compensation; Expenses*.

17 50 ILCS 150/10 and 15. See *fn 13* in policy 2:125, *Board Member Compensation; Expenses* for more discussion.

18 Amend the language in subheads *Registration, Travel, Meals, Lodging, and Miscellaneous Expenses* to align with the MARA defined in the board's expense regulation resolution. See 2:125-E3, *Resolution to Regulate Expense Reimbursements* for a sample resolution.

See *fn 4* in policy 2:125, *Board Member Compensation; Expenses*, for further discussion about the board's power to set the expense regulations by policy (105 ILCS 5/10-20) and *fn 8* for considerations and unanswered questions surrounding its statutorily-imposed duty to set a MARA (50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17).



# DRAFT UPDATE – REWRITTEN

## Meals

Meals charged to the District should represent mid-fare selections for the hotel/meeting facility or general area.<sup>19</sup> Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

## Lodging

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Employees should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.

## Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-22.32.  
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

NO OPTION RECOMMENDED

### Comment [APowell2]:

OPTION: Alternatively, a board could set a daily limit on meal costs:  
Employees will be reimbursed for meal costs and tips up to \$\_\_\_\_\_per day consistent with the maximum reimbursement amount(s) set by the Board.

Ensure this amount is consistent with the Maximum Allowable Expense Amount set by the Board resolution.

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

<sup>19</sup> Alternatively, a board could set a daily limit on meal costs, such as:

Employees will be reimbursed for meal costs and tips up to \$\_\_\_\_\_per day consistent with the maximum reimbursement amount(s) set by the Board.

But see also ¶n 8 of policy 2:125, *Board Member Compensation; Expenses* and ensure this amount is consistent with the MARA set by the board resolution.

**BOARD OF EDUCATION OF RIVER FOREST PUBLIC SCHOOLS DISTRICT 90  
RESOLUTION APPROVING TRAVEL, MEAL AND LODGING POLICY**

WHEREAS, the Illinois General Assembly has recently enacted Public Act 99-0604, known as the "Local Government Travel Expense Control Act", which Act becomes effective on January 1, 2017; and

WHEREAS, pursuant to the Act, non-home rule units of local government, including school boards, are required to establish regulations with respect to allowable travel expenses;

NOW, THEREFORE, be it ordained by the Board of Education of River Forest Public Schools District 90 as follows:

Section 1. The recitals set forth hereinabove shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. The Board of Education has prepared Board Policy Nos. 2:125 and 5:60, which regulate the reimbursement of all travel, meal, and lodging expenses of Board members, administrators, and employees. A copy of Board Policy Nos. 2:125 and 5:60, and the applicable attachments, are attached hereto.

Section 3. The Board of Education approves and adopts Board Policy Nos. 2:125 and 5:60.

Section 4. Any policy, resolution, or ordinance that conflicts with the provisions of this ordinance shall be and is hereby repealed to the extent of such conflict.

Section 5. This Resolution shall be in full force and effect upon its passage.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
President, Board of Education

\_\_\_\_\_  
Secretary, Board of Education

**ATTACHMENT A – RIVER FOREST PUBLIC SCHOOLS DISTRICT 90**  
**PERMISSIBLE TRAVEL EXPENSES**

**Types of Official Business Applicable to this Policy.** The School District shall only reimburse travel expenses, including transportation, meals and lodging that are ancillary or otherwise necessary for official School District business. Types of official School District business for which travel expenses may be reimbursed include conferences, meetings, athletic or other student events, board, administrator, or faculty events, lobbying or other government relations activities, or any other event or program that is attended to further the School District’s mission.

The maximum reimbursable rates for travel are set forth as follows:

| <b>Maximum Reimbursable Rates for Transportation</b> |  |
|--|--|
| Air Travel   | Lowest reasonable rate (coach)                           |
| Auto   | IRS standard mileage rate at time of reimbursement       |
| Rental Car   | Lowest reasonable rate (midsize)                         |
| Rail or Bus  | Lowest reasonable rate and cost shall not exceed airfare |
| Taxi, Shuttle, Rideshare, or Public Transportation   | Actual reasonable rate                                   |

| <b>Maximum Reimbursable Rates for Meals</b> |   |
|---|---|
| Breakfast                                   | Mid-Fare selections for the hotel/meeting facility or general area. |
| Lunch                                       |   |
| Dinner                                      |   |

| <b>Maximum Reimbursable Rates for Lodging</b> |   |
|---|---|
| Chicago and Suburban Cook County              | Conference rate or mid-fare room accommodations for single room rate. |
| DuPage, Kane, Lake, McHenry and Will Counties |   |
| All other Illinois Counties                   |   |
| Outside of Illinois                           | As approved by the Board  |

**ATTACHMENT B – RIVER FOREST PUBLIC SCHOOLS DISTRICT 90**  
**TRAVEL EXPENSE REIMBURSEMENT REQUEST FORM**

Before an expense for travel, meals, or lodging may be approved under District Policy Nos. 2:125 and 5:60, the following minimum documentation must first be submitted, in writing, to the Board of Education of the District:

- (1) The name of the individual who received or is requesting the travel, meal, or lodging expense and the individual's job title or office.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Job Title/Office

- (2) The date or dates and nature of the official District business in which the travel, meal, or lodging expense was or will be expended. Please attach supporting documentation describing the nature of the official District business event or program.

\_\_\_\_\_  
Name of Event or Program

\_\_\_\_\_  
Date(s) of Event or Program

\_\_\_\_\_  
Location of Event or Program

\_\_\_\_\_  
Purpose of Event or Program

- (3) An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred. Please attach either (a) a document explaining the basis for your estimate if expenses have not yet been incurred or (b) receipts if the expenses have already been incurred.

You may also provide such other documentation as would assist the Board of Education in considering your request for reimbursement. In the discretion of the Board of Education, additional documentation relevant to the request for reimbursement may be required prior to action by the Board of Education with respect to the reimbursement request.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

# DRAFT UPDATE

River Forest School District 90

5:100

## General Personnel

### Staff Development Program

The Superintendent or designee shall implement a staff development program. The goal of such program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for licensed staff members shall be designed to effectuate the District and School Improvement Plans so that student learning objectives meet or exceed goals established by the District and State.

The staff development program shall provide, at a minimum, at least once every 2 years, the in-service training of licensed school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

In addition, the staff development program shall include each of the following:

1. At least, once every 2 years, training of all District staff by a person with expertise on anaphylactic reactions and management.
2. At least every 2 years, an in-service to train school personnel, at a minimum, to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.
3. Training that, at a minimum, provides District staff with a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS) and the availability of appropriate sources of counseling and referral.
4. Training for school personnel who work with students in grades 7 and 8 to identify the warning signs of mental illness and suicidal behavior in adolescents and teens along with appropriate intervention and referral techniques.
5. Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training as follows:
  - a. Staff development for local school site personnel who work with students in grades kindergarten through 8, in the detection, reporting and prevention of child abuse and neglect (see policy 5:90, *Abused and Neglected Child Reporting*).
  - b. Within one year of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every 5 years (see policy 5:90, *Abused and Neglected Child Reporting*).
  - c. Informing educators about the recommendation in the *Erin's Law* Taskforce Report requesting them to attend continuing professional development programs that address the prevention and identification of child sexual abuse (see policy 5:90, *Abused and Neglected Child Reporting*).
6. Education for staff instructing students in grades 7 and 8, concerning teen dating violence as recommended by the District's Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students or Complaint Manager.

# DRAFT UPDATE

7. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
8. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team. Individuals covered by this training mandate ~~were to have~~ initially complete the training by 9-1-2016.
9. Every two years, school personnel who work with students must complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.

The Superintendent shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.

An opportunity shall be provided for all staff members to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques and first aid, including the Heimlich maneuver, cardiopulmonary resuscitation, and the use of an automated external defibrillator, in accordance with a nationally recognized certifying organization. Physical fitness facilities' staff must be trained in cardiopulmonary resuscitation and use of an automated external defibrillator.

LEGAL REF.: 105 ILCS 5/2-3.62, 5/10-22.6(c-5), 5/10-22.39, 5/22-80(h), 5/10-23.12, 5/24-5, 25/1.15 and 110/3.  
325 ILCS 5/4, Abused and Neglected Child Reporting Act.  
745 ILCS 49/, Good Samaritan Act.  
7 C.F.R. Part 210.  
23 Ill.Admin.Code Part 525.

CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Ethics and Conduct), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:160 (English Learners), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

ADOPTED: January 19, 2016

#### Comment [APowell1]:

105 ILCS 5/22-30(j-15), amended by P.A. 99-843. Consult the board attorney about whether:

a. All asthma action plans should require immediate 911 calls based upon In re: Estate of Jeffery Stewart, 2016 IL App (2d) 151117, No. 2-15-1117 (8-24-16). The court held that a teacher's failure to dial 911 immediately upon a student's asthma attack was *willful and wanton* conduct, subjecting the school district to liability under the Local Governmental Employees Tort Immunity Act.

b. The duties and responsibilities of the district when it asks for, but does not receive an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon Stewart, above.

Issue 93, October 2016

# DRAFT UPDATE

## General Personnel

### Personal Technology and Social Media: Usage and Conduct

Inappropriate use of personal technology and social media by staff members may interfere with an environment conducive to learning, with the privacy rights of students and fellow staff members, or with the property interests of others, and may create school records not properly available for retention, review or disclosure. To avoid these potential problems, staff members are restricted in their use of personal technology and social networks as directed herein.

#### Definitions

**Staff member** – Any employee, school official, or volunteer of the District.

**Immediate family members** - a parent, legal guardian, step-parent, sibling, grandparent, aunt, uncle, or first cousin.

**Social media** - Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. Without limitation, this includes sites such as Facebook, LinkedIn MySpace, Twitter, Instagram, Snapchat, and YouTube.

**Personal technology** - Any device that is not owned or leased by the District or otherwise authorized for District use and which is designed to: (1) transmit sounds, images, text, messages, videos, or electronic information, (2) electronically record, play, or store information, or (3) access the Internet or private communication or information networks. Without limitation, this includes cellular phones, pagers, cameras, recorders, personal digital assistants (PDAs) or smart phones.

#### Rules of Conduct

All staff members who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school relationships required by Policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. Do not post images or private information in a manner readily accessible to students and other employees that is inappropriate for those persons to view. Without limitation, this includes content prohibited by Policies 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Ethics and Conduct*; 6:235, *Access to Electronic Networks*; and 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20. Specifically, do not “friend” students on *Facebook* or otherwise use social media to establish peer-equivalent relationships with students.
2. Use a District-provided or supported method whenever possible to communicate with staff members, students, and parents/guardians for legitimately school-sponsored functions or for genuine school purposes. Specifically, do not text or email students

**Comment [APowell1]:**  
Updated in response to ongoing PRESS Advisory Board feedback.  
Issue 93, October 2016

# DRAFT UPDATE

through personal accounts using personal technology. Do use District-provided media to communicate with students and parents/guardians regarding school matters.

3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Not use personal technology and social media to share, publish, or transmit information about or images of students without proper approval.
5. Refrain from using the District's logos without permission from the Superintendent or designee and follow Policy 5:170, *General Copyright Restrictions and Copyright Restrictions Involving the Development of Instructional Materials and Computer Programs by Employees*, and all District copyright compliance procedures.
6. Not represent oneself as speaking on behalf of the Board or District; when identifying oneself by relationship to the District, expressly disclaim Board, District or school endorsement of the content.
7. Use personal technology and social media for personal purposes during such times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.
8. Assume any and all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate materials through the staff member's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of staff members' personal technology and social media.

## Prohibited Use

No staff member may use personal technology or social media in a manner so as to interfere with or be disruptive to the learning or working environment at school or the delivery of educational or educational support services, or to violate the legitimate privacy expectations of students or others. This includes using personal technology or social media to engage in any of the following acts, except as part of a legitimately school-sponsored function, regardless of the time and place of the acts unless otherwise noted:

- Take pictures or video of students
- Record audio of students
- Text students
- E-mail students
- "Friend" students on *Facebook* or similar social networks
- "Tweet" or otherwise communicate with students on *Twitter* or similar social blogging service
- Post images or private information about themselves or others in a manner readily accessible to students and which images or information is inappropriate to share with students
- Post or transmit images or information about a student to another staff member or third party.



# DRAFT UPDATE

The uses of personal technology or social media prohibited above do not apply to a student's immediate family members who are staff members, provided that such use is limited to information or images concerning or transmitted to that particular student only, or concerning or transmitted to other students if those other students are included only inadvertently or inconsequentially, and provided that action does not interfere with and is not disruptive to the school environment or the delivery of educational or educational support services, and does not violate the legitimate privacy expectations of others.

## Enforcement

A staff member who violates this Policy will be subject to remedial and other appropriate disciplinary action including, but not limited to, prohibiting the staff member from possessing and/or using any personal technology or social media on school grounds, and suspension or termination from employment.

A staff member will not be disciplined for a first-time violation which is inadvertent or inconsequential, but may receive a warning for the first-time violation.

## Notice to Employees, Students, Parents, and Community

The Superintendent or designee shall:

1. Inform District employees about this Policy during in-service training(s) annually.
2. Direct Building Principals to provide their building staff members with the following during staff orientation annually:
  - a. A copy of this Policy.
  - b. A reminder about the importance of maintaining high standards in their school relationships.
  - c. A reminder that staff members who violate this Policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Take steps to build awareness of this Policy with students, parents, and the community.
4. Ensure that no one for the District, or on its behalf, requests of an employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.

## Review and Administrative Procedures

The Administration shall periodically review this Policy in consultation with staff members for appropriate updating and presenting recommendations for revisions to the Board. The Superintendent may adopt procedures to provide more specific directives, consistent with this Policy, with respect to particular usages, platforms, settings, and exceptions.

### **Comment [APowell2]:**

Right to Privacy in the Workplace Act, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17 (also known as the *Facebook Password Law*). The exception for *professional accounts* is unlikely to be available to school districts; see the explanation in *fn 15* in policy 5:30, *Hiring Process and Criteria*. The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's electronic equipment and electronic mail.

The statute does not prohibit an employer from (1) obtaining information about an applicant or an employee that is in the public domain or that is otherwise obtained in compliance with the statute, and (2) requesting or requiring an applicant or employee to share specific content that is reported to the employer to: (a) ensure compliance with laws and regulatory requirements, (b) investigate certain allegations as outlined in the law, and (c) prohibit certain outlined behaviors in the law. Finally, the statute does not apply to other types of personal technology that employees may use to communicate with students or other individuals, such as personal email or text messages on a personal phone. However, employers may access online accounts that the employer pays for or that an employee creates or maintains on behalf of the employer in connection with the employee's employment. Consult the board attorney about these issues.

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# ***DRAFT UPDATE***

LEGAL REF.: 105 ILCS 5/ 21B-75 and 5/ 21B-80.  
Ill. Human Rights Act, 775 ILCS 5/5A-102.  
Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.  
Garcetti v. Ceballos, 547 U.S. 410 (2006).  
Pickering v. High School Dist. 205, 391 U.S. 563 (1968).  
Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

ADOPTED: ~~May 19, 2014~~

# DRAFT UPDATE

River Forest School District 90

5:190

## Professional Personnel

### Teacher Qualifications

A teacher, as the term is used in this policy, refers to a District employee who is required to be licensed under State law. The following qualifications apply:

1. Each teacher must:
  - a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
  - b. Provide the District Office with a complete official transcript of credits earned in institutions of higher education.
  - c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with an official transcript of any credits earned since the date the last transcript was filed.
  - d. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers ~~working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) must be highly qualified for those assignments as determined by State and federal law.~~

**Comment [APowell1]:**

Updated throughout to align with current teacher qualification requirements under ESEA, as amended by ESSA, and to delete former NCLB references that teachers be *highly qualified*.

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The Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed ~~and highly qualified for their assignments;~~
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.
3. ~~Ensure parents/guardians of students in schools receiving Title I funds are notified of their right to request their students' classroom teachers' professional qualifications.~~

LEGAL REF.: 20 U.S.C. §63192(e)(1)(A).  
~~34 C.F.R. §200.55, 56, 57, and 61.~~  
105 ILCS 5/10-20.15, 5/21-11.4, ~~5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.~~  
23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

**Comment [APowell2]:**

Still exist but have not been updated yet to align with ESEA as amended by ESSA, and no notice of proposed rulemaking is pending. We will continue to cite them, if appropriate, and note the discrepancy in a footnote

Issue 93, October 2016

ADOPTED: May 19, 2014

# DRAFT UPDATE

River Forest School District 90

5:250

## Professional Personnel

### Leaves of Absence

Sick Leave, Sabbatical Leave, Personal Leave, Association Leave, Religious Holidays, Jury Duty and Subpoenas

**Please refer to the current “Negotiated Contract between the Board of Education of School District 90 and the River Forest Education Association.”**

As a condition for paying sick leave after three (3) days absence for personal illness or after thirty (30) days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all of its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has written a collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician’s assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual advisor or practitioner of the employee’s faith. If the Board or Superintendent requires a certificate during a leave of less than three (3) days for personal illness, the District shall pay the expense incurred by the employee.

*Family and Medical Leave Act (“FMLA”)* leave is normally unpaid. The Board may always designate an employee’s qualifying leave as *FMLA* leave. In the case of any *FMLA* leave, all policies and rules regarding the use of paid sick leave apply when paid leave is substituted for unpaid *FMLA* leave. However, any substitution of sick leave for unpaid *FMLA* leave will count against the employee’s *FMLA* leave entitlement. In cases of the birth of the employee’s child or the employee’s adoption of a child, the employee may elect to substitute his/her accrued paid sick leave for unpaid *FMLA* leave as permitted by the *FMLA* and the *Illinois School Code*. Use of compensated *FMLA* leave shall not preclude the use of other applicable unpaid leave that will extend the employee’s leave beyond twelve (12) weeks, provided that the use of *FMLA* leave shall not serve to extend such other unpaid leave.

### Bereavement Leave

Bereavement leave may be taken subject to the same provisions and limitations as sick leave as specified in the School Code and the most current Negotiated Contract.

Up to five days of available, unused sick days may be taken for the funeral or memorial service of a friend or family member.

Bereavement leave will be deducted from an employee’s sick leave days. Whenever possible, requests for bereavement leave should be made in writing to the Principal or Superintendent prior to the leave.

Sick bank donations may not be used for bereavement purposes.

### Child Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 et seq.) to take child bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Child Bereavement Leave Act. Child bereavement leave allows for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of his or her child, (2) making arrangements necessitated by the death of the staff member’s child, or (3) grieving the death of the staff member’s child, without any adverse employment action.

#### Comment [APowell1]:

Consult the board attorney about the Employee Sick Leave Act 820 ILCS 191/, added by P.A. 99-841, eff. 1-1-17. It prohibits employers from limiting the use of sick time to an employee’s own illnesses and allows employees to use employer-provided sick leave to care for an ill or injured *family member* or to attend a medical appointment with a family member. The law defines family members as a child (biological, adopted, stepchild, or legal ward), spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent (Id. at 191/10(b)). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

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#### Comment [APowell2]:

820 ILCS 154/, added by P.A. 99-703 requires employers to offer this unpaid leave to employees that are *eligible employees* under FMLA. (29 U.S.C. 2601 et seq.)

The Act also provides that the leave must be completed within 60 days of the employee learning of the death of his or her *child*, as defined by 820 ILCS 154/, added by P.A. 99-703. However, that 60 day limitation does not apply where more than one child dies in a 12-month period. There may be times where an employer may want to grant more than 10 unpaid work days, e.g., when a deceased child lived in a foreign country, etc. Consult the board attorney to resolve the complexities of determining whether an employee is an eligible employee under the FMLA that would trigger this Act.

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The leave must be completed within 60 days after the date on which the employee received notice of the death of his or her child. However, in the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Child Bereavement Leave Act. This policy does not create any right for an employee to take child bereavement leave that is inconsistent with the Child Bereavement Leave Act.

## Leave of Absence Without Pay

The Board of Education has sole discretion to grant a leave of absence without pay to tenured professional staff members who have rendered satisfactory service and desire to return to employment in a similar capacity at a time determined by the Board of Education.

Each leave of absence shall be of the shortest possible duration required to meet the leave's purpose consistent with a reasonable continuity of instruction for students.

The granting of leave in one instance shall not constitute a precedent for any other application. All leave applications shall be in writing, in sufficient detail to describe the nature of the desired leave, and submitted in advance to the Superintendent or designee.

## Leaves for Service in the Military

Leaves for service in the U.S. Armed Services or any of its reserve components and the National Guard, as well as re-employment rights, will be granted in accordance with State and Federal law. A professional staff member hired to replace one in military service does not acquire tenure.

## General Assembly

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in the General Assembly does not acquire tenure.

## Leave for Employment in Department of Defense

The Board of Education may grant professional staff members a leave of absence to accept employment in a Department of Defense overseas school.

## School Visitation Leave

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

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

## Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the District employs at least 50 employees, an employee is entitled to a total of 12 work weeks of unpaid leave during any 12-month

# ***DRAFT UPDATE***

period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 et seq.).

## Leave to Serve as an Election Judge

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same election day.

LEGAL REF.: 10 ILCS 5/13-2.5  
20 ILCS 1805/30.1 et seq.  
820 ILCS 154/.  
105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.  
820 ILCS 147/ and 180/.

CROSS REF.: 5:185 (Family and Medical Leave), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: February 17, 2015

# DRAFT UPDATE

River Forest School District 90

5:260

## Professional Personnel

### Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense ~~listed in that~~ would subject him or her to license suspension or revocation pursuant to Section 5/21B-80 of the School Code ~~or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987~~ is permitted to student teach ~~or complete field or other clinical~~ experience.

Before permitting an individual to student teach ~~or begin a required internship~~ participate in any field experience ~~in the District, the Superintendent or designee shall ensure that:~~

1. The District performed a ~~105 ILCS 5/10-21.9(g) complete criminal history records check~~ Check as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.

A ~~105 ILCS 5/21.9(g) complete criminal history records check~~ Check pursuant to 105 ILCS 5/10-21.9 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105; amended by 97-454).

The School Code requires each individual student teaching or beginning a required internship to must provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/21.9(g) criminal history records check (including any applicable vendor's fees). Upon receipt of this authorization and payment, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police. T; and the Superintendent or designee will provide each student teacher with a copy of his or her report.

### Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities.

#### **Comment [APowell1]:**

P.A. 99-667 amended the School Code at 105 ILCS 5/10-21.9, 5/21B-15, and 5/21B-80(b) to carve out an exception allowing individuals with convictions involving certain drug offenses to obtain educator licensure or reinstate a license suspension/revocation seven years after the end of an individual's sentence for these certain drug offenses. See 5:30-AP2, *Investigations*, for a list of these carved-out drug offenses.

#### **Issue 93, October 2016**

#### **Comment [APowell2]:**

Updated to clarify School Code requirements for student teacher *complete criminal history records checks*. 105 ILCS 5/10-21.9(g) applies to individuals who will be student teachers or who are beginning a required internship.

PRESS subscriber feedback overwhelmingly prefers that "students doing field or clinical experience other than student teaching" *not* be in the sample default policy language.

**OPTION:** For boards that want to include students participating in any field or clinical experience, amend this phrase to state "Before permitting an individual to student teach, or begin a required internship, or participate in any field experience in the District, ..."

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**OPTION NOT RECOMMENDED**

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LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.  
Uniform Conviction Information Act, 20 ILCS 2635/1.  
105 ILCS 5/10-21.9, 5/21-14(e)(3)(E)(viii), 5/10-22.34, and 5/24-5.  
~~23 Ill. Admin. Code §25.875.~~

CROSS REF.: 5:190 (Teacher Qualifications), 4:175 (Convicted Child Sex Offender; ~~Criminal~~  
~~Background Check and/or Screening~~; Notifications)

ADOPTED: ~~November 17, 2014~~



# ***DRAFT UPDATE***

River Forest School District 90

5:280

## **Educational Support Personnel**

### **Duties and Qualifications**

All Educational Support Personnel: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to Board policies as they may be changed from time-to-time at the Board's sole discretion.

### **Paraprofessionals**

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

Educational support personnel with only non-instructional duties (e.g., providing technical educational support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals and the requirements in this section do not apply. In addition, individuals completing their clinical experiences and/or student teaching do not need to comply with this section, provided their service otherwise complies with ISBE rules.

### **Educational Support and Unlicensed Personnel Working with Students and Performing Non-Instructional Duties**

Educational support personnel and unlicensed performing non-instructional duties may be used:

1. For supervising lunch rooms, recess, study halls, long distance teaching reception areas used incidental to instructional programs transmitted by electronic media (e.g., computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
2. As supervisors, chaperones, or sponsors for non-academic school activities; or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

Nothing in this policy prevents an educational support personnel employee from serving as a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval.

### **Relationship with Students**

Educational support personnel are not ordinarily expected to exercise any supervision over students unless it is a part of the job description as assigned by the Superintendent. Exceptions to this policy would be in the case of vandalism, malicious mischief, or fighting. In such cases the employee is not to take disciplinary action but may take action to prevent injury to individuals and damage to property. If physical restraint is required, the pupils involved are to be conducted to the Building Principal for disciplinary action. All incidents are to be reported to the Building Principal as promptly as possible.

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LEGAL REF.: ~~No Child Left Behind Act of 2001, 20 U.S.C. §6319(c).~~  
34 C.F.R. §§200.58 and 200.59.  
105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.  
625 ILCS 5/6-104 and 5/6-106.1.  
23 Ill.Admin.Code §§1.630 and 25.510.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 6:250  
(Community Resource Persons and Volunteers)

ADOPTED: August 18, 2014

**Comment [APowell1]:**  
Section 6319(c) of NCLB was repealed in its entirety  
by ESSA.

**Issue 93, October 2016**

# DRAFT UPDATE

## Educational Support Personnel

### Sick Days, Vacation, Holidays, and Leaves

#### Sick Days

Full-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year for the first three consecutive years of full-time service. Beginning the fourth year of service an employee receives 20 sick days a year. Part-time employees will receive prorated sick leave. Unused sick leave shall accumulate to a maximum of 240 days.

Any full-time educational support personnel hired after July 1, 2007 who work at least 600 hours per year receive 10 paid sick leave days per year for every consecutive year of full-time service. Unused sick leave shall accumulate to a maximum of 240 days. This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Illinois Municipal Retirement Fund.

Sick leave is defined in State law as personal illness, or as may be deemed necessary in other cases, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after 3 days absence for personal illness or after 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

*Family and Medical Leave Act ("FMLA")* leave is normally unpaid. The Board may always designate an employee's qualifying leave as *FMLA* leave. In the case of any *FMLA* leave, all policies and rules regarding the use of paid sick leave apply when paid leave is substituted for unpaid *FMLA* leave. However, any substitution of sick leave for unpaid *FMLA* leave will count against the employee's *FMLA* leave entitlement. In cases of the birth of the employee's child or the employee's adoption of a child, the employee may elect to substitute his/her accrued paid sick leave for unpaid *FMLA* leave as permitted by the *FMLA* and the *Illinois School Code*. Use of compensated *FMLA* leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond twelve (12) weeks, provided that the use of *FMLA* leave shall not serve to extend such other unpaid leave.

#### Vacation

Full-time, twelve-month employees hired on or after July 1, 2007 shall be eligible for paid vacation days based upon the fiscal year of July 1 to June 30 according to the following schedule:

| <u>Length of Employment</u> |               | <u>Monthly Accumulation</u> | <u>Maximum Vacation Leave Earned Per Year</u> |
|-----------------------------|---------------|-----------------------------|---|
| From initial employment     | To June 30    | 0.83 Days                   | As earned up to 10 days                       |
| Beginning July 1            | End of year 5 | 0.83 Days                   | 10 Days per year                              |

#### **Comment [APowell1]:**

Consult the board attorney about the Employee Sick Leave Act 820 ILCS 191/, added by P.A. 99-841, eff. 1-1-17. It prohibits employers from limiting the use of sick time to an employee's own illnesses and allows employees to use employer-provided sick leave to care for an ill or injured *family member* or to attend a medical appointment with a family member. The law defines family members as a child (biological, adopted, stepchild, or legal ward), spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent (Id. at 191/10(b)). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

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|                      |                   |           |                  |
|----------------------|-------------------|-----------|------------------|
| Beginning of year 6  | End of year 10    | 1.25 Days | 15 Days per year |
| Beginning of year 11 | End of employment | 1.67 Days | 20 Days per year |

Full-time twelve month employees hired prior to July 1, 2007 shall be eligible for paid vacation days according to the following schedule, except that days in the first and last year of employment shall be prorated:

| <u>Length of Employment</u> | <u>Eligible Vacation Days</u> |
|-----------------------------|-------------------------------|
| Initial to Year 5           | 10                            |
| Years 6 to 10               | 15                            |
| Year 11 and after           | 20                            |

Vacation days earned in one fiscal year must be used by November 1 of the following fiscal year; they do not accumulate. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation.

## Holidays

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a holiday listed below, District staff members who are employed for twelve months shall be entitled to the following, paid holidays:

|   |                                    |
|---|------------------------------------|
| New Year's Day                                | Labor Day                          |
| Martin Luther King Jr.'s Birthday             | Columbus Day                       |
| Abraham Lincoln's Birthday or President's Day | Veteran's Day*                     |
| Casimir Pulaski's Birthday                    | Thanksgiving Day and the Day after |
| Memorial Day                                  | Christmas Eve                      |
| Independence Day                              | Christmas Day                      |
|   | New Year's Eve                     |

The day before Thanksgiving will be a half-day of work. \*If Veterans' Day is a day of school attendance, then the day before Thanksgiving (if a non-attendance day for students) shall be a paid holiday.

If Christmas Day and New Year's Day fall on a Saturday or Sunday, a compensatory holiday date shall be scheduled.

The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

## Personal Leave

Full-time educational support personnel have two paid personal leave days per year (based on a fiscal year of July 1 to June 30) provided, however, employees hired between January 1 and June 30 shall receive one day. The use of two personal days is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal 3 days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last 5 days of the school year, unless the Superintendent grants prior approval.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

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7. Vacation, sick leave and personal benefits shall be prorated during the first and last years of employment if necessary.
8. In the case of an unforeseen emergency, the Superintendent may, in his/her sole discretion, permit an employee to use one day of sick leave for personal reasons during the school year.

## Leaves for Service in the Military and General Assembly

Educational support personnel receive military and General Assembly leaves on the same terms and conditions granted professional staff.

## Bereavement Leave

Educational support personnel receive bereavement leave on the same terms and conditions granted professional staff.

## School Visitation Leave

Educational support personnel receive school visitation leave on the same terms and conditions granted professional staff.

## Leaves for Victims of Domestic or Sexual Violence

Educational support personnel receive a leave for victims of domestic or sexual violence on the same terms and conditions granted professional staff.

## Leave to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

## Unexcused Absence

An unexcused absence may be considered a breach of contract.

## Child Bereavement Leave

Educational support personnel receive child bereavement leave on the same terms and conditions granted professional staff.

## Leave to Serve as an Election Judge

Educational support personnel receive a leave to serve as an election judge on the same terms and conditions granted professional staff.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.  
105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.  
820 ILCS 147 and 180/  
820 ILCS 154/.  
School Dist 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987); Elder v. School Dist.  
No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence)

ADOPTED: September 21, 2015

### **Comment [APowell2]:**

820 ILCS 154/ added by P.A. 99-703 requires employers to offer this unpaid leave to employees that are *eligible employees* under FMLA. (29 U.S.C. 2601 et seq.)

See the Child Bereavement Leave subhead in policy 5:250, *Professional Personnel – Leaves of Absence*, for further information.

Issue 93, October 2016

# DRAFT UPDATE

## Instruction

### School Accountability

The Board of Education gives priority in the allocation of resources, including funds, time, personnel, and facilities, to ensure the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work.

### Quality Assurance

The Board continuously monitors student achievement and the quality of the District's work. The Superintendent shall supervise the following quality assurance components, in accordance with State law and Illinois State Board of Education (ISBE) rules, and continuously keep the Board informed:

1. Preparing each school's annual recognition application and quality assurance appraisal, whether internal or external, to assess each school's continuous school improvement.
  - ~~1. If applicable, implement a No Child Left Behind Act (NCLB) plan, including the completion of the NCLB Consolidated Application, and seek Board approval where necessary or advisable.~~
2. Continuously assess the District's and each school's overall performance in terms of both academic success and equity. This includes, without limitation, a thorough analysis of ISBE's balanced accountability measure and each school's Multiple Measure Index and corresponding Annual Measurable Objective provided by ISBE.
3. Preparing a school report card, and presenting it at a regular Board meeting, and disseminating it as provided in State law.
4. In accordance with Sec. 2-3.153 of the School Code, administer at least biennially a survey of learning conditions on the instructional environment within the school to, at minimum, students in grades 6 through 12 and teachers.

#### **Comment [APowell]:**

This policy is updated to delete former requirements under NCLB, repealed by ESSA and P.A.s 99-193 and P.A. 99-657, and amendments to 23 Ill.Admin.Code §1.97.

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### Student Achievement Accountability Plan

The Student Achievement Accountability Plan charts a course for District-wide and building level accountability by identifying specific goals for the improvement of K-8 student achievement. The Plan is a local tool developed in District 90 which represents an additional process of assessment and evaluation in a community already committed to the highest standards of educational excellence.

The Superintendent shall make regular assessment reports to the Board, including projections whether the District and each school is or will be making adequate yearly progress as defined in State law. The Superintendent shall seek Board approval for each District and/or school improvement plan and otherwise when necessary or advisable.

### School Choice and Supplemental Education Services

~~This section of the policy is effective only if the choice and/or supplemental educational services requirements in federal law are applicable to Illinois. When effective, school choice and supplemental education services will be offered to students as provided in Title I of the Elementary and Secondary Education Act.~~

# ***DRAFT UPDATE***

LEGAL REF.: ~~No Child Left Behind Act, §1116, 20 U.S.C. §6316.~~  
~~34 C.F.R., §§200.32, 200.33, 200.42, and 200.43.~~  
105 ILCS 5/2-3.25, 5/2-3.25a, 5/2-3.25b, 5/2-3.25c, 5/2-3.25d, 5/2-3.25d-5, 5/2-3.25e-5, 5/2-3.25f, 5/2-3.25f-5, 5/2-3.63, 5/2-3.64a-5, 5/10-21.3a, and 5/27-1.  
23 Ill.Admin.Code Part 1, Subpart A: Recognition Requirements.

CROSS REF.: 6:170 (Title 1 Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

ADOPTED: January 19, 2016

# DRAFT UPDATE

River Forest School District 90

6:60

## Instruction

### Curriculum Content

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. In kindergarten through grade 8, subjects include: (a) language arts, (b) reading, (c) other communication skills, (d) science, (e) mathematics, (f) social studies, (g) art, (h) music, and (i) drug and substance abuse prevention. A reading opportunity of 60 minutes per day will be promoted for all students in kindergarten through grade 3 whose reading levels are one grade level or more lower than their current grade level.
2. In grades 7 and 8 as well as in interscholastic athletic programs, steroid abuse prevention.
3. In kindergarten through grade 8, provided it can be funded by private grants or the federal government, violence prevention and conflict resolution including: (a) causes of conflict, (b) consequences of violent behavior, (c) non-violent resolution, and (d) relationships between drugs, alcohol, and violence.
4. In grades kindergarten through 8, age-appropriate Internet safety must be taught, the scope of which shall be determined by the Superintendent or designee. The curriculum must incorporate policy 6:235, *Access to Electronic Networks* and, at a minimum, include: (a) education about appropriate online behavior, (b) interacting with other individuals on social networking websites and in chat rooms, and (c) cyberbullying awareness and response.
5. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage.
6. In all schools, citizenship values including: (a) patriotism, (b) democratic principles of freedom, justice, and equality, (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process.
7. In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage daily during the school day in a physical education course. For exemptions and substitutions, see policy 7:260, *Exemption from Physical Activity Education*.
8. In all schools, health education must be stressed, including: (a) proper nutrition, (b) physical fitness, (c) components necessary to develop a sound mind in a healthy body, (d) dangers and avoidance of abduction, and (e) age-appropriate sexual abuse and assault awareness and prevention education in all grades. The Superintendent shall implement a comprehensive health education program in accordance with State law.
9. In all schools, career/vocational education must be taught, including: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides the student with work experience as an extension of the regular classroom. A career awareness and exploration program must be available at all grade levels.
10. In all schools, conservation of natural resources including: (a) home ecology, (b) endangered species, (c) threats to the environment, and (d) the importance of the environment to life as we know it.

**Comment [APowell1]:**

Title change in referenced policy 7:260 in response to 23 Ill. Admin. Code §1.425(e)(3) and 23 Ill. Admin. Code §1.425, added at 40 Ill. Reg. 2990.

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11. In all schools, United States history including: (a) the principles of representative government, (b) the Constitutions of the U.S. and Illinois, (c) the role of the U.S. in world affairs, (d) the role of labor unions, and (e) the role and contributions of ethnic groups, including but not limited to, the African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovaks in the history of this country and State.

In addition, all schools shall hold an educational program on the United States Constitution on Constitution Day, each September 17, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

12. In grade 7 courses concerning U.S. history or a combination of U.S. history and American government, students must view a Congressional Medal of Honor film made by the Congressional Medal of Honor Foundation, provided there is no cost for the film.
13. In all schools, the curriculum includes a unit of instruction on the Holocaust and crimes of Genocide, including Nazi atrocities of 1933 to 1945, Armenian Genocide, the Famine Genocide in the Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan.
14. In all schools, the curriculum includes a unit of instruction on the history, struggles, and contributions of women.
15. In all schools, the curriculum includes a unit of instruction on Black History, including the history of the African slave trade, slavery in America, and the vestiges of slavery in this country, as well as the struggles and contributions of African-Americans.
16. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement.

LEGAL REF.: 5 ILCS 465/3 and 465/3a.  
20 ILCS 2605/2605-480.  
105 ILCS 5/2-3.80(e) and (f), 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, ~~5/27-6.5~~, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-23.10, 5/27-24.2, 435/, and 110/3.  
625 ILCS 5/6-408.5.  
23 Ill.Admin.Code §§1.420, ~~1.425~~, 1.430, and 1.440.  
Consolidated Appropriations Act of 2005, Pub. L. No. 108-447, Section 111 of Division J.  
Protecting Children in the 21<sup>st</sup> Century Act, Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008).  
47 C.F.R. §54.520.

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:70 (Teaching About Religions), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment, 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline); 7:260 (Exemption from Physical Activity Education)

ADOPTED: February 17, 2015

# DRAFT UPDATE

River Forest School District 90

6:160

## Instruction

### English Learners

The Superintendent or designee shall develop and maintain a program for English Learners that will comply with federal and state law, or:

1. Appropriately identify students with limited English language proficiency.
2. Comply with State law regarding the Transitional Bilingual Educational Program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable.
3. Comply with any applicable State and federal requirements for the receipt of grant money for English Learners and programs to serve them.
4. Determine the appropriate instructional program and environment for English Learners.
5. Annually assess the English proficiency of English Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment.
6. Provide information to the parents/guardians of English Learners about: (1) the reasons for their child's identification, (2) their child's level of English proficiency, (3) the method of instruction to be used, (4) how the program will meet their child's needs, (5) how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation, (6) specific exit requirements of the program, (7) how the program will meet their child's individualized education program, if applicable, and (8) information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged.

### Parent Involvement

Parents/guardians of English Learners will be informed how they can: (1) be involved in the education of their children, and (2) be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students. ~~(1) given an opportunity to provide input to the program, and (2) provided notification regarding their child's placement in, and information about, the District's English Learners programs.~~

LEGAL REF.: 20 U.S.C. §§6312, 6314, 6315, and 6318-6319 and 6801.  
20 U.S.C. §6801 et seq.  
34 C.F.R. Part 200.  
105 ILCS 5/14C-1 et seq.  
23 Ill.Admin.Code Part 228.

CROSS REF.: 6:15 (School Accountability), 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program)

ADOPTED: January 19, 2016

#### **Comment [APowell1]:**

The policy and Legal References are updated to reflect new English Learner program requirements under ESBA, as amended by ESSA.

For purposes of this policy, *English Learners* is synonymous with the School Code definition, which means: (1) all students in grades Pre-K through 12 who were not born in the United States, whose native tongue is a language other than English, and who are incapable of performing ordinary classwork in English; and (2) all students in grades Pre-K through 12 who were born in the United States of parents possessing no or limited English-speaking ability and who are incapable of performing ordinary classwork in English (105 ILCS 5/14C-2, amended by P.A. 99-30).

**Note:** The Illinois Administrative Code definition of *English Learners* has not been amended since the effective date of P.A. 99-30 and still provides that *English Learners* means any student in preschool, kindergarten or any of grades 1 through 12, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English is not yet sufficient to provide the student with: (1) the ability to meet the State's proficiency level of achievement on State assessments; (2) the ability to successfully achieve in classrooms where the language of instruction is English, or (3) the opportunity to participate fully in the school setting (23 Ill.Admin.Code §228.10).

Issue 93, October 2016

# DRAFT UPDATE

River Forest School District 90

6:170

## Instruction

### Title I Programs

The Superintendent or designee shall pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools.

#### Title I Parental and Family Engagement/Involvement

The District maintains programs, activities, and procedures for the ~~involvement~~engagement of parents/guardians and families of students receiving services, or enrolled in programs, under Title I. These programs, activities, and procedures are described in District-level and School-level compacts.

**Comment [APowell1]:**

The policy and Incorporated by Reference are updated to reflect new Title I program requirements under §6318 of ESEA, as amended by ESSA.

Issue 93, October 2016

#### District-Level Parental and Family Engagement-Involvement Compact

The Superintendent or designee shall develop a ~~District-Level Parental and Family Engagement Involvement Compact~~ according to Title I requirements. The ~~District-Level Parental and Family Engagement Involvement Compact~~ shall contain: (1) the District's expectations for ~~parental involvement and family engagement~~, (2) specific strategies for effective parent and family engagement activities to improve student academic achievement and school performance, and (3) other provisions as required by federal law. The Superintendent or designee shall ensure that the ~~Compact~~ is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

#### School-Level Parental and Family Engagement-Involvement Compact

Each Building Principal or designee shall develop a ~~School-Level Parental and Family Engagement Involvement Compact~~ according to Title I requirements. This ~~School-Level Parental and Family Engagement Involvement Compact~~ shall contain: (1) a process for continually involving parents/guardians in its development and implementation, (2) how parents/guardians, the entire school staff, and students share the responsibility for improved student academic achievement, (3) the means by which the school and parents/guardians build and develop a partnership to help children achieve the State's high standards, and (4) other provisions as required by federal law. Each Building Principal or designee shall ensure that the ~~Compact~~ is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

# ***DRAFT UPDATE***

Incorporated  
by Reference: 6:170-AP1, E1 (~~District-Level Parental and Family Engagement Involvement Compact~~) and 6:170-AP1, E2 (~~School-Level Parental and Family Engagement Involvement Compact~~)

LEGAL REF.: Title I of the Elementary and Secondary Education Act, 20 U.S.C. §6301-6514.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190 (Teacher Qualifications), 5:280 (Duties and Qualifications), 6:15 (School Accountability), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 8:95 (Parental Involvement)

ADOPTED: February 19, 2013

# DRAFT UPDATE

River Forest School District 90

6:340

## Instruction

### Student Testing and Assessment Program

The District student assessment program provides information for determining individual student achievement and instructional needs; curriculum and instruction effectiveness; and school performance measured against District student learning objectives and statewide norms.

The Superintendent or designee shall manage the student assessment program that, at a minimum:

1. Administers the State assessment system, known as the *Partnership for Assessment of Readiness for College and Careers* (PARCC), to all students and/or any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Informs students of the timelines and procedures applicable to their participation in every State assessment.
3. Provides each student's parents/guardians with the results or scores of each State assessment. See policy 6:280, *Grading and Promotion*.
4. Utilizes professional testing practices.

Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card. All reliable assessments administered by the District and scored by entities outside of the District must be (1) reported to ISBE on its form by the 30<sup>th</sup> day of each school year, and (2) made publicly available to parents and guardians of students. Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.  
105 ILCS 5/2-3.63a-5, 5/2-3.64a-5, 5/10-17a, 5/22-82, and 5/27-1.

CROSS REF.: 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

ADOPTED: February 17, 2015

#### **Comment [APowell1]:**

The policy and Legal References are updated in response to 105 ILCS 5/10-17a, amended by P.A. 99-642 and 105 ILCS 5/22-82, added by P.A. 99-590

Assessment reports are required beginning with the 2016-2017 school year. ISBE announced in its *Weekly Message* that it sent a survey tool to report the required information the week of 10-3-16 (See *Message From State Supt.* on 10-4-16 at: [www.isbe.net/board/archivemessages/2016/message-10042016.pdf](http://www.isbe.net/board/archivemessages/2016/message-10042016.pdf)). Because districts have a wide range of starting dates, ISBE will likely establish a reporting window for providing this information. Each school must also make this information publicly available to the parents and guardians of its students through the district's Internet website or distribute the information in paper form (Id. at (b)). See 2:250, E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

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# ***DRAFT UPDATE***

River Forest School District 90

7:50

## **Students**

### **School Admissions and Student Transfers To and From Non-District Schools**

#### **Age**

To be eligible for admission, a child must be 5 years old on or before September 1 of the applicable school term. Based upon an assessment of the child's readiness, a child will be allowed to attend first grade if he or she attended a non-public preschool, continued his or her education at that school through kindergarten, was taught in kindergarten by an appropriately licensed teacher, and will be 6 years old on or before December 31. A child with exceptional needs who qualifies for special education services is eligible for admission at 3 years of age.

Parents/guardians may request early admission to the District's kindergarten program for a child with a September birth date who will be 5 years old during the applicable school term. The Superintendent or designee shall assess the child's readiness to attend school and make the decision accordingly.

A child who had not attained the age of six (6) years on or before the standard entrance age of the current school year (before September 1), even though he/she has attended the District's kindergarten program, an out-of-district public kindergarten or an approved out-of-District private kindergarten, must be assessed by the Superintendent or designee to determine the child's readiness to attend first grade which shall include, unless waived by the Superintendent or designee, a trial period in the District's kindergarten program of not more than six (6) weeks. After such assessment by the Superintendent or designee, the child may be placed in the first grade at the discretion of the Superintendent or designee, if in his/her opinion, the age, maturity, and achievement of the child warrants such placement.

#### **Admission Procedure**

All students must register for school each year on the dates and at the place designated by the Superintendent.

Parents/guardians of students enrolling in the District for the first time must present:

1. An original birth certificate or a certified copy of the student's birth certificate. If a birth certificate is not presented, the Superintendent or designee shall notify in writing the person enrolling the student that within 30 days he or she must provide a certified copy of the student's birth certificate. A student will be enrolled without a birth certificate. When a certified copy of the birth certificate is presented, the school shall promptly make a copy for its records, place the copy in the student's temporary record, and return the original to the person enrolling the child. If a person enrolling a student fails to provide a certified copy of the student's birth certificate, the Building Principal shall notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the case shall be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Principal shall so refer the case. The Principal shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content.
2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students*.

# DRAFT UPDATE

The individual enrolling a student shall be given the opportunity to voluntarily state whether the student has a parent or guardian who is a member of a branch of the U. S. Armed Forces and who is either deployed to active duty or expects to be deployed to active duty during the school year. Students who are children of active duty military personnel transferring will be allowed to enter: (a) the same grade level in which they studied at the school from which they transferred, if the transfer occurs during the District's school year, or (b) the grade level following the last grade completed.

## Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/ guardian is unable to produce records normally required for enrollment.

## Foster Care Students

The Superintendent will appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Illinois Department of Children and Family Services when enrolling in or changing schools.

## Student Transfers To and From Non-District Schools

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent or designee. A student seeking to transfer into the District must serve the entire term of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232.  
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.  
Family Educational Rights and Privacy Act, 20 U.S.C. §1232.  
Illegal Immigrant and Immigrant Responsibility Act of 1996, 8 U.S.C. §1101.  
Individuals With Disabilities Education Improvement Act, 20 U.S.C. §1400 et seq.  
Rehabilitation Act, Section 504, 29 U.S.C. §794.  
105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2,  
5/27-8.1, 10/8.1, 45/, and 70/.  
325 ILCS 50/ and 55/.  
410 ILCS 315/2e.  
20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School  
Registration.  
23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 4:110 (Transportation); 6:30 (Organization of Instruction), 77:60 (Residence),  
7:70 (Attendance and Truancy), 7:100 (Health Examinations, Immunizations,  
and Exclusion of Students), 7:340 (Student Records)

ADOPTED: January 19, 2016

OPTION RECOMMENDED

### Comment [APowell1]:

Optional. 105 ILCS 5/10-20.58, added by P.A. 99-781, allows school boards to appoint liaisons for foster care students. These liaisons must be licensed under Article 21B of the School Code. 105 ILCS 5/10-20.58 directs how employees are prioritized for liaison appointment. Liaisons are "encouraged to build capacity and infrastructure within their school district to support students in the legal custody of the Department of Children and Family Services." For more information about Liaison responsibilities, please see the footnotes available at PRESS Online.

Issue 93, October 2016

(SEE 7:250 FOOTNOTE)

# ***DRAFT UPDATE***

## **Students**

### **Residence**

The Board of Education authorizes the Superintendent or designee to develop and administer procedures for determining whether students meet residency requirements. The Superintendent or designee shall enroll or deny enrollment to students based on those procedures. Enrollment may be delayed until a residency investigation has been completed. The District reserves the right to evaluate the evidence presented. Merely presenting the items does not guarantee admission.

#### **1. General Enrollment Procedures**

An original birth certificate or certified copy must be furnished at the time of enrollment. The individual enrolling the student must also establish residency in the School District and legal custody of the student.

#### **2. Establishment of Residency**

Before a child can be enrolled, proof of residency must be established by completing the Student Residency Questionnaire and presenting the required number of documents from each of the following categories:

##### **Category I (one document required)**

- Most recent property tax bill and proof of payment (canceled check or form 1098) (homeowners)
- Mortgage papers (homeowner's closing documents such as settlement statement or loan agreement)
- Signed and dated lease and proof of last two months' payments (canceled check or receipts required) (renters)
- Housing letter (military personnel)
- An agreement of sale for a residential property located within the District's geographic boundaries, signed by the seller and parent / custodian as buyer, which recites a closing date within ninety (90) calendar days after the requesting enrollment date
- Notarized Affidavit of Living with River Forest Resident - Notarized Affidavit of River Forest Occupancy

##### **Category III (three documents showing proper address required)**

- Driver's license
- Vehicle registration
- Voter registration
- Current public aid card
- Current homeowner's / renter's insurance policy and premium payment receipt
- Most recent gas, electric, or water bill within the past three months

Before a child can be enrolled, the following additional documents may also be required to be submitted to establish proof of residency:

Any agreements, judgments, decrees or other documents (e.g., joint parenting agreements) awarding or giving custody of the student to any person.

#### **3. Establishment of Legal Custody**



# DRAFT UPDATE

In determining residency, the residence of the person who has legal custody of a student is deemed to be the residence of the student, as defined by 105 ILCS 5/10-20.12b. The residency for school purposes of special education students will be determined in accordance with 105 ILCS 5/14-1.11 AND 51714-1.11a.

## 4. Residency Determination Challenge Procedure

If the Superintendent or designee denies enrollment on a tuition-free basis or determines that a student who is attending school in the School District on a tuition-free basis is a nonresident of the District for whom tuition is required to be charged, the following procedure will be followed:

- a. The Superintendent or designee will notify the person who enrolled the student of the amount of the tuition charged that is due to the District for the nonresident student's attendance in the District's schools. The notice shall detail the specific reasons why the Board believes that the student is a nonresident of the District and The notice shall be given by certified mail, return receipt requested, and shall state that, within 10 days after receipt of the notice, the person who enrolled the student may request a hearing to review the residency determination. The notice shall further state that the request for hearing shall be sent by certified mail, return receipt requested, to the Superintendent.
- b. Within ten (10) days after receipt of the request for a hearing, the Board shall notify, by certified mail, return receipt requested, the person requesting the hearing of the time and place of the hearing. The hearing shall be held not less than ten (10) nor more than twenty (20) days after the notice of hearing is given.
- c. The Board or a hearing officer designated by the Board shall conduct the hearing. The Board and the person who enrolled the student may be represented at the hearing by representatives of their choice. At the hearing, the person who enrolled the student shall have the burden of going forward with the evidence concerning the student's residency.
- d. If the hearing is conducted by a hearing officer, the hearing officer, within five (5) days after the conclusion of the hearing, shall send a written report of his/her findings by certified mail, return receipt requested, to the Board and to the person who enrolled the student. The person who enrolled the student may, within five (5) days after receiving the findings, file written objections to the finding with the Board by sending the objections by certified mail, return receipt requested, addressed to the Superintendent.
- e. Whether the hearing is conducted by the Board of Education or a hearing officer, the Board shall, within fifteen (15) days after the conclusion of the hearing, decide whether or not the student is a resident of the District and the amount of any tuition required to be charged as a result of the student's attendance in District schools. The Board shall send a copy of its decision to the person who enrolled the student, and the decision of the Board of Education shall be final.
- f. If a student is determined to be a nonresident of the District for whom tuition is required to be charged, the Board shall refuse to permit the student to continue attending District schools as of a date specified by the Board.

## 5. Continued Attendance

- a. Currently enrolled students: If a hearing is requested under 4 (a) of the Residency Determination Challenge Procedure to review the Superintendent's or designee's determination that a non-resident student is currently attending the schools of the District without payment of the tuition required to be charged under Section 10-20.12a, the student may, at the request of the person who enrolled the student continue attendance in District schools pending a final decision of the Board following the hearing. If, after hearing, a student is determined to be a non-resident of the District for whom tuition is required to be charged pursuant to this Section, the Board shall refuse to permit the student to continue

### Comment [APowell1]:

Updated to align with amendments to residency challenge procedures under 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17.

See administrative procedure 7:60-AP, *Challenging a Student's Residence Status*, for sample procedures implementing this paragraph.

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Comment [APowell2]: Amended for consistency with the School Code.

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# ***DRAFT UPDATE***

attending the schools of the District as of a date specified by the Board. However, the person who enrolled the student shall have the obligation to pay the tuition charged under Section 10-20.12a prorated for the amount of time that the student was in attendance during the pendency of the hearing.

- b. Students not currently enrolled: If the District denies enrollment to a student on the basis of non-residency and the student requests an appeal of such a determination, the student shall not be allowed to enroll in the District on a tuition-free basis during the pendency of the appeal.

## **6. Military Students**

When a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence is deemed to be unchanged for the duration of the custodian's military service obligation if the student's custodian has made a written request. The District, however, is not responsible for the student's transportation to or from school.

## **7. Non-Resident Enrollment**

A student of parent or guardian who is a non-resident may be permitted to enroll in the District on the following condition:

1. The parent or guardian intends to become a resident within ninety (90) school days of the date of the student's enrollment.
2. The parent or guardian presents evidence (closing documents, construction time estimates/applications for occupancy permits) that the parent or guardian is:
  - (a) Purchasing a residence;
  - (b) Constructing a residence; or
  - (c) Remodeling a residence to such an extent that it is currently uninhabitable;And the parent or guardian will occupy such residence within ninety (90) school days.
3. The parent or guardian tenders a non-resident enrollment application and a certified check payable to the District for each enrolled student equal to ninety (90) school days of tuition. Kindergarten students shall be charged the same tuition rates as students in grades 1-8.

If a parent or guardian establishes residency and presents proof of such residency within ninety (90) school days, the District will return the parent's or guardian's initial deposit in full. If the parent or guardian fails to establish permanent residency in the District within ninety (90) school days from the date of enrollment: (1) the District will retain the parent's or guardian's initial deposit; (2) the parent or guardian will be required to pay tuition for each subsequent school day of attendance by pre-paying tuition on a monthly basis until such occupancy takes place. Tuition payments will not be accepted beyond the school year in which the student enrolls.

Failure to make any required payment under this Section shall result in the District's refusal to permit the student(s) to continue attending school in the District.

## **8. Homeless Children**

### **a. Definitions**

1. Homeless children shall include individuals who:
  - (d) lack a fixed, regular, and adequate nighttime place of abode; or
  - (e) have a primary nighttime residence that is:
    - (1) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

# **DRAFT UPDATE**

- (2) an institution that provides a temporary resident for individuals intended to be institutionalized; or
  - (3) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
2. The District is the "school of origin" if the homeless student attended school in the District when last permanently housed or when last enrolled in school.
- b. Transportation
- 1. If a homeless child, formerly attending school in the District but currently living in the attendance area of another school district, elects to attend school in the District as the "school of origin", the student's parents/guardians are expected to make a good-faith effort to provide transportation to and from school. If the parents/guardians are unable to provide such transportation, the District shall work with the school district in which the homeless child is currently living to apportion responsibility for transporting the homeless child to and from school, subject to paragraph (b) (2) below. If the districts are unable to reach an agreement on the child's transportation, the responsibility and costs for such transportation will be shared equally by the districts.
  - 2. If a homeless child, formerly attending school in the District but currently living in the attendance area of another school district, elects to attend school in the District as the "school of origin," the District or the student's parents / guardian may request a meeting of the school principal or designee, a teacher of the student, and the parents / guardian to evaluate whether travel to and from the District is in the best interest of the student and the student's family. Such a meeting shall be required if travel to school will be greater than one (1) hour each way. If at such meeting the parties are unable to reach an agreement that such travel is in the best interest of the student and the student's family, the District may elect not to provide transportation for the student to and from school.
- c. Appeals Procedures
- In the event that the District denies enrollment or transportation to a homeless student as defined herein, such student may appeal the decision to the Regional Superintendent of Schools of Cook County, who shall convene a meeting of all parties and make a decision within five (5) school days. During the pendency of this question, the District shall admit the student and provide transportation to and from school.

## **9. Criminal Liability**

In accordance with Illinois law, a person who knowingly enrolls or attempts to enroll in the schools of a school district on a tuition-free basis a student known by that person to be a non-resident of the District is guilty of a Class C misdemeanor. This criminal penalty does not apply to a person enrolling a foreign exchange student or the Guardianship Administrator of the Department of Children and Family Services.

In accordance with Illinois law, a person who knowingly or willfully presents to any school district any false information regarding the residency of a student for the purpose of enabling that student to attend any school in that district without the payment of a non-resident tuition charge is guilty of a Class C misdemeanor.

The administrator shall refer to the appropriate criminal justice office any instances of suspected violations of the above provisions.

# DRAFT UPDATE

LEGAL REF.: McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 *et seq.*  
105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.  
105 ILCS 45/ and 70/  
23 Ill.Admin.Code §1.240.  
Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School  
Dist. 200, 601 N.E.2d 1264 (Ill.App.1, 1992).  
Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650  
(Ill.App.1, 1997).  
Kraut v. Rachford, 366 N.E.2d 497 (Ill.App.1, 1977).

CROSS REF.: 6:45 (School Accountability ~~containing "School Choice for Students Enrolled in  
a School Identified for Improvement, Corrective Action, or Restructuring"~~), 7:50  
(School Admissions and Student Transfers To and From Non-District Schools),  
7:70 (Attendance and Truancy)

ADOPTED: February 25, 2008

**Comment [APowell3]:**  
References to NCLB's school choice provisions are deleted due to  
the statute's repeal by the passage of ESSA.  
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# DRAFT UPDATE

River Forest School District 90

7:250

## Students

### Student Support Services

Each staff member is responsible for effectively guiding students under his/her supervision in order to provide early identification of intellectual, emotional, social, or physical needs, diagnosis of any learning disabilities, and development of educational potential. The District's staff shall offer assistance to those students who have additional needs.

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

1. Health services supervised by a qualified nurse. The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease.
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, and to the appropriate professional staff.
3. The services of a social worker. A student's parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. A liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Illinois Department of Children and Family Services when enrolling in or changing schools.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/  
Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/  
105 ILCS 5/10-20.58.

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

ADOPTED: August 18, 2014

**Comment [APowell1]:** School districts may employ noncertificated/non-professional-educator-licensed *registered professional nurses* to perform professional nursing services (105 ILCS 5/10-22.23; 23 Ill. Admin. Code §1.760(c)). A *registered professional nurse* means any nurse who is licensed to practice professional nursing in Illinois under the Nurse Practice Act (225 ILCS 65f) and whose license is active and in good standing with the Ill. Dept. of Financial and Professional Regulation (23 Ill. Admin. Code §1.760(b)).

A *school nurse* means any registered professional nurse who also holds a professional educator license endorsed for school support services in school nursing, or any registered professional nurse who does not hold the professional educator license but was employed in the school district of current employment before 7-1-76 (23 Ill. Admin. Code §1.760(c)).

See the footnotes available at PRESS Online for more information.

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**Comment [APowell2]:** 105 ILCS 5/10-20.58, added by P.A. 99-781, allows school boards to appoint liaisons for foster care students. These liaisons must be licensed under Article 21B of the School Code. 105 ILCS 5/10-20.58 directs how employees are prioritized for liaison appointment. Liaisons are "encouraged to build capacity and infrastructure within their school district to support students in the legal custody of the Department of Children and Family Services." For more information about Liaison responsibilities, please see the footnotes of policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, available at PRESS Online.

**OPTION:** To remove the liaison for foster care students from policy, mark "yes" on your PRESS Plus Response Form. This will also remove the section *Foster Care Students* from policy 7:50.

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**RETAIN LANGUAGE**

# DRAFT UPDATE

River Forest School District 90

7:305

## Students

### Student Athlete Concussions and Head Injuries

The Superintendent or designee shall develop and implement a program to manage concussions and head injuries suffered by students. The program shall:

1. ~~Prepare for the full implementation of~~ Fully implement the Youth Sports Concussion Safety Act, that provides, without limitation, each of the following:
  - a. The Board must appoint or approve members of a Concussion Oversight Team for the District.
  - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
    - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
    - ii. A return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
  - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
  - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
  - e. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
  - f. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses who serve on the Concussion Oversight Team; athletic trainers; physical education teachers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
  - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a student's condition may deteriorate rapidly.

**Comment [APowell1]:** Updated throughout to fully incorporate the Youth Sports Concussion Safety Act, P.A. 99-486.

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# DRAFT UPDATE

2. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association, including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussion, Playing Rules* and which includes its *Return to Play (RTP) Policy*. These specifically require that:
  - a. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or game shall be removed from participation or competition at that time.
  - b. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer.
  - c. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.
3. Require all student athletes to view the Illinois High School Association's video about concussions.
4. Inform student athletes and their parents/guardians about this policy in the *Agreement to Participate* or other written instrument that a student athlete and his or her parent/guardian must sign before the student is allowed to participate in a practice or interscholastic competition.
5. Provide coaches and student athletes and their parents/guardians with educational materials from the Illinois High School Association regarding the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury.
6. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.

LEGAL REF.: 105 ILCS 5/22-80.  
105 ILCS 25/1.15.

CROSS REF.: 4:170 (Safety), 7:300 (Extracurricular Athletics)

ADOPTED: May 16, 2016

# DRAFT UPDATE

River Forest School District 90

7:310

## Students

### Restrictions on Publications; Elementary Schools

#### School-Sponsored Publications and Web Sites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the District's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

#### Non-School Sponsored Publications Accessed or Distributed On-Campus

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, (2) audio-visual material on any medium including electromagnetic media (e.g., images, MP3 files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, CD-ROM, etc.) or online (e.g., any website, social networking site, database for information retrieval, etc.), or (3) information or material on electronic devices (e.g., data or voice messages delivered by cell phones, tablets, and other hand-held devices).

Creating, distributing and/or accessing non-school sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by the School District.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright;
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by School Board policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.

Accessing or distributing "on-campus" includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be

#### Comment [APowell]:

This policy is **RENAMED** to restrict it to elementary students in response to the Speech Rights of Student Journalists Act, 105 ILCS 80/1, added by P.A. 99-678, which applies to high school students only. Unit districts should adopt both this policy and NEW policy 7:315, *Restrictions on Publications: High Schools*.

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# ***DRAFT UPDATE***

disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

## Non-School Sponsored Publications Accessed or Distributed Off-Campus

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

## Bullying and Cyberbullying

The Superintendent or designee shall treat behavior that is *bullying* and/or *cyberbullying* according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

LEGAL REF.: 105 ILCS 5/27-23.7  
Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).  
Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).  
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

ADOPTED: ~~October~~ 19, 2015

# DRAFT UPDATE

River Forest School District 90

8:70

## Community Relations

### Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities and will not be subject to illegal discrimination. When appropriate, the District may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The District will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Superintendent or designee is designated the Title II Coordinator and shall:

1. Oversee the District's compliance efforts, recommend necessary modifications to the School Board, and maintain the District's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least 3 years after its completion date.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent or designated Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §§12101 et seq. and 12131 et seq.; 28 C.F.R. Part 35.  
Rehabilitation Act of 1973 §104, 29 U.S.C. §794 (2006).  
105 ILCS 5/10-20.4651.  
410 ILCS 25/, Environmental Barriers Act.  
71 Ill.Admin.Code Part 400, Illinois Accessibility Code.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Expansion Programs)

ADOPTED: ~~February 22, 2010~~

**Comment [APowell1]:**

A written evaluation of district services, policies, and practices should have been completed by January 26, 1993. While this date has passed, this information is kept in the policy as it is an affirmative obligation.

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