

River Forest District 90
PRESS Policy Update Issue 108 – November, 2021

First Reading – January 18, 2022

Policy Number	Policy Description	Recommended Action
2:20	Powers and Duties of the Board of Education; Indemnification	Recommend Adoption
2:105	Ethics and Gift Ban	Recommend Adoption
2:110	Qualifications, Term, and Duties of Board Officers	Recommend Adoption
2:120	Board Member Development	Recommend Adoption
2:220	Board of Education Meeting Procedure	Recommend Adoption
2:260	Uniform Grievance Procedure	Recommend Adoption
3:40	Superintendent	Recommend Adoption
3:50	Administrative Personnel Other Than Superintendent	Recommend Adoption
3:60	Administrative Responsibility of the Building Principal	Recommend Adoption
4:60	Purchases and Contracts	Recommend Adoption
4:120	School Wellness and Food Services	Recommend Adoption
4:160	Environmental Quality of Buildings and Grounds	Recommend Adoption
4:165	Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors - New	Recommend Adoption
4:170	Safety	Recommend With Edits
4:175	Convicted Child Sex Offender; Screening; Notifications	Recommend Adoption
5:10	Equal Employment Opportunity and Minority Recruitment	Recommend Adoption
5:20	Workplace Harassment Prohibited	Recommend Adoption
5:30	Hiring Process and Criteria	Recommend Adoption
5:50	Drug and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition	Recommend Adoption
5:70	Religious Holidays	Recommend Adoption
5:80	Jury Duty	Recommend Adoption
5:90	Abused and Neglected Child Reporting	Recommend Adoption
5:100	Staff Development Program	Recommend Adoption
5:120	Employee Ethics; Conduct; and Conflict of Interest	Recommend Adoption
5:125	Personal Technology and Social Media; Usage and Conduct	Recommend Adoption
5:150	Personnel Records	Recommend Adoption
5:185	Family and Medical Leave	Recommend Adoption
5:200	Terms and Conditions of Employment and Dismissal	Recommend Adoption
5:210	Retirement	Recommend Adoption
5:220	Substitute Teachers	Recommend Adoption
5:250	Leaves of Absence	Recommend Adoption
5:330	Sick Days, Vacation, Holidays, and Leaves	Recommend Adoption
6:15	School Accountability	Recommend Adoption

6:20	School Year Calendar and Day	Recommend Adoption
6:50	School Wellness	Recommend with Edits
6:60	Curriculum Content	Recommend Adoption – Q1: Yes; Q2 3 rd Option
6:120	Education of Children with Disabilities	Recommend Adoption
6:135	Accelerated Placement Program	Recommend Adoption
6:220	Instructional Materials Selection and Adoption	Recommend Adoption
6:340	Student Testing and Assessment Program	Recommend Adoption
7:10	Equal Educational Opportunities	Recommend Adoption
7:20	Harassment of Students Prohibited	Recommend Adoption
7:30	Student Assignment	Recommend Adoption
7:60	Residence	Recommend Adoption
7:70	Attendance and Truancy	Recommend Adoption
7:80	Release Time for Religious Instruction/Observance	Recommend Adoption
7:150	Agency and Police Interviews	Recommend Adoption
7:160	Student Appearance	Recommend Adoption – Q1: Yes
7:180	Prevention of and Response to Bullying, Intimidation, and Harassment	Recommend Adoption
7:190	Student Behavior	Recommend Adoption – Q1: Yes
7:200	Suspension Procedures	Recommend Adoption
7:210	Expulsion Procedures	Recommend Adoption
7:240	Conduct Code for Participants in Extracurricular Activities	Recommend Adoption
7:250	Student Support Services	Recommend Adoption
7:260	Exemption from Physical Education	Recommend Adoption
7:290	Suicide and Depression Awareness and Prevention	Recommend Adoption
7:310	Restrictions on Publications; Elementary Schools	Recommend Adoption
7:340	Student Records	Recommend Adoption
7:345	Use of Educational Technologies; Student Data Privacy and Security	Recommend Adoption
8:30	Visitors to and Conduct on School Property	Recommend Adoption
8:100	Relations with Other Organizations and Agencies	Recommend Adoption

Document Status: Draft Update

2:20 Powers and Duties of the Board of Education; Indemnification

The major powers and duties of the Board of Education include, but are not limited to:

1. Organizing the Board after each consolidated election by electing officers and establishing its regular meeting schedule and, thereafter, taking action during lawfully called meetings to faithfully fulfill the Board's responsibilities in accordance with State and federal law.
2. Formulating, adopting, and modifying Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
3. Employing a Superintendent and other personnel, making employment decisions, dismissing personnel, including determining whether an employee has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by [325 ILCS 5/](#), and establishing an equal employment opportunity policy that prohibits unlawful discrimination.
4. Directing, through policy, the Superintendent, in his or her charge of the District's administration.
5. Approving the annual budget, tax levies, major expenditures, payment of obligations, annual audit, and other aspects of the District's financial operation; and making available a statement of financial affairs as provided in State law.
6. Entering contracts using the public bidding procedure when required.
7. Providing, constructing, controlling, and maintaining adequate physical facilities; making school buildings available for use as civil defense shelters; and establishing a resource conservation policy.
8. Establishing an equal educational opportunities policy that prohibits unlawful discrimination.
9. Approving the curriculum, textbooks, and educational services.
10. Evaluating the educational program and approving School Improvement and District Improvement Plans.
11. Presenting the District report card and School report card(s) to parents/guardians and the community; these documents report District, School and student performance.
12. Establishing and supporting student behavior policies designed to maintain an environment conducive to learning, including deciding individual student suspension or expulsion cases brought before it.
13. Establishing attendance units within the District and assigning students to the schools.
14. Establishing the school year.
15. Requiring a moment of silence to recognize veterans during any type of school event held at a District school on November 11.
16. Providing student transportation services pursuant to State law.
17. Entering into joint agreements with other boards to establish cooperative educational programs or provide educational facilities.
18. Complying with requirements in the Abused and Neglected Child Reporting Act (ANCRA). Specifically, each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.
19. Notifying the State Superintendent of Education promptly and in writing of the name of a licensed teacher who was convicted of a felony, along with the conviction and the name and location of the court where the conviction occurred. [PRESSPlus1](#)
20. Notifying the Teachers' Retirement System (TRS) of the State of Ill. Board of Trustees promptly and in writing when it learns that a teacher as defined in the Ill. Pension Code was convicted of a felony, along with the name and location of the court where the conviction occurred, and the case number assigned by that court to the conviction. [PRESSPlus2](#)
21. Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters.

Indemnification

To the extent allowed by law, the Board shall defend, indemnify, and hold harmless Board of Education members, employees, volunteer personnel (pursuant to [105 ILCS 5/10-22.34](#), [10-22.34a](#) and [10-22.34b](#)), mentors of certified staff (pursuant to [105 ILCS 5/2-3.53a](#), [2-3.53b](#), and [105 ILCS 5/21A-5](#) et seq.), and student teachers who, in the course of discharging their official duties imposed or authorized by law, are sued as parties in a legal proceeding. Nothing herein, however, shall be construed as obligating the Board to defend, indemnify, or hold harmless any person who engages in criminal activity, official misconduct, fraud, intentional or willful and wanton misconduct, or acts beyond the authority properly vested in the individual.

LEGAL REF.:

[105 ILCS 5/10](#), [5/17-1](#), [5/21B-85](#), and [5/27-1](#).

[115 ILCS 5/](#), III. Educational Labor Relations Act.

[325 ILCS 5/](#), Abused and Neglected Child Reporting Act.

CROSS REF.: 1:10 (School District Legal Status), 1:20 (District Organization, Operations, and Cooperative Agreements), 2:10 (School District Governance), 2:30 (Board Member Oath and Conduct), 2:140 (Communications To and From the Board), 2:210 (Organizational Board of Education Meeting), 2:240 (Board Policy Development), 4:60 (Purchases and Contracts), 4:70 (Resource Conservation), 4:100 (Insurance Management), 4:110 (Transportation), 4:150 (Facility Management and Building Programs), [4:165 \(Awareness and Prevention of Sexual Abuse and Grooming Behaviors\)](#), [4:175 \(Convicted Child Sex Offender Screening Notifications\)](#), 5:10 (Equal Employment Opportunity and Minority Recruitment), [5:30 \(Hiring Process and Criteria\)](#), 5:90 (Abused and Neglected Child Reporting), [5:120 \(Employee Ethics, Conduct, and Conflict of Interest\)](#), [5:150 \(Personnel Records\)](#), [5:210 \(Resignations\)](#), [5:290 \(Employment Termination and Suspensions\)](#), 6:10 (Educational Philosophy and Objectives), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/21B-85(a). Issue 108, November 2021

PRESSPlus 2. Updated in response to 105 ILCS 5/21B-85(b). Issue 108, November 2021

Document Status: Draft Update

2:105 Ethics and Gift Ban

Prohibited Political Activity

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

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

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

Limitations on Receiving Gifts

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

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

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. "Catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. "Intra-governmental gift" means any gift given to a Board member or employee from another Board member or employee, and "inter-governmental gift" means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

A Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under [26 U.S.C. §501\(c\)\(3\)](#).

Ethics Advisor

The Superintendent shall appoint an Ethics Advisor for the School District. The Ethics Advisor shall provide guidance to the Board Members and School District employees concerning the interpretation of and compliance with this policy and State ethics laws.

Enforcement

Written complaints alleging a violation of this policy shall be filed with the Superintendent or Board President. If attempts to correct any misunderstanding or problem do not resolve the matter, the Superintendent or Board President shall, after consulting with the Board attorney, either place the alleged violation on a Board meeting agenda for the Board's disposition or refer the complainant to Board policy 2:260, *Uniform Grievance Procedure*. A Board member who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint, shall not participate in any decision-making capacity for the Board. If the Board finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or consider disciplinary action for the employee.

Definitions

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

"Political activity" means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

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

"Prohibited source" means any person or entity who:

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

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

Complaints of Sexual Harassment Made Against Board Members by Elected Officials

Pursuant to the State Officials and Employees Ethics Act ([5 ILCS 430/70-5](#)), members of the Board and other elected officials are encouraged to promptly report claims of sexual harassment by a Board member. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available. If the official feels comfortable doing so, he or she should directly inform the individual that the individual's conduct or communication is offensive and must stop.

Board members and elected officials should report claims of sexual harassment against a member of the Board to the Board President or Superintendent. If the report is made to the Superintendent, the Superintendent shall promptly notify the President, or if the President is the subject of the complaint, the Vice President. Reports of sexual harassment will be confidential to the greatest extent practicable.

When a complaint of sexual harassment is made against a member of the Board by another Board member or other elected official, the Board President shall appoint a qualified outside investigator who is not a District employee or Board member to conduct an independent review of the allegations. If the allegations concern the President, or the President is a witness or otherwise conflicted, the Vice President shall make the appointment. If the allegations concern both the President and Vice President, and/or they are witnesses or otherwise conflicted, the Board Secretary shall make the appointment. The investigator shall prepare a written report and submit it to the Board.

If a Board member has engaged in sexual harassment, the matter will be addressed in accordance with the authority of the Board.

The Superintendent will post this policy on the District website and/or make this policy available in the District's administrative office.

LEGAL REF.:

[105 ILCS 5/22-90](#) (final citation pending), [PRESSPlus1](#)

[5 ILCS 430/](#), State Officials and Employees Ethics Act.

[10 ILCS 5/9-25.1](#), Election Interference Prohibition Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:260 (Uniform Grievance Procedure), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Conduct; and Conflict of Interest)

PRESSPlus Comments

PRESSPlus 1. [105 ILCS 5/22-90](#) (final citation pending), added by P.A. 102-327, bans high school guidance counselors from intentionally soliciting or accepting gifts from a *prohibited source*, narrowly defined as "any person who is employed by an institution of higher education or is an agent or spouse of or an immediate family member living with a person employed by an institution of higher education." Exceptions exist for certain circumstances, e.g., gifts from a relative or based on a personal friendship. A guidance counselor does not violate this law if he or she promptly takes reasonable action to return the gift to the prohibited source or donates the gift or an amount equal to its value to a tax exempt charity. Issue 108, November 2021

Document Status: Draft Update

2:110 Qualifications, Term, and Duties of Board Officers

The Board of Education officers are: President, Vice President, and Secretary. These officers are elected or appointed by the Board at its organizational meeting.

President

The Board of Education elects a President from its members for a two-year term. The duties of the President are:

1. Preside at all meetings;
2. Focus the Board meeting agendas on appropriate content;
3. Make all Board committee appointments;
4. Be a member of all Board committees;
5. Represent the Board on other boards or agencies;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Serve as the head of the public body for purposes of the Open Meetings Act and Freedom of Information Act;
9. Ensure that a quorum of the Board is physically present at all Board meetings, except as otherwise provided by the Open Meetings Act; PRESSPlus1
10. Serve as or appoint the Board's official spokesperson to the media; and
11. Except when the Board President is the subject of a complaint of sexual harassment, a witness, or otherwise conflicted, appoint a qualified outside investigator to conduct an independent review of allegations of sexual harassment made against a Board member by another Board member or elected official; and
12. Ensure that the fingerprint-based criminal history records information checks and/or screenings required by State law and policy 5:30, Hiring Process and Criteria, is completed for the Superintendent. PRESSPlus2

The President is permitted to participate in all Board meetings in a manner equal to all other Board members, including the ability to make and second motions.

The Vice President fills a vacancy in the Presidency.

Vice President

The Board of Education elects a Vice President from its members for a two-year term. The Vice President performs the duties of the President if:

- The office of President is vacant;
- The President is absent; or
- The President is unable to perform the office's duties.

A vacancy in the Vice Presidency is filled by special Board election.

Secretary

The Secretary shall be a member of the Board who serves a two-year term. The duties of the Secretary are to:

1. Keep meeting minutes for all Board meetings, and keep the verbatim record for all closed meetings;
2. Keep records of the Board's official acts, and sign them, along with the President, before submitting them to the Treasurer at such times as the Treasurer may require.
3. Act as the local election official for the District;
4. Sign official District documents requiring the Secretary's signature; and
5. Maintain publicity and correspondence.

The Secretary may delegate some or all of these duties, except when State law prohibits the delegation. The Board appoints a secretary pro tempore, who may or may not be a Board member, if the Secretary is absent from any meeting or refuses to perform the duties of the office. A permanent vacancy in the office of Secretary is filled by special Board election.

Township Treasurer

Pursuant to Illinois Statute, the Township Treasurer shall serve as Treasurer for District #90.

The Treasurer shall have custody of all monies belonging to the Board of Education and all other monies under control of the Board and assigned to the Treasurer for safekeeping. The Treasurer shall provide the Board with a monthly financial statement. The Treasurer shall make an annual report to the Board showing all receipts and disbursements for the fiscal year, together with the balances in all funds at the close of the fiscal year.

The Treasurer shall perform all other duties pertaining to the office as prescribed by the laws of the State of Illinois or as directed by the Board of Education.

LEGAL REF.:

[5 ILCS 120/7](#) and [420/4A-106](#).

105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, [5/10-21.9](#), and [5/17-1](#), and [5/21B-85](#).

CROSS REF.: 2:30 (Board Member Oath and Conduct), 2:105 (Ethics and Gift Ban), 2:150 (Committees), 2:210 (Organizational Board of Education Meeting), 2:220 (Board of Education Meeting Procedure)

PRESSPlus Comments

PRESSPlus 1. Updated to reflect changes to 5 ILCS 120/7, amended by P.A. 101-640, permitting public bodies to meet remotely without a quorum physically present at the meeting location during a public health emergency. **Issue 108, November 2021**

PRESSPlus 2. The School Code continues to define the board president's role in conducting criminal background investigations and receiving the results of these investigations, including the results for employees of district contractors. 105 ILCS 5/10-21.9. Many districts delegate this task in the hiring process to a human resources department. For more information, see the subhead entitled Screening in policy 4:175, Convicted Child Sex Offender; Screening; Notifications, and the subhead entitled Investigations in policy 5:30, Hiring Process Criteria. **Issue 108, November 2021**

Document Status: Draft Update

2:120 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 four hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities, and (beginning in the fall of 2023) trauma-informed practices for students and staff within the first year of his or her first term. [PRESSPlus1](#)
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, appropriate and available supportive services for the promotion of student attendance and engagement, 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:

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.

Candidates

Once known, 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.: 2:90 (Board Member Oath and Conduct), 2:125 (Board Member Compensation; Expenses)

PRESSPlus Comments

PRESSPlus 1. 105 ILCS 5/10-16a, amended by P.A. 102-638. See 105 ILCS 5/10-16a(b-5) for the required and recommended elements of the training regarding trauma-informed practices. Issue 108, November 2021

Document Status: Draft Update

2:220 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 extensive discussion 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";
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 (OMA) 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 ~~Every six months, or as soon after as is practicable~~, in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) ~~decides~~ determines which, if any, no longer require confidential treatment and are available for public inspection. This is also referred to as a semi-annual review. ^{PRESS Plus 1} The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release, but it reports its determination in open session.

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 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.

Verbatim Record of Closed Meetings

The Superintendent or the Board Secretary 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 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. 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.

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.

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.

No Physical Presence of Quorum and Participation by Audio or Video: Disaster Declaration

The ability of the Board to meet in person with a quorum physically present at its meeting location may be affected by the Governor or the Director of the Ill. Dept. of Public Health issuing a disaster declaration related to a public health emergency. The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President determines that an in-person meeting or a meeting conducted under the **Quorum and Participation by Audio or Video Means** subhead above, is not practical or prudent because of the disaster declaration. If neither the President nor Vice President are present or able to perform this determination, the Superintendent shall serve as the duly authorized designee for purposes of making this determination.

The individual who makes this determination for the Board shall put it in writing, include it on the Board's published notice and agenda for the audio or video meeting and in the meeting minutes, and ensure that the Board meets every OMA requirement for the Board to meet by video or audio conference without the physical presence of a quorum.

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use the most recent edition of Robert's Rules of Order: Newly Revised (44th 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](#), [120/2.06](#), and [120/7](#).

[105 ILCS 5/10-6](#), [5/10-7](#), [5/10-12](#), and [5/10-16](#).

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

PRESSPlus Comments

PRESSPlus 1. Required by 5 ILCS 120/2.06(d), amended by P.A. 102-653. If a board is unable to conduct the review every six months, it must do so as soon after as is practicable, taking into account the nature and meeting schedule of the board. A board may also conduct the review more frequently. For the sake of brevity and to align with the closed meeting exception in 5 ILCS 120/2(c)(21) that continues to refer to a public body's *semi-annual* review of its closed session minutes, this policy's exhibits use the term *semi-annual*, even though that term was removed from 5 ILCS 120/2.06(d). **Issue 108, November 2021**

Document Status: Draft Update

2:260 Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the Board of Education, its employees, or its agents have violated his or her rights guaranteed by the [State](#) or federal [Constitution](#), State or federal statute, or Board policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act, [42 U.S.C. §12101 et seq.](#)
2. Title IX of the Education Amendments of 1972, [20 U.S.C. §1681 et seq.](#), excluding Title IX sexual harassment complaints governed by policy 2:265, *Title IX Sexual Harassment Grievance Procedure*
3. Section 504 of the Rehabilitation Act of 1973, [29 U.S.C. §791 et seq.](#)
4. Individuals With Disabilities Education Act, [20 U.S.C. §1400 et seq.](#)
5. Title VI of the Civil Rights Act, [42 U.S.C. §2000d et seq.](#)
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), [42 U.S.C. §2000e et seq.](#)
7. Breastfeeding accommodations for students, [105 ILCS 5/10-20.60](#)
8. Sexual harassment prohibited by the State Officials and Employees Ethics Act, [5 ILCS 430/70-5\(a\)](#); Illinois Human Rights Act, [775 ILCS 5/](#); and Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e et seq.](#) (Title IX sexual harassment complaints are addressed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*)
9. Bullying, [105 ILCS 5/27-23.7](#)
10. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
11. Curriculum, instructional materials, and/or programs
12. Victims' Economic Security and Safety Act, [820 ILCS 180/](#)
13. Illinois Equal Pay Act of 2003, [820 ILCS 112/](#)
14. Provision of services to homeless students
15. Illinois Whistleblower Act, [740 ILCS 174/](#)
16. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, [410 ILCS 513/](#); and Titles I and II of the Genetic Information Nondiscrimination Act, [42 U.S.C. §2000ff et seq.](#)
17. Employee Credit Privacy Act, [820 ILCS 70/](#)

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, *school business days* means days on which the District's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager shall process and review the complaint according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy. For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. If the Complainant is a student, the Complaint Manager may notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, ~~or this policy~~, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time.

The Superintendent will keep the Board informed of all complaints.

If a complaint contains allegations involving the Superintendent or Board member(s), the written report shall be filed directly with the Board, which will make a decision in accordance with paragraph four of the following section of this policy.

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall mail his or her written decision to the Complainant and the accused by first-class U.S. mail/registered mail return receipt requested, and/or personal delivery [PRESSPlus1](#) as well as to the Complaint Manager.

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board by making a written request to the Superintendent. The Superintendent shall promptly forward all materials relative to the complaint and appeal to the Board.

Within 30 school business days after an appeal of the Superintendent's decision, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days after the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action.

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail its written decision to the Complainant and the accused by first-class U.S. mail (registered mail, return receipt requested, and/or personal delivery) as well as to the Complaint Manager.

Illinois regulations provide that individuals alleging that they have been discriminated against on the basis of their sex have a right to appeal the Board's decision to the Regional Superintendent and, thereafter, to the State Superintendent of Education. The Regional Superintendent retains discretion as to whether he or she will hear an appeal.

This policy shall not be construed to create an independent right to a Board hearing. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint two Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator, if any, may be appointed as one of the Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Nondiscrimination Coordinator:

Edward Condon, Superintendent.
7776 Lake Street, River Forest, IL 60305
condone@district90.org
708/771-8282

Complaint Managers:

Dr. Alison Hawley, Director of Curriculum & Instruction 7776 Lake Street, River Forest, IL 60305 hawley@district90.org 708/771-8282	Anthony Cozzi, Director of Finance and Facilities 7776 Lake Street, River Forest, IL 60305 cozza@district90.org 708/771-8282
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LEGAL REF.:

8 U.S.C. §1324a et seq., Immigration Reform and Control Act.

20 U.S.C. §1232g, Family Education Rights Privacy Act.

20 U.S.C. §1400, The Individuals with Disabilities Education Act.

20 U.S.C. §1681 et seq., Title IX of the Education Amendments; 34 C.F.R. Part 106.

29 U.S.C. §206(d), Equal Pay Act, Age Discrimination in Employment Act,

29 U.S.C. §621 et seq., Age Discrimination in Employment Act.

29 U.S.C. §791 et seq., Rehabilitation Act of 1973.

29 U.S.C. §2612, Family and Medical Leave Act.

42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act.

42 U.S.C. §2000e et seq., Equal Employment Opportunities Act (Title VII of the Civil Rights Act).

42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

Americans With Disabilities Act, 42 U.S.C. §12101 et seq., Americans With Disabilities Act.

Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.

Equal Pay Act, 29 U.S.C. §206(d).

Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.

105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69, 5/10-20.75 (final citation pending), 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.

5 ILCS 415/10(a)(2), Government Severance Pay Act.

5 ILCS 430/0-5(a), State Officials and Employees Ethics Act.

Illinois Genetic Information Privacy Act, 410 ILCS 513/, Ill. Genetic Information Privacy Act.

Illinois Whistleblower Act, 740 ILCS 174/, Whistleblower Act.

740 ILCS 175/, Ill. False Claims Act.

Illinois Human Rights Act, 775 ILCS 5/, Ill. Human Rights Act.

Victims' Economic Security and Safety Act, 820 ILCS 180/, Victims' Economic Security and Safety Act, 56 Ill. Admin. Code Part 280.

Equal Pay Act of 2003, 820 ILCS 112/, Equal Pay Act of 2003.

~~Employee Credit Privacy Act, 520 ILCS 70/, Employee Credit Privacy Act, 70/10(b), and 70/25:~~

~~23 Ill.Admin.Code §§1.240, and 200.40, 226.50 and 226.570.~~

~~CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:16 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)~~

PRESSPlus Comments

PRESSPlus 1. Optional; using a delivery method that allows the district to verify the date of receipt is a best practice. **Issue 108, November 2021**

Document Status: Draft Update

3:40 Superintendent

Duties and Authority

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with Board of Education policies and directives, and State and federal law, including the special reporting responsibilities in policy 5:90, *Abused and Neglected Child Reporting*. [PRESSPlus1](#) District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law. The Superintendent is authorized to develop administrative procedures to implement Board of Education policy.

The Board of Education encourages the Superintendent of Schools to assume a position of leadership in public school affairs and to engage in community activities compatible with and complementary to those of the schools.

The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board of Education policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.

Qualifications

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent endorsement issued by the Illinois State Educator Preparation and Licensure Board.

When the office of the Superintendent becomes vacant, the Board of Education will conduct a search to find the most capable person for the position. Qualified staff members who apply for the position will be considered for the vacancy.

Evaluation

The Board of Education will evaluate the Superintendent's performance and effectiveness according to the terms contained in the Superintendent's employment agreement.

A specific time should be designated for a formal evaluation session with all Board of Education members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Superintendent shall annually present evidence of professional growth through attendance at educational conferences, additional schooling, and in-service training.

Compensation and Benefits

The Board of Education and the Superintendent shall enter into a contract that conforms to this policy and State law. This contract shall govern the employment relationship between the Board of Education and the Superintendent. The terms of the Superintendent's employment agreement, when in conflict with this policy, will control.

LEGAL REF.:

105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, [5/10-21.9](#), 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.

[5 ILCS 120/7.3, Open Meetings Act.](#)

[23 IL Admin Code §§1.310, 1.705, and 25.355.](#)

CROSS REF: 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender: Screening; Notifications), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics: Conduct and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions)

PRESSPlus Comments

PRESSPlus 1. Updated in response to the General Assembly's focus on resolving Educator Misconduct. 105 ILCS 5/10-21.9(e-5), amended by P.A. 102-552, requires these notifications and provides superintendents immunity from any liability, whether civil or criminal or that otherwise might result by complying with the statute. **Issue 108, November 2021**

Document Status: Draft Update

3:50 Administrative Personnel Other Than the Superintendent

Duties and Authority

District administrative and supervisory positions are established by the Board of Education in accordance with State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board of Education, upon the Superintendent's recommendation, and contained in the respective position's job description.

Qualifications

All administrative personnel shall have a Professional Educator License and appropriate endorsements issued by the Illinois State Educator Preparation and Licensure Board and such other qualifications as specified in the position's job descriptions.

Evaluation

The performance of all administrative personnel will be evaluated by the Superintendent or designee; the Superintendent shall make employment and salary recommendations to the Board of Education.

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training and through participation in the general development and improvement of the school program.

Administrative Work Year

The administrators' work year shall be the same as the District's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, the administrators shall have vacation periods as approved by the Superintendent. All administrators shall be available for work when their services are necessary.

Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law. The terms of an individual employment contract, when in conflict with this policy, will control.

The Board of Education will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board of Education at such time as specified by the Board.

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel.

LEGAL REF:

[105 LCS 5/10-21.4a](#), [5/10-23.8a](#), [5/10-23.8b](#), [5/21B](#), and [5/24A-4](#).

[23 Ill. Admin. Code §§1.310, 1.705, and 50.300](#); and [Parts 25](#) and [29](#).

CROSS REF: [3:60 \(Administrative Responsibility of the Building Principal\)](#); [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#); [4:175 \(Convicted Child Sex Offender: Screening: Notifications\)](#); [5:30 \(Hiring Process and Criteria\)](#); [5:80 \(Abused and Neglected Child Reporting\)](#); [5:120 \(Employee Ethics: Conduct and Conflict of Interest\)](#); [5:150 \(Personnel Records\)](#); [5:210 \(Resignations\)](#); [5:250 \(Leaves of Absence\)](#); [5:290 \(Employment Termination and Suspensions\)](#); [PRESSPlus1](#)

ADOPTED: September 21, 2016

PRESSPlus Comments

PRESSPlus 1. The Cross References are updated in response to the General Assembly's focus on resolving Educator Misconduct. **Issue 108, November 2021**

Document Status: Draft Update

3:60 Administrative Responsibility of the Building Principal

Duties and Authority

The Board of Education, upon the recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The primary responsibility of a Building Principal is the improvement of instruction. Each Building Principal shall perform all duties as described in State law as well as such other duties as specified in the Building Principal's contract or as agreed upon by the Building Principal and Superintendent.

Each Building Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

Evaluation Plan

The Superintendent or designee shall implement an evaluation plan for Principals that complies with [Section 24A-15 of the School Code](#) and relevant Illinois State Board of Education rules. Using that plan, the Superintendent or designee or, in the absence of the Superintendent or his or her designee, an individual appointed by the Board who holds a valid professional educator license endorsed for superintendent. The Superintendent or designee may conduct additional evaluations. The Superintendent or designee may conduct additional evaluations.

Qualifications and Other Terms and Conditions of Employment

Qualifications and other terms and conditions of employment are found in Board policy 3:50, *Administrative Personnel Other Than the Superintendent*.

LEGAL REF.:

[105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15](#), [PRESSPlus1](#)

[10 ILCS 5/4-6.2, Election Code](#).

[105 ILCS 127/, School Reporting of Drug Violations Act](#).

[23 Ill Admin. Code Parts 35 and 50](#), Subpart D.

CROSS REF.: [3:50 \(Administrative Personnel Other Than the Superintendent\)](#), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), [4:175 \(Convicted Child Sex Offender, Screening, Notifications\)](#), [5:90 \(Abused and Neglected Child Reporting\)](#), [5:120 \(Employee Ethics, Conduct, and Conflict of Interest\)](#), [5:150 \(Personnel Records\)](#), [5:210 \(Resignations\)](#), [5:250 \(Leaves of Absence\)](#), [5:290 \(Employment Termination and Suspensions\)](#), [PRESSPlus2](#)

PRESSPlus Comments

PRESSPlus 1. The Legal References are updated. **Issue 108, November 2021**

PRESSPlus 2. The Cross References are updated in response to the General Assembly's focus on resolving Educator Misconduct. **Issue 108, November 2021**

Document Status: Draft Update

4:60 Purchases and Contracts

Title has been updated. Original Title: 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 federal and 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\(b-5\)](#). 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 (3) 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 new employee of a contractor that provides services to students or in schools, 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 Ill. Department of Public Health rules or order of a local health official.
9. ~~After 1-1-23, any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act.~~ [PRESSPlus1](#)
10. ~~Purchases made with federal or State awards must comply with 2 C.F.R. Part 200 and 30 ILCS 708/, as applicable, and any terms of the award.~~ [PRESSPlus2](#)

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.:

[2 C.F.R. Part 200.](#)

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.

[30 ILCS 708/, Grant Accountability and Transparency Act.](#)

[410 ILCS 170/, Coal Tar Sealant Disclosure Act.](#)

[820 ILCS 130/, Prevailing Wage Act.](#)

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; Screening; Notifications)

PRESSPlus Comments

PRESSPlus 1. [410 ILCS 170/10\(b\)](#), added by P.A. 102-242, eff. 1-1-23. **Issue 108, November 2021**

PRESSPlus 2. 2 C.F.R. §§200.318-200.327; 30 ILCS 708/. The Grant Accountability and Transparency Act (GATA) adopts the federal uniform guidance for all grants, unless the Office of the Governor grants an exception. 30 ILCS 708/55; 44 Ill.Admin.Code §7000.60. For information about the scope of GATA as it pertains to grants administered by ISBE, see www.isbe.net/gata. **Issue 108, November 2021**

Document Status: 5-Year-Review - Needs Review

4:120 School Wellness and Food Services

School Wellness

The Board of Education of River Forest School District 90 is committed to providing a learning environment which promotes student wellness and healthy living, including proper nutrition and physical fitness. The District shall promote a healthy and active lifestyle in its educational programs and school activities for all students consistent with the following goals.

Goals

- **Promote Physical Fitness**

The District will foster an active lifestyle for students by offering opportunities for physical education courses and other physical activities during the school day.

- **Promote Nutrition Education**

The District will include proper nutritional habits in its health education curriculum, which shall be consistent with and incorporate relevant Illinois Learning Standards.

Nutrition Guidelines for Foods Sold During the School Day

The Superintendent or designee shall develop administrative procedures that limit the offering or sale of minimally nutritious foods to students during the school day. The District will offer nutritious beverage choices during meal times. The District has the authority, as needed, to prohibit minimally nutritious foods and beverages from being offered or sold to students during the school day.

Implementation and Monitoring

The Superintendent or designee shall develop administrative procedures that implement and measure the implementation of this policy.

Community Involvement

The Superintendent or designee will invite community members, parents, students, the Board of Education, and school administrators, to comment on the development of this wellness policy.

Food Services

Facilities will be provided so that children in grades one through eight may eat lunch at school. Use of lunchroom facilities is for those students who are regularly scheduled to attend our schools. Families with students in the lunchroom program will be assessed a supervisory fee to be determined by the administration subject to Board approval.

LEGAL REF.:

[105 ILCS 5/2-3.137](#)

ADOPTED: March 19, 2007

Document Status: Draft Update

4: 160 Environmental Quality of Buildings and Grounds

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials and (2) the environmental quality of the District's buildings and grounds.

Pesticides

Restricted use pesticides will not be applied on or within 500 feet of school property during normal school hours. [PRESSPlus1](#) Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, [225 ILCS 235/](#), and the Lawn Care Products Application and Notice Act, [415 ILCS 65/](#).

Coal Tar Sealant [PRESSPlus2](#)

Beginning on 1-1-23, before coal tar-based sealant products or high polycyclic aromatic hydrocarbon sealant products are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students in writing or by telephone as required by the Coal Tar Sealant Disclosure Act.

LEGAL REF.:

[105 ILCS 5/10-20.17a; 5/10-20.48.](#)

29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 ILAdmin.Code §350.700(b).

29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.

20 ILCS 3130/, Green Buildings Act.

~~405 ILCS 5/40-20.17a; 5/40-20.48.~~

105 ILCS 135/, Toxic Art Supplies in Schools Act.

105 ILCS 140/, Green Cleaning School Act.

225 ILCS 235/, Structural Pest Control Act.

[415 ILCS 60/14. Illinois Pesticide Act.](#)

415 ILCS 65/, Lawn Care Products Application and Notice Act.

[410 ILCS 170/. Coal Tar Sealant Disclosure Act.](#)

[820 ILCS 255/](#), Toxic Substances Disclosure to Employees Act. (*inoperative*)

[29 ILAdmin.Code §1.330.](#)

CROSS REF.: 4:150 (Facility Management and Building Programs), [4:170 \(Safety\)](#)

PRESSPlus Comments

PRESSPlus 1. The Illinois Pesticide Act (415 ILCS 60/14 3.F., amended by P.A. 102-548) makes it unlawful to apply a restricted use pesticide on or within 500 feet of school property during normal hours, except for whole structure fumigation, and if the pesticide application information listed on the pesticide label is more restrictive than the law, then the more restrictive provision applies. *Normal school hours* means Monday through Friday from 7 a.m. until 4 p.m., excluding days when classes are not in session. The statute prohibits restricted pesticide applications during *normal hours* but defines *normal school hours*. This policy uses normal school hours. *State Restricted Pesticide Use* is defined as any pesticide use which the Director (Ill. Dept. of Agriculture or his or her authorized representative) determines, subsequent to public hearing, that an additional restriction for that use is needed to prevent unreasonable adverse effects. **Issue 108, November 2021**

PRESSPlus 2. 410 ILCS 170(a)(1)-(4), added by P.A. 102-242, eff. 1-1-23, requires schools to provide written or telephonic notification to employees and parents/guardians of students prior to any application of a coal tar-based sealant product or a high polycyclic aromatic hydrocarbon sealant product. Written notifications must: (1) be included in newsletters, bulletins, calendars, or other correspondence currently published by the district (this is the only prong of written notice that is permissive); (2) be given at least 10 business days before the application and should identify the intended date and location of the application of the coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant; (3) include the name and telephone contact number for the school or day care center (if the district has one) personnel responsible for the application; and (4) include any health hazards associated with coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product, as provided by a corresponding safety data sheet.

Districts may want to include numbers (3) and (4) in their student handbooks. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with PRESS material, Online Model Student Handbook (MSH), at www.ilprincipals.org/resources/model-student-handbook. **Issue 108, November 2021**

Document Status: Draft Update - New

4:165 Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors

New/Unpublished Section

Child sexual abuse and grooming behaviors harm students, their parents/guardians, the District's environment, its school communities, and the community at large, while diminishing a student's ability to learn. The Board has a responsibility and obligation to increase awareness and knowledge of: (1) issues regarding child sexual abuse, (2) likely warning signs that a child may be a victim of sexual abuse, (3) grooming behaviors related to child sexual abuse and grooming, (4) how to report child sexual abuse, (5) appropriate relationships between District employees and students based upon State law, and (6) how to prevent child sexual abuse. [PRESSPlus 1](#)

To address the Board's obligation to increase awareness and knowledge of these issues, prevent sexual abuse of children, and define prohibited grooming behaviors, the Superintendent or designee shall implement an Awareness and Prevention of Sexual Abuse and Grooming Behaviors Program. The Program will:

1. Educate students with:
 - a. An age-appropriate and evidence-informed health and safety education curriculum that includes methods for how to report child sexual abuse and grooming behaviors to authorities, through policy 6:60, *Curriculum Content*;
 - b. Information in policy 7:250, *Student Support Services*, about: (i) District counseling options, assistance, and intervention for students who are victims of or affected by sexual abuse, and (ii) community-based Children's Advocacy Centers and sexual assault crisis centers and how to access those serving the District.
2. Train District employees about child sexual abuse and grooming behaviors by January 31 of each school year with materials that include:
 - a. A definition of prohibited grooming behaviors and boundary violations pursuant to policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*;
 - b. Evidence-informed [PRESSPlus 2](#) content on preventing, recognizing, reporting, and responding to child sexual abuse, grooming behaviors, and boundary violations pursuant to policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 5:90, *Abused and Neglected Child Reporting*; 5:100, *Staff Development Program*; and 5:120, *Employee Ethics; Conduct; and Conflict of Interest*; and
 - c. How to report child sexual abuse, grooming behaviors, and/or boundary violations pursuant to policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.
3. Provide information to parents/guardians in student handbooks about the warning signs [PRESSPlus 3](#) of child sexual abuse, grooming behaviors, and boundary violations with evidence-informed educational information that also includes [PRESSPlus 4](#)
 - a. Assistance, referral, or resource information, including how to recognize grooming behaviors, [PRESSPlus 5](#) appropriate relationships between District employees and students based upon policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, and how to prevent child sexual abuse from happening;
 - b. Methods for how to report child sexual abuse, grooming behaviors, and/or boundary violations to authorities; and
 - c. Available counseling and resources for children who are affected by sexual abuse, including both emotional and educational support for students affected by sexual abuse, so that the student can continue to succeed in school pursuant to policy 7:250, *Student Support Services*.
4. Provide parents/guardians of students in any of grades K through 8 with not less than five days' written notice before commencing any class or course providing instruction in recognizing and avoiding sexual abuse, as well as the opportunity to object in writing. [PRESSPlus 6](#)

LEGAL REF.:

105 ILCS 5/10-23.13, 5/27-9.1a, and 5/27-13.2.

105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/11-25, Criminal Code of 2012.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 7:20 (Harassment of Students Prohibited), 7:250 (Student Support Services)

PRESSPlus Comments

PRESSPlus 1. This policy is created in response to 105 ILCS 5/10-23.13 (*Erin's Law*), amended by P.A. 102-610, which requires districts to adopt and implement a policy addressing sexual abuse of children that includes an age-appropriate and evidence-informed curriculum for preK-12 students, evidence-informed training for school personnel on child sexual abuse, and evidence-informed educational information for parents/guardians in school handbooks. For more information, see this policy's footnotes and the Ethics, Training, and Educator Misconduct bundle in the **PRESS** Issue 108 Update Memo, available at **PRESS** Online by logging in at www.iasb.com. **Issue 108, November 2021**

PRESSPlus 2. Two Illinois laws address "evidence-informed." *Evidence-informed* per *Erin's Law* means modalities that were created utilizing components of evidence-based treatments or curriculums. 105 ILCS 5/10-23.13(a), added by P.A. 102-610. Contrast with National Sex Education Standards (NSES) at 105 ILCS 5/27-9.1a(a), added by P.A. 102-552, which defines an *evidence-informed program* as "a program that uses the best available research and practice knowledge to guide program design and implementation." **Issue 108, November 2021**

PRESSPlus 3. 105 ILCS 5/10-23.13(b) and (b)(1); warning signs and *likely* warning signs are mentioned twice in the law. This policy uses *likely* in the purpose introduction. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/resources/model-student-handbook. **Issue 108, November 2021**

PRESSPlus 4. This information is listed in 7:190-E2, *Student Handbook Checklist*, available at **PRESS** Online by logging in at www.iasb.com. **Issue 108, November 2021**

PRESSPlus 5. Providing information to parents/guardians about how to recognize grooming behaviors is not in *Erin's Law*; it only addresses informing parents/guardians about the methods for increasing their awareness and knowledge of grooming behaviors. 105 ILCS 5/10-23.13(b)(1). This policy requires the district to provide information to parents/guardians about how to recognize grooming behaviors to: (1) effect the purpose of *Erin's Law*; (2) align with the intent of the following statutes: 105 ILCS 110/3 (Critical Health Problems and Comprehensive Health Education Act); 105 ILCS 5/27-9.1a(b), added by P.A. 102-552 (requires comprehensive health and safety and comprehensive sexual health education a/k/a NSES); and 105 ILCS 5/27-13.2 (educating all students to recognize and avoid sexual abuse and assault) and (3) align with the notification requirements in 105 ILCS 5/27-13.2 (parents/guardians of K-8 students prior to commencing instruction in recognizing and avoiding sexual abuse). **Issue 108, November 2021**

PRESSPlus 6. Required by 105 ILCS 5/27-13.2. See 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*, available at **PRESS** Online by logging in at www.iasb.com. **Issue 108, November 2021**

Document Status: Draft Update

4:170 Safety

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event. The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations and crisis response plan(s) addressing prevention, preparation, response, and recovery for each school;
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;
4. Instruction in safe bus riding practices; and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones.

School Safety Drill Plan

During every academic year, each school building that houses school children shall conduct, at a minimum, each of the following in accordance with the School Safety Drill Act (105 ILCS 128/):

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement lockdown drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators, or school support personnel, or a parent/guardian. *PRESS Plus 1*

Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school safety drill plan. This annual review shall be in accordance with the School Safety Drill Act (105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Ill. State Board of Education (ISBE) (29 Ill Admin Code Part 1500). *and conducted in partnership with local emergency agencies.*

Automated External Defibrillator (AED)

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one automated external defibrillator (AED) to be available at every physical fitness facility on the premises according to State law requirements.

The District shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by the District. The Superintendent or designee shall ensure that every AED on the District's premises is properly tested and maintained in accordance with rules developed by the IDPH. This policy does not create an obligation to use an AED.

Contractors

All contracts with the School District that may involve an employee or agent of the contractor having any direct, daily contact with a student, shall contain the following:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in 105 ILCS 5/10-21.9, amended by P.A.s 97-248 and 97-607, or who is listed in the Illinois Sex Offender Registry or the Illinois Murderer and Violent Offender Against Youth Registry. The contractor shall make every employee who will be sent to any school building or school property available to the District for the purpose of submitting to a fingerprint-based criminal history records check pursuant to 105 ILCS 5/10-21.9. The check shall occur before any employee or agent is sent to any school building or school property. The contractor will reimburse the District for the costs of the checks. The District must also provide a copy of the report to the individual employee, but is not authorized to release it to the contractor. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Illinois Sex Offender Registry or the Illinois Murderer and Violent Offender Against Youth Registry.

If the District receives information that concerns the record of conviction as a sex offender of any employee of a District contractor, the District will provide the information to another school, school district, community college district, or private school that requests it.

Carbon Monoxide Alarms

The Superintendent or designee shall implement a plan with the District's local fire officials to:

1. Determine which school buildings to equip with approved carbon monoxide alarms or carbon monoxide detectors,
2. Locate the required carbon monoxide alarms or carbon monoxide detectors within 20 feet of a carbon monoxide emitting device, and
3. Incorporate carbon monoxide alarm or detector activation procedures into each school building that requires a carbon monoxide alarm or detector. The Superintendent or designee shall ensure each school building annually reviews these procedures.

Unsafe School Choice Option

The unsafe school choice option allows students to transfer to another District elementary school or to a public charter school within the District. The unsafe school choice option is available to:

1. All students attending a persistently dangerous school, as defined by State law and identified by the ISBE.
2. Any student who is a victim of a violent criminal offense, as defined by 725 ILCS 120/3 that occurred on school grounds during regular school hours or during a school-sponsored event.

The Superintendent or designee shall develop procedures to implement the unsafe school choice option.

Lead Testing in Water

The Superintendent or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Ill. Plumbing License Law and guidance published by the IDPH. The Superintendent or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective school buildings.

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property.

LEGAL REF.:

[105 ILCS 5/10-20.2](#), [5/10-20.57](#), [5/18-12](#), and [5/18-12.5](#).

105 ILCS 128/, School Safety Drill Act, implemented by 29 Ill.Admin.Code Part 1500.

[210 ILCS 74/](#) Physical Fitness Facility Medical Emergency Preparedness Act.

[225 ILCS 320/35.5](#), Il. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness; Management and Recovery), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

PRESSPlus Comments

PRESSPlus 1. 105 ILCS 128/20(c), amended by P.A. 102-395. While 105 ILCS 128/20(c) uses both *lockdown drill* and *walk-through lockdown drill*, the terms are synonymous. For brevity, this material uses the term *lockdown drill*. Schools must (1) notify parents/guardians in advance of any lockdown drill that involves student participation, and (2) allow parents/guardians to exempt their child(ren) from participating for any reason. For students who do not participate in the lockdown drill, districts must provide alternative safety education and instruction related to an active threat or active shooter event. For students who do participate in the lockdown drill, districts must allow them to ask questions related to it.

Law enforcement may only run an active shooter simulation, including simulated gun fire drills, on school days when students are not present. 105 ILCS 128/20(c)(5)-(8), added by P.A. 102-395. **Issue 108, November 2021**

Document Status: Draft Update

4:175 Convicted Child Sex Offender; 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.

Screening

The Superintendent or designee shall perform fingerprint-based criminal history records information checks 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. The Board President shall ensure that these checks are completed for the Superintendent. [PRESSPlus1](#) He or she shall take appropriate action based on the result of any criminal background check and/or screen. [PRESSPlus2](#)

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.

LEGAL REF.:

[20 U.S.C. §7926, Elementary and Secondary Education Act.](#)

20 ILCS 2635/, Uniform Conviction Information Act.

720 ILCS 5/11-9.3, Criminal Code of 2012.

[730 ILCS 152/](#), Sex Offender Community Notification Law.

[730 ILCS 154/75-105](#), Murderer and Violent Offender Against Youth Community Notification Law.

CROSS REF.: [2:110 \(Qualifications, Term, and Duties of Board Officers\)](#), [3:40 \(Superintendent\)](#), [3:50 \(Administrative Personnel Other Than the Superintendent\)](#), [3:60 \(Administrative Responsibility of the Building Principal\)](#), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), [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: January 17, 2017

PRESSplus Comments

PRESSPlus 1. The School Code continues to define the board president's role in conducting criminal background investigations and receiving the results of these investigations, including the results for employees of district contractors. 105 ILCS 5/10-21.9. Many districts delegate this task in the hiring process to a human resources department. For more information, see [investigations](#) in policy 5:30, *Hiring Process Criteria*. **Issue 108, November 2021**

PRESSPlus 2. When a criminal sexual offense is committed or alleged to have been committed by a district employee or contractor, law enforcement shall immediately transmit a copy of the criminal history record information relating to the investigation of the offense/alleged offense to the superintendent. This transmission will occur either upon the superintendent's request or, if the law enforcement agency knows the offender/alleged offender is employed by a district, automatically. 725 ILCS 191/15, added by P.A. 102-652. See sample administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*, available at [PRESS Online](#) by logging in at [www.iasb.com](#). **Issue 108, November 2021**

Document Status: Draft Update

5:10 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, gender identity, 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, work authorization status, PRESSPlus1 use of lawful products while not at work; being a victim of domestic violence, sexual violence, or gender violence, or any other crime of violence, PRESSPlus2 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; conviction record, unless authorized by law; 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 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 Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Edward Condon, Superintendent.
7776 Lake Street
River Forest, IL 60305
condona@district90.org
708/771-8282

Complaint Managers:

Dr. Alison Hawley, Director of Curriculum & Instruction
7776 Lake Street
River Forest, IL 60305
hawleya@district90.org
708/771-8282

Anthony Cozzi, Director of Finance and Facilities
7776 Lake Street
River Forest, IL 60305
cozzia@district90.org
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

The District will actively recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, employing competency-based screening processes, 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.

LEGAL REF.:

- [8 U.S.C. §1324a](#) *et seq.*, Immigration Reform and Control Act.
- [20 U.S.C. §1681](#) *et seq.*, Title IX of the Education Amendments of 1972; [34 C.F.R. Part 106](#).
- [29 U.S.C. §206](#)(d), Equal Pay Act.
- [29 U.S.C. §621](#) *et seq.*, Age Discrimination in Employment Act.
- [29 U.S.C. §701](#) *et seq.*, Rehabilitation Act of 1973.
- [38 U.S.C. §4301](#) *et seq.*, Uniformed Services Employment and Reemployment Rights Act (1994).
- [42 U.S.C. §1981](#) *et seq.*, Civil Rights Act of 1991.
- [42 U.S.C. §2000e](#) *et seq.*, Title VII of the Civil Rights Act of 1964; [29 C.F.R. Part 1601](#).
- [42 U.S.C. §2000ff](#) *et seq.*, Genetic Information Nondiscrimination Act of 2008.
- [42 U.S.C. §2000d](#) *et seq.*, Title VI of the Civil Rights Act of 1964.
- [42 U.S.C. §2000a\(k\)](#), Pregnancy Discrimination Act.
- [42 U.S.C. §12111](#) *et seq.*, Americans with Disabilities Act, Title I.
- [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.](#)
- [410 ILCS 130/40](#), Compassionate Use of Medical Cannabis Program Act.

[410 ILCS 513/25](#), Genetic Information Privacy Act.

[740 ILCS 174/](#), Ill. Whistleblower Act.

775 ILCS 5/1-103, [5/2-101](#), [5/2-102](#), [5/2-103](#), [5/2-103.1](#), [5/2-104\(D\)](#) and 5/6-101, Ill. Human Rights Act.

[775 ILCS 35/](#), Religious Freedom Restoration Act.

[820 ILCS 55/10](#), Right to Privacy in the Workplace Act.

[820 ILCS 70/](#), Employee Credit Privacy Act.

[820 ILCS 75/](#), Job Opportunities for Qualified Applicants Act.

[820 ILCS 112/](#), Ill. Equal Pay Act of 2003.

[820 ILCS 180/30](#), Victims' Economic Security and Safety Act.

[820 ILCS 260/](#), Nursing Mothers in the Workplace Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment 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; E-Cigarette, Tobacco, and Cannabis 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)

PRESSPlus Comments

PRESSPlus 1. 775 ILCS 5/2-102(A), amended by P.A. 102-233. *Work authorization status* means the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States. 775 ILCS 5/2-101(L), added by P.A. 102-233. Under the Ill. Human Rights Act, it is a civil rights violation for an employer to refuse to honor a legal work authorization; however, employers are not required to sponsor any applicant or employee to obtain or modify work authorization status, unless required by federal law. 775 ILCS 5/2-102(G), amended by P.A. 102-233; 775 ILCS 5/2-104(D), added by P.A. 102-233. **Issue 108, November 2021**

PRESSPlus 2. *Other crime of violence* means conduct prohibited by 720 ILCS 5/9 (homicide), 720 ILCS 5/11 (sex offenses), 720 ILCS 5/12 (bodily harm), 720 ILCS 5/26.5 (harassing and obscene communications), 720 ILCS 5/29D (terrorism), and 720 ILCS 5/33A (armed violence) (or similar provision of the Criminal Code of 1961). 820 ILCS 180/10(2.5), added by P.A. 102-487. **Issue 108, November 2021**

Document Status: Draft Update

5:20 Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age, citizenship status, work authorization status, PRESSPlus1 disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited

The District shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. The District provides annual sexual harassment prevention training in accordance with State law.

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment prohibited by this policy includes, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct which has the effect of humiliation, embarrassment or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

Employees and *nonemployees* (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved individuals, if they feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.

Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. Employees may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the claim according to that policy, in addition to any response required by this policy.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

Nondiscrimination Coordinator:

Edward Condon, Superintendent
7776 Lake Street, River Forest, IL 60305
condone@district90.org
708/771-8282

Complaint Managers:

Dr. Alison Hawley,
Director of Curriculum & Instruction
7776 Lake Street, River Forest, IL 60305
hawleya@district90.org
708/771-8282

Anthony Cozzi,
Director of Finance and Facilities
7776 Lake Street, River Forest, IL 60305
cozzia@district90.org
708/771-8282

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged workplace harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; Conduct, and Conflict of Interest*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

A violation of this policy by an employee may result in discipline, up to and including discharge. A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee may be up to and including discharge.

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act ([5 ILCS 430/](#)), the Whistleblower Act ([740 ILCS 174/](#)), and the Ill. Human Rights Act ([775 ILCS 5/](#)).

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U. S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks.

LEGAL REF.:

~~Title VII of the Civil Rights Act of 1964~~, 42 U.S.C. §2000e *et seq.*, Title VII of the Civil Rights Act of 1964; 29 C.F.R. §1604.11.

~~Title IX of the Education Amendments of 1972~~, 20 U.S.C. §1681 *et seq.*, Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.

~~State Officials and Employees Ethics Act~~, 5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.

~~Ill. Human Rights Act~~, 775 ILCS 5/2-101(E) and (E-1), 5/2-102(A), (A-10), (D-5), 5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2, Ill. Human Rights Act.

56 Ill. Admin. Code Parts 2500, 2510, 5210, and 5220.

Burlington Industries v. Ellerth, 524 U.S. 742 (1998).

Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).

Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009).

Faragher v. City of Boca Raton, 524 U.S. 775 (1998).

Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).

Harris v. Forklift Systems, 510 U.S. 17 (1993).

Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).

Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998).

Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).

Sargamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

Vance v. Ball State University, 133 S. Ct. 2434 (2013).

Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

PRESSPlus Comments

PRESSPlus 1. 775 ILCS 5/2-102(A), amended by P.A. 102-233. *Work authorization status* means the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States. 775 ILCS 5/2-101(L), added by P.A. 102-233. Under the Ill. Human Rights Act, it is a civil rights violation for an employer to refuse to honor a legal work authorization; however, employers are not required to sponsor any applicant or employee to obtain or modify work authorization status, unless required by federal law. 775 ILCS 5/2-102(G), amended by P.A. 102-233; 775 ILCS 5/2-104(D), added by P.A. 102-233. **Issue 108, November 2021**

Document Status: Draft Update

5:30 Hiring Process and Criteria

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with Board of Education policy on equal employment opportunity and minority recruitment. The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board. If the Superintendent's recommendation is rejected, the Superintendent must submit another. No individual will be employed who has been convicted of a criminal offense listed in [106 ILCS 5/21B-80\(c\)](#). [PRESSPlus1](#)

All applicants must complete a District application form in order to be considered for employment.

Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration.

The Superintendent shall develop and maintain a current comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict.

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed. The Superintendent or designee, or if the applicant is a successful superintendent candidate, then the Board President shall notify an applicant if the applicant is identified in either database. The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, appropriate Intermediate Service Center, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Ill. Dept. of State Police and/or Statewide Sex Offender Database for purposes of clarifying the information and/or the Teachers' Retirement System of the State of Illinois when required by law. [PRESSPlus2](#) The Board reserves its right to authorize additional background inquiries beyond a fingerprint-based criminal history records check when it deems it appropriate to do so, in accordance with applicable laws.

Each newly hired employee must complete a U.S. Citizenship and Immigration Services Form as required by federal law.

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in [105 ILCS 5/21B-80](#) or who falsifies, or omits facts from, his or her employment application or other employment documents. If an indicated finding of abuse or neglect of a child has been issued by the Ill. Department of Children and Family Services or by a child welfare agency of another jurisdiction for any applicant for student teaching, applicant for employment, or any District employee, then the Board must consider that person's status as a condition of employment.

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following:

1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria.
3. The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation.
4. The District does not request or require an applicant to disclose wage or salary history as a condition of employment.
5. The District does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation.
6. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
7. The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts.
8. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Physical Examinations

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the District.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity. The Board will pay the expenses of any such examination.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status* form as provided in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.:

[42 U.S.C. §12112, Americans with Disabilities Act; 29 C.F.R. Part 1630.](#)

[15 U.S.C. § 1681 et seq., Fair Credit Reporting Act.](#)

[8 U.S.C. §1324a et seq., Immigration Reform and Control Act.](#)

[105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/21B-10, 5/21B-80, 5/21B-85, 5/40-22.34, 5/40-22.34b, 5/22-6.5, and 5/24-5.](#)

[20 ILCS 2630/3.3, Criminal Identification Act.](#)

[820 ILCS 55/, Right to Privacy in the Workplace Act.](#)

[820 ILCS 70/, Employee Credit Privacy Act.](#)

[Americans with Disabilities Act; 42 U.S.C. §12412, and 29 C.F.R. Part 1630.](#)

[Fair Credit Reporting Act; 15 U.S.C. § 1681 et seq.](#)

~~Immigration Reform and Control Act, 8 U.S.C. §4324a et seq.~~

Duldulao v. St. Mary of Nazareth Hospital, 136 Ill. App. 3d 763 (1st Dist. 1985), *aff'd in part and remanded* 115 Ill.2d 482_(Ill. 1987).

Kaiser v. Dixon, 127 Ill. App. 3d 251 (2nd Dist. 1984).

Molitor v. Chicago Title & Trust Co., 325 Ill. App. 124 (1st Dist. 1945).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Superintendent), 4:60 (Purchases and Contracts), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Duties and Qualifications)

PRESSplus Comments

PRESSplus 1. For additional information regarding implementation of 775 ILCS 5/2-103.1, added by P.A. 101-656 (employment decisions based on conviction records), see footnotes 5 and 6 of the sample policy, available at PRESS Online by logging in at www.iasb.com. Footnote 5 is updated in response to the Ill. Human Rights Act (IHRA), 775 ILCS 5/2-103.1(c), added by P.A. 101-656, with a discussion regarding application of the IHRA's *interactive assessment* requirement for disqualifying offenses listed in 105 ILCS 5/21B-80, and footnote 6 is updated in response to Ill. Dept. of Human Rights (IDHR) guidance for implementation of 775 ILCS 5/2-103.1, added by P.A. 101-656, at: www2.illinois.gov/dhr/Pages/Conviction_Record_Protection_Frequently_Asked_Questions.aspx. Issue 108, November 2021

PRESSplus 2. 105 ILCS 5/21B-85, amended by P.A. 102-552, requires a board to provide prompt written notice to the board of trustees of the Teachers' Retirement System of the State of Illinois (TRS) when it learns that any teacher has been convicted of a felony offense (which provides for a sentence of death or imprisonment for one year or more). The notice to TRS is limited to (1) the name of the license holder, (2) fact of conviction, (3) name and location of the court in which the conviction occurred, and (4) the assigned case number from the court. Issue 108, November 2021

Document Status: Draft Update

5:50 Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition

All District workplaces are drug- and alcohol-free workplaces.

All employees are prohibited from engaging in any of the following activities while on District premises or while performing work or being *on call* for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, or being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectible, regardless of when and/or where the use occurred.
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, 105 ILCS 5/22-33. The District considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests the specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position listed in the Cannabis Regulation and Tax Act (CRTA).

Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. [PRESSPlus1](#) State law protects the District from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test. [PRESSPlus2](#)

For purposes of this policy a controlled substance means a substance that is:

1. Not legally obtainable,
2. Being used in a manner different than prescribed,
3. Legally obtainable, but has not been legally obtained, or
4. Referenced in federal or State controlled substance acts.

For purposes of this policy, *District premises* means workplace as defined in the Cannabis Regulation and Tax Act (CRTA) in addition to District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a Board of Education meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. *School grounds* means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. "Vehicles used for school purposes" means school buses or other school vehicles.

As a condition of employment, each employee shall:

1. Abide by the terms of the this Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five calendar days after such a conviction.

Unless otherwise prohibited by this policy, prescription and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee's licensed health care provider, provided that an employee's work performance is not impaired.

To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee shall perform each of the following:

1. Provide each employee with a copy of this policy.
2. Post notice of this policy in a place where other information for employees is posted.
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees.
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace,
 - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
 - c. The penalties that the District may impose upon employees for violations of this policy.
6. Remind employees that policy 6:60, *Curriculum Content*, requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence.

E-Cigarette, Tobacco, and Cannabis Prohibition

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of e-cigarettes, tobacco, and cannabis products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event's location.

Tobacco shall have has the meaning provided in 105 ILCS 5/10-20.5b.

Cannabis shall have has the meaning provided in the CRTA, 410 ILCS 705/1-10.

E-Cigarette is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. In addition or alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction.

Disclaimer

The Board reserves the right to interpret, revise or discontinue any provision of this policy pursuant to the **Suspension of Policies** subhead in policy 2:240, *Board Policy Development*.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction.

LEGAL REF.:

[42 U.S.C. §12114](#), Americans With Disabilities Act, 42 U.S.C. §12114.

[21 U.S.C. §812](#); [21 C.F.R. §1308.11-1308.15](#), Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.

[41 U.S.C. §8101 et seq.](#), Drug-Free Workplace Act of 1988, 41 U.S.C. §8101 et seq.

[20 U.S.C. §7101 et seq.](#), Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.

[30 ILCS 580/](#), Drug-Free Workplace Act.

[105 ILCS 5/10-20.5b](#).

[410 ILCS 82/](#), Smoke Free Illinois Act.

[410 ILCS 130/](#), Compassionate Use of Medical Cannabis Program Act.

[410 ILCS 705/1-1 et seq.](#), Cannabis Regulation and Tax Act.

[720 ILCS 675](#), Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act.

[820 ILCS 55/](#), Right to Privacy in the Workplace Act.

[21 C.F.R. Parts 1100, 1140, and 1143](#).

[29 IL Admin Code §22.20](#).

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 8:30 (Visitors to and Conduct on School Property)

PRESSPlus Comments

PRESSPlus 1. 410 ILCS 705/10-50(d). If the board will not communicate to employees what will happen when reasonable suspicion exists, strike this sentence and select "Adopted with Additional District Edits" as the Save Status. Issue 108, November 2021

PRESSPlus 2. 410 ILCS 705/10-50(e)(1), amended by P.A. 101-593, protects the district from liability for actions described in this sentence. If the board will not communicate this information to its employees, strike this sentence and select "Adopted with Additional District Edits" as the Save Status. Issue 108, November 2021

Document Status: Draft Update

Section 5 - GENERAL PERSONNEL

5:70 Religious Holidays

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

Two (2) days will be allowed for the observance of recognized religious holidays. A request for religious holidays to be taken in any school year shall be presented in writing to the Building Principal or supervisor within the first week of the school year.

Professional personnel should refer to the current "Negotiated Contract between the Board of Education of School District 90 and the River Forest Education Association."

LEGAL REF.:

Religious Freedom Restoration Act, [775 ILCS 35/15](#).

Illinois Human Rights Act, [775 ILCS 5/2-101](#) and [5/2-102](#).

ADOPTED: August 20, 2012

Document Status: Draft Update

Section 5 - GENERAL PERSONNEL

5:80 Jury Duty

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

For employees not covered by this agreement:

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

Employees will receive jury duty benefit under the same terms and conditions as employees covered by the collective bargaining agreement.

LEGAL REF.:

105 ILCS 5/10-20.7.

ADOPTED: March 19, 2007

Document Status: Draft Update

5:90 Abused and Neglected Child Reporting

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child shall: (1) immediately report or cause a report to be made to the Ill. Department of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made. The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.

Negligent failure to report occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

Any District electronic or IT equipment worker who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-LOST (1-800-843-5878) or online at report.cyberfilp.org/ or www.missingkids.org. Any District employee who discovers child pornography shall immediately report it to their supervisors, and that supervisor shall immediately contact local law enforcement in partnership with District administration.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Ern's Law* Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect.

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors, and boundary violations as required by law and policy 5:100. *Staff Development Program: PRESSPlus1* The Superintendent will encourage all District educators to complete continuing professional development that addresses the traits and identifiers that may be evident in students who are victims of child sexual abuse, including recognizing and reporting child sexual abuse and providing appropriate follow-up and care for abused students as they return to the classroom setting.

The Superintendent or designee will display DCFS-issued materials that list the DCFS toll-free telephone number and methods for making a report under ANCRA in a clearly visible location in each school building.

Alleged Incidents of Sexual Abuse: Investigations

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in [720 ILCS 5/11-9.1A](#), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

If a District employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*.

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

The Superintendent shall notify the State Superintendent and the Intermediate Education Service Center in writing when the Superintendent he or she has reasonable cause to believe that a license holder committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA, and that act resulted in the license holder's dismissal or resignation from the District, he or she shall notify the State Superintendent and the Intermediate Service Center Executive Director in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged was dismissed or resigned from the District as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

Special Board of Education Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.

If the Board determines that any District employee, other than an employee licensed under [105 ILCS 5/21B](#), has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in policy 2:20, *Powers and Duties of the Board of Education: Indemnification*. [PRESSPlus2](#)

LEGAL REF.:

[20 U.S.C. §7926, Elementary and Secondary Education Act.](#)

[105 ILCS 5/10-21.9, 5/10-23.13, and 5/21B-85.](#)

[20 ILCS 1305/1-1 et seq.](#), Department of Human Services Act.

[325 ILCS 5/](#) Abused and Neglected Child Reporting Act.

[720 ILCS 5/12C-50.1](#), Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the Board of Education; Indemnification), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

PRESSPlus Comments

PRESSPlus 1. *Erin's Law* 105 ILCS 5/10-23.13, amended by P.A. 102-610. For additional *Erin's Law* requirements and definitions, see policies 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Conduct; and Conflict of Interest*; and 6:60, *Curriculum Content*. See also the footnotes of these policies at **PRESS** Online by logging in at www.iasb.com. **Issue 108, November 2021**

PRESSPlus 2. 105 ILCS 5/21B-85(a) and (b), amended by P.A. 102-552. Because felony charges often arise out of abuse and neglect investigation, this board duty is listed here for convenience. See policy 2:20, *Powers and Duties of the School Board; Indemnification* for more information. **Issue 108, November 2021**

Document Status: Draft Update

5:100 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 include the Abused and Neglected Child Reporting Act (ANCRA), School Code, and awareness and prevention of child sexual abuse and grooming behaviors (Erin's Law) training as follows (see policies 4:165, Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors, and 5:90, Abused and Neglected Child Reporting). PRESSPlus1

1. 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.
2. Within three months 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 three years.
3. By January 31, 2023, and every year after, all school personnel must complete evidence-informed training on preventing, reporting, and responding to child sexual abuse, grooming behaviors, and boundary violations.

The staff development program shall provide, at a minimum, at least once every two 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 two 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 two years, training of all District staff by a person with expertise on anaphylactic reactions and management.
2. At least every two 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 licensed school personnel and administrators who work with students in grades kindergarten through 8 to identify the warning signs of mental illness and suicidal behavior in youth 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 three months 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 three 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.
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, the appropriate and available supportive services for the promotion of student attendance and engagement, 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, licensed and/or non-licensed healthcare professionals serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team.
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.
10. Training for school personnel to develop cultural competency, including understanding and reducing implicit racial bias.
11. For school personnel who work with hazardous or toxic materials, training on the safe handling and use of such materials.
12. For nurses, administrators, school guidance PRESSPlus2 counselors, teachers, persons employed by a local health department and assigned to a school, and persons who contract with the District to perform services in connection with a student's seizure action plan, training in the basics of seizure recognition, first aid, and appropriate emergency protocols.
13. For all District staff, annual sexual harassment prevention training.
14. Title IX requirements for training as follows (see policy 2:265, Title IX Sexual Harassment Grievance Procedure):
 - a. For all District staff, training on the definition of sexual harassment, the scope of the District's education program or activity, all relevant District policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX Coordinator.
 - b. For school personnel designated as Title IX coordinators, investigators, decision-makers, or informal resolution facilitators, training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
 - c. For school personnel designated as Title IX investigators, training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
 - d. For school personnel designated as Title IX decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.

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.:

[20 U.S.C. §1681 et seq.](#), Title IX of the Educational Amendments of 1972; [34 C.F.R. Part 106](#).
[42 U.S.C. §1758b, Pub. L. 111-296](#), Healthy, Hunger-Free Kids Act of 2010; [7 C.F.R. Parts 210](#) and [235](#).
[105 ILCS 5/2-3.62, 5/10-20.17a, 5/10-20.61, 5/10-22.6\(c-5\), 5/10-22.39, 5/10-23.12, 5/10-23.13, 5/22-80\(h\)](#), and [5/24-5](#).
[105 ILCS 25/1.15](#), Interscholastic Athletic Organization Act.
[105 ILCS 150/25](#), Seizure Smart School Act.
[105 ILCS 110/3](#), Critical Health Problems and Comprehensive Health Education Act.
[325 ILCS 5/4](#), Abused and Neglected Child Reporting Act.
[745 ILCS 49/](#), Good Samaritan Act.
[775 ILCS 5/2-109](#), III. Human Rights Act.
[23 Ill Admin.Code §§ 22.20, 226.800](#), and [Part 525](#).
[77 Ill Admin.Code §527.800](#).

CROSS REF.: 2:265 (Title IX Sexual Harassment Grievance Procedure), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 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)

PRESSPlus Comments

PRESSPlus 1. [105 ILCS 5/10-23.12](#), amended by P.A. 101-531; [325 ILCS 5/4\(j\)](#), amended by P.A.s 101-564 and 102-604; and *Erin's Law*, [105 ILCS 5/10-23.13](#), amended by P.A. 102-610.

Mandated reporter training may be in-person or web-based and must include, at a minimum, information on the following topics: (1) indicators for recognizing child abuse and child neglect; (2) the process for reporting suspected child abuse and child neglect and the required documentation; (3) responding to a child in a trauma-informed manner; (4) understanding the response of child protective services and the role of the reporter after a call has been made; and (5) implicit bias.

Implicit bias means the attitudes or internalized stereotypes that affect people's perceptions, actions, and decisions in an unconscious manner and that exist and often contribute to unequal treatment of people based on race, ethnicity, gender identity, sexual orientation, age, disability, and other characteristics. The implicit bias topic must include, at a minimum: (1) information on implicit bias; (2) information on racial and ethnic sensitivity; and (3) tools to adjust automatic patterns of thinking and ultimately eliminate discriminatory behaviors. [325 ILCS 5/4\(j\)](#), amended by P.A.s 101-564 and 102-604.

Districts must provide mandated reporter training through either DCFS, an entity authorized to provide continuing education through the Dept. of Financial and Professional Regulation, the Ill. State Board of Education, the Ill. Law Enforcement Training Standards Board, the Ill. State Police, or an organization approved by DCFS to provide mandated reporter training. *Child-serving organizations*, which are not defined in ANCR, are "encouraged to provide in-person annual trainings." **Issue 108, November 2021**

PRESSPlus 2. Updated in response to P.A. 102-197, changing the term *school guidance counselor* to *school counselor* to clarify that a school counselor's role is broader than the role of a school guidance counselor. School counselors have a licensed school support personnel endorsement, and the role of a school counselor includes academic, social-emotional, and college and career counseling. **Issue 108, November 2021**

Document Status: Draft Update

5:120 Employee Ethics; Conduct; and Conflict of Interest

Professional and Appropriate Conduct

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), engages in grooming as defined in 720 ILCS 5/1-25, engages in grooming behaviors, violates boundaries for appropriate school employee-student conduct, [PRESSPlus1](#) or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

The Superintendent or designee shall identify appropriate employee conduct standards and provide them to all District employees. [PRESSPlus2](#) Standards related to school employee-student conduct shall, at a minimum:

1. Incorporate the prohibitions noted in paragraph 1 of this policy.
2. Define prohibited grooming behaviors [PRESSPlus3](#) to include, at a minimum, sexual misconduct. Sexual misconduct [PRESSPlus4](#) is (i) any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, (ii) by an employee with direct contact with a student, (iii) that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:
 - a. A sexual or romantic invitation
 - b. Dating, or soliciting a date
 - c. Engaging in sexualized or romantic dialog
 - d. Making sexually suggestive comments that are directed toward or with a student
 - e. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature
 - f. A sexual, indecent, romantic, or erotic contact with the student
3. Identify expectations for employees to maintain professional relationships with students, including expectations for employee-student boundaries based upon students' ages, grade levels, and developmental levels. [PRESSPlus5](#) Such expectations shall establish guidelines for specific areas, including but not limited to:
 - a. Transporting a student
 - b. Taking or possessing a photo or video of a student
 - c. Meeting with a student or contacting a student outside the employee's professional role
4. Reference employee reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), and the Elementary and Secondary Education Act (20 U.S.C. § 7926);
5. Outline how employees can report prohibited behaviors and/or boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*; [PRESSPlus6](#) and
6. Reference required employee training related to educator ethics, child abuse, grooming behaviors, and boundary violations as required by law and policies 2:265, *Title IX Sexual Harassment Grievance Procedure*; 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:90, *Abused and Neglected Child Reporting*; and 5:100, *Staff Development Program*.

Statement of Economic Interests

The following employees must file a "Statement of Economic Interests" as required by the Illinois Governmental Ethics Act:

1. Superintendent;
2. Building Principal;
3. Head of any department;
4. Any employee who, as the District's agent, is responsible for negotiating one or more contracts, including collective bargaining agreement(s), in the amount of \$1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with [Section 22-5](#) of the School Code, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with the Illinois State Board of Education and adopted for use by the Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) ([30 ILCS 708/](#)) when the employee has a real or apparent conflict of interest. A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in the entity selected for the contract:

1. Any person that has a close personal relationship with an employee that may compromise or impair the employee's fairness and impartiality, including a member of the employee's immediate family or household;
2. An employee's business partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above.

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.

Outside Employment

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

Certified personnel shall not receive pay for school-related tutoring or lessons to a student who is currently enrolled in River Forest District 90 Schools.

Incorporated

by reference: 5:120-E (Exhibit - Code of Ethics for Illinois Educators)

LEGAL REF.:

[U.S. Constitution, First Amendment.](#)

[2 C.F.R. §200.318\(c\)\(1\).](#)

[6 ILCS 420/4A-101.](#) Ill. Governmental Ethics Act.

[5 ILCS 430/.](#) State Officials and Employee Ethics Act.

[30 ILCS 708/.](#) Grant Accountability and Transparency Act.

[60 ILCS 135/.](#) Local Governmental Employees Political Rights Act.

105 ILCS 5/10-22.39, [5/10-23.13](#), and [5/22-5](#), and [5/22-90](#) (final citation pending).

325 ILCS 5/, Abused and Neglected Child Reporting Act.

775 ILCS 5/5A-102, Ill. Human Rights Act.

23 Ill.Admin.Code Part 22, Code of Ethics for Illinois Educators.

[Pickering v. Board of Township H.S. Dist. 205](#), 391 U.S. 563 (1968).

[Garcetti v. Ceballos](#), 547 U.S. 410 (2006).

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:105 (Ethics and Gift Ban), [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), 4:60 (Purchases and Contracts), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), [5:90 \(Abused and Neglected Child Reporting\)](#), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), [7:20 \(Harassment of Students Prohibited\)](#)

PRESSplus Comments

PRESSplus 1. *Erin's Law*, 105 ILCS 5/10-23.13, amended by P.A. 102-610. **Issue 108, November 2021**

PRESSplus 2. Sample conduct standards are contained in administrative procedure 5:120-AP2, *Employee Conduct Standards*, available at PRESS Online by logging in at www.iasb.com. These items are subjects of mandatory collective bargaining. Consult the board attorney for advice before establishing them. **Issue 108, November 2021**

PRESSplus 3. 105 ILCS 5/10-23.13(b), amended by P.A. 102-610. **Issue 108, November 2021**

PRESSplus 4. This definition of *sexual misconduct* is adapted from HB 1975, legislation that did not pass in the first half of the 102nd Ill. General Assembly; however, it includes the results of collaboration to implement some of the recommendations of the *Make Sexual and Severe Physical Abuse Fully Extinct (Make S.A.F.E.) Taskforce* and was endorsed by Stop Educator Sexual Abuse Misconduct & Exploitation (S.E.S.A.M.E.), a national organization working to prevent sexual exploitation, abuse, and harassment of students by teachers and other school staff. See www.sesame101.org for further information.

As of PRESS Issue 108's publication, HB 1975 is still pending in the 102nd General Assembly and is expected to become law. Its enactment could close significant legal loopholes related to combating grooming by broadening the definition of grooming prohibited by the Criminal Code of 2012 and authorizing the Ill. Dept. of Children and Family Services to investigate grooming allegations under the Abused and Neglected Child Reporting Act. **Issue 108, November 2021**

PRESSplus 5. 105 ILCS 5/10-23.13(b), amended by P.A. 102-610. Sample expectations and guidelines are contained in administrative procedure 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*, available at PRESS Online by logging in at www.iasb.com. Establishing guidelines specific to #3(a), (b), and (c) is not currently required but is a requirement in HB 1975 (See PRESS Plus Comment 4, above). **Issue 108, November 2021**

PRESSplus 6. 105 ILCS 5/10-23.13(b), amended by P.A. 102-610. **Issue 108, November 2021**

Document Status: Draft Update

5:125 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*, *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/or social media shall: [PRESSPlus1](#)

1. Adhere to the high standards for **Professional and Appropriate Conduct** appropriate school relationships required by Policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest* 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, *Employee Ethics; Conduct; and Conflict of Interest*; 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 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. Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of personal technology or social media.
5. Report instances of suspected abuse or neglect discovered through the use of social media or personal technology pursuant to a school employee's obligations under policy 5:90, *Abused and Neglected Child Reporting Child Reporting*.
6. Not disclose student record information, including student work, photographs of students, names of students, or any other personally identifiable information about students, in compliance with policy 5:130, *Responsibilities Concerning Internal Information*. For District employees, proper approval may include implied consent under the circumstances.
7. Not use personal technology and social media to share, publish, or transmit information about or images of students without proper approval.
8. 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.
9. 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.
10. 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.
11. 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.

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~~ neither the District, nor anyone on its behalf, ~~commits~~ requests of an act prohibited by the Right to Privacy in the Workplace Act, 820 ILCS 55/10; ~~i.e., the Facebook Password Law~~ 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.

LEGAL REF.:

105 ILCS 5/21B-75 and 5/21B-80.

Ill. Human Rights Act, 775 ILCS 5/5A-102, Ill. Human Rights Act

820 ILCS 55/10, Right to Privacy in the Workplace Act

Code of Ethics for Ill. Educators, 23 Ill. Admin. Code §22.20, Code of Ethics for Ill. Educators.

Garcell 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.: 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 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: January 17, 2017

PRESSplus Comments

PRESSplus 1. Updated in response to the requirements of districts outlined in 105 ILCS 5/10-23.13 (*Erin's Law*), amended by P.A. 102-610. For more information about *Erin's Law* requirements, see policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*. See also the Ethics, Training, and Educator Misconduct bundle in the PRESS Issue 108 Update Memo, available at PRESS Online by logging in at www.lasb.com. **Issue 108, November 2021**

Document Status: Draft Update

5: 150 Personnel Records

Maintenance and Access to Records [PRESSPlus1](#)

The Superintendent or designee shall manage the maintenance of personnel records in accordance with State and federal law and Board of Education policy. Records, as determined by the Superintendent, are retained for all employment applicants, employees, and former employees given the need for the District to document employment-related decisions, evaluate program and staff effectiveness, and comply with government recordkeeping and reporting requirements. Personnel records shall be maintained in the District's administrative office, under the Superintendent's direct supervision.

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Superintendent.
2. An employee's supervisor or other management employee who has an employment or business-related reason to inspect the record is authorized to have access.
3. Anyone having the respective employee's written consent may have access.
4. Access will be granted to anyone authorized by State or federal law to have access.
5. All other requests for access to personnel information are governed by Board policy 2:250, *Access to District Public Records*.

Prospective Employer Inquiries Concerning a Current or Former Employee's Job Performance [PRESSPlus2](#)

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance. The Superintendent shall [PRESSPlus3](#)

1. Execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to Ill. Dept. of Children and Family Services (DCFS); and
2. Comply with the federal law prohibiting the District from providing a recommendation of employment for an employee, contractor, or agent that District knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law. [PRESSPlus4](#) but the Superintendent or designee may follow routine procedures regarding the transmission of administrative or personnel files for that employee.

When requested for information about an employee by an entity other than a prospective employer, the District will only confirm position and employment dates unless the employee has submitted a written request to the Superintendent or designee.

LEGAL REF.:

[20 U.S.C. §7926.](#)

[325 ILCS 5/4.](#) Abused and Neglected Child Reporting Act.

[745 ILCS 46/10.](#) Employment Record Disclosure Act.

[820 ILCS 40/.](#) Personal Record Review Act.

[23 Ill. Admin. Code §1.660.](#)

CROSS REF.: 2:250 (*Access to District Public Records*), [5:90 \(Abused and Neglected Child Reporting\)](#), 7:340 (*Student Records*)

PRESSPlus Comments

PRESSPlus 1. Subheadings are added for clarity. **Issue 108, November 2021**

PRESSPlus 2. Updated in response to 105 ILCS 5/10-23.13 (*Erin's Law*), amended by P.A. 102-610. For more information, see the Ethics, Training, and Educator Misconduct bundle in the **PRESS** Issue 108 Update Memo, available at **PRESS** Online by logging in at www.iasb.com. **Issue 108, November 2021**

PRESSPlus 3. Required by the Elementary and Secondary Education Act (ESEA) (20 U.S.C. §7926). On 6-27-2018, the U.S. Dept. of Education issued a *Dear Colleague Letter* stating that school policies must explicitly state this requirement. See the resources portion for the letter at: www2.ed.gov/policy/elsec/leg/essa/index.html.

Consult the board attorney about what "or has probable cause to believe, has engaged in sexual misconduct" means. For guidance, policy 5:90, *Abused and Neglected Child Reporting* defines an "alleged incident of sexual abuse" as an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity, or outside of school grounds or not during a school activity. **Issue 108, November 2021**

PRESSPlus 4. Consult the board attorney in these situations for help about what the superintendent may or may not say. Questions exist whether the superintendent says nothing, provides a neutral reference, or whether a *recommendation* could mean positive or negative statements. **Issue 108, November 2021**

Document Status: Draft Update

5:185 Family and Medical Leave

A. General Requirements For Family And Medical Leave ("FMLA Leave")^{PRESSPlus1}

1. Eligibility for 12 weeks of Unpaid Leave and Purpose of Leave

Pursuant to the *Family and Medical Leave Act* (the "FMLA"), any employee who has been employed by the Board of Education for at least 12 months, and has worked at least 1,000^{PRESSPlus2} hours during the preceding 12 months, shall be entitled to an unpaid leave of absence of up to 12 work weeks during a 12-month period for the following purposes:

- the birth of a child and to care for the newborn child, provided the leave is completed no later than 12 months after the birth of the child;
- the placement of a child with the employee for adoption or foster care, provided the leave is completed no later than 12 months after the placement of the child;
- because the employee is needed to care for the employee's spouse, child or parent with a serious health condition;
- the treatment of a serious health condition that makes the employee unable to perform the functions of the job; or
- because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. This leave entitlement shall be referred to as an "Active Duty Leave."

2. Servicemember Family Leave - Eligibility for 26 weeks of Unpaid Leave and Purpose of Leave

In addition to the above purposes, any employee who has been employed by the Board of Education for at least 12 months, and has worked at least 1,000^{PRESSPlus3} hours during the preceding 12 months, and who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to an unpaid leave of absence of up to 26 work weeks during a single 12-month period to care for the covered servicemember with a serious injury or illness.

This 26 workweek entitlement is a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period," provided that the employee is entitled to no more than 12 weeks of leave for one or more of the following: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter or parent with a serious health condition; because of the employee's own serious health condition; or because of a qualifying exigency. For example, an eligible employee may, during the "single 12-month period," take 16 weeks of FMLA leave to care for a covered servicemember and 10 weeks of FMLA leave to care for a newborn child. However, the employee may not take more than 12 weeks of FMLA leave to care for the newborn child during the "single 12-month period," even if the employee takes fewer than 14 weeks of FMLA leave to care for a covered servicemember.

The "single 12-month period" of this section begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date, regardless of the method used by the District to determine an employee's 12 work weeks of leave-entitlement for other FMLA-qualifying reasons.

If an employee does not take all of his or her 26 work weeks of leave entitlement to care for a covered servicemember during this "single 12-month period," the remaining part of his or her 26 work weeks of leave entitlement to care for the covered servicemember is forfeited.

The leave entitlement will be applied on a per-covered servicemember, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent injury or illness, except that no more than 26 workweeks of leave may be taken within any "single 12-month period."

An eligible employee may take more than one period of 26 work weeks of leave to care for a covered servicemember with more than one serious injury or illness only when the serious injury or illness is a subsequent serious illness or injury.

Where an eligible employee takes leave to care for more than one covered servicemember or for a subsequent serious injury or illness of the same covered servicemember, and the "single 12-month periods" corresponding to the different military caregiver leave entitlements overlap, the employee is limited to taking no more than 26 work weeks of leave in each "single 12-month period."

3. Calculation of 12-Month Period

Each time an employee takes FMLA leave, the remaining leave to which the employee is entitled would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

4. Intermittent or Reduced Schedule Leave

- When medically necessary, FMLA leave may be taken on an intermittent, or a reduced schedule, basis for an employee's own illness or injury, to care for a sick family member, or to care for a covered servicemember. FMLA leave may not be taken on such basis after the birth or adoption of a child or placement of a child in foster care unless approved by the Board, except in situations when the mother or newborn child has a serious health condition. If the request for intermittent leave or leave on a reduced schedule is foreseeable based upon planned medical treatment, the Board may require the employee to transfer temporarily to an available alternate position which better accommodates recurring periods of leave.
- FMLA may be taken on an intermittent, or a reduced schedule, basis because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty in the Armed Forces in support of a contingency operation.

5. Health Insurance

During FMLA leave, the Board shall maintain group health insurance coverage under the same conditions that would have been provided if the employee was working. If an employee does not return to work after an unpaid FMLA leave, the employee shall repay the cost of health insurance premiums paid by the Board unless the employee's failure to return is due to (a) the continuation, recurrence or onset of a serious health condition of the employee, or the employee's family member, or a serious injury or illness of a covered servicemember, which would otherwise entitle the employee to FMLA leave or (b) other circumstances beyond the employee's control.

6. Return to Work

Upon return from FMLA leave, the employee shall be placed in the same position the employee held when the leave commenced or an equivalent position with equivalent benefits, pay and other terms and conditions of employment. Nothing herein shall grant the employee greater rights to reinstatement, benefits or conditions of employment than if the employee had been continuously employed. A key employee may be denied restoration to employment if it is necessary to prevent substantial and grievous economic injury to the operations of the Board.

B. Combination With Other Leaves

Any employee qualifying for FMLA leave will be required to first substitute any other applicable paid leave (e.g., sick leave and/or vacation leave or personal leave) for unpaid FMLA leave. The substitution of accrued paid leave shall be in accordance with the terms and conditions of Board's paid leave policies. If such paid leave is less than 12 work weeks or 26 work weeks, FMLA leave may then be used to allow for a total leave (whether paid or unpaid) of 12 or 26 work weeks duration. Any leave, whether paid or unpaid, taken for an FMLA qualifying reason, shall be deducted from an employee's total FMLA leave. The use of FMLA leave shall not preclude the use of other applicable unpaid leave that would extend the employee's leave beyond 12 or 26 work weeks, but the use of FMLA leave shall not serve to extend any such available unpaid leave. Additionally, although not considered a "leave", if an employee is absent from work due to a compensable injury on the job and/or occupational disease under the Workers' Compensation

Act, such absence will be deducted from the employee's 12 week FMLA entitlement if the injury/illness is one that meets the criteria for a serious health condition.

C. Special Leave Rules For Instructional Employees

1. Required Continuation of Leave

The Board may require an instructional employee to continue taking FMLA leave until the end of the semester if:

- a. the leave begins more than five weeks before the end of the semester, the leave will last at least three weeks and the instructional employee would otherwise return to work during the last three weeks of the semester; or
- b. the leave (which is for a purpose of the birth of a son or daughter, the placement of a son or daughter for adoption or foster care, to care for a spouse, son, daughter, or parent with a serious health condition or to care for a covered servicemember) begins during the last five weeks of the semester, the leave will last for more than two weeks and the instructional employee would otherwise return to work during the last two weeks of the semester; or
- c. the leave (which is for a purpose of the birth of a son or daughter, the placement of a son or daughter for adoption or foster care, to care for a spouse, son, daughter, or parent with a serious health condition or to care for a covered servicemember) begins during the last three weeks of the semester, and the leave lasts more than five working days.

Any leave required by the Board to be taken until the end of the semester shall not be counted as FMLA leave. However, the Board shall continue to maintain health insurance group coverage, pursuant to A.4, and the employee shall be entitled to the restoration rights set forth under A.5.

2. Reduced Schedule or Intermittent Leave

If an instructional employee requests FMLA intermittent leave or leave on a reduced schedule to care for a family member with a serious health condition, to care for a covered servicemember, or for an employee's own serious health condition, which is foreseeable based on planned medical treatment that would cause such employee to be on leave for more than 20% of the total number of working days over the duration of the leave, the Board may require the employee to choose either to:

- a. take the leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b. temporarily transfer to an available alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave.

If an employee elects to take the leave for a "period or periods of a particular duration," the entire period of leave taken will count as FMLA leave.

D. Spouses Employed By Same Employer

- a. if leave is taken by spouses who are both employed by the Board for birth or placement of a child for adoption or foster care, to care for the employee's parent with a serious health condition, such leave is limited to a combined total of 12 work weeks. This limitation does not apply to leave taken by either spouse to care for the other spouse or a child with a serious health condition, or for leave taken due to the employee's own serious health condition.
- b. if leave is taken by spouses who are both employed by the Board to care for a covered servicemember with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care or to care for a parent who has a serious health condition such leave is limited to a combined total of 26 work weeks during the single 12-month period.

E. Rules And Regulations

The Superintendent is authorized to adopt rules and regulations, consistent with the FMLA, regarding the provision of notice of leave, medical certification, distribution of FMLA information, and recordkeeping requirements and such other matters necessary to implement the FMLA.

F. FMLA Controlling

In the event this Policy or its Rules or Regulations conflict with the FMLA, the FMLA shall control. To the extent that this Policy or its Rules and Regulations is silent on a matter covered by the FMLA, the FMLA and its implementing rules and regulations shall control.

LEGAL REF.:

Family and Medical Leave Act; 29 U.S.C. §2601 et seq., Family and Medical Leave Act; 29 C.F.R. Part 825. Final Rule

105 ILCS 5/24-6.4.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: February 17, 2016

PRESSPlus Comments

PRESSPlus 1. This policy's content is unique to the district. Please consult the author and the PRESS sample available by logging in at www.iasb.com to determine whether changes are necessary. Issue 108, November 2021

PRESSPlus 2. A provision in State law expands eligibility for FMLA leave to school district employees who have been employed by the district for at least 12 months and work 1,000 hours (rather than the federal FMLA's 1,250 hours) in the 12-month period immediately preceding the leave, which effectively makes more educational support personnel eligible for the leave. 105 ILCS 5/24-6.4, added by P.A. 102-335. Issue 108, November 2021

PRESSPlus 3. A provision in State law expands eligibility for FMLA leave to school district employees who have been employed by the district for at least 12 months and work 1,000 hours (rather than the federal FMLA's 1,250 hours) in the 12-month period immediately preceding the leave, which effectively makes more educational support personnel eligible for the leave. 105 ILCS 5/24-6.4, added by P.A. 102-335. Issue 108, November 2021

Document Status: Draft Update

5:200 Terms and Conditions of Employment and Dismissal

The Board of Education delegates authority and responsibility to the Superintendent to manage the terms and conditions for the employment of professional personnel. The Superintendent shall act reasonably and comply with State and federal law as well as any applicable individual employment contract or PRESSPlus1 collective bargaining agreement in effect. The Superintendent is responsible for making dismissal recommendations to the Board consistent with the Board's goal of having a highly qualified, high performing staff.

Duty-Free Lunch, Calendar, Workday, and Work Hours, Salary, Assignments, Dismissal, Evaluation

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

Holidays

Personnel employed less than twelve months each year shall be entitled to all legal school holidays which fall within their employment period. Unless the District receives a waiver or modification of the School Code pursuant to Section 3-2Sg, allowing it to schedule school on a holiday listed below, twelve month District employees will be paid for, but will not be required to work on:

New Year's Day	Independence Day
Martin Luther King Jr.'s Birthday	Labor Day
Abraham Lincoln's Birthday or President's Day	Columbus Day
Casimir Pulaski's Birthday	Veterans' Day
Memorial Day	Thanksgiving Day
	Christmas Day

The Board of Education may declare other days as periods when employees are not required to work. The day after Thanksgiving will be recognized as a paid holiday. If December 25th falls on a Tuesday, Wednesday, Thursday, or Friday, the afternoon of December 24th will be recognized as a paid holiday. If December 25th and the succeeding January 1st fall on Saturdays, December 24th and December 31st will be recognized as paid holidays. If December 25th and the succeeding January 1st fall on Sundays, December 26th and January 2nd will be recognized as paid holidays.

Meetings

Professional staff meetings, parent/teacher meetings, and community educational meetings for reviewing and improving the school program are considered an essential part of staff responsibility.

School Social Worker Services Outside of District Employment

Effective July 1, 2019, school social workers may not provide services outside of their District employment to any student(s) attending school in the District. School social worker has the meaning stated in [105 ILCS 5/14-1.09a](#).

Evaluation

Plans for evaluation shall be designed so as to foster improvement through the identification of competencies and best practices. The administration shall be responsible for the implementation of the evaluation process.

LEGAL REF.:

[105 ILCS 5/10-19, 5/10-19.05, 5/10-20.65, 5/14-1.09a, 5/22.4, 5/24-16.5, 5/24-2, 5/24-3, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.](#)

[820 ILCS 260/, Nursing Mothers in the Workplace Act](#)

[23 Ill.Admin.Code Parts 50](#) (Evaluation of Educator Licensed Employees) and [51](#) (Dismissal of Tenured Teachers).

[Cleveland Bd. of Educ. v. Loudermill](#), 470 U.S. 532(1985).

CROSS REF.: 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

PRESSPlus Comments

PRESSPlus 1. Updated in response to PRESS Advisory Board member feedback regarding the need to comply with the terms of individual employment contracts, in addition to collective bargaining agreement(s) and other legal requirements. Issue 108, November 2021

Document Status: Draft Update

Section 5 - GENERAL PERSONNEL

5:210 Retirement

~~Please refer to the current "Negotiated Contract between the Board of Education of School District 90 and the River Forest Education Association."~~

~~Please refer to the applicable collective bargaining agreement(s).~~

LEGAL REF.:

[105 LCS 5/24-14.](#)

ADOPTED: March 19, 2007

Document Status: Draft Update

5:220 Substitute Teachers

The Superintendent may employ substitute teachers as necessary to replace teachers who are temporarily absent.

A substitute teacher must hold either a valid teaching or substitute license or short-term substitute license and may teach in the place of a licensed teacher who is under contract with the Board. There is no limit on the number of days that a substitute teacher may teach in the District during the school year, except as follows:

1. A substitute teacher holding a substitute license may teach for any one licensed teacher under contract with the District only for a period not to exceed 90 paid school days in any one school term.
2. A teacher holding a Professional Educator License or Educator License with Stipulations may teach for any one licensed teacher under contract with the District only for a period not to exceed 120 paid school days.
3. A short-term substitute teacher holding a short-term substitute teaching license may teach for any one licensed teacher under contract with the District only for a period not to exceed five consecutive school days.

The Illinois Teachers' Retirement System (TRS) limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 120 paid days or 600 paid hours in each school year, but not more than 100 paid days in the same classroom. Beginning July 1, 2023¹, [PRESSPlus1](#) a substitute teacher who is a TRS annuitant may substitute teach for a period not to exceed 100 paid days or 600 paid hours in any school year, unless the subject area is one where the Regional Superintendent has certified that a personnel shortage exists.

The Board establishes a daily rate of pay for substitute teachers. Substitute teachers receive only monetary compensation for time worked and no other benefits.

Short-Term Substitute Teachers

A short-term substitute teacher must hold a valid short-term substitute teaching license and have completed the District's short-term substitute teacher training program. Short-term substitutes may teach no more than five consecutive school days for each licensed teacher who is under contract with the Board.

Emergency Situations

A substitute teacher may teach when no licensed teacher is under contract with the Board if the District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position. The Superintendent shall notify the appropriate Intermediate Service Center within five business days after the employment of a substitute teacher in an emergency situation.

LEGAL REF.:

[105 ILCS 5/10-20.68](#), [5/21B-20\(2\)](#), [5/21B-20\(3\)](#), and [5/21B-20\(4\)](#).

[23 IL Admin Code §1.790](#) (Substitute Teacher) and [§25.520](#) (Substitute Teaching License).

CROSS REF.: 5:30 (Hiring Process and Criteria)

PRESSPlus Comments

PRESSPlus 1. Updated in response to P.A. 102-537, changing the date to 7-1-23, previously 7-1-21.

TRS annuitants may return to teach in subject shortage area through 6-30-24, previously 6-30-21. P.A. 102-440. **Issue 108, November 2021**

Document Status: Draft Update

5:250 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 days absence for personal illness or 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) a licensed advanced practice registered nurse, (4) a licensed 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 three days for personal illness, the District shall pay the expenses incurred by the employee.

Staff members are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or Superintendent may require medical certification. [PRESSPlus1](#)

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need of foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway. [PRESSPlus2](#)

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.

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 Dept. of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the teacher's child, if the conference or meeting 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 Violence, Sexual Violence, or Gender Violence, or Other Crime of Violence [PRESSPlus3](#)

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic violence, sexual violence, or gender violence, or any other crime of violence or (2) has a family or household member who is a victim of such violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, or gender violence, or any other crime of 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 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.](#)

[820 ILCS 154/](#), Child Bereavement Leave Act.

[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.](#)

[330 ILCS 61/](#), Service Member Employment and Reemployment Rights Act.

[820 ILCS 147/](#), School Visitation Rights Act.

[820 ILCS 180/](#), Victims' Economic Security and Safety Act.

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

PRESSPlus Comments

PRESSPlus 1. 105 ILCS 5/24-6, amended by P.A. 102-275, overturned the Illinois Supreme Court's decision in *Dynak v. Bd. of Educ. of Wood Dale Sch. Dist. 7*, 164 N.E.3d 1226 (Ill. 2020) (finding that a teacher was not entitled to use 30 days of sick leave for birth consecutively before and after an intervening summer break). It is unclear from the language of the statute if an employee can be prohibited from *intermittent* use of 30 working sick days for birth, e.g., such as taking leave once a week). Consult the board attorney for guidance on this issue. **Issue 108, November 2021**

PRESSPlus 2. 105 ILCS 5/24-6, amended by P.A. 102-275. **Issue 108, November 2021**

PRESSPlus 3. *Other crime of violence* means conduct prohibited by 720 ILCS 5/9 (homicide), 720 ILCS 5/11 (sex offenses), 720 ILCS 5/12 (bodily harm), 720 ILCS 5/26.5 (harassing and obscene communications), 720 ILCS 5/29D (terrorism), and 720 ILCS 5/33A (armed violence) or similar provisions of the Criminal Code of 1961. 820 ILCS 180/10(2.5), added by P.A. 102-487. **Issue 108, November 2021**

Document Status: Draft Update

5:330 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, or the acceptance of a child in need of foster care. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness or 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) a licensed advanced practice registered nurse, (4) a licensed 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 three days for personal illness, the District shall pay the expenses incurred by the employee.

Employees are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or the Superintendent may require medical certification. [PBESSPlus1](#)

The use of paid sick leave for purposes of adoption, or placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need of foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway. [PBESSPlus2](#)

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	1.0 Days	12 Days per year
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 2-3.25a](#) or [24-2\(b\)](#) allowing it to schedule school on a legal school holiday listed below, District staff members who are employed for twelve months shall be entitled to the following, paid holidays:

New Year's Day	Columbus Day
Marlin Luther King Jr.'s Birthday	Veterans Day*

Abraham Lincoln's Birthday or President's Day	<u>2022 Election Day</u> PRESSPlus3
Memorial Day	Thanksgiving Day and the Day after
Independence Day	Christmas Eve
Labor Day	Christmas Day
Juneteenth <u>National Freedom Day</u> PRESSPlus4	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.
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 Violence, Sexual Violence, or Gender Violence, or Other Crime of Violence [PRESSPlus5](#)

Educational support personnel receive a leave for victims of domestic violence, sexual violence, or gender violence, or other crime of 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 Ill. 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.:

[105 ILCS 5/10-20.7b, 5/24-2](#), and [5/24-6](#).

[330 ILCS 61/](#), Service Member Employment and Reemployment Rights Act.

[820 ILCS 147](#), School Visitation Rights Act.

[820 ILCS 154/](#), Child Bereavement Leave Act.

[820 ILCS 180/](#), Victims' Economic Security and Safety Act.

School Dist 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); *Elder v. Sch. Dist. No.127 1/2*, 60 Ill.App.2d 56 (1st Dist. 1965).

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

ADOPTED: January 17, 2017

REVISED: February 19, 2018; June 17, 2019; January 21, 2020; October 19, 2020; February 16, 2021; August 16, 2021

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/24-6, amended by P.A. 102-275. **Issue 108, November 2021**

PRESSPlus 2. Updated in response to 105 ILCS 5/24-6, amended by P.A. 102-275. **Issue 108, November 2021**

PRESSPlus 3. 10 ILCS 5/2A-1.1c, added by P.A. 102-15 and scheduled to be repealed on 1-1-23, requires any school closed on 2022 Election Day to make itself available to an election authority as a polling place on those days. 2020 Election Day remains a holiday listed in 105 ILCS 5/24-2(e), amended by P.A. 102-15, but no longer appears in this policy. **Issue 108, November 2021**

PRESSPlus 4. Updated in response to 5 ILCS 490/63, amended by P.A.s 102-14, eff. 1-1-22, and 102-334 (enacting Juneteenth National Freedom Day on June 19 each year). Note that conflicts related to celebrating Juneteenth when it falls on a Saturday or Sunday exist, e.g., P.A. 102-14 (the controlling Public Act) states "when June nineteenth falls on a Saturday or Sunday, neither the preceding Friday nor the following Monday shall be held or considered as a *paid* holiday" but contrast P.A. 102-334, stating "when June nineteenth falls on a Sunday, the following Monday shall be held and considered the holiday" (notice the word *paid* is missing and it does not address when Juneteenth falls on a Saturday whether Friday is the holiday). Consult the board attorney about whether Juneteenth should be celebrated as an *unpaid holiday* on either the preceding Friday or the following Monday when it falls on a Saturday or Sunday, respectively, or not at all when it falls on a Saturday. **Issue 108, November 2021**

PRESSPlus 5. Updated in response to Victims' Economic Security and Safety Act (VESSA), 820 ILCS 180/, amended by P.A. 102-487. *Other crime of violence* means conduct prohibited by 720 ILCS 5/9 (homicide), 720 ILCS 5/11 (sex offenses), 720 ILCS 5/12 (bodily harm), 720 ILCS 5/26.5 (harassing and obscene communications), 720 ILCS 5/29D (terrorism), and 720 ILCS 5/33A (armed violence) or similar provisions of the Criminal Code of 1961. 820 ILCS 180/10(2.5), added by P.A. 102-487. **Issue 108, November 2021**