

See changes p. 2 & 3
Share w/ Melissa,
Debbie,

RENAMED

Jess H,

November 2021 October 2025

6:60-AP1, E1 Jessica P

Shona

Trisha

Instruction

Exhibit - Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Statutory Opt-outs¹

Date _____

Class and Time _____

Teacher _____

Notice of Sexual Abuse and Assault Awareness and Prevention Education²

In grades pre-kindergarten through 12, State law requires the District to provide age-appropriate sexual abuse and assault awareness and prevention education (105 ILCS 110/3), except that no student in grades K through 8 shall be required to take or participate in any instruction for recognizing and avoiding sexual abuse if the student's parent/guardian submits written objection and refusal to participate in the instruction (105 ILCS 5/27-13.2).

This is your minimum five-day notice that this instruction will begin for your child.³

The footnotes should be removed before the material is used.

¹ Except for the last sentence in the first subhead (see f/n 2, below), ~~Notice of Sexual Abuse and Assault Awareness and Prevention Education~~, Schools are not required to notify parents/guardians of their rights as explained in this form. Modify this form to match the district's curriculum. Students may not be required to take or participate in classes or courses listed under the subhead below, ~~Written Objection(s) and/or Opt-outs~~. For the district to maintain trust with its stakeholders and connect with its community, it is a best practice to keep and modify this exhibit.

~~105 ILCS 5/27-13.2, repealed by P.A. 104-391, formerly required districts to give parents/guardians of students in grades K-8 prior written notice of sexual abuse prevention instruction and the opportunity to opt their children out of such instruction upon written objection. Note: It is IASB's understanding that this provision was repealed in error by P.A. 104-391; however, as of the publication of PRESS Issue 120 (Oct. 2025), it is unclear if or when this error will be remedied. Consult with the board attorney if the district wants to continue to provide notice and an opportunity for parents/guardians to opt their children out of this instruction.~~

² ~~105 ILCS 5/27-215(a)(4)110/3, added by P.A. 104-391 states pre-kindergarten but the notice requirements and written objections allowance of 105 ILCS 5/27-13.2(b), repealed by P.A. 104-391, do not align, only requiring notice and written objection for grades K through 8. See more discussion on these laws in f/n 2 of 6:60-AP1, Comprehensive Health Education Program. Consult the board attorney about whether to include pre-kindergarten in a district's required K through 8 notices. Note: It is IASB's understanding that 105 ILCS 5/27-13.2 was repealed in error by P.A. 104-391 and will be restored; it is therefore retained in this sample exhibit.~~

³ ~~Required by 105 ILCS 5/27-13.2(b), repealed by P.A. 104-391, for elementary and unit districts that educate students in grades K through 8. See f/n 2, above, regarding the repeal of 105 ILCS 5/27-13.2.~~

~~For high school districts, delete this sentence.~~

~~For unit districts, either keep the sentence (no penalty exists for providing notice to parents/guardians in grades 9 through 12) or delete it for notices to parents/guardians of students in grades 9 through 12.~~

6:60-AP1, E1

Page 1 of 3

Request to Examine 105 ILCS 5/27-215-110/3 (Family Life and/or Abstinence and Contraception) and/or 105 ILCS 5/27-10159.1a (National Sex Ed Standards (NSES)) Materials ⁴

A sample of the District's instructional materials and course outline for family life ~~and/or abstinence and contraception~~ instructional materials are available from the classroom teacher for your inspection. If you are requesting to examine this material, please check the box below and return it to your child's classroom teacher within ~~calendar~~ five calendar days. *Sexual Health education*

The scope and sequence of instructional materials for ~~NSES~~ is posted on the District's Internet website, along with the name and contact information, including an email address, of staff members who can respond to your inquiries.⁵ You may request to see ~~NSES~~ instructional materials in person by checking the box below. *sexual health education*

☐ I request to examine the instructional materials and course outline for Family Life classes.

☐ I request to examine, in person, the instructional materials to be used for ~~NSES~~ *sexual health education*

Written Objection(s) and/or Parent/Guardian Opt-outs ⁶

No student is required to take or participate in the following classes or courses, and no penalty exists for refusing to take or participate in such a course or program.

If you do not want your child to participate in these classes or courses, please complete the following request and return it to your child's classroom teacher within five school days.

I request that the District opt-out my child for and/or object in writing to class attendance about:

(Check the main box and any or all sub-category box(es) that apply to your objection or opt-out)

☐ ~~105 ILCS 5/27-13.2 allows me to object to my child, who is in grades K through 8, from learning age appropriate instruction for recognizing and avoiding sexual abuse; I understand once my child enters grades 9 through 12, I may no longer object~~

☐ ~~105 ILCS 5/10-23.13, amended by P.A. 102-610 (Erin's Law), and see policy 4:165, Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors~~

☐ ~~105 ILCS 5/27-9.1a(b)(6), (8), (9), and (12), added by P.A. 102-522 (NSES includes sexual abuse education under the term sexual violence)~~

☐ ~~105 ILCS 5/27-215(a)(4)110/3 (age and developmentally appropriate sexual abuse and assault awareness and prevention)~~

☐ Family life (emotional, psychological, physiological, hygienic and social responsibilities, including evidence-based and medically accurate information regarding sexual abstinence until marriage) (105 ILCS 5/27-215(a)(2)110/3)

The footnotes should be removed before the material is used.

⁴ Schools are required to afford individuals, including parents/guardians, an opportunity to examine the instructional materials but are not required to provide a means for parents/guardians to request to examine the instructional material. This subhead may be deleted.

⁵ 105 ILCS 5/27-10159.1a(e), renumbered by P.A. 104-391 added by P.A. 102-522. Delete this sentence if the district does not have an Internet website. See also f/n 4 of sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

⁶ Schools are not required to provide a means for parents/guardians to request excusal and opt-out; this subhead and the following check boxes may be omitted. If kept, ensure that the check boxes match the curriculums offered in the district.

- ☐ ~~Evidence-based and medically accurate information regarding sexual abstinence (105 ILCS 110/3)⁷~~
- ☐ AIDS, including in grades 6 through 12, its prevention, transmission and spread (105 ILCS 5/27-215(a)(3)-110/3)
- ☐ ~~NSES~~ *Sexual Health Education* (See 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))* (105 ILCS 5/27-10159-1a(d), added by P.A. 102-522))
- ☐ Donations and transplants of organs/tissue and blood organ/tissue transplantation, in grades 9 and/or 10 (105 ILCS 5/27-104523-5)
- ☐ CPR ~~and the Heimlich maneuver~~, including training on how to properly administer CPR in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization (105 ILCS 5/27-215(d) and 5/27-250110/3)
- ☐ How to use an AED (105 ILCS 5/27-215(d) and 5/27-250110/3)

Student (please print)

Parent/Guardian (please print)

Parent/Guardian Signature

Date

The footnotes should be removed before the material is used.

⁷ ~~Consult the board attorney whether 105 ILCS 110/3 allows a parent/guardian to provide written objection to this instruction. To alleviate confusion, this exhibit treats both mentions of abstinence as family life. For more analysis, see f/n 16 in administrative procedure 6:60-AP1, *Comprehensive Health Education Program*.~~

Do not include

Instruction

Administrative Procedure - Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))¹

*Do not implement this administrative procedure if the board does not provide this curriculum. This AP procedure contains only the requirements for the development of the NSES curriculum at 105 ILCS 5/27-10159.1a, added by P.A. 102-522 renumbered by P.A. 104-391. While this law is effective immediately, the Ill. State Board of Education has until 8-1-22 to develop its learning standards and resources and make them available on its website. ISBE must develop its resource materials in consultation with stakeholders, and with the cooperation and input of experts who provide and entities that promote age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma-informed comprehensive personal health and safety and comprehensive sexual health education public policy. At the time of **PRESS** Issue 108's publication, no guidance existed ISBE has not provided guidance about whether districts could continue to provide the now-repealed family life and sex education programs formerly in 105 ILCS 5/27-9.1 and 9.2.*

The District offers an NSES Program based upon 105 ILCS 5/27-10159.1a, renumbered by P.A. 104-391 added by P.A. 102-522. More information about NSES is available at:

www.advocatesforyouth.org/resources/health-information/future-of-sex-education-national-sexuality-education-standards/, and www.advocatesforyouth.org/wp-content/uploads/2021/08/NSES-2020-web-updated.pdf.

Comprehensive personal health and safety education means for students in grades K through 5,² “age and developmentally appropriate education that aligns with the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence.”

Comprehensive sexual health education means for students in grades 6 through 12,³ “age and developmentally appropriate education that aligns with the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence.”

Active parent/guardian consent for students to participate in this NSES Program is not required, but a student's parent/guardian may opt the student out of it by submitting a request in writing pursuant to 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 Statutory Opt-outs*.⁴ In grades

The footnotes should be removed before the material is used.

¹ This procedure is optional, but if offered, 105 ILCS 5/27-10159.1a, renumbered by P.A. 104-391 added by P.A. 102-522, mandates the content for the NSES Program outlined in this procedure.

² 105 ILCS 5/27-9.1a Id. at (a) and (f), added by P.A. 102-522.

³ Id.

⁴ See f/ns 1 and 2 in 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 Statutory Opt-outs*, and ensure this AP and the AP, E's alignment.

~~K through 8, 105 ILCS 5/27-13.2 requires parental notification of sexual abuse prevention instruction and allows a parent to submit a written objection to age appropriate instruction for recognizing and avoiding sexual abuse, which NSES requires.⁵~~

Anyone may review the scope and sequence of instructional materials for the NSES Program classes or courses, either electronically or in person.⁶ The NSES Program curriculum, and the name and contact information, including an email address, of District staff members who can respond to inquiries about the NSES Program are annually posted on the District's Internet website.⁷

This administrative procedure contains four sections as follows:

1. Glossary of Terms
2. NSES Program Curriculum
3. Ill. State Board of Education (ISBE) Resource Materials; NSES Program Learning Standards
4. Reporting NSES Program Instruction to ISBE

Glossary of Terms

The current Definitions of 105 ILCS 5/27-~~10159.4a~~(a) are incorporated here by reference.

Adapt – To modify an evidence-based or evidence-informed NSES Program model for use with a particular demographic, ethnic, linguistic, or cultural group.

Age and developmentally appropriate – Suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Characteristics of effective NSES Programs – Includes development, content, and implementation of such NSES Programs that (i) have been shown to be effective in terms of increasing knowledge, clarifying values and attitudes, increasing skills, and impacting behavior, (ii) are widely recognized by leading medical and public health agencies to be effective in changing sexual behaviors that lead to sexually transmitted infections, including HIV, unintended pregnancy, interpersonal violence, and sexual violence among young people, and (iii) are taught by professionals who provide a safe learning space, free from shame, stigma, and ideology and are trained in trauma-informed teaching methodologies.

Complete – Information that aligns with the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence.

Comprehensive personal health and safety education – See introduction, above.

Comprehensive sexual health education – See introduction, above.

Consent – An affirmative, knowing, conscious, ongoing, and voluntary agreement to engage in interpersonal, physical, or sexual activity, which can be revoked at any point, including during the course of interpersonal, physical, or sexual activity.

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

~~Delete this sentence if the district will not notify parents in advance of their right to opt their child out of NSES (105 ILCS 5/27-~~10159.4a~~(d), renumbered by P.A. 104-391~~added by P.A. 102-522~~).~~

~~⁵ 105 ILCS 5/27-13.2.~~

~~⁶ 105 ILCS 5/27-~~10159.4a~~(e), renumbered by P.A. 104-391~~added by P.A. 102-522~~.~~

~~⁷ Id. Delete this sentence if the district does not have an Internet website.~~

Culturally appropriate – Affirming culturally diverse individuals, families, and communities in an inclusive, respectful, and effective manner, including materials and instruction that are inclusive of race, ethnicity, language, cultural background, immigration status, religion, disability, gender, gender identity, gender expression, sexual orientation, and sexual behavior.

Evidence-based NSES Program – A Program for which systematic, empirical research or evaluation has provided evidence of effectiveness.

Evidence-informed NSES Program – A Program that uses the best available research and practice knowledge to guide NSES Program design and implementation.

Gender stereotype – A generalized view or preconception about what attributes, characteristics, or roles are or ought to be taught, possessed by, or performed by people based on their gender identity.

Healthy relationships – Relationships between individuals that consist of mutual respect, trust, honesty, support, fairness, equity, separate identities, physical and emotional safety, and good communication.

Identity – People’s understanding of how they identify their sexual orientation, gender, gender identity, or gender expression without stereotypes, shame, or stigma.

Inclusive – Inclusion of marginalized communities that include, but are not limited to, people of color, immigrants, people of diverse sexual orientations, gender identities, and gender expressions, people who are intersex, people with disabilities, people who have experienced interpersonal or sexual violence, and others.

Interpersonal violence – Violent behavior used to establish power and control over another person.

Medically accurate – Verified or supported by the weight of research conducted in compliance with accepted scientific methods and published in peer-reviewed journals, if applicable, or comprising information recognized as accurate and objective.

Pre-exposure Prophylaxis (PrEP) – Medications approved by the federal Food and Drug Administration (FDA) and recommended by the United States Public Health Service or the federal Centers for Disease Control and Prevention for HIV pre-exposure prophylaxis and related pre-exposure prophylaxis services, including, but not limited to, HIV and sexually transmitted infection screening, treatment for sexually transmitted infections, medical monitoring, laboratory services, and sexual health counseling, to reduce the likelihood of HIV infection for individuals who are not living with HIV but are vulnerable to HIV exposure.

Post-exposure Prophylaxis (PeP) – Medications that are recommended by the federal Centers for Disease Control and Prevention and other public health authorities to help prevent HIV infection after potential occupational or non-occupational HIV exposure.

Sexual violence – Discrimination, bullying, harassment, including sexual harassment, sexual abuse, sexual assault, intimate partner violence, incest, rape, and human trafficking.

Trauma informed – To address vital information about sexuality and well-being that takes into consideration how adverse life experiences may potentially influence a person’s well-being and decision making.

NSES Program Curriculum

The District may use guest lecturers or resource persons,⁸ including outside consultants, community groups, or organizations,⁹ to provide instruction or presentations in accordance with 105 ILCS 5/10-22.34b¹⁰, and their materials may not conflict with the provisions of State law.¹¹ The District may adapt the age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma-informed curriculums to meet the specific needs of the community. All course materials and instruction for teaching the NSES Program must be:¹²

1. Age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma informed.
2. A replica of an evidence-based or evidence-informed NSES program or substantially incorporate elements of evidence-based NSES programs or evidence-informed NSES programs or characteristics of effective NSES programs.
3. Inclusive and sensitive to the needs of students based on their status as pregnant or parenting, living with STIs, including HIV, sexually active, asexual, or intersex or based on their gender, gender identity, gender expression, sexual orientation, sexual behavior, or disability.
4. Accessible to students with disabilities, which may include the use of a modified curriculum, materials, instruction in alternative formats, assistive technology, and auxiliary aids.
5. Helpful to students for developing self-advocacy skills for effective communication with parents or guardians, health and social service professionals, other trusted adults, and peers about sexual health and relationships.
6. Helpful to students by providing them with information to develop skills for developing healthy relationships and preventing and dealing with interpersonal violence and sexual violence.
7. Helpful to students by providing them with information to safely use the Internet, including social media, dating or relationship websites or applications, and texting.
8. Informative about local resources where students can obtain additional information and confidential services related to parenting, bullying, interpersonal violence, sexual violence, suicide prevention, sexual and reproductive health, mental health, substance abuse, sexual orientation, gender identity, gender expression, and other related issues.
9. Informative about State laws related to minor confidentiality and minor consent, including exceptions, consent education, mandated reporting of child abuse and neglect, the safe relinquishment of a newborn child, minors' access to confidential health care and related services, school policies addressing the prevention of and response to interpersonal and sexual

The footnotes should be removed before the material is used.

⁸ 105 ILCS 5/27-~~10159-1a~~(c), ~~renumbered by P.A. 104-391 added by P.A. 102-522~~.

⁹ ~~Id. at (h), added by P.A. 102-522~~.

¹⁰ 105 ILCS 5/10-22.34b, 5/27-~~10159-1a~~(c), ~~renumbered by P.A. 104-391 added by P.A. 102-522~~, and 23 Ill.Admin.Code §1.630(c)(3)(C) contain the requirements for districts that utilize unlicensed persons to provide specialized instruction not otherwise readily available in the immediate school environment in the fields for which they are particularly qualified by reason of specialized knowledge or skill. The school board must secure the prior written approval of the regional superintendent of schools or appropriate intermediate service center before utilizing the individual.

¹¹ ~~Id.~~ 105 ILCS 5/27-1015- at (b) and (c), ~~renumbered by P.A. 104-391 added by P.A. 102-522~~. It is not clear whether NSES must include State requirements at 105 ILCS 5/27-215(a)(2)+10/3 (sexual abstinence until marriage and evidence-based and medically accurate information regarding sexual abstinence required) but a reading of 105 ILCS 5/27-1015~~Id.~~ at (b)(1), (2), (10), (14), and (15), ~~renumbered by P.A. 104-391 added by P.A. 102-522~~, may align with the 105 ILCS 5/27-215(a)(2)+10/3 sexual abstinence education requirements. Consult the board attorney for assistance.

¹² Required by 105 ILCS 5/27-~~10159-1a~~(b)(1)-(15), ~~renumbered by P.A. 104-391 added by P.A. 102-522~~.

violence, school breastfeeding accommodations, and school policies addressing the prevention of and response to sexual harassment.

10. Neutral and not reflect or promote bias against any person on the basis of the person's race, ethnicity, language, cultural background, citizenship, religion, HIV status, family structure, disability, gender, gender identity, gender expression, sexual orientation, or sexual behavior.
11. Prohibitive of employing gender stereotypes.
12. Inclusive of and may not be insensitive or unresponsive to the needs of survivors of interpersonal violence and sexual violence.
13. Neutral and not proselytize any religious doctrine.
14. Informative and not deliberately withhold health-promoting or life-saving information about culturally appropriate health care and services, including reproductive health services, hormone therapy, and FDA-approved treatments and options, including, but not limited to, Pre-exposure Prophylaxis (PrEP) and Post-exposure Prophylaxis (PeP).
15. Consistent with the ethical imperatives of medicine and public health.

Ill. State Board of Education (ISBE) Resource Materials; NSES Program Learning Standards ¹³

Rigorous learning standards for (a) comprehensive personal health and safety education for students in grades kindergarten through 5, and (b) comprehensive sexual health education for students in grades 6 through 12, including, but not limited to, all of the National Sex Education Standards, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence, as authored by the Future of Sex Education Initiative. As the National Sex Education Standards are updated, ISBE shall update these learning standards. ISBE, in consultation with youth, parents, sexual health and violence prevention experts, health care providers, advocates, and education practitioners, including, but not limited to, administrators, regional superintendents of schools, teachers, and school support personnel, shall develop and adopt rigorous learning standards in the area of comprehensive personal health and safety education for students grades K through 5 and comprehensive sexual health education for pupils in grades 6 through 12, including, but not limited to, all of the NSES, including information on consent and healthy relationships, anatomy and physiology, puberty and adolescent sexual development, gender identity and expression, sexual orientation and identity, sexual health, and interpersonal violence, as authored by the Future of Sex Education Initiative. As the NSES are updated, ISBE must update its learning standards.

Reporting NSES Program Instruction to ISBE ¹⁴

When reporting mechanisms exist, the District will report to ISBE:

1. Whether the District provides this NSES Program;
2. Who provided the instruction: a teacher in the school(s), a consultant, or a community group or organization, along with the name of the outside consultant, community group, or organization;
3. The number of students receiving instruction;
4. The number of students excused from instruction; and
5. The duration of instruction.

The footnotes should be removed before the material is used.

¹³ Id. at (f), ~~added by P.A. 102-522, renumbered by P.A. 104-391.~~

¹⁴ Id. at (i), ~~added by P.A. 102-522, renumbered by P.A. 104-391.~~

ISBE reports the results of this inquiry to the General Assembly annually, for a period of five years beginning on 8-20-22.

DRAFT

OK as is
share w/ Mel's Sr
Debbie, Jessica T.
Jess H, Sherry, Trish
6:60-AP3

Instruction

Administrative Procedure – Developmentally Appropriate Consent Education¹

The District offers age- and developmentally appropriate consent education in grades K through 12 pursuant to 105 ILCS 5/27-~~1010, amended and renumbered by P.A. 104-3919.1b, added by P.A. 102-522.~~ This administrative procedure contains two sections as follows:

1. Glossary of Terms
2. Age- and Developmentally Appropriate Consent Education Curriculum

Glossary of Terms²

The current Definitions of 105 ILCS 5/27-~~10159.1a(a)~~ are incorporated here by reference.

Age- and developmentally appropriate - Suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Consent - An affirmative, knowing, conscious, ongoing, and voluntary agreement to engage in interpersonal, physical, or sexual activity, which can be revoked at any point, including during the course of interpersonal, physical, or sexual activity.

Age- and Developmentally Appropriate Consent Education Curriculum

In grades K through 5, instruction and materials shall include age- and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following:³

1. Setting appropriate physical boundaries with others.
2. Respecting the physical boundaries of others.
3. The right to refuse to engage in behaviors or activities that are uncomfortable or unsafe.
4. Dealing with unwanted physical contact.
5. Helping a peer deal with unwanted physical contact.

In grades 6 through 12, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following:⁴

1. That consent is a freely given agreement to sexual activity.
2. That consent to one particular sexual activity does not constitute consent to other types of sexual activities.

The footnotes should be removed before the material is used.

¹ This procedure is optional, but if offered, 105 ILCS 5/27-~~10109.1b, amended and renumbered by P.A. 104-391, added by P.A. 102-522~~ mandates the content for the curriculum outlined in this procedure. For districts that will not provide this program, delete this procedure. *Id.* at (b), ~~renumbered by P.A. 104-391, added by P.A. 102-522~~, states grades K through 12, meaning a district cannot choose to offer consent education to only grades 6 through 12 or only grades K through 5.

² ~~105 ILCS 5/27-9.1b~~*Id.* at (a), ~~amended and renumbered by P.A. 104-391, added by P.A. 102-522.~~

³ ~~105 ILCS 5/27-9.1b~~*Id.* at (b)(1)(A)-(E), ~~added by P.A. 102-522~~~~renumbered by P.A. 104-391.~~

⁴ ~~105 ILCS 5/27-9.1b~~*Id.* at (b)(2)(A)-(I), ~~renumbered by P.A. 104-391~~~~added by P.A. 102-522.~~

3. That a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
4. That a person's manner of dress does not constitute consent.
5. That a person's consent to past sexual activity does not constitute consent to future sexual activity.
6. That a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.
7. That a person can withdraw consent at any time.
8. That a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to certain circumstances that include, but are not limited to when the person is:
 - a. Incapacitated due to the use or influence of alcohol or drugs;
 - b. Asleep or unconscious;
 - c. A minor; or
 - d. Incapacitated due to a mental disability.
9. The legal age of consent in this State.

DRAFT

Sharew/
Melissa
Jen, Debbie,
Jessica

Make sure
references
AP for early
entrance
6:135-AP
K
Changes p. 2
(7:50AP2)

Instruction

Administrative Procedure - Accelerated Placement Program Procedures¹

The District's Accelerated Placement Program (APP) places qualified students in an educational setting that includes curriculum usually reserved for students who are older or in higher grades than the student, and is implemented by the Superintendent or designee. 105 ILCS 5/14A.

This administrative procedure contains seven sections as follows:

1. Definitions
2. Annual Notification
3. Referral Process
4. Evaluation Process
5. Eligibility Determination
6. Automatic Enrollment in Advanced High School Coursework
7. Program Reporting, Review, and Expanded Access Plan

Definitions²

Accelerated placement is the placement of a student in an educational setting with curriculum that is usually reserved for students who are older or in higher grades than the student.³ Accelerated placement includes, but may not be limited to: early entrance to kindergarten or first grade, accelerating a student in a single subject, and grade acceleration.⁴

Advanced academic program is a course of study, including but not limited to, accelerated placement, Advanced Placement coursework, International Baccalaureate coursework, dual credit, or any course

The footnotes should be removed before the material is used.

¹ Customize this procedure to meet the district's needs. It is written in general terms with regard to 105 ILCS 5/14A, the Accelerated Placement Act (APA). Districts may wish to utilize different procedures for different types of accelerated placement. For example, many districts that permit early entrance to kindergarten or first grade require that early entrance requests be submitted by a certain calendar date, often months in advance of the start of a school term, to allow sufficient time for evaluation and the determination of incoming class sizes and staffing needs. The law is silent regarding whether these deadlines may be waived or adjusted for students who move into the district after the deadline; consult the board attorney for further guidance. Districts should also consider implementing specific and objective criteria for early entrance and address such issues as who pays the costs for assessments, etc.

To provide school administrators and personnel with a familiar procedural framework, the **Referral Process, Evaluation Process, and Eligibility Determination** sections of this sample administrative procedure are loosely modeled on the Ill. Council of School Attorneys' *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*. See www.iasb.com/law/icsaspeced.cfm.

² 105 ILCS 5/14A-17, amended by P.A. 103-263, requires districts to have an accelerated placement program that includes, but need not be limited to, the following types of acceleration: early entrance to kindergarten or first grade, accelerating a child in a single subject, and grade acceleration. The APA does not define these types of acceleration however, they are defined in Ill. State Board of Education (ISBE) regulations at 23 Ill.Admin.Code §227.5.

For high school districts, delete the definitions of *early entrance to kindergarten* and *early entrance to first grade*. If the district offers additional types of acceleration, such as curriculum compacting or telescoping curriculum, then the definitions of such additional types should be added to this section.

³ 105 ILCS 5/14A-17, amended by P.A. 103-263; 23 Ill.Admin.Code §227.5.

⁴ *Id.* For high school districts, delete "early entrance to kindergarten or first grade." For districts that offer additional types of acceleration, amend this sentence to include those types in the list of accelerated placement offerings.

designated as enriched or honors, that a student is enrolled in based on the student's advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.⁵

Early entrance to kindergarten is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age on or before September 1 of that school term.⁶ *see admin procedure 7:50 AP2*

Early entrance to first grade is the admission to first grade of a student who is assessed for and meets the District's readiness standards to attend school. A student may, but is not required to, have attended a non-public preschool and continued his or her education at that school through kindergarten and been taught in kindergarten by an appropriately certified teacher. A student who is younger than six upon starting first grade but who was admitted early to kindergarten does not need to be reevaluated prior to admission to first grade.⁷ *See admin procedure 7:50 AP2*

Individual subject acceleration is the practice of assigning a student to a specific content area at a higher instructional level than is typical given the student's grade for the purpose of providing access to appropriately challenging learning opportunities in one or more subject areas.⁸ It may be accomplished by either: (a) physically moving the student to a higher level class for instruction; or (b) using higher level curricular or study materials in the student's current classroom.

Whole grade acceleration is the practice of assigning a student to a higher grade level than is typical, given the student's age, on a full-time basis for the purpose of providing access to appropriately challenging learning opportunities.⁹ Commonly referred to as skipping a grade, grade acceleration may be done at the beginning of or during the school term.

Annual Notification¹⁰

Actor	Action
Superintendent or designee	Annually notifies the community, including community-based organizations, providers of out-of-school programs, parent(s)/guardian(s), students, and school personnel, about the: <ol style="list-style-type: none"> 1. APP 2. Process for referring a student for possible evaluation for accelerated placement, including:

The footnotes should be removed before the material is used.

⁵ 105 ILCS 5/14A-17, amended by P.A. 103-263.

⁶ 23 Ill.Admin.Code §227.5. Use the following alternative in a district operating on a year-round basis:

Early entrance to kindergarten is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age within 30 days after the commencement of that school term.

⁷ 23 Ill.Admin.Code §227.5.

⁸ Id.

⁹ Id.

¹⁰ Optional. 105 ILCS 5/14A-32(b)(1) permits, but does not require "procedures for annually informing the community at-large, including parents or guardians, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework[.]" Delete if the board has not included annual notification language in its adopted Board policy 6:135, *Accelerated Placement Program*.

Actor	Action
	<ul style="list-style-type: none"> a. Steps to be taken to make a referral; b. Individual(s) to whom a referral may be submitted; c. Deadlines by which a referral must be made; and d. Information that must be provided in the referral. <ul style="list-style-type: none"> 3. Methods used to determine whether a student is eligible for accelerated placement. 4. Strategies used to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework. <p>Provides such notification:</p> <ul style="list-style-type: none"> 1. By varied communication methods, such as student handbooks and District/school websites; and 2. In multiple languages.

Referral Process

Actor	Action
<p>Parent(s)/Guardian(s), Licensed Educational Professionals, Student (with written consent of a parent/guardian), or Peer (through a licensed educational professional who has knowledge of the student's abilities).</p> <p>In addition to the above-noted individuals, referrals for possible early entrance to kindergarten or first grade may also come from: Preschool Educator, Non-public Kindergarten Teacher, Pediatrician, or Psychologist who knows the child. ¹¹</p>	<p>Refers a student for possible evaluation for accelerated placement using the process set forth in this procedure.</p>

The footnotes should be removed before the material is used.

¹¹ 105 ILCS 5/14A-32(b)(2) recommends that the referral process allow for multiple referrers, and specifically notes that referrers for possible early entrance may include "a preschool educator, pediatrician, or psychologist who knows the child." High school districts should delete the list of additional referrers for possible early entrance. ISBE regulations define *multiple referrers* as including, but not being limited to, "the student's parents or guardian, current teachers, district gifted coordinator or gifted education specialist, guidance [school] counselor, principal, and school psychologist." 23 Ill.Admin.Code §227.5.

Actor	Action
Student Services Director, Building Principal, or designee	<p>Within <i>[insert number]</i> school days after receiving a referral, determines whether an evaluation for accelerated placement is warranted.</p> <p>To determine whether an evaluation is warranted, may review existing data about the student, utilize screening data, and conduct preliminary procedures such as observation of the student, consultation with the teacher or other individual making the request, and a conference with the student.</p> <p>Provides the student's parent(s)/guardian(s) with written notice of the referral determination. For cases not warranting an evaluation, the process ends here. For cases warranting an evaluation, proceed to Evaluation Process, below.</p>

Evaluation Process

Actor	Action
Student Services Director, Building Principal, or designee	<p>Convenes an Evaluation Team (consisting of District teacher(s) and school support personnel, as appropriate) having the knowledge and skills necessary to:</p> <ol style="list-style-type: none"> 1. Identify multiple valid, reliable indicators¹² to use during the evaluation; 2. Identify appropriate assessment instruments; 3. Administer said assessments; and 4. Interpret evaluation results. <p>The composition of the team may vary depending upon the type of acceleration requested and other relevant factors.</p>
Evaluation Team	<p>Identifies multiple valid, reliable indicators and any assessment instruments appropriate to use during the evaluation.</p> <p>Prepares a written document identifying the evaluation components. This may occur without a meeting.</p>
Student Services Director, Building Principal, or designee	<p>Provides parent(s)/guardian(s) with written notification of the Evaluation Team's conclusions regarding the evaluation components and requests parent(s)/guardian(s)' written consent to conduct the evaluation.</p>
Parent/Guardian	<p>Provides written consent to conduct the evaluation.</p>
Evaluation Team	<p>Completes the evaluation within <i>[insert number]</i> school days following the date of receipt of parent(s)/guardian(s)' written consent to conduct the evaluation.</p>

The footnotes should be removed before the material is used.

¹² Required by 105 ILCS 5/14A-32(a)(4). *Multiple valid, reliable indicators* are not defined in the APA or ISBE regulations; some attorneys prefer using "standardized and norm-referenced indicators" instead.

Actor	Action
	Ensures the evaluation is nondiscriminatory and follows Board policy 7:10, <i>Equal Educational Opportunities</i> .

Eligibility Determination

Actor	Action
Evaluation Team	<p>Convenes a meeting¹³ with parent(s)/guardian(s) to review evaluation results and determine eligibility for the APP. Provides parent(s)/guardian(s) with written notice of eligibility determination.</p> <p>If the student is found eligible for the APP, prepares and provides parent(s)/guardian(s) with a written plan detailing the type of acceleration the student will receive and strategies to support the student. ¹⁴</p> <p>If the student is not found eligible for the APP, provides parent(s)/guardian(s) with written notice of their right to appeal the eligibility determination, within five calendar days after receiving the determination, by submitting a written request to the Superintendent. ¹⁵</p>
Parent/Guardian	If desired, within [insert number] calendar days after receiving written notice that student is not eligible for the APP, submits written appeal to the Superintendent.
Superintendent	<p>Within [insert number] calendar days after receiving the written appeal request, reviews the case, and provides parent(s)/guardian(s) with written notice of his/her decision.</p> <p>The Superintendent's decision is final.</p>

The footnotes should be removed before the material is used.

¹³ Convening a meeting with parents/guardians is not required, however, 105 ILCS 5/14A-32(a)(2) requires "a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians." A meeting logically allows the Evaluation Team to explain evaluation results, parent(s)/guardian(s) to ask questions and be heard, and all stakeholders to be involved in the eligibility determination. Delete this sentence if the district will not offer a meeting.

ISBE regulations define *multiple persons* as including, but not being limited to, "the student's parent or guardian, current teachers, district gifted coordinator or gifted education specialist, guidance [school] counselor, principal, and school psychologist. 23 Ill.Admin.Code §227.60.

¹⁴ Optional. The APA permits but does not require this written plan. 105 ILCS 5/14A-32(b)(3).

¹⁵ Optional.

Automatic Enrollment in Advanced High School Coursework¹⁶

Actor	Action
Student Services Director, Building Principal, or designee	<p>Identifies students who qualify for automatic enrollment in the “next most rigorous level of advanced coursework” (NMR) offered by the District, for the following school term, by reviewing State assessment results in English language arts, mathematics, and science.</p> <p>For English language arts, the NMR includes courses in English, social studies, humanities, or related subjects.¹⁷</p> <p>For a student entering grade 12, the NMR in English language arts or mathematics must be a dual credit course (as defined in the Dual Credit Quality Act, 110 ILCS 27/5), an Advanced Placement course (as defined in the College and Career Success for All Students Act, 105 ILCS 302/10), or an International Baccalaureate course. The same is true for all other subjects, except that the NMR may also include an honors class, an enrichment opportunity, a gifted program, or another program offered by the District.¹⁸</p> <p>Provides written notice to parent(s)/guardian(s) of a qualified student of the student’s eligibility for automatic enrollment in the NMR level of advanced coursework offered by the high school that:</p> <ol style="list-style-type: none"> 1. Identifies the course(s) the student is eligible for, including the location and schedule, if known, of the course(s); 2. Informs the parent(s)/guardian(s) of the option to instead enroll the student in alternative coursework that better aligns with the student’s postsecondary education or career goals;¹⁹ 3. Identifies the alternative coursework the student is eligible for, including the location and schedule, if known, of the alternative coursework; and 4. Requests that the parent(s)/guardian(s) notify the District within [insert number] calendar days of their course enrollment decision.

The footnotes should be removed before the material is used.

¹⁶ Required only for districts with grades 9-12. 105 ILCS 5/14A-32(a-5), ~~(a-10)~~, amended by P.A.s ~~102-209~~ and 103-743 ~~and (a-10)~~, added by P.A. 103-743 and amended by P.A. 104-261, eff. 1-1-26. Delete for elementary school districts. See f/ns 10 and 11 in sample policy 6:135, *Accelerated Placement Program*, for further discussion of this requirement. Written notice to parents/guardians is not required but is a best practice to memorialize that automatic enrollment into the next level of advanced coursework and the option of alternative coursework were offered to qualified students.

¹⁷ *Id.* at (a-5)(1), amended by P.A.s 103-743 and 104-261, eff. 1-1-26.

¹⁸ 105 ILCS 5/14A-32(a-5), amended by P.A.s ~~102-209~~ and 103-743 and 104-261, eff. 1-1-26.

¹⁹ 105 ILCS 5/14A-32(a-5), amended by P.A.s ~~102-209~~ and 103-743 and 104-261, eff. 1-1-26.

Actor	Action
Parent/Guardian	Provides the District with written notice of their course enrollment decision within [insert number] calendar days after receiving the written notice.

Program Reporting, Review, and Expanded Access Plan

Actor	Action
Superintendent, Student Services Director, or designee	<p>Submits by July 31 each year to the Ill. State Board of Education (ISBE) through the Student Information System (SIS): ²⁰</p> <ol style="list-style-type: none"> 1. Demographic information for each student participating in the APP; 2. Student participation in the APP; and 3. Type of APP placement. <p>Develops procedures to provide support and promote success for students who are newly enrolled in the APP. ²¹</p> <p>Develops procedures to promote equity, which may incorporate one or more of the following evidence-based practices: ²²</p> <ol style="list-style-type: none"> 1. The use of multiple tools to assess exceptional potential and provide several pathways into advanced academic programs when assessing student need for advanced academic or accelerated programming; 2. Providing enrichment opportunities starting in the early grades to address achievement gaps that occur at school entry and provide students with opportunities to demonstrate their advanced potential; 3. The use of universal screening combined with local school-based norms for placement in accelerated and advanced learning programs; 4. Developing a continuum of services to identify and develop talent in all learners ranging from enriched learning experiences, such as problem-based learning, performance tasks, critical thinking, and career exploration, to accelerated placement and advanced academic programming; and 5. Providing professional learning in gifted education for teachers and other appropriate school personnel to

The footnotes should be removed before the material is used.

²⁰ 23 Ill. Admin.Code §227.60(b).

²¹ Optional. 105 ILCS 5/14A-32(b)(4).

²² Optional. 105 ILCS 5/14A-32(b)(6), added by P.A. 103-263. For districts that prefer to not use the terms *gifted* or *gifted education*, consider replacing No. 5 with the following:

Providing professional learning in instructional practices, including identifying and challenging students from diverse cultures and backgrounds, to support all students' successful participation in accelerated placement or advanced academic programming.

Actor	Action
	<p>appropriately identify and challenge students from diverse cultures and backgrounds who may benefit from accelerated placement or advanced academic programming.</p> <p>Reviews disaggregated data on APP participation and successful completion rates to address gaps among demographic groups in accelerated placement opportunities. ²³</p> <p>Develops and, as necessary, updates a plan to expand access to the APP and to ensure the teaching capacity necessary to meet any increased demand. ²⁴</p>

DRAFT

The footnotes should be removed before the material is used.

²³ Optional. 105 ILCS 5/14A-32(b)(5).

²⁴ 105 ILCS 5/14A-32(d).

OK as is

Students

Administrative Procedure – Responding to Complaints About Curriculum, Instructional Materials, and Programs

Actor	Action
Parents/Guardians, Employees, and/or Community Members	Submits any feedback or complaints about the District’s curriculum, instructional materials, or programs to the Building Principal, using 6:260-AP, E, <i>Curriculum Objection Form</i> .
Building Principal	<p>Directs any parent/guardian, employee, or community member wishing to submit formal feedback or a complaint regarding curriculum, instructional materials, or programs to complete 6:260-AP, E, <i>Curriculum Objection Form</i>.</p> <p>If the complaint alleges a violation of law or board policy, refers the complaint to the District Complaint Manager for processing under policy 2:260, <i>Uniform Grievance Procedure</i>, <u>and refers the Complaint Manager to the review criteria in this procedure, to the extent they may be relevant to resolution of the complaint.</u></p> <p>Transmits the <i>Curriculum Objection Form</i> to the Superintendent or designee for further action.</p>
Superintendent or designee (such as the Assistant Superintendent of Curriculum and Instruction)	<p><u>Informs the Board Attorney of the objection and discusses options for response to the complaint.</u></p> <p><u>Contacts the complainant as needed to clarify the nature or scope of the objection and/or the accommodation being requested.</u></p> <p><u>Except for complaints involving a parent's religious objection (see below), dDetermines on a case-by-case basis what action, if any, will be taken in response to a complaint about curriculum, considering whetherthe following criteria, as applicable:</u></p> <ol style="list-style-type: none"> 1. The curriculum, instructional material, or program is aligned with the criteria set forth in Board policy 6:40, <i>Curriculum Development</i>, specifically, regarding: <ol style="list-style-type: none"> a. The district’s educational philosophy and goals; b. Student needs as identified by research, demographics, and student achievement and other data; c. The knowledge, skills, and abilities required for students to become life-long learners; d. Minimum requirements of State and federal law and regulations for curriculum and graduation requirements; e. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available;

Actor	Action
	<p>f. Illinois State Learning Standards and any District learning standards; and</p> <p>g. Any required State or federal student testing.</p> <ol style="list-style-type: none"> 2. The law and/or the District already provides a means for parents/guardians to opt their child out; 3. The curriculum, instructional material, or program is optional or supplemental in nature; 4. Reasonable and appropriate alternatives exist; and 5. Individual circumstances that support a need for an accommodation exist. <p><u>If the complaint is based on a parent's religious objection, determines on a case-by-case basis what action, if any, will be taken in response to the complaint, considering the following factors:</u>¹</p> <ol style="list-style-type: none"> 1. <u>The religious beliefs and/or practices identified by the parent and if they are sincerely held. Note: Religious beliefs/practices are generally presumed to be sincere, but if the District has objective reasons to question the religious nature or sincerity of the religious belief/practice, a limited inquiry into this issue may be appropriate.</u> 2. <u>The nature of the material at issue, e.g., is it communicating a normative message that is hostile to a religious viewpoint and designed to pressure students to conform to that viewpoint?</u> 3. <u>The age of the students, e.g., elementary students may be more impressionable and likely to accept moral messages conveyed by instruction without question compared to high school students.</u> 4. <u>The specific context in which the materials is being presented, e.g., is it being presented in a neutral manner or in a manner that is hostile to a religious viewpoint?</u> <p><u>If factors #1-4 above, considered together, pose a real threat of undermining the religious beliefs and practices that the parent wishes to instill in their child, determine if the District has a compelling interest that would justify the burden on the parent's free exercise right to direct the religious upbringing of their child. Note: In Mahmoud v. Taylor, 145 S.Ct. 2332 (2025), the administrative burden that resulted from permitting opt-outs from instruction was not a compelling interest. It is unsettled whether State law curriculum mandates, graduation requirements, or instruction otherwise required by State learning standards may establish a sufficient compelling interest. Consult the Board Attorney for guidance.</u></p> <p>Consults with the Board Attorney as needed regarding responses to curriculum-related complaints.</p>

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

¹ These factors are based on the U.S. Supreme Court case Mahmoud v. Taylor, 145 S.Ct. 2332 (2025). See sample policy 6:260, *Complaints About Curriculum, Instructional Materials, and Programs*, at f/n 3, for further discussion.

Actor	Action
	<p>In consultation with the Board Attorney, pPrepares and sends a written response to the person who submitted the <i>Curriculum Objection Form</i>, informing the person of the District's decision.</p> <p>Notes on the <i>Curriculum Objection Form</i> the date on which the response was provided and attaches the response to the form.</p>

DRAFT