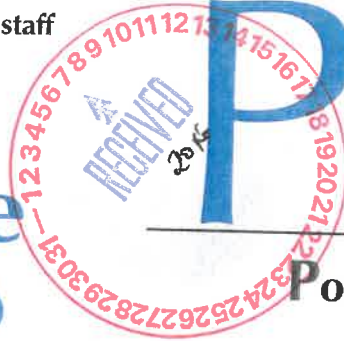


Please distribute to Board members and appropriate staff

ISSUE 93, October 2016

Update Memo



PRESS

Policy Reference Education Subscription Service

This publication is designed to provide information only and is not a substitute for legal advice from the Board Attorney. If you have any questions, please contact Kimberly Small, IASB General Counsel and **PRESS** Editor, 630/629-3776, ext. 1226, or Maryam Brotine, Assistant General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1219.

Instructions

You are encouraged to share this **PRESS** Update Memo with all board members and appropriate staff.

Please follow these three easy steps to log in to **PRESS**:

1. Go to www.iasb.com and click on **MY ACCOUNT**.
2. Log in using your email address and password:
 - If you do not know your password, or do not have a password, do not create a new account; use the **forgot password** link.
 - If you are still having difficulty logging in, please contact your District's Superintendent or Administrative Assistant to make sure you are listed as an authorized user on the District Roster.
 - If you continue to have difficulty, please contact lcala@iasb.com.
3. Under **My Account Links**, click on **PRESS Login**.

Two other important components of **PRESS** may be viewed and downloaded from **PRESS Online** — Committee Worksheets and the updated Policy Reference Manual pages. The Committee Worksheets show suggested changes to **PRESS** material by striking out deleted words and underscoring new words. The updated Policy Reference Manual pages contain all of the material in this **PRESS** issue; you can use them to update your district manuals. See the description in **PRESS Issue 93 Bundles (topic descriptions)** for a new, alternate way of reviewing this issue by major categories of revision.

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PRESS Terminology

What are the meanings of the "AP" and "E" after certain policy numbers?

The **PRESS** Policy Reference Manual (PRM) is an encyclopedia of sample board policies, administrative procedures, and exhibits. They are all in numerical order for easy reference. **PRESS** recommends that local school districts maintain separate board policy and administrative procedures manuals to help distinguish for the board, staff, students, parents, and community members, the distinction between board documents and staff documents, board work and staff work.

Policy. The board develops policy with input from various sources like district administrators, the board attorney, and **PRESS** materials. The board then formally adopts the policy, often after more than one consideration.

After adoption by the board, each policy should have an adoption date.

Administrative Procedures. Administrative procedures developed by the Superintendent, administrators, and/or other district staff members. The staff develops the procedures that guide implementation of the policies. Administrative procedures are not adopted by the Board, which allows the superintendent and staff the flexibility they need to keep the procedures current. **PRESS** sample procedures are numbered to correspond with the policies that they implement for easy reference. For example, policy 6:190's related administrative procedure is 6:190-AP.

It is important to remember that administrative procedures do not require formal board adoption and are not included in a board policy manual.

Exhibits. Both Board policies and administrative procedures may have related exhibits. Exhibits provide information and forms intended to be helpful to the understanding or implementation of either a board policy or administrative procedure. **PRESS** sample exhibits are numbered to correspond to the related board policy or administrative

procedure. For example, board policy 2:70 has a related exhibit numbered 2:70-E. Administrative procedure 7:340-AP1 has a related exhibit numbered 7:340-AP1, E.

Board exhibits, always labeled with an “E” only, are those that provide guidance for board work and should be dated for implementation by the Board.

Administrative procedures exhibits, always labeled with the “AP, E” format, do not require formal board adoption.

PRESS Issue 93 Bundles

The Illinois General Assembly, Congress, and regulatory agencies created a perfect storm of necessary updates to the IASB Policy Reference Manual (PRM). The amount of material in **PRESS** Issue 93 is unprecedented topping out at 142. The largest issue we authored until Issue 93 included 80 materials. To make the information more manageable for our subscribers, we have put materials into 13 **Bundles**.

Each bundle summarizes the global reasons for changes to all materials that are listed. Specific details about how each piece of material changed, including changes for other reasons, e.g., **PRESS** Advisory Board feedback, quality assurance, five-year review items, etc. are explained in numerical order in the **Revisions to Policies, Administrative Procedures, and Exhibits** table beginning on p. 9.

Please spend time reviewing the online Committee Worksheets, available behind the **PRESS** Login under a link titled: **PRESS** Committee Worksheets. They provide comment boxes further describing some of the changes, detailed explanations in the footnotes, and other added explanations by the **PRESS** Editors. We hope you find these Committee Worksheets easier to use. Please let us know what you think.

Every Student Succeeds Act (ESSA)

On December 10, 2015, President Obama signed the 440 page long Every Student Succeeds Act (ESSA), repealing the No Child Left Behind Act of 2001 (NCLB). ESSA, like NCLB, is an amendatory act that does not stand alone but is under the umbrella of the Elementary and Secondary Education Act of 1965 (ESEA). ESSA reauthorizes its umbrella statute ESEA and amends other related federal statutes, e.g., the McKinney-Vento Homeless Assistance Act, Protection of Pupil Rights Act, and the Boy Scouts of America Act, etc.

For greater accuracy, instead of citing only the underlying statute with text that says “ESSA requires ...,” we updated **PRESS** materials by citing the umbrella ESEA followed by the appropriate underlying statute stating, “ESEA, as amended by ESSA, requires ...”.

The NCLB to ESSA transition will take time and patience as **PRESS** materials move through required updates. While ESSA was effective 12-10-15, the 2016-17 school year is really a year of transition from NCLB to ESSA. The transitional year is necessary not only to allow states to shift gears, but also for states to meet the new requirements. For example, the new ESEA §6311 (20 U.S.C. §6311) requires states to submit plans to the U.S. Dept. of Education (DOE) by March 2017. Corresponding federal and State regulations will need to be updated. Guidance from the DOE and Ill. State Board of Education (ISBE) will need to be issued, along with many other implementation pieces. We are

now often in a situation where NCLB federal regulations still exist and have not been updated to align with ESEA as amended by ESSA with no *notice of proposed rulemakings (NPRM) pending yet*. **PRESS** Editors will continue to cite NCLB federal regulations, if appropriate, and note the discrepancy in a f/n, e.g. “NCLB underlying these regulations has been repealed; amendments to regulations are highly likely within the next year.”

At this time, the DOE has released NPRMs to update federal regulations in the following areas:

1. Title I — Accountability, State Plans, and Data Reporting (34 C.F.R. Parts 200, 299);
2. Title I, Part A — Improving the Academic Achievement of the Disadvantaged — Academic Assessments (34 C.F.R. Part 200); and
3. Title I, Part B — Innovative Assessment Demonstration Authority (34 C.F.R. Part 200).

Updates for many other corresponding federal regulations have not yet been proposed, and no updates of any corresponding State regulations have been proposed at the time of this publication.

ESSA amendments and implementation will be a long process and **PRESS** materials will likely need to be updated multiple times; however, we will do our best to minimize the need for continual policy updates by making general references whenever possible.

The following **PRESS** materials are updated:

- 1:20-AP, Checklist for Handling Intergovernmental Agreement Requests
- 4:110, Transportation
- 4:170, Safety
- 4:170-AP5, Unsafe School Choice Option
- 5:190, Teacher Qualifications
- 5:190-AP, ~~Plan to Ensure That All Teachers Who Teach Core Academic Subjects Are *Highly Qualified*~~ **DELETED**
- 5:190-E1, Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications
- 5:190-E2, Notice to Parents When their Child Is Assigned To or Has Been Taught for a Least Four Straight Weeks By a Teacher Who is ~~Not *Highly Qualified*~~ Does Not Meet Applicable State Certification/Licensure Requirements **RENAMED**
- 5:190-E3, Letter to Teacher Who is ~~Not *Highly Qualified*~~ Does Not Meet Applicable State Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment **RENAMED**
- 5:280, Educational Support Personnel — Duties and Qualifications
- 6:15, School Accountability
- 6:140, Education of Homeless Children
- 6:140-AP, Education of Homeless Children
- 6:145, Migrant Students
- 6:160, English Learners
- 6:170, Title I Programs

- 6:170-AP1, Checklist for Development, Implementation, and Maintenance of Parental and Family Engagement Involvement Compacts for Title I Programs **RENAMED**
- 6:170-AP1, E1, District-Level Parental and Family Engagement Involvement Compact **RENAMED**
- 6:170-AP1, E2, School-Level Parental and Family Engagement Involvement Compact **RENAMED**
- 6:170-AP2, Notice to Parents Required by ~~No-Child Left Behind Act of 2001~~ Elementary and Secondary Education Act, McKinney-Vento Homeless Assistance Act and Protection of Pupil Rights Act **RENAMED**
- 6:170-AP2, E1, District Annual Report Card Required by Every Student Succeeds Act (ESSA) **NEW**
- 7:15, Student and Family Privacy Rights
- 7:30, Student Assignment and Intra-District Transfer
- 7:50, School Admissions and Student Transfers To and From Non-District Schools
- 7:340-AP1, School Student Records
- 7:340-AP1, E1, Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records
- 7:340-AP1, E3, Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information **RENAMED**
- 7:340-AP1, E4, Frequently Asked Questions Regarding Military Recruiters Access to Students and Student Information
- 8:95-AP, Parental Involvement

Expenses

The Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17, prohibits expense reimbursements for entertainment expenses. It also requires school boards to regulate expenses for travel, meal, and lodging expenses for their officers and employees by:

1. Adopting a resolution or an ordinance to regulate expenses;
2. Listing the types of official business that are permitted for expense reimbursements;
3. Requiring the use of a standardized form for expense reimbursements; and
4. Setting a maximum allowable expense reimbursement amount.

The new law does not recognize that the School Code already prohibited board member compensation (105 ILCS 5/10-14) and controlled expense advancements (105 ILCS 5/10-22.32). This was a challenge to create policy language that logistically works with both the new law and the existing School Code provisions. Please spend time in the footnotes and online **PRESS** Committee Worksheets to digest how these laws operate together. Also note that while

many materials in this bundle are **REWRITTEN**, much of the text from the former versions of these materials is still present, it was just rearranged or relocated.

The following **PRESS** materials are updated:

- 2:125, Board Member Compensation: Expenses **RENAMED and REWRITTEN**
- 2:125-E1, Board Member Travel Expense Reimbursement Form Voucher **RENAMED and REWRITTEN**
- 2:125-E2, Board Member Estimated Expense Approval Form **RENAMED and REWRITTEN**
- 2:125-E3, Resolution to Regulate Expense Reimbursements **NEW**
- 2:220-E4, Open Meeting Minutes
- 4:55, Use of Credit and Procurement Cards
- 4:80-AP, Checklist for Internal Controls
- 5:60, Expenses **REWRITTEN**
- 5:60-AP, Expenses **DELETED**
- 5:60-E1, Employee Expense Reimbursement Form Voucher **RENAMED and REWRITTEN**
- 5:60-E2, Employee Estimated Expense Approval Form **NEW**

Open Meetings Act (OMA)

Two public acts affect OMA are:

1. 5 ILCS 120/2.06(c)(1), amended by P.A. 99-646, carved out a requirement that certain *disclosable* payments to Ill. Municipal Retirement Fund (IMRF) employees be discussed during open session.
2. 5 ILCS 120/2.06(e), amended by P.A. 99-515, added a new purpose for releasing verbatim recordings. Materials discuss (a) the concerns about what *in the presence of* means, and (b) other good governance implementation considerations. Recall the story behind *LeFever v. Marshall* as you review these materials. Mr. LeFever traveled to Springfield to give oral testimony at the Illinois House of Representatives' Judicial-Civil Committee as this bill traveled through the General Assembly. While many legislators questioned why OMA needed these amendments (it already provided rights to public officials to listen to verbatim recordings) legislators found LeFever's situation proof that not all

public bodies in Illinois were conducting themselves as they should. Now these rights are clarified with more regulation and less local control.

Other various citation changes and other continuous improvement amendments were made. The following **PRESS** materials are updated:

- 2:200, Types of School Board Meetings
- 2:200-AP, Types of School Board Meetings
- 2:220, School Board Meeting Procedure
- 2:220-E1, Board Treatment of Closed Meeting Verbatim Recordings and Minutes **RENAMED**
- 2:220-E2 Motion to Adjourn to Closed Meeting
- 2:220-E5, Semi-Annual Review of Closed Meeting Minutes
- 2:220-E6, Log of Closed Meeting Minutes
- 2:220-E7, Access to Closed Meeting Minutes and Verbatim Recordings
- 2:220-E8, School Board Records Maintenance Requirements and FAQs **NEW**

Freedom of Information Act (FOIA) | Personal Information Protection Act (PIPA)

Four public acts affect FOIA and PIPA are:

1. 5 ILCS 140/, amended by P.A. 99-147, revised the definition of *public record* under the Local Records Act;
2. 815 ILCS 530/, amended by P.A. 99-503, eff. 1-1-17, amended portions of the Personal Information Protection Act;
3. 5 ILCS 140/11, amended by P.A. 99-586, eff. 1-1-17, addresses FOIA penalties; and
4. 105 ILCS 5/22-82, added by P.A. 99-590, requires certain assessment information to be made publicly available.

One public act that did not affect **PRESS** materials directly was P.A. 99-478. It amended FOIA, clarifying that all *severance agreements* should be available for public inspection.

Previously, FOIA only referred to *settlement agreements*. This does not affect any **PRESS** materials, so discuss the implications of this new amendment with your board attorney.

The following **PRESS** materials are updated:

- 2:250, Access to District Public Records
- 2:250-AP1, Access to and Copying of District Public Records
- 2:250-AP2, Protocols for Record Preservation and Development of Retention Schedules
- 2:250-E2, Immediately Available District Public Records and Web-Posted Reports and Records
- 6:340, Student Testing and Assessment Program

Residency

These materials are updated to align with amendments to residency challenge policy and procedures under 105 ILCS 5/10-20.12b, amended by P.A. 99-670, eff. 1-1-17. The bulk of these updates landed in 7:60-AP1, *Challenging a Student's Residence Status*, and they included the following changes:

1. A district's notice of nonresidency must detail the specific reasons why the school board believes that the student is a nonresident.
2. A district's notice of residency hearing must notify the person requesting the hearing that any written evidence and testimony or witnesses not disclosed at least three calendar days prior to the hearing are barred at the hearing, unless the district consents.
3. Requirements that a district must, at least three calendar days prior to the hearing, disclose to the person requesting the hearing:
 - a. All written evidence and testimony that it may submit during the hearing, and
 - b. A list of witnesses the district may call to testify during the hearing.
4. Within five calendar days of its decision, a board must send a copy of its decision by certified mail, return receipt requested, to the person who enrolled the student.
5. A board's decision must inform the person who enrolled the student that:
 - a. Within five calendar days after receipt of the board's decision, he or she may petition the regional superintendent of schools to review it; and
 - b. The student may continue attending the district's schools pending the regional superintendent's review of the board's decision, if requested.
6. The person challenging the board's decision must include the basis for the request and send it via certified mail, return receipt requested, to the regional superintendent and the school district's superintendent.

7. Within five calendar days after receiving a petition challenging the board's decision, a board must deliver any written evidence and testimony submitted by the parties during the hearing to the regional superintendent, along with any minutes, transcript, or verbatim record of the hearing.
8. Within ten calendar days after receiving residency hearing materials from the district, regional superintendents must issue written decisions determining if clear and convincing evidence exists showing that the student is a resident of the district and eligible to attend the district's schools on a tuition-free basis.

In this bundle, non-resident is changed to nonresident for consistency with the School Code. The following **PRESS** materials are updated:

- 7:60, Residence
- 7:60-AP1, Challenging a Student's Residence Status
- 7:60-AP2, Establishing Student Residency
- 7:60-AP2, E1, Letter of Residence from Landlord in Lieu of Lease
- 7:60-AP2, E2, Letter of Residence to be Used When the Person Seeking to Enroll a Student Is Living with a District Resident
- 7:60-AP2, E3, Evidence of Non-Parent's Custody, Control, and Responsibility of a Student

Speech Rights of Student Journalists Act

This Act, 105 ILCS 80/1, added by P.A. 99-678, significantly watered down school officials' rights to exercise *Hazelwood restrictions* with high school students in Illinois. The new law does not authorize or protect expression by a student journalist that:

1. Is libelous, slanderous, or obscene;
2. Constitutes an unwarranted invasion of privacy;
3. Violates federal or State law; or
4. So incites students as to create a clear and present danger of the commission of an unlawful act, the

violation of policies of the school district, or material and substantial disruption of the orderly operation of the school.

The following **PRESS** materials are updated:

- 7:310, Restrictions on Publications; Elementary Schools **RENAMED**
- 7:310-AP, Guidelines for Student Distribution of Non-School Sponsored Publications
- 7:315, Restrictions on Publications; High Schools **NEW**

Employment and Licensure Disqualifications

P.A. 99-667 amended criminal history records check requirements under 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80. Conviction of certain drug offenses no longer permanently disqualifies a contractor's employee from having direct, daily contact with students, disqualifies an individual for educator licensure, or results in permanent license suspension/revocation. Instead, conviction of certain drug offenses will only disqualify an individual until seven years following the end of the individual's sentence for the criminal offense. See 5:30-AP2, *Investigations*, for a list of these offenses.

The following **PRESS** materials are updated:

- 4:60, Purchases and Contracts
- 4:60-AP1, Purchases
- 4:60-AP3, Criminal History Records Check of Contractor Employees
- 4:175, Convicted Child Sex Offender; ~~Criminal Background Check and/or Screening~~; Notifications **RENAMED**
- 4:175-AP1, Criminal Offender Notification Laws; Screening
- 5:30, Hiring Process and Criteria
- 5:30-AP2, Investigations
- 5:260, Student Teachers

Employee Leaves

Multiple State legislative amendments and federal regulatory amendments changed laws that apply to leave for employees.

1. The Child Bereavement Leave Act, 820 ILCS 154/, added by P.A. 99-703, requires employers to grant unpaid child bereavement leave. The law's applicability depends upon whether the district is an employer as defined under the federal Family Medical Leave Act (FMLA).
2. The Employee Sick Leave Act, 820 ILCS 1919/, added by P.A. 99-841, eff. 1-1-17, allows employees to take sick leave to care for certain defined family members.

3. The Victims' Economic Security and Safety Act, 820 ILCS 180/, amended by P.A. 99-765, eff. 1-1-17, changed the number of employees required to trigger the law from 15 to one. It also graduates the amount of leave available during any 12-month period based upon the number of employees working for an employer.

The following **PRESS** materials are updated:

- 5:185, Family and Medical Leave
- 5:250, Leaves of Absence
- 5:250-AP, School Visitation Leave
- 5:330, Sick Days, Vacation, Holidays, and Leaves

Right to Privacy in the Workplace Act

This law has been amended again. 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17, clarifies that employers may not ask employees or applicants for employment for their social media passwords.

The following **PRESS** materials are updated:

- 5:10, Equal Employment Opportunity and Minority Recruitment
- 5:125, Personal Technology and Social Media; Usage and Conduct

Final *Smart Snacks* Rules | Wellness | School Lunch & Breakfast After the Bell Programs

Updates to these materials are in response to the issuance of the final *Smart Snacks* regulations and 105 ILCS 126/16, added by P.A. 99-850, eff. 1-1-17, which created *Breakfast After the Bell*. Please spend time in the footnotes and Committee Worksheets to further digest the changes to this bundle.

The following **PRESS** materials are updated:

- 4:130, Free and Reduced-Price Food Services
- 6:50, School Wellness

Concussion Oversight Team and Protocols Materials

This bundle addresses:

1. Full implementation of the Youth Sports Concussion Safety Act, which had its compliance deadline delayed until the 2016-2017 school year by P.A. 99-486; and
2. Incorporation of 105 ILCS 25/1.20, added by P.A. 99-831, which requires all Illinois High School Association (IHSA) member districts that have

certified athletic trainers to require these individuals to complete and submit a monthly report on student-athletes who have sustained a concussion.

The following **PRESS** materials are updated:

- 7:305, Student Athlete Concussions and Head Injuries
- 7:305-AP, Student Athlete Concussions and Head Injuries

SB 100 Clean-up

The following **PRESS** materials are updated in response to the September 15, 2016 effective date of SB 100:

1. 2:120, Board Member Development
2. 7:190, Student Behavior – *remember to remove previous policy 7:190*

Numerical Ordered Miscellaneous Legislative Changes | Other Necessary Changes

The following **PRESS** materials are updated due to miscellaneous legislative and/or clean-up changes, which are detailed in the **Revisions to Policies, Administrative Procedures, and Exhibits Table** in numerical order beginning on p. 9.

Please spend time reviewing the Committee Worksheets for these materials, which will provide further, more on-the-spot detailed explanations in the footnotes, along with added comment boxes by the **PRESS** Editors.

The following **PRESS** materials are included in this catch-all bundle:

- 2:30, School District Elections
- 3:40, Superintendent
- 3:50, Administrative Personnel Other Than the Superintendent
- 4:10, Fiscal and Business Management

- 4:80, Accounting and Audits
- 4:150, Facility Management and Building Programs
- 5:100, Staff Development Program
- 6:60, Curriculum Content
- 6:310, High School Credit for Non-District Experiences; Course Substitutions; Re-entering Students
- 7:70, Attendance and Truancy
- 7:250, Student Support Services
- 7:260, Exemption from Physical Activity Education **RENAMED**
- 7:270, Administering Medicines to Students
- 7:270-API, Dispensing Medication
- 7:340, Student Records
- 8:30, Visitors to and Conduct on School Property
- 8:70, Accommodating Individuals with Disabilities
- 8:100, Relations with Other Organizations and Agencies

Progress Report – The contents of this table frequently change.

Topics	Our Response
<p>P.A. 99-503 Personal Information Protection Act; Data Security PA 99-503, eff. 1-1-17 imposes new requirements upon government agencies and local government regarding identity protection.</p>	<p>We will assess the law and if necessary, update 4:15, <i>Identity Protection</i> in the next PRESS Issue 94.</p>
<p>Postsecondary and Workforce Readiness Act This law requires state agencies to adopt and publicize model postsecondary and career expectations for students in grades 8-12 that specify knowledge that students should have by the end of each grade level. It requires the model expectations to address certain areas listed in the law. It also creates a high school graduation pilot program.</p>	<p>We will respond after these agencies publicize a model expectations plan and the pilot programs are completed, with likely updates to policy 6:300, <i>Graduation Requirements</i> and its corresponding materials.</p>
<p>HB 6299 – School Code, Educational Support Personnel – Amendatory Veto 8-19-16</p>	<p>If the Ill. General Assembly overrides the veto, we will amend PRESS issues accordingly.</p>
<p>Fair Labor Standards Act (FLSA) Rules The effective date of the final rule is 12-1-16. The initial increases to the standard salary level (from \$455 to \$913 per week) and highly compensated employees total annual compensation requirement (from \$100,000 to \$134,004 per year) will be effective on that date. Future automatic updates to those thresholds will occur every three years, beginning on 1-1-20.</p>	<p>No PRESS materials are directly affected by this rule. Many attorneys recommend reviewing salaries for exempt and non-exempt employees now. Consult your board attorney about this issue. Other helpful information is available at: www.dol.gov/WHD/overtime/final2016/.</p>
<p>Grant Accountability and Transparency Act (GATA)(30 ILCS 708/) GATA, enacted 7-16-14, is “intended to increase the accountability and transparency in the use of grant funds, from whatever source, and to reduce administrative burdens on both State agencies and grantees by adopting federal guidance and regulations applicable to such grant funds; specifically, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) codified at 2 CFR 200.” 30 ILCS 708/5(b). GATA is administered by the Governor’s Office of Management and Budget (GOMB) via its Grant Accountability and Transparency Unit (GATU), which worked with the Illinois Single Audit Commission and volunteers from state agencies and grantees to develop administrative rules. GATA administrative rules at 44 Ill.Admin.Code Part 7000 became effective 7-24-15. State agencies, including ISBE, are now implementing GATA requirements for the fiscal year 2017 grant cycle. See isbe.net/gata/. To prequalify for ISBE grants, grantees must access the GATA website at www.illinois.gov/sites/GATA/Grantee/Pages/default.aspx and complete four pre-award requirements:</p> <ol style="list-style-type: none"> 1. Grantee Registration 2. Grantee Pre-qualification 3. Fiscal and Administrative Risk Assessment (Internal Controls Questionnaire) 4. Programmatic Risk Assessment <p>The <i>Fiscal and Administrative Risk Assessment</i> inquires whether grantees have written policies and procedures that guide program delivery on various topics, including but not limited to: quality assurance; staff performance management; conflict of interest statements; safeguarding funds, property, and other assets; and management of grant term extensions.</p>	<p>We posted at www.iasb.com a list of PRESS materials responsive to the policy and procedure inquiries of the <i>Fiscal and Administrative Risk Assessment</i>, and we notified members via email of its posting.</p>

Progress Report – continued

Topics	Our Response
<p>Website Accessibility Complaints and Lawsuits</p> <p>Because school districts are subject to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794, and its implementing regulations, they have obligations to make their websites accessible. Rulemaking processes have been moving slowly since 2010. However, the Dept. of Justice (DOJ) issued a <i>Statement Regarding Rulemaking on Accessibility of Web Information and Services of State and Local Government Entities</i> on 4-29-16 (see www.ada.gov/regs2016/sanprm_statement.html). In addition, the DOJ issued a Supplemental Advance Notice of Proposed Rulemaking (SANPRM) titled <i>Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities</i> (see www.gpo.gov/fdsys/pkg/FR-2016-05-09/pdf/2016-10464.pdf). In it, 123 questions are posed and public comment period ended on 8-8-16.</p> <p>The SANPRM discusses the likelihood that <i>Web Content Accessibility Guidelines (WCAG) 2.0 Level AA Standards</i> (www.w3.org/TR/WCAG20/) will be the standard for web content and that school districts will have two years after final adoption to comply.</p> <p>Despite the lack of final regulations on the matter, the U.S. Dept. of Education’s Office for Civil Rights (OCR) has reportedly opened over 300 recent nationwide complaint investigations into whether educational agencies’ websites are accessible to individuals with disabilities. In addition, there appears to be an uptick of complaints filed with OCR (and federal courts) by disability advocates that allege educational agencies are discriminating against people with visual impairments by failing to take active steps to make websites, cloud-based applications, documents, and printed materials accessible to people with disabilities.</p>	<p>If your district receives a complaint, contact your board attorney.</p> <p>We will monitor the current rulemaking efforts and will provide necessary updates to PRESS materials.</p> <p>To prepare for the likelihood of future regulations, and to avoid complaints of violations, your district may wish to consult with appropriate experts to begin evaluating the accessibility of its web content and improving it as appropriate. A great place to start is here: https://www.w3.org/WAI/WCAG20/quickref/.</p>

Revisions to Policies, Administrative Procedures and Exhibits

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
1:20-AP, Checklist for Handling Intergovernmental Agreement Requests	The procedure is unchanged. A footnote is updated to delete reference to NCLB, repealed by passage of ESSA.	<input type="checkbox"/>
2:30, School District Elections	The policy is unchanged. Footnotes are updated to delete reference to past public acts and add reference to P.A. 99-522, eff. 1-1-17, which included several minor Election Code updates.	<input type="checkbox"/>
2:120, Board Member Development	The policy and footnotes are updated in response to 105 ILCS 5/10-22.6(c-5), amended by P.A. 99-456 (SB 100), with a new optional subhead, Professional Development; Adverse Consequences of School Exclusion; Student Behavior . Footnotes are updated to delete references to past dates.	<input type="checkbox"/>
2:125, Board Member <u>Compensation</u> ; Expenses	RENAMED and REWRITTEN. The policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. The new law prohibits reimbursements for entertainment expenses and requires school districts to regulate expenses and pass a resolution regulating how travel, meal, and lodging expenses are reimbursed for officers and employees. Policy text is amended to inform the general public that school board members are volunteers and serve without compensation to help remedy a common misconception that school board members are paid. The rest of the policy outlines the logistics of implementing the new law. For example, the board regulates expenses through policy and adopts a resolution as required by the law to set a <i>maximum allowable amount</i> (MARA).	<input type="checkbox"/>
2:125-E1, Board Member <u>Travel Expense Reimbursement Form Voucher</u>	RENAMED and REWRITTEN. The Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17, requires a standardized form for expense reimbursements.	<input type="checkbox"/>
2:125-E2, Board Member <u>Travel Estimated Expense Approval Form Purchase Order</u>	RENAMED and REWRITTEN. The exhibit is reworked with the goal to make the School Code's long-standing allowance of expense advancements (105 ILCS 5/10-22.32) play nicely, so to speak, with the new requirements for estimated expenses in the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. As discussed directly above, a standardized form is required.	<input type="checkbox"/>
2:125-E3, Resolution to Regulate Expense Reimbursements	NEW. A resolution is required by The Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.	<input type="checkbox"/>
2:200, Types of School Board Meetings	The policy is updated to reflect new language in the Open Meetings Act (OMA) removing <i>disclosable payments</i> to Ill. Municipal Retirement Fund (IMRF) employees from the exception in 5 ILCS 120/2(c)(1), amended by P.A. 99-646. Footnotes are updated with relevant Attorney General's Public Access Counselor Binding Opinions (PAOs).	<input type="checkbox"/>
2:200-AP, Types of School Board Meetings	The procedure is updated to delete dated information and update the correct number of days within which a board must post its regular meeting minutes. A few years ago, the law changed twice from seven (7) days to ten in a short amount of time.	<input type="checkbox"/>
2:220, School Board Meeting Procedure	The policy and footnotes are updated. We amended the text in the Minutes and Verbatim Record of Closed Meetings subheads to reflect 5 ILCS 120/2.06(e), amended by P.A. 99-515. Corresponding footnotes discuss: (a) concerns about the law's language <i>in the presence of</i> , and (b) other good governance implementation considerations.	<input type="checkbox"/>
2:220-E1, Board Treatment of Closed Meeting Verbatim Recordings and Minutes	RENAMED. The exhibit and its footnotes are updated to reflect 5 ILCS 120/2.06(e), amended by P.A. 99-515. Footnotes address the logistics of implementing this law.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
2:220-E2, Motion to Adjourn to Closed Meeting	The exhibit is updated to reflect new language regarding the Ill. Municipal Retirement Fund (IMRF) <i>disclosable payments</i> carve-out from the Open Meetings Act exception at 5 ILCS 120/2(c)(1), amended by P.A. 99-646.	<input type="checkbox"/>
2:220-E4, Open Meeting Minutes	The exhibit is updated in response to the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. The Approval of Items on Consent Agenda includes an explanation that board member and employee expenses may be included in a consent agenda.	<input type="checkbox"/>
2:220-E5, Semi-Annual Review of Closed Meeting Minutes	The exhibit is updated for logistical purposes in response to 5 ILCS 120/2.06(e), amended by P.A. 99-515. A fourth task for the board or recording secretary is added to address the implementation logistics of logging board members' access to closed meeting minutes discussed in 2:220-E3, <i>Closed Meeting Minutes</i> , above.	<input type="checkbox"/>
2:220-E6, Log of Closed Meeting Minutes	The exhibit is updated to reflect new language regarding the Ill. Municipal Retirement Fund (IMRF) <i>disclosable payments</i> carve-out from the Open Meetings Act exception at 5 ILCS 120/2(c)(1), amended by P.A. 99-646.	<input type="checkbox"/>
2:220-E7, Access to Closed Meeting Minutes and Verbatim Recordings	NEW. The exhibit provides sample implementation logistics for 5 ILCS 120/2.06(e), amended by P.A. 99-515.	<input type="checkbox"/>
2:220-E8, School Board Records Maintenance Requirements and FAQs	NEW. The new exhibit summarizes school board records maintenance requirements under OMA and the Local Records Act. It also contains a chart depicting answers to frequently asked questions regarding the approval, review, public release and destruction of minutes and verbatim recordings of both open and closed board meetings.	<input type="checkbox"/>
2:250, Access to District Public Records	The policy is unchanged. Footnotes are updated to reflect: <ul style="list-style-type: none"> 1. Freedom of Information Act (FOIA) penalties in 5 ILCS 140/11(i) and (j), amended by P.A. 99-586, eff. 1-1-17, and 2. Relevant Attorney General's Public Access Counselor Binding Opinions (PAOs). 	<input type="checkbox"/>
2:250-AP1, Access to and Copying of District Public Records	The procedure is unchanged. Non-substantive updates to fix legal citations and reflect P.A. 99-586, eff. 1-1-17 (FOIA penalties).	<input type="checkbox"/>
2:250-AP2, Protocols for Record Preservation and Development of Retention Schedules	The administrative procedure is updated to incorporate: <ul style="list-style-type: none"> 1. A revised definition of <i>public record</i> under the Local Records Act, as amended by P.A. 99-147, 2. Amendments to the Personal Information Protection Act made by P.A. 99-503, eff. 1-1-17, and 3. Deleted links to two statutes that were repealed by P.A. 99-147 in the Links to Web-based Records Management Resources subhead. 	<input type="checkbox"/>
2:250-E2, Immediately Available District Public Records and Web-Posted Reports and Records	The exhibit is updated to add a row addressing assessment information that must be made available to parents and/or guardians through school districts' websites or handouts pursuant to 105 ILCS 5/22-82(b), added by P.A. 99-590. Several citations are also amended.	<input type="checkbox"/>
3:40, Superintendent	The policy is unchanged. Footnotes reflect 105 ILCS 5/10-21.4, amended by P.A. 99-846, which was amended to allow certain qualifying districts to appoint a chief executive officer to serve as their superintendent. Web links and other legal citations in the footnotes are amended.	<input type="checkbox"/>
3:50, Administrative Personnel Other Than the Superintendent	The policy is unchanged. A footnote is updated to reflect 105 ILCS 5/21B-45, amended by P.A. 99-591, eff. 1-1-17, which addresses carryover of professional development hours.	<input type="checkbox"/>
4:10, Fiscal and Business Management	The policy is unchanged. A footnote is updated due to P.A. 99-713, which extended the time period in 105 ILCS 5/17-2A during which a district may make interfund transfers from 7-1-16 to 7-1-19.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
4:55, Use of Credit and Procurement Cards	The policy is unchanged. A Cross Reference and footnote are updated to implement and reference the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 and to remind school boards to consult the board attorney regarding how the Act affects the use of credit and procurement cards.	<input type="checkbox"/>
4:60, Purchases and Contracts	The policy is updated to incorporate amendments to criminal history records check requirements under 105 ILCS 5/10-21.9 and 5/21B-80, amended by P.A. 99-667. It also incorporates 105 ILCS 5/10-20.21(b-10), added by P.A. 99-552, which prohibits school districts from entering contracts to purchase food with a bidder or offeror if the bidder or offeror's contract terms prohibit the district from donating food to food banks.	<input type="checkbox"/>
4:60-AP1, Purchases	The procedure is updated. See 4:60, <i>Purchases and Contracts</i> , above.	<input type="checkbox"/>
4:60-AP3, Criminal History Records Check of Contractor Employees	The procedure is updated. See 4:60, <i>Purchases and Contracts</i> , above.	<input type="checkbox"/>
4:80, Accounting and Audits	The policy is unchanged. Footnotes are updated to reflect 105 ILCS 5/5-22, amended by P.A. 99-974, eff. 1-1-17, which allows property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements.	<input type="checkbox"/>
4:80-AP, Checklist for Internal Controls	The procedure is updated to discuss standardized expense request forms as required by the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.	<input type="checkbox"/>
4:110, Transportation	The policy is updated to reflect new foster care student transportation requirements under ESEA, as amended by ESSA, for all districts receiving Title I funds. A footnote reminds districts that by 12-10-16, they must collaborate with the Ill. Dept. of Children and Family Services to develop and implement clear written procedures governing how transportation to maintain children in foster care in the school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care. Other updates were made throughout.	<input type="checkbox"/>
4:130, Free and Reduced-Price Food Services	The policy is unchanged, but it has two minor stylistic updates. Footnotes are amended to: <ol style="list-style-type: none"> 1. Add information about the new <i>Breakfast After the Bell</i> program (105 ILCS 126/16, added by P.A. 99-850, eff. 1-1-17, and 2. Update acronyms and terminology regarding the Community Eligibility Provision. <p>We also reviewed it for compliance with the now final <i>Smart Snacks</i> rules.</p>	<input type="checkbox"/>
4:150, Facility Management and Building Programs	The policy is unchanged. Footnotes are updated to incorporate: (1) amendments to the Environmental Barriers Act by P.A. 99-582, eff. 1-1-17; (2) extended time period for interfund transfers made by P.A. 99-713; and (3) amendments to the Health/Life and Safety Code for Public Schools at 23 Ill.Admin.Code Part 180, amended at 40 Ill. Reg. 3059.	<input type="checkbox"/>
4:170, Safety	The policy is unchanged. Footnotes are updated.	<input type="checkbox"/>
4:170-AP5, Unsafe School Choice Option	The procedure is updated because NCLB was repealed. A new law took its place called the Every Student Succeeds Act (ESSA), which amended ESEA on 12-10-15. ESEA, as amended by ESSA, still requires states to implement an unsafe school choice option; however the DOE has not updated its guidance to be consistent with this new law. The procedure incorporates DOE guidance to the extent that it is consistent with the new law.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
4:175, Convicted Child Sex Offender; Criminal Background Check and/or Screening ; Notifications	RENAMED. The policy, Cross References, and footnotes are updated to: <ol style="list-style-type: none"> 1. Align with 5:260, <i>Student Teachers</i>, which is updated in response to 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80, amended by P.A. 99-667; 2. Clarify School Code requirements for student teacher <i>fingerprint-based criminal history records checks</i>; and 3. Incorporate continuous improvement. PRESS subscriber feedback overwhelmingly prefers that “students doing field or clinical experience other than student teaching” <i>not</i> be in the sample default policy language. State law does not require these individuals, along with resource persons and volunteers, to have fingerprint-based criminal history records checks. 	<input type="checkbox"/>
4:175-AP1, Criminal Offender Notification Laws; Screening	The procedure is updated to incorporate amendments to criminal history records check requirements under 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80, amended by P.A. 99-667.	<input type="checkbox"/>
5:10, Equal Employment Opportunity and Minority Recruitment	The policy is unchanged. Legal References and footnotes are updated in response to: <ol style="list-style-type: none"> 1. Privacy in the Workplace Act, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17, and 2. Continuous improvement for legal citation review and updates. 	<input type="checkbox"/>
5:30, Hiring Process and Criteria	The policy and footnotes are updated. See 4:175-AP1, <i>Criminal Offender Notification Laws; Screening</i> , above. Footnotes are updated to reflect the Right to Privacy in the Workplace Act, 820 ILCS 55/10, amended by P.A. 99-610, eff. 1-1-17.	<input type="checkbox"/>
5:30-AP2, Investigations	The procedure is updated. See 4:175-AP1, <i>Criminal Offender Notification Laws; Screening</i> , above.	<input type="checkbox"/>
5:60, Expenses	REWRITTEN. The policy is rewritten in response to the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. See the explanation for policy 2:125, <i>Board Member Compensation; Expenses</i> , above.	<input type="checkbox"/>
5:60-AP, Expenses	DELETED. The Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17, required the contents of this procedure to be moved into policy 5:60, <i>Expenses</i> , discussed immediately above.	<input type="checkbox"/>
5:60-E1, Employee Travel Expense Reimbursement Form Voucher	RENAMED and REWRITTEN. The exhibit is a sample of the required standardized form required by the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.	<input type="checkbox"/>
5:60-E2, Employee Estimated Expense Approval Form	NEW. The exhibit is a sample written with a goal to make the School Code’s long-standing allowance of expense advancements, 105 ILCS 5/10-22.32, <i>play nicely</i> , so to speak, with the new requirements for estimated expenses in the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. As discussed directly above, a standardized form is required for estimated expenses and advancements.	<input type="checkbox"/>
5:100, Staff Development Program	The policy is updated with nonsubstantive quality assurance changes. Content is not changed. We added a Cross Reference. Footnotes are updated to reflect: (1) asthma action plan staff development requirements (105 ILCS 5/22-30(j-15), amended by P.A. 99-843), and (2) Americans with Disabilities Act (ADA) training requirement (105 ILCS 5/3-11, amended by P.A. 99-616).	<input type="checkbox"/>
5:125, Personal Technology and Social Media; Usage and Conduct	The policy, Cross References, and footnotes are updated. The policy is updated in response to ongoing PRESS Advisory Board feedback that the policy should cite 5:100, <i>Staff Development</i> , in addition to the currently listed 5:120, <i>Ethics and Conduct</i> . This is because of 105 ILCS 5/10-22.39(f) in-service requirements (teacher-student conduct, and school employee-student conduct). Footnote additions discuss this change, along with the Right to Privacy in the Workplace Act, 820 ILCS 55/10, amended by P.A. 99-610, eff. 1-1-17.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
5:185, Family and Medical Leave	The policy is updated for non-substantive quality assurance purposes and also in response to some terminology changes in the regulations. Footnotes are updated to match new FMLA regulatory language, e.g. definition of <i>spouse</i> .	<input type="checkbox"/>
5:190, Teacher Qualifications	The policy, Legal References, and footnotes are updated to align with current teacher qualification requirements under ESEA, as amended by ESSA, and to delete former NCLB references that teachers be <i>highly qualified</i> . This update is consistent with ISBE guidance, in <i>Every Student Succeeds Act (ESSA) Frequently Asked Questions</i> (www.isbe.net/ESSA/pdf/ESSA-faq.pdf), stating that school districts need not comply with the <i>highly qualified</i> teacher requirement during the 2016-17 school year. There is no penalty for continuing to send this information during the 2016-17 school year.	<input type="checkbox"/>
5:190-AP, Plan to Ensure That All Teachers Who Teach Core Academic Subjects Are Highly Qualified	DELETED. See 5:190, <i>Teacher Qualifications</i> , above.	<input type="checkbox"/>
5:190-E1, Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications	The exhibit is updated to align with current ESEA requirements, as amended by ESSA. See 5:190, <i>Teacher Qualifications</i> , above.	<input type="checkbox"/>
5:190-E2, Notice to Parents When Their Child Is Assigned To or Has Been Taught for a Least Four Straight Weeks By a Teacher Who is Not <u>Highly Qualified Does Not Meet Applicable State Certification/Licensure Requirements</u>	RENAMED. The exhibit is updated to align with the current ESEA requirement that districts provide timely notice to parent(s)/guardian(s) that their child has been assigned, or has been taught for four or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.	<input type="checkbox"/>
5:190-E3, Letter to Teacher Who is Not <u>Highly Qualified Does Not Meet Applicable State Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment</u>	RENAMED. See 5:190-E1, <i>Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications</i> , above. ESEA does not require school districts to notify teachers that they do not meet applicable state certification/licensure requirements, and ISBE regulations have not been updated to impose any such requirement. However, it is best practice to address with a teacher the fact that he/she does not meet applicable State certification/licensure requirements, especially when parents have been so notified.	<input type="checkbox"/>
5:250, Leaves of Absence	The policy, Legal References, and footnotes are updated. We added a Child Bereavement Leave subhead to reflect the Child Bereavement Leave Act, 820 ILCS 154/, added by P.A. 99-703. It requires employers to grant unpaid child bereavement leave. The law's applicability depends upon whether the district is an employer as defined under the federal Family Medical Leave Act (FMLA). Footnotes are added to discuss the Employee Sick Leave Act, 820 ILCS 191/, added by P.A. 99-841, eff. 1-1-17, which allows employees to take sick leave to care for certain defined family members. Additional footnotes explain amendments to the Victims' Economic Security and Safety Act, 820 ILCS 180/, amended by P.A. 99-765, eff. 1-1-17, which changed the number of employees required to trigger the law from 15 to one. It also graduates the amount of leave available during any 12-month period based upon the number of employees.	<input type="checkbox"/>
5:250-AP, School Visitation Leave	The procedure is updated to keep it in the same update cycle as its policy above, update the Compensation subhead, fix a legal reference typo in a subhead, and fix other nonsubstantive text for quality assurance purposes.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
5:260, Student Teachers	The policy, Legal References, and footnotes are updated. See discussions in 4:175, <i>Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications</i> and 4:175-AP1, <i>Criminal Offender Notification Laws; Screening</i> , above. The last sentence under Assignments is deleted due to the repeal of 105 ILCS 5/21-14 and 23 Ill.Admin.Code §25.875.	<input type="checkbox"/>
5:280, Duties and Qualifications	The policy is unchanged. Legal References and footnotes are updated to delete reference to Section 6319(c) of NCLB, which was repealed in its entirety by ESSA. Note: Corresponding federal regulations are still cited within the Legal References, as they have not yet been amended or repealed, however regulatory amendments are highly likely within the next year.	<input type="checkbox"/>
5:330, Sick Days, Vacation, Holidays, and Leaves	See 5:250, <i>Leaves of Absence</i> , above. The policy, Legal References, and footnotes are updated. The subhead Other Leaves is updated to include child bereavement leave, as allowed under the Child Bereavement Leave Act, 820 ILCS 154/, added by P.A. 99-703. Footnotes are updated in response to the same laws discussed above in policy 5:250, <i>Leaves of Absence</i> , above.	<input type="checkbox"/>
6:15, School Accountability	The policy and footnotes are updated to delete former requirements under NCLB, repealed by ESSA, including School Choice and Supplemental Education Services . Footnotes are updated to align with State legislative amendments made by P.A. 99-193 and P.A. 99-657, and amendments to 23 Ill.Admin.Code §1.97.	<input type="checkbox"/>
6:50, School Wellness	The policy, footnotes, Legal References, and Cross References are updated in response to the final <i>Smart Snacks</i> rules and ISBE goals for physical activity. The <i>Smart Snacks</i> rules were changed slightly from the final interim rule and the policy is updated throughout to reflect these changes. Legal References and Cross References also reflect these changes.	<input type="checkbox"/>
6:60, Curriculum Content	The policy, footnotes, Legal References and Cross References are updated to incorporate: <ol style="list-style-type: none"> 1. 105 ILCS 5/27-22, amended by P.A. 99-434 and trailer legislation P.A. 99-485, which require that students entering the 9th grade in the 2016-17 school year and each year thereafter take one semester of civics; 2. 105 ILCS 5/27-24.2, amended by P.A. 99-720, eff. 1-1-17 and beginning with the 2017-2018 school year, which requires that driver education include instruction concerning law enforcement procedures for traffic stops; 3. A title change in referenced policy 7:260, <i>Exemption from Physical Activity Education</i>, and to detail physical fitness assessments and physical education goals required by 105 ILCS 5/27-6.5 and 5/27-7; and 4. Reference to new physical education regulations at 23 Ill.Admin.Code §1.425, added at 40 Ill. Reg. 2990. 	<input type="checkbox"/>
6:140, Education of Homeless Children	The policy, Legal References, and footnotes are updated to align with amendments made to the McKinnéy-Vento Homeless Assistance Act by ESSA. Effective 12-10-16, the McKinney-Vento definition of <i>homeless children</i> will no longer include children "awaiting foster care placement."	<input type="checkbox"/>
6:140-AP, Education of Homeless Children	The procedure is updated for the reasons discussed about in policy 6:140, <i>Education of Homeless Children</i> . It was also updated to reflect an Executive Order (signed by Gov. Rauner on 8-23-16) that directs all references to "ward of the state" or "ward of the Department" within the child welfare system to be changed to <i>youth in care</i> because of the negative connotation of <i>ward</i> .	<input type="checkbox"/>
6:145, Migrant Students	The policy, Legal References, and footnotes are updated to reflect new migrant student program requirements under §6391 of ESEA, as amended by ESSA. Corresponding federal regulations at 34 C.F.R. §200.80 have not been updated. Note: Amendments to the federal regulations are highly likely within the next year.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
6:160, English Learners	The policy, Legal References, and footnotes are updated to reflect new English Learner program requirements under ESEA, as amended by ESSA. Note: Corresponding federal regulations at 34 C.F.R. Part 200 have not been updated; amendments to them are highly likely within the next year.	<input type="checkbox"/>
6:170, Title I Programs	The policy, Incorporated by Reference, and footnotes are updated to reflect new Title I program requirements under §6318 of ESEA, as amended by ESSA. Under NCLB, §6318 was titled <i>Parental Involvement</i> whereas under ESSA, §6318 is titled <i>Parent and Family Engagement</i> .	<input type="checkbox"/>
6:170-AP1, Checklist for Development, Implementation, and Maintenance of <u>Parental Involvement and Family Engagement</u> Compacts for Title I Programs	RENAMED. The procedure is updated for the reasons discussed in 6:170, <i>Title I Programs</i> , above.	<input type="checkbox"/>
6:170-AP1, E1, District-Level <u>Parental Involvement and Family Engagement</u> Compact	RENAMED. The exhibit is updated for the reasons discussed in 6:170, <i>Title I Programs</i> , above.	<input type="checkbox"/>
6:170-AP1, E2, School-Level <u>Parental Involvement and Family Engagement</u> Compact	RENAMED. The exhibit is updated for the reasons discussed in 6:170, <i>Title I Programs</i> , above.	<input type="checkbox"/>
6:170-AP2, Notice to Parents Required by No Child Left Behind Act of 2001 <u>Elementary and Secondary Education Act, McKinney-Vento Homeless Assistance Act, and Protection of Pupil Rights Act</u>	RENAMED. The title is amended to more accurately reflect that the notifications are required under ESEA, McKinney-Vento, and PPRA, and the procedure, Legal References, and footnotes are updated to align with current notification requirements under ESEA, McKinney-Vento, and the Protection of Pupil Rights Act (PPRA), as amended by ESSA.	<input type="checkbox"/>
6:170-AP2, E1, District Annual Report Card Required by Every Student Succeeds Act (ESSA)	NEW. The exhibit is added in response to PRESS Advisory Board's feedback that it would be helpful for PRESS materials to specify what is required by 20 U.S.C. §6311(h)(2)(C) (District Annual Report Cards), which incorporates 13 elements from §6311(h)(1)(C) (ISBE Annual Report Cards) by reference. To assist PRESS subscribers in keeping track of mandates by telling them what they must report.	<input type="checkbox"/>
6:310, High School Credit for Non-District Experiences; Course Substitutions; Re-entering Students	The policy, footnotes, Cross References, and Legal References are updated to reference new physical education regulations at 23 Ill.Admin.Code §1.425, added at 40 Ill. Reg. 2990. Text that is duplicated in 7:260, <i>Exemption from Physical Education</i> , is removed. Cross References are updated to reflect a title change in referenced policy 7:260, <i>Exemption from Physical Activity Education</i> .	<input type="checkbox"/>
6:340, Student Testing and Assessment Program	The policy, footnotes, and Legal References are updated in response to 105 ILCS 5/10-17a, amended by P.A. 99-642 and 105 ILCS 5/22-82, added by P.A. 99-590. P.A. 99-590 requires every school district to report all reliable assessments that are scored by entities outside of the district to ISBE by certain dates, along with making such information available to the public.	<input type="checkbox"/>
7:15, Student and Family Privacy Rights	The policy, Cross References, and footnotes are updated. The Physical Exams or Screenings subhead refers to an extracurricular drug and alcohol testing program, which is included in policy 7:240, <i>Conduct Code for Participants in Extracurricular Activities</i> , and a Cross Reference to that policy is added. A footnote is amended to remind boards to delete references to an extracurricular drug and alcohol testing program and policy 7:240 if it elects not to have one. A footnote is updated to delete reference to NCLB, repealed by passage of ESSA.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
7:30, Student Assignment and Intra-District Transfer	The policy, Cross References, and footnotes are updated to delete reference to transfers pursuant to Title I covered in 6:15, <i>School Accountability</i> – such transfers are no longer required due to the repeal of NCLB by ESSA.	<input type="checkbox"/>
7:50, School Admissions and Student Transfers To and From Non-District Schools	The policy, Legal References, Cross References, and footnotes are updated. We added a new Foster Care Students subhead that includes new foster care student transportation requirements under ESEA, as amended by ESSA, for all school districts receiving Title I funds. An optional sentence permitted by 105 ILCS 5/10-20.58, added by P.A. 99-781, allows the board to appoint an employee to act as a liaison to facilitate the enrollment and transfer of records of foster care students. A footnote details employment requirements for a foster care student liaison, and the liaison's possible responsibilities.	<input type="checkbox"/>
7:60, Residence	<p>The policy, Cross References, and footnotes are updated. The policy now aligns with amendments to residency challenge procedures under 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17. Non-resident is changed to <u>nonresident</u> for consistency with the School Code.</p> <p>A new footnote addresses divorced or divorcing parents under the Illinois Marriage and Dissolution of Marriage Act, 750 ILCS 5/, amended by P.A. 99-90. For purposes of Section 10-20.12b of the School Code only, the parent with the majority of parenting time is considered to have legal custody (750 ILCS 5/606.10). The law requires a <i>parenting plan</i> that sets forth a child's residential address for school enrollment purposes (750 ILCS 5/602.10(f)(6)).</p> <p>Boards are reminded to consult their board attorney if the residential address set forth in a parenting plan is not the address of the parent with the majority of parenting time. References to NCLB's school choice provisions are deleted due to the statute's repeal by the passage of ESSA.</p>	<input type="checkbox"/>
7:60-AP1, Challenging a Student's Residence Status	The procedure is updated to align with amendments to residency challenge procedures under 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17. Non-resident is changed to <u>nonresident</u> for consistency with the School Code.	<input type="checkbox"/>
7:60-AP2, Establishing Student Residency	The procedure is updated. We reviewed it for consistency with 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17. Non-resident is changed to <u>nonresident</u> for consistency with the School Code.	<input type="checkbox"/>
7:60-AP2, E1, Letter of Residence from Landlord in Lieu of Lease	The exhibit is updated. We reviewed it for consistency with 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17. Non-resident is changed to <u>nonresident</u> for consistency with the School Code.	<input type="checkbox"/>
7:60-AP2, E2, Letter of Residence to be Used When the Person Seeking to Enroll a Student Is Living with a District Resident	The exhibit is updated. We reviewed it for consistency with 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17. Non-resident is changed to <u>nonresident</u> for consistency with the School Code.	<input type="checkbox"/>
7:60-AP2, E3, Evidence of Non-Parent's Custody, Control, and Responsibility of a Student	The exhibit is updated. We reviewed it for consistency with 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-1-17 and the Illinois Marriage and Dissolution of Marriage Act, 750 ILCS 5/, amended by P.A. 99-90. Non-resident is changed to <u>nonresident</u> for consistency with the School Code.	<input type="checkbox"/>
7:70, Attendance and Truancy	<p>The policy, Cross References, and footnotes are updated to clarify current Compulsory School Attendance ages and delete information regarding compulsory school attendance ages in effect before the 2014-15 school year.</p> <p>The Absenteeism and Truancy Program subhead and a related footnote reflect a new requirement of 105 ILCS 5/26-1, amended by P.A. 99-804 eff. 1-1-17 that districts have a protocol for excusing a student in grades six through 12 from attendance to sound <i>Taps</i> at a military honors funeral held in Illinois for a deceased veteran. Footnotes are further updated for clarity. Cross References are updated to reflect a title change.</p>	<input type="checkbox"/>
7:190, Student Behavior	The policy is nonsubstantively updated.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
7:250, Student Support Services	The policy, Legal References, and footnotes are updated. The policy is updated to incorporate 105 ILCS 5/10-20.58, added by P.A. 99-781, to note that student support services provided by the district may include a liaison to facilitate the enrollment and transfer of records of foster care students. A footnote details employment requirements for a foster care student liaison, and the liaison's possible responsibilities. A footnote regarding who is considered a <i>qualified nurse</i> is updated.	<input type="checkbox"/>
7:260, Exemption from Physical Activity <u>Education</u>	RENAMED. The policy is renamed in response to 23 Ill.Admin.Code §1.425(e)(3) and 23 Ill.Admin.Code §1.425, added at 40 Ill. Reg. 2990. It is updated with sample language to meet the requirement of 23 Ill.Admin.Code §1.425(e)(3) requiring policies to identify any evidence or support the school board will require for excuses it deems appropriate. A sentence is added to address certain excusals for high school students that are managed in 6:310, <i>High School Credit for Non-District Experiences; Course Substitutions; Re-entering Students</i> . In addition, per 23 Ill.Admin.Code §1.425(f), excusal requests must be reviewed on an individual basis in accordance with criteria set forth in 105 ILCS 5/27-6. A reference to the new physical education regulations at 23 Ill.Admin.Code §1.425, added at 40 Ill. Reg. 2990, is also included.	<input type="checkbox"/>
7:270, Administering Medicines to Students	Consult the board attorney about this procedure and <u>In re: Estate of Stewart v. Oswego Comm. Unit. Sch. Dist. No. 308</u>, --- N.E. 3d --- (Ill. App. 2, 2016). The policy is unchanged. One minor nonsubstantive update is made. Footnotes are updated to clarify that per P.A. 99-711, eff. 1-1-17, undesignated epinephrine auto-injectors must be maintained in a <u>secure location that is accessible before, during, and after school</u> . We added a discussion in the footnotes about the Stewart case encouraging districts to consult their board attorneys about this policy due to a recent case barring immunity to a school district for its response to a student's asthma attack, finding the school district's response was <i>willful and wanton</i> .	<input type="checkbox"/>
7:270-AP1, Dispensing Medication	Consult the board attorney about this procedure and <u>In re: Estate of Stewart v. Oswego Comm. Unit. Sch. Dist. No. 308</u>, --- N.E. 3d --- (Ill. App. 2, 2016). The procedure is updated to incorporate new School Code provisions regarding asthmatic students at 105 ILCS 5/22-30(j-5) and (j-10), added by P.A. 99-843, which: 1. Require districts to request an asthma action plan from the parent(s)/guardian(s) of a student identified as having asthma. 2. If an asthma action plan is provided, require districts to: a. Manage the student's asthma in accordance with the asthma action plan; b. Maintain a copy of the asthma action plan on file in the nurse's office or, in the absence of a school nurse, the school administrator's office; and c. Notify the school nurse/administrator of receipt of the asthma action plan as soon as possible. 3. If an asthma action plan is provided, allow districts to: a. Provide copies of the asthma action plan to appropriate school staff who interact with the student on a regular basis; and b. If applicable, attach the asthma action plan to a student's Section 504 plan or individualized education program plan.	<input type="checkbox"/>
7:305, Student Athlete Concussions and Head Injuries	The policy is updated to: (1) fully implement the Youth Sports Concussion Safety Act, P.A. 99-486; and (2) incorporate 105 ILCS 25/1.20, added by P.A. 99-831. Web links and other legal citations in the footnotes are amended.	<input type="checkbox"/>
7:305-AP, Student Athlete Concussions and Head Injuries	The procedure is updated. See 7:305, <i>Student Athlete Concussions and Head Injuries</i> , above.	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
7:310, Restrictions on Publications; <u>Elementary Schools</u>	<p>RENAMED. The policy is RENAMED to restrict it to elementary students in response to the Speech Rights of Student Journalists Act, 105 ILCS 80/1, added by P.A. 99-678, which applies to high school students only. A footnote was added to discuss that this policy applies to only elementary and unit districts with both elementary and high school students.</p> <p>Elementary districts subscribing to PRESS will have a title change to their policy with no other changes.</p> <p>Unit districts subscribing to PRESS will now have two policies to address this topic:</p> <ol style="list-style-type: none"> 1. This policy, which will apply to elementary students in the district, and 2. Policy 7:315, <i>Restrictions on Publications; High Schools</i>. <p>This split is necessary because the Speech Rights of Student Journalists Act, 105 ILCS 80/5, added by P.A. 99-678 applies to high school and unit districts. Because the new Act does not apply to elementary students, splitting the policies into two provides the least amount of disruption to elementary and unit districts. For more discussion, see policy 7:315, <i>Restrictions on Publications; High Schools</i>, below.</p>	<input type="checkbox"/>
7:310-AP, Guidelines for Student Distribution of Non-School Sponsored Publications	<p>The procedure and footnotes are updated. See 7:310, <i>Restrictions on Publications; Elementary Schools</i>, and 7:315, <i>Restrictions on Publications; High School</i>, above and below. As numbered, this procedure now applies to elementary and unit districts only. <u>High school districts</u> subscribing to PRESS must renumber this procedure to 7:315-AP.</p>	<input type="checkbox"/>
7:315, Restrictions on Publications; High Schools	<p>NEW. This policy is based upon formerly-titled PRESS policy 7:310, <i>Restrictions on Publications</i>. This new policy is named to reflect its applicability to high school students only. As discussed above, we renamed policy 7:310, <i>Restrictions on Publications; Elementary Schools</i> to reflect its applicability to elementary students only.</p> <p><u>High school districts</u> subscribing to PRESS will need to delete their former policy <u>7:310, Restrictions on Publications</u> and adopt only this policy, 7:315 <i>Restrictions on Publications; High Schools</i>.</p> <p>Unit districts subscribing to PRESS will now have two policies to address this topic:</p> <ol style="list-style-type: none"> 1. RENAMED policy 7:310, <i>Restrictions on Publications; Elementary Schools</i>, which will apply to elementary students in the district (discussed above), and 2. This policy, which will apply to high school students. <p>The text, Legal References, and footnotes within the formerly-titled PRESS policy 7:310, <i>Restrictions on Publications</i> were used as the base for this new policy. The updates are in response to the Speech Rights of Student Journalists Act, 105 ILCS 80/1, added by P.A. 99-678. The law significantly watered down <i>Hazelwood restrictions</i> for public high school students in Illinois. The Act; however, does not authorize or protect expression by a student journalist that: (1) is libelous, slanderous, or obscene; (2) constitutes an unwarranted invasion of privacy; (3) violates federal or State law; or (4) so incites students as to create a clear and present danger of the commission of an unlawful act, the violation of policies of the school district, or material and substantial disruption of the orderly operation of the school." While <i>Hazelwood</i> was not explicitly overturned by this Act and may still have some applicability in certain situations, school officials must consult their board attorneys before prior restraint of student publications.</p>	<input type="checkbox"/>
7:340, Student Records	<p>Policy is unchanged. A footnote is updated due to amendments to the Illinois Marriage and Dissolution of Marriage Act by P.A. 99-763, eff. 1-1-17, which state that schools may not provide a parent/guardian access to his or her child's school records if the parent is prohibited by an order of protection from inspecting or obtaining such records pursuant to the Domestic Violence Act of 1986 or the Code of Criminal Procedure of 1963. A potential conflict this provision may have with the Family Educational Rights and Privacy Act is noted, and boards are reminded to consult with their board attorney for guidance.</p>	<input type="checkbox"/>

Revisions to Policies, Administrative Procedures and Exhibits – *continued*

Number and Title	Revision Descriptions	<input checked="" type="checkbox"/>
7:340-AP1, School Student Records	<p>The procedure is updated to:</p> <ol style="list-style-type: none"> 1. Align with amendments made to 20 USC §7908(a)(2) by ESSA, regarding how parents/guardians may opt out of the provision of secondary students’ names, addresses, and telephone listings to military recruiters and institutions of higher learning. 2. Incorporates changes made to 23 Ill.Admin.Code §375.10, amended at 40 Ill. Reg. 2287, and the Illinois Marriage and Dissolution of Marriage Act, by P.A. 99-763. 3. Highlight in the footnotes that a conflict exists between 105 ILCS 5/2-3.64a-5 of the School Code and regulations implementing the Ill. School Student Records Act (ISSRA) relating to ISBE designating a college entrance exam (e.g., the SAT) as the State assessment test administered at the high school level. 	<input type="checkbox"/>
7:340-AP1, E1, Notice to Parents/Guardians and Students of Their Rights Concerning a Student’s School Records	<p>The exhibit is updated to align with amendments made to 20 USC §7908(a)(2) by ESSA, regarding how parents/guardians may opt out of the provision of secondary students’ names, addresses, and telephone listings to military recruiters and institutions of higher learning.</p> <p>A footnote notes a conflict between 105 ILCS 5/2-3.64a-5 of the School Code and regulations implementing the Ill. School Student Records Act (ISSRA) during years in which ISBE designates a college entrance exam (e.g., the SAT) as the State assessment test administered at the high school level.</p>	<input type="checkbox"/>
7:340-AP1, E3, Letter to Parents <u>and Eligible Students</u> Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information	RENAMED. The exhibit is updated. See 7:340-AP1, E1, <i>Notice to Parents/Guardians and Students of Their Rights Concerning a Student’s School Records</i> , above.	<input type="checkbox"/>
7:340-AP1, E4, Frequently Asked Questions Regarding Military Recruiters Access to Students and Student Information	The exhibit is updated. See 7:340-AP1, E1, <i>Notice to Parents/Guardians and Students of Their Rights Concerning a Student’s School Records</i> , above.	<input type="checkbox"/>
8:30, Visitors to and Conduct on School Property	<p>The policy, Cross References, and footnotes are updated. A Cross Reference is updated to reflect that SB 100 (student discipline) is now law.</p> <p>The policy is updated upon PRESS Advisory Board feedback. Consult the board attorney about this issue. Please see its corresponding f/n 16.</p>	<input type="checkbox"/>
8:70, Accommodating Individuals with Disabilities	The policy, Legal References, and footnotes are updated. We updated an outdated responsibility of the Title II Coordinator. A footnote is supplemented regarding an amendment to the Environmental Barriers Act by P.A. 99-582, eff. 1-1-17, which deletes the term <i>environmentally limited person</i> . Other legal citations in the footnotes are amended.	<input type="checkbox"/>
8:95-AP, Parental Involvement	The procedure and Legal References are updated in response to ESEA, as amended by ESSA. References to other PRESS materials are updated to incorporate title changes. The list of policies providing opportunities for parental involvement is amended to delete policies that do not provide such opportunities and to add policies that do.	<input type="checkbox"/>
8:100, Relations with Other Organizations and Agencies	The policy is unchanged. A footnote is added in response to 105 ILCS 5/10-22.13a, amended by P.A. 99-890, which was born out of <u><i>Gruba v. Community High School District 155</i></u> , 40 N.E.3d 1, (Ill., 2015) (holding school districts are subject to, and school boards must comply with, local government zoning and storm water restrictions, i.e., a city’s zoning powers) a/k/a <i>The Bleachers Case</i> .	<input type="checkbox"/>

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