

## *Document Status: Draft Update*

### **2:170 Procurement of Architectural, Engineering, and Land Surveying Services**

The Board of Education selects architects, engineers, and land surveyors to provide professional services to the District on the basis of demonstrated competence and qualifications, and in accordance with State law.

LEGAL REF.:

40 U.S.C. §1101 et seq<sup>541</sup>. [PRESSPlus1](#)

[50 ILCS 510/](#), Local Government Professional Services Selection Act.

[105 ILCS 5/10-20.21](#).

*Shively v. Belleville Twp. High Sch. Dist. 201*, 329 Ill.App.3d 1156 (5th Dist. 2002), *appeal denied*.

~~ADOPTED: January 28, 2019~~

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### **PRESSPlus Comments**

PRESSPlus 1. Updated in response to a five-year review. **Issue 112, June 2023**

## *Document Status: Draft Update*

### **4:45 Insufficient Fund Checks and Debt Recovery**

#### Insufficient Fund Checks

The Superintendent or designee is responsible for collecting up to the maximum fee authorized by State law for returned checks written to the District that are not honored upon presentation to the respective bank or other depository institution for any reason. The Superintendent is authorized to contact the Board Attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest.

#### Delinquent Debt Recovery

The Superintendent is authorized to seek collection of delinquent debt owed the District to the fullest extent of the law.

A Local Debt Recovery Program may be available through the Illinois Office of the Comptroller (IOC) [in the future](#). [PRESSPlus1](#) To participate in it, an intergovernmental agreement (IGA) between the District and the IOC must be in existence. The IGA establishes the terms under which the District may refer a delinquent debt to the IOC for an offset (deduction). The IOC may execute an offset, in the amount of the delinquent debt owed to the District, from a future payment that the State makes to an individual or entity responsible for paying the delinquent debt.

The Superintendent or designee shall execute the requirements of the IGA. While executing the requirements of the IGA, the Superintendent or designee is responsible, without limitation, for each of the following:

1. Providing a District-wide, uniform, method of notice and due process to the individual or entity against whom a claim for delinquent debt payment (*claim*) is made. Written notice and an opportunity to be heard must be given to the individual or entity responsible for paying a delinquent debt before the claim is certified to the IOC for offset. The notice must state the claim's amount, the reason for the amount due, the claim's date or time period, and a description of the process to challenge the claim. If reimbursable meals or snacks provided under the Hunger-Free Students' Bill of Rights Act are the basis of the District's delinquent debt claim of no less than \$500, the notice must be sent to a student's parent(s)/guardian(s) only after: (a) the student owes the District more than five meals and/or snacks; (b) the Superintendent or designee made: (i) repeated contacts to collect the amounts owed, and (ii) reasonable efforts to collect the amount due for at least one year; and (c) the District requested the student's parent(s)/guardian(s) to apply for meal benefits pursuant to policy 4:130, *Free and Reduced-Price Food Services*, and they either: (i) did not qualify, or (ii) refused to apply.
2. An individual or entity challenging a claim shall be provided an informal proceeding to refute the claim's existence, amount, or current collectability; the decision following this proceeding shall be reviewable.
  - a. If a waiver of student fees is requested as a challenge to paying the claim, and the waiver of student fees is denied, an appeal of the denial of a fee waiver request shall be handled according to 4:140, *Waiver of Student Fees*. If no waiver of student fees is requested, reviews regarding payment of the claim shall be handled according to this policy before

certification to the IOC for offset.

- b. If application for meal benefits pursuant to policy 4:130, *Free and Reduced-Price Food Services*, is requested as a challenge to paying the claim, and the request is denied, an appeal of the denial of the request shall be handled according to 4:130, *Free and Reduced-Price Food Services*. If no request for meal benefits is received, review of the claim's payment shall be handled according to this policy before certification to the IOC for offset.
3. Certifying to the IOC that the debt is past due and legally enforceable, and notifying the IOC of any change in the status of an offset claim for delinquent debt.
4. Responding to requests for information from the IOC to facilitate the prompt resolution of any administrative review requests received by the IOC.

#### LEGAL REF.:

15 ILCS 405/10.05 and 10.05d, State Comptroller Act.

105 ILCS 123/, Hunger-Free Students' Bill of Rights Act.

810 ILCS 5/3-806, Uniform Commercial Code.

ADOPTED: January 28, 2019

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#### **PRESSPlus Comments**

PRESSPlus 1. The Ill. Office of the Comptroller (IOC) operates an Offset System for collecting debt owed to the State, political subdivisions of the State, and school districts by persons receiving payments from the State. Seeking debt recovery through an offset of a future payment the State makes to a debtor is optional. The requirements in this policy for obtaining an offset are either in statute or the IOC's intergovernmental agreement (IGA). 15 ILCS 405/10.05 and 10.05d. The first step to participate is to contact a LDRP manager with the IOC to request an IGA with the IOC's office. Program managers work one-on-one with districts and matters are handled on a case-by-case basis. The LDRP's number for local governments is 312-814-3090. Contact the board attorney for advice and assistance. Note that historically, the IOC has been reluctant to pursue school lunch debts under the LDRP. **Issue 112, June 2023**

## Document Status: Draft Update

### 4:100 Insurance Management

The Superintendent shall recommend and maintain all insurance programs that provide the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include each of the following:

1. Liability coverage to insure against any loss or liability of the School District and the listed individuals against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense costs, when damages are sought for negligent or wrongful acts allegedly committed in the scope of employment or under the Board's direction or related to any mentoring services provided to the District's ~~certified~~licensed [PRESSPlus1](#) staff members; Board of Education members; employees; volunteer personnel authorized by 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b; mentors of ~~certified~~licensed staff members authorized in [105 ILCS 5/21A-5 et seq.](#) (new teacher), [105 ILCS 5/2-3.53a](#) (new principal), and [2-3.53b](#) (new superintendents); and student teachers.
2. Accident and/or health insurance on a group or individual basis for students in grades kindergarten through 8 participating in any school-sponsored athletic activity.
3. Comprehensive property insurance covering a broad range of causes of loss involving building and personal property. The coverage amount shall normally be for the replacement cost or the insurable value.
4. Workers' Compensation to protect individual employees against financial loss in case of a work-related injury, certain types of disease, or death incurred in an employee-related situation.

#### Student Insurance

The Board shall annually designate a company to offer student accident insurance coverage. The Board does not endorse the plan nor recommend that parents/guardians secure the coverage, and any contract is between the parent(s)/guardian(s) and the company.

#### LEGAL REF.:

Consolidated Omnibus Budget Reconciliation Act, Pub. L. 99-272, §10001, ~~100 Stat. 222,~~ [26 U.S.C. §4980B\(f\) of the I.R.S. Code](#), 42 U.S.C. §300bb-1 et seq.

105 ILCS [5/2-3.53a](#), [5/2-3.53b](#), [5/10-20.20](#), [5/10-22.3](#), [5/10-22.3a](#), [5/10-22.3b](#), [5/10-22.3f](#), [5/10-22.34](#), [5/10-22.34a](#), [5/10-22.34b](#), [5/21A-5 et seq.](#), and [5/22-15](#).

[215 ILCS 5/](#), Ill. Insurance Code.

[750 ILCS 75/](#), Ill. Religious Freedom Protection and Civil Union Act.

[820 ILCS 305/](#), Workers' Compensation Act.

CROSS REF.: 7:300 (Extracurricular Athletics)

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## **PRESSPlus Comments**

PRESSPlus 1. Updated in response to a five-year review. **Issue 112, June 2023**

## *Document Status: Draft Update*

### **5:230 Maintaining Student Discipline**

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that all teachers, other certificated **[licensed] educational employees (except for individuals employed as paraprofessional educators)**, **PRESSPlus1** and persons providing a student's related service(s): (1) maintain discipline in the schools as required in the School Code, and (2) follow the Board of Education policies and administrative procedures on student conduct, behavior, and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student, if appropriate. If the unacceptable behavior continues, the teacher should consult with the Building Principal and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. A student's removal must be in accordance with Board policy and administrative procedures.

Teachers shall not use disciplinary methods that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used. Teachers may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property.

LEGAL REF.:

[105 ILCS 5/24-24.](#)

[23 Ill.Admin.Code §1.280.](#)

CROSS REF.: 2:150 (Committees), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

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### **PRESSPlus Comments**

PRESSPlus 1. Updated in response to a five-year review. **Issue 112, June 2023**

## *Document Status: Draft Update*

### **7:305 Student Athlete Concussions and Head Injuries**

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

1. Fully implementation of the Youth Sports Concussion Safety Act ([YSCSA](#)), [PRESSPlus1](#) that provides, without limitation, each of the following:
  - a. The Board must appoint or approve members of a Concussion Oversight Team for the District.
  - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
    - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
    - ii. A return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
  - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
  - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
  - e. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
  - f. The following individuals must complete concussion training as specified in the [Youth Sports Concussion Safety Act YSCSA](#): all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses, licensed healthcare professional or non-licensed healthcare professionals who serve on the Concussion Oversight Team (whether or not they serve on a volunteer basis); athletic trainers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
  - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a

student's condition may deteriorate rapidly.

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

LEGAL REF.:

[105 ILCS 5/22-80.](#)

105 ILCS 25/1.15, [Interscholastic Athletic Organization Act.](#)

[20 ILCS 2310/2310-307, Civil Administrative Code of Illinois.](#)

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 7:300 (Extracurricular Athletics)

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## **PRESSPlus Comments**

PRESSPlus 1. Updated in response to a five-year review. **Issue 112, June 2023**



