



LINCOLNWOOD SCHOOL DISTRICT 74  
 BOARD OF EDUCATION  
 POLICY COMMITTEE MEETING AGENDA  
 FRIDAY, DECEMBER 17, 2021 AT **8:30 AM**

BOARD OF EDUCATION  
 Kevin Daly, *President*  
 Elaina Geraghty, *Vice President*  
 John P. Vranas, *Secretary*  
 Myra A. Foutris  
 Jay Oleniczak  
 Rupal Shah Mandal  
 Peter D. Theodore

ADMINISTRATION  
 Dr. Kimberly A. Nasshan, *Superintendent of Schools*  
 Dr. David Russo, *Assistant Superintendent for Curriculum and Instruction*  
 Courtney Whited, *Business Manager/CSBO*

*Agenda of the Policy Committee Meeting of the Board of Education of Lincolnwood School District 74,  
 Cook County, Illinois, to be held in the Marvin Garlich Administration Building  
 6950 N. East Prairie Road  
 Lincolnwood, Illinois 60712,  
 on Friday, December 17, 2021.*

IN-PERSON PARTICIPATION: It is expected that all members of the Policy Committee, plus several administrators, will be physically present at the Marvin Garlich Administration Building located at 6950 N. East Prairie Road, Lincolnwood, IL. The public is welcome.

1. CALL TO ORDER/ROLL CALL

POLICY COMMITTEE MEMBERS

- Rupal Shah Mandal (BOE), Chair
- Myra A. Foutris (BOE), Co-Chair
- Becky Klinghofer, Community Member
- Aaron M. LaRue, Community Member
- Melissa Theodore, Community Member

ADMINISTRATOR/STAFF

- Dr. Kimberly A. Nasshan, Superintendent of Schools
- Renee Tolnai, Administrative Assistant

2. AUDIENCE TO VISITORS

3. APPROVAL OF MINUTES

- a. Policy Committee Meeting Minutes - **NOVEMBER 12, 2021**

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Motion by member: \_\_\_\_\_ Seconded by: \_\_\_\_\_

4. OLD BUSINESS

5. NEW BUSINESS

- a. New Press Plus Issue #108 (November 2021)

- I. Press Plus Issue #108 - 5-Year Review

- 1. 4:120 Food Services
- 2. 8:100 Relations with Other Organizations and Agencies

5

6

- II. Press Plus #108 - Draft Update

- 1. 2:20 Powers and Duties of the Board of Education; Indemnification

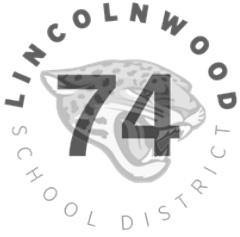
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2.	3:40 Superintendent	9
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15.	5:100 Staff Development Program	41
16.	5:120 Employee Ethics; Conduct; and Conflict of Interest	44
17.	5:125 Personal Technology and Social Media; Usage and Conduct	47
18.	5:150 Personnel Records	49
19.	5:185 Family and Medical Leave	51
6.	ADJOURNMENT	

Motion by member: \_\_\_\_\_ Seconded by: \_\_\_\_\_

***Dr. Kimberly A. Nasshan, Superintendent of Schools***

*Lincolnwood School District 74 is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or facility, are requested to contact the District Office at 847-675-8234 promptly to allow Lincolnwood School District 74 to make reasonable accommodations for those persons.*



LINCOLNWOOD SCHOOL DISTRICT 74  
BOARD OF EDUCATION  
POLICY COMMITTEE MEETING MINUTES  
FRIDAY, NOVEMBER 12, 2021 AT **8:30 AM**

BOARD OF EDUCATION  
**Kevin Daly**, *President*  
**Elaina Geraghty**, *Vice President*  
**John P. Vranas**, *Secretary*  
**Myra A. Foutris**  
**Jay Oleniczak**  
**Rupal Shah Mandal**  
**Peter D. Theodore**

ADMINISTRATION  
**Dr. Kimberly A. Nasshan**, *Superintendent of Schools*  
**Dr. David Russo**, *Assistant Superintendent for Curriculum and Instruction*  
**Courtney Whited**, *Business Manager/CSBO*

*Minutes of the Policy Committee Meeting of the Board of Education of Lincolnwood School District 74,  
Cook County, Illinois, was held in the Marvin Garlich Administration Building  
6950 N. East Prairie Road  
Lincolnwood, Illinois 60712,  
on Friday, November 12, 2021.*

1. CALL TO ORDER/ROLL CALL

POLICY COMMITTEE MEMBERS

Rupal Shah Mandal (BOE), Chair  
Myra A. Foutris (BOE), Co-Chair  
Aaron M. LaRue, Community Member  
Melissa Theodore, Community Member

POLICY COMMITTEE MEMBERS ABSENT

Becky Klinghofer, Community Member

ADMINISTRATOR/STAFF

Dr. Kimberly A. Nasshan, Superintendent of Schools  
Renee Tolnai, Administrative Assistant

2. AUDIENCE TO VISITORS

None

3. APPROVAL OF MINUTES

a. Policy Committee Meeting Minutes - **October 22, 2021**

A motion was made, seconded and passed to approve the October 22, 2021 Policy Committee meeting minutes.

4. OLD BUSINESS

None

5. NEW BUSINESS

a. Policy Committee Review of the Policy Manual

I. 3:10 Goals and Objectives

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

II. 3:70 Succession Plan

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

III. 4:40 Incurring Debt

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

IV. 4:100 Insurance Management

The Committee sent this policy to 1<sup>st</sup> Reading on the December 2, 2021 Lincolnwood School District 74 Board of Education meeting.

V. 4:140 Waiver of Student Fees

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

VI. 5:140 Solicitations By or From Staff

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

VII. 6:140 Education of Homeless Children

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

VIII. 6:180 Extended Instructional Programs

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda with a few minor changes.

IX. 7:285 Food Allergy Management Program

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

X. 8:70 Accommodating Individuals with Disabilities

The Committee sent this policy to the December 2, 2021 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

6. ADJOURNMENT

A motion was made, seconded and passed to adjourn the Policy Committee meeting at 8:51 a.m. The next Policy Committee meeting is scheduled for Friday, December 17, 2021 at 8:30 a.m. The public is welcome.

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Rupal Shah Mandal, Chair

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Myra A. Foutris, Co-chair

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 4 - Operational Services \

### Document Status: 5-Year-Review - Needs Review

#### Operational Services

#### 4:120 Food Services

Good nutrition shall be promoted in the District's meal programs and in other food and beverages that are sold to students during the school day. The Superintendent shall manage a food service program that complies with this policy and is in alignment with School Board policy 6:50, *School Wellness*.

Food or beverage items sold to students as part of a reimbursable meal under federal law must follow the nutrition standards specified in the U.S. Dept. of Agriculture rules that implement the National School Lunch and Child Nutrition Acts. Schools being reimbursed for meals under these laws are *participating schools*.

The food service program in participating schools shall comply with the nutrition standards specified in the U.S. Dept. of Agriculture's *Smart Snacks rules* when it offers competitive foods to students on the school campus during the school day. *Competitive foods* are all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. The food service programs in participating schools shall also comply with any applicable mandates in the Illinois State Board of Education's School Food Service rules implementing these federal laws and the Ill. School Breakfast and Lunch Program Act.

All revenue from the sale of any food or beverages sold in competition with the School Breakfast Program or National School Lunch Program to students in food service areas during the meal period shall accrue to the nonprofit school lunch program account.

#### LEGAL REF.:

B. Russell National School Lunch Act, [42 U.S.C. §1751](#) *et seq.*

Child Nutrition Act of 1966, [42 U.S.C. §1771](#) *et seq.*

[7 C.F.R. Parts 210](#) and [220](#), Nutrition Standards in the National School Lunch and School Breakfast Programs.

[105 ILCS 125/](#).

[23 Ill.Admin.Code Part 305](#), School Food Service.

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:50 (School Wellness)

ADOPTED: October 7, 2015

REVISED:

REVIEWED: June 3, 2021

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# PRESS PLUS ISSUE #108 NOVEMBER 2021 POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 8 - Community Relations \

## *Document Status: 5-Year-Review - Needs Review*

### Community Relations

#### **8:100 Relations with Other Organizations and Agencies**

The District shall cooperate with other organizations and agencies, including the Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 4:180 (Pandemic Preparedness: Management, and Recovery), 5:90 (Abused and Neglected Child Reporting), 7:150 (Government Agency and Law Enforcement Interviews of Students at School)

ADOPTED: January 16, 2007

REVISED: December 1, 2009

REVIEWED: May 3, 2018

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# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 2 - Board of Education \

### Document Status: Draft Update

#### Board of Education

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

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

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

#### Indemnification

To the extent allowed by law, the Board shall defend, indemnify, and hold harmless School Board members, employees, volunteer personnel (pursuant to [105 ILCS 5/10-22.34](#), [10-22.34a](#) and [10-22.34b](#)), mentors of certified staff (pursuant to [105 ILCS 5/2-3.53a](#), [2-3.53b](#), and [105 ILCS 5/21A-5 et seq.](#)), and student teachers who, in the course of discharging their official duties imposed or authorized by law, are sued as parties in a legal proceeding. Nothing herein, however, shall be construed as

obligating the Board to defend, indemnify, or hold harmless any person who engages in criminal activity, official misconduct, fraud, intentional or willful and wanton misconduct, or acts beyond the authority properly vested in the individual.

LEGAL REF.:

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

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

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

CROSS REF.: 1:10 (School District Legal Status), 1:20 (District Organization, Operations, and Cooperative Agreements), 2:10 (School District Governance), 2:80 (Board Member Oath and Conduct), 2:140 (Communications To and From the Board), 2:210 (Organizational School Board Meeting), 2:240 (Board Policy Development), 4:60 (Purchases), 4:70 (Resource Conservation), 4:100 (Insurance Management), 4:110 (Transportation), 4:150 (Facility Management and Expansion Programs), [4:165 \(Awareness and Prevention of Sexual Abuse and Grooming Behaviors\)](#), [4:175 \(Convicted Child Sex Offender: Screening: Notifications\)](#), 5:10 (Equal Employment Opportunity and Minority Recruitment), [5:30 \(Hiring Process and Criteria\)](#), 5:90 (Abused and Neglected Child Reporting), [5:120 \(Employee Ethics; Conduct; and Conflict of Interest\)](#), [5:150 \(Personnel Records\)](#), [5:210 \(Resignations\)](#), [5:290 \(Employment Termination and Suspensions\)](#), 6:10 (Educational Philosophy and Objectives), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: November 6, 2014

REVISED: January 9, 2020

REVIEWED: January 9, 2020

**Comments:** The District will now adopt the same look on all policies moving forward: ADOPTED: REVISED: REVIEWED:

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#### **PRESSPlus Comments**

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 3 - General School Administration \

### Document Status: Draft Update

#### General School Administration

#### 3:40 Superintendent

##### Duties and Authority

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

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

##### Qualifications

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

##### Evaluation

The Board of Education will evaluate the Superintendent's performance and effectiveness according to the terms contained in the Superintendent's employment contract. A specific time should be designated for a formal evaluation session with all Board of Education members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

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

##### Compensation and Benefits

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

##### LEGAL REF.:

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

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

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

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

ADOPTED: June 25, 2015

REVISED: January 7, 2021

REVIEWED: January 9, 2020

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#### PRESSPlus Comments

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 3 - General School Administration \

### *Document Status: Draft Update*

#### General School Administration

### **3:50 Administrative Personnel Other Than the Superintendent**

#### Duties and Authority

The School Board establishes District administrative and supervisory positions in accordance with the District's needs and State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Superintendent's recommendation, and contained in the respective position's job description. In the event of a conflict, State law and/or the administrator's employment agreement shall control.

#### Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules.

#### Evaluation

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

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training and Illinois Administrators' Academy courses, or through other means as approved by the Superintendent or designee.

#### Administrative Work Year

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

#### Compensation and Benefits

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

The Board of Education will consider the Superintendent's or designee's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board of Education no later than the March Board of Education meeting, or at such earlier time that will allow the Board to consider contract renewal and nonrenewable issues.

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

#### LEGAL REF:

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

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

CROSS REF: 3:60 (Administrative Responsibility of the Building Principal), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), [4:175 \(Convicted Child Sex Offender: Screening: Notifications\)](#), [5:30 \(Hiring Process and Criteria\)](#), [5:90 \(Abused and Neglected Child Reporting\)](#), [5:120 \(Employee Ethics: Conduct; and Conflict of Interest\)](#), [5:150 \(Personnel Records\)](#), [5:210 \(Resignations\)](#), [5:250 \(Leaves of Absence\)](#), [5:290 \(Employment Termination and Suspensions\)](#) [PRESSPlus1](#)

ADOPTED: October 3, 2006

REVISED: June 25, 2015

REVIEWED: September 2, 2021

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#### **PRESSPlus Comments**

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

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# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 3 - General School Administration \

### Document Status: Draft Update

#### General School Administration

### 3:60 Administrative Responsibility of the Building Principal

#### Duties and Authority

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

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

#### Evaluation Plan

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

#### Qualifications and Other Terms and Conditions of Employment

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

#### LEGAL REF.:

~~10 ILCS 5/4-6.2.~~

105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.

[10 ILCS 5/4-6.2, Election Code.](#) [PRESSPlus1](#)

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

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

CROSS REF.: 1:30 (District Strategic Plan), 3:50 (Administrative Personnel Other Than the Superintendent), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), [4:175 \(Convicted Child Sex Offender; Screening; Notifications\)](#), [5:90 \(Abused and Neglected Child Reporting\)](#), [5:120 \(Employee Ethics; Conduct; and Conflict of Interest\)](#), [5:150 \(Personnel Records\)](#), [5:210 \(Resignations\)](#), [5:250 \(Leaves of Absence\)](#), [5:290 \(Employment Termination and Suspensions\)](#), [PRESSPlus2](#)

ADOPTED: September 10, 2002

REVISED: June 25, 2015

REVIEWED: June 25, 2015; August 1, 2019

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#### PRESSPlus Comments

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 4 - Operational Services \

### Document Status: Draft Update

#### Operational Services

#### 4:60 Purchases

All purchases in excess of \$10,000 need Board of Education approval.

Adoption of the annual budget authorizes the Superintendent or designee to purchase budgeted supplies, equipment, and services. Purchases of items outside budget parameters require prior Board approval, except in an emergency.

All contracts for supplies, materials, or work involving expenditure in excess of \$25,000 shall be made in accordance with the State law bidding procedure, unless specifically exempted. Sealed, competitive bidding, with certain statutory exceptions, is required. The Superintendent or designee shall prepare the necessary legal notices. The contract will be awarded to the lowest responsible bidder, considering conformity with specifications, delivery terms, quality, and serviceability. The Superintendent or designee shall report the results of the bidding to the Board of Education, together with a recommendation and supporting rationale. Contracts will be awarded by the Board of Education at an official meeting. Bid deposits of 10 percent of the bid amount, assuring good faith in bidding, and performance bonds to the extent of 100 percent of the contract amount, may be required.

The Superintendent shall develop procedures which will allow the purchase of good quality products and services at the lowest cost, with consideration for service, quality, and delivery promptness, and in compliance with State law.

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

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, [105 ILCS 5/10-20.21](#), unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with [105 ILCS 5/19b-1](#) *et seq.*
4. Third party non-instructional services must comply with [105 ILCS 5/10-22.34c](#).
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with [105 ILCS 5/10-20.21](#)(b-5). The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.
6. Any contract to purchase food with a bidder or offeror must comply with [105 ILCS 5/10-20.21](#)(b-10).
7. The purchase of paper and paper products must comply with [105 ILCS 5/10-20.19c](#) and Board policy 4:70, *Resource Conservation*.
8. Each contractor with the District is bound by each of the following:
  - a. In accordance with [105 ILCS 5/10-21.9](#)(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in [105 ILCS 5/10-21.9](#)(c) and [5/21B-80](#)(c) to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in [5/21B-80](#)(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (3) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.
  - b. In accordance with [105 ILCS 5/24-5](#): (1) concerning each new employee of a contractor that provides services to students or in schools, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Department of Public Health rules or order of a local health official.
9. After 1-1-23, any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure 14

Act. [PRESSPlus1](#)

10. Purchases made with federal or State awards must comply with 2 C.F.R. Part 200 and 30 ILCS 708/, as applicable, and any terms of the award. [PRESSPlus2](#)

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

LEGAL REF.:

2 C.F.R. Part 200.

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

30 ILCS 708/. Grant Accountability and Transparency Act.

410 ILCS 170/. Coal Tar Sealant Disclosure Act.

820 ILCS 130/. Prevailing Wage Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Expansion Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications)

ADOPTED: September 10, 2002

REVISED: December 5, 2019

REVIEWED: December 5, 2019

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## **PRESSPlus Comments**

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

### Document Status: Draft Update

#### General Personnel

#### 5:10 Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race, color, religion, creed, national origin, sex, sexual orientation, age, ancestry, marital status, arrest record, military status, order of protection status, unfavorable military discharge, citizenship status provided the individual is authorized to work in the United States, work authorization status, [PRESSPlus1](#) use of lawful products while not at work; being a victim of domestic violence, sexual violence, or gender violence, or any other crime of violence, [PRESSPlus2](#) genetic information; physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; conviction record, unless authorized by law; or other legally protected categories. No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, [410 ILCS 130/](#).

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

#### Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

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

#### **Nondiscrimination Coordinator:**

Dr. David L. Russo, Asst. Superintendent  
District Office  
6950 N. East Prairie Rd., Lincolnwood, IL 60712  
[drusso@sd74.org](mailto:drusso@sd74.org)  
847-675-8234

#### **Complaint Managers:**

Dr. David L. Russo, Asst. Superintendent	Erin Curry, Principal
District Office	Rutledge Hall
6950 N. East Prairie Rd., Lincolnwood, IL 60712	6850 N. East Prairie Road , Lincolnwood, IL 60712
<a href="mailto:drusso@sd74.org">drusso@sd74.org</a>	<a href="mailto:ecurry@sd74.org">ecurry@sd74.org</a>
847-675-8234	847-675-8236

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

#### Minority Recruitment

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

LEGAL REF.:

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

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

[29 U.S.C. §206](#)(d), Equal Pay Act.

[29 U.S.C. §621](#) *et seq.*, Age Discrimination in Employment Act.

[29 U.S.C. §701](#) *et seq.*, Rehabilitation Act of 1973.

[38 U.S.C. §4301](#) *et seq.*, Uniformed Services Employment and Reemployment Rights Act (1994).

[42 U.S.C. §1981](#) *et seq.*, Civil Rights Act of 1991.

[42 U.S.C. §2000e](#) *et seq.*, Title VII of the Civil Rights Act of 1964; [29 C.F.R. Part 1601](#).

[42 U.S.C. §2000ff](#) *et seq.*, Genetic Information Nondiscrimination Act of 2008.

[42 U.S.C. §2000d](#) *et seq.*, Title VI of the Civil Rights Act of 1964.

[42 U.S.C. §2000e](#)(k), Pregnancy Discrimination Act.

[42 U.S.C. §12111](#) *et seq.*, Americans with Disabilities Act, Title I.

[Ill. Constitution, Art. I](#), §§17, 18, and 19.

[105 ILCS 5/10-20.7](#), [5/10-20.7a](#), [5/10-21.1](#), [5/10-22.4](#), [5/10-23.5](#), [5/22-19](#), [5/24-4](#), [5/24-4.1](#), and [5/24-7](#).

[410 ILCS 130/40](#), Compassionate Use of Medical Cannabis Program Act.

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

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

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

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

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

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

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

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment, At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

ADOPTED: September 10, 2002

REVISED: August 5, 2021

REVIEWED: August 5, 2021

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**PRESSPlus Comments**

PRESSPlus 1. 775 ILCS 5/2-102(A), amended by P.A. 102-233. *Work authorization status* means the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States.

775 ILCS 5/2-101(L), added by P.A. 102-233. Under the Ill. Human Rights Act, it is a civil rights violation for an employer to refuse to honor a legal work authorization; however, employers are not required to sponsor any applicant or employee to obtain or modify work authorization status, unless required by federal law. 775 ILCS 5/2-102(G), amended by P.A. 102-233; 775 ILCS 5/2-104(D), added by P.A. 102-233. **Issue 108, November 2021**

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 2 - Board of Education \

### *Document Status: Draft Update*

#### Board of Education

#### **2:105 Ethics and Gift Ban**

##### Prohibited Political Activity

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

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

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

##### Limitations on Receiving Gifts

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

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

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. "Catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities<sup>19</sup> (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not

been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.

10. Intra-governmental and inter-governmental gifts. "Intra-governmental gift" means any gift given to a Board member or employee from another Board member or employee, and "inter-governmental gift" means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

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

### Enforcement

The Board President and Superintendent shall seek guidance from the Board attorney concerning compliance with and enforcement of this policy and State ethics laws. The Board may, as necessary or prudent, appoint an Ethics Advisor for this task.

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

### Definitions

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

**"Political activity"** means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.

15. Participating in any recount or challenge to the outcome of any election.

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

“**Prohibited source**” means any person or entity who:

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

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

#### Complaints of Sexual Harassment Made Against Board Members by Elected Officials

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

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

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

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

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

LEGAL REF.:

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

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

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

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

ADOPTED: July 1, 2008

REVISED: March 5, 2020

REVIEWED: March 5, 2020

2:105

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## PRESSPlus Comments

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 2 - Board of Education \

### Document Status: Draft Update

#### Board of Education

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

The Board of Education officers are: President, Vice President and Secretary. These officers are elected or appointed by the Board at its organizational meeting. The offices of Vice President and Secretary may be combined at the Board's discretion. The Board may, at its discretion, extend terms of officers to two years.

##### President

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

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

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

A vacancy in the Presidency is filled by the Vice President.

##### Vice President and Secretary

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

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

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

The Secretary shall perform or delegate the following duties:

1. Keep Board meeting minutes;
2. Prepare Board meeting agendas and provide them, along with prior meeting minutes, to Board members before the next meeting;
3. Mail meeting notification and agenda to news media who have officially requested copies;
4. Keep records of the Board's official acts, and sign them, along with the President, before submitting them to the Treasurer at such times as the Treasurer may require;
5. Report to the Township Treasurer on or before July 7, annually, such information as the Township Treasurer is required to include in the Township Treasurer's report to the North Cook Intermediate Service Center;
6. Act as the local election official for the District;

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7. Arrange public inspection of the budget before adoption;
8. Publish required notices;
9. Sign official District documents requiring the Secretary's signature; and
10. Maintain Board policy and such other official documents as directed by the Board.

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

#### Recording Secretary

The Recording Secretary shall:

1. Assist the Secretary by taking the minutes for all open Board meetings;
2. Assemble Board meeting material and provide it, along with prior meeting minutes, to Board members before the next meeting; and
3. Perform the Secretary's duties, as assigned, except when State law prohibits the delegation.

In addition, the Recording Secretary or Superintendent receives notification from Board members who desire to attend a Board meeting by video or audio means.

#### Treasurer (NOT an officer of the Board of Education)

The Treasurer for the School District shall be appointed by the Township Trustees.

The Treasurer shall:

1. Furnish a bond, which shall be approved by a majority of the Township Trustees;
2. Maintain custody of school funds;
3. Maintain records of school funds and balances;
4. Prepare a monthly reconciliation report for the Superintendent and Board;
5. Receive, hold, and expend District funds only upon the order of the Board; and
6. Perform those duties in [Section 8-17 of The School Code](#).

LEGAL REF.:

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

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

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:105 (Ethics and Gift Ban), 2:150 (Committees), 2:210 (Organizational Board of Education Meeting), 2:220 (Board of Education Meeting Procedure), 8:10 (Connection with the Community)

ADOPTED: September 10, 2002

REVISED: March 5, 2020

REVIEWED: March 5, 2020

#### **PRESSPlus Comments**

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 2 - Board of Education \

### *Document Status: Draft Update*

#### Board of Education

#### **2:120 Board Member Development**

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

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

#### Mandatory Board Member Training

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

1. Each Board member elected or appointed to fill a vacancy of at least one year's duration must complete at least four hours of professional development leadership training in education and labor law, financial oversight and accountability, **and** fiduciary responsibilities, **and (beginning in the fall of 2023) trauma-informed practices for students and staff** within the first year of his or her first term. [PRESSPlus1](#)
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on the Open Meetings Act is only required once.
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date.

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

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

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

#### Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement using the services of an Illinois Association of School Boards Representative.

#### New Board Member Orientation

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

1. The Board President or Superintendent or their designees shall give each new Board member online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board of Education's roles and responsibilities.
2. The Board President may request a veteran Board member to mentor a new member.
3. New members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

#### Candidates

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

LEGAL REF.:

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[5 ILCS 120/1.05](#) and [120/2](#).

[105 ILCS 5/10-16a](#) and [5/24-16.5](#).

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:125 (Board Member Compensation; Expenses), 2:200 (Types of Board of Education Meetings)

ADOPTED: September 10, 2002

REVISED: January 10, 2019

REVIEWED: January 10, 2019

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### **PRESSPlus Comments**

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 2 - Board of Education \

### *Document Status: Draft Update*

#### Board of Education

#### **2:220 Board of Education Meeting Procedure**

##### Agenda

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

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

The Superintendent shall provide a final draft of the Administrative agenda as approved by the Board of Education President, with adequate data and background information, to each Board of Education member at least 6 (six) days before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with policy 2:200, *Types of Board of Education Meetings*. The public posting must occur 48 hours before each meeting.

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

##### Voting Method

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

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

##### Minutes

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

1. The meeting's date, time, and place;
2. Board of Education members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted "yea" and "nay";
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting;
7. A record of all motions, the members making the motion and the second; and
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

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

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~~At least semi-annually~~ Every six months, or as soon after as is practicable, in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) ~~decides~~ determines which, if any, no longer require confidential treatment and are available for public inspection. This is also referred to as a semi-annual review. <sup>PRESSPlus1</sup> The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release, but it reports its determination in open session.

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

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

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

#### Verbatim Record of Closed Meetings

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

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

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

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

#### Quorum and Participation by Audio or Video Means

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

Provided a quorum is physically present, a Board member may attend a meeting by video or audio conference if he or she is prevented from physically attending because of: (1) personal illness or disability, (2) employment or District business, or (3) a family or other emergency. If a member wishes to attend a meeting by video or audio means, he or she must notify the recording secretary or Superintendent at least 24 hours before the meeting unless advance notice is impractical. The recording secretary or Superintendent will inform the Board President and make appropriate arrangements. A Board member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Board meeting including voting on any item.

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

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

The individual who makes this determination for the Board shall put it in writing, include it on the Board's published notice and

agenda for the audio or video meeting and in the meeting minutes, and ensure that the Board meets every OMA requirement for the Board to meet by video or audio conference without the physical presence of a quorum.

#### Rules of Order

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

#### Broadcasting and Recording Board Meetings

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

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

#### LEGAL REF.:

[5 ILCS 120/2a](#), [120/2.02](#), [120/2.05](#), [120/2.06](#), and [120/7](#).

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

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

ADOPTED: September 10, 2002

REVISED: September 3, 2020

REVIEWED: September 3, 2020

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#### **PRESSPlus Comments**

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 2 - Board of Education \

### Document Status: Draft Update

#### Board of Education

#### **2:260 Uniform Grievance Procedure**

Students, parents/guardians, employees, or community members should notify any District Complaint Manager if they believe that the Board of Education, its employees, or its agents have violated their rights guaranteed by the [State](#) or [federal Constitution](#), State or federal statute, or Board policy, or have a complaint regarding any one of the following:

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

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

#### Right to Pursue Other Remedies Not Impaired

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

#### Deadlines

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

#### Filing a Complaint

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

parent(s)/guardian(s) of a student. The Complaint Manager shall assist the Complainant as needed.

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

#### Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student, under 18 years of age, the Complaint Manager will notify his or her parents/guardians that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, or this policy, or any collective bargaining agreement. (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

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

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time.

The Superintendent will keep the Board informed of all complaints.

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

#### Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall mail his or her written decision to the Complainant and the accused by first class U.S. mail registered mail, return receipt requested, and/or personal delivery PRESSPlus1 as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.

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

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

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail its written decision to the Complainant and the accused by first class U.S. mail registered mail, return receipt requested, and/or personal delivery as well as to the Complaint Manager. This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

#### Appointing a Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent shall appoint at least one Complaint Manager to administer this policy. If possible, the Superintendent will appoint two Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

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

#### **Nondiscrimination Coordinator:**

David Russo, Assistant Superintendent Curriculum  
and Instruction

District Office  
6950 N. East Prairie Rd., Lincolnwood, IL 60712  
[drusso@sd74.org](mailto:drusso@sd74.org)  
847-675-8234

## Complaint Managers

David Russo, Assistant Superintendent Curriculum  
and Instruction

District Office  
6950 N. East Prairie Rd., Lincolnwood, IL 60712  
[drusso@sd74.org](mailto:drusso@sd74.org)  
847-675-8234

Erin Curry, Principal

Rutledge Hall  
6850 North East Prairie Road  
[ecurry@sd74.org](mailto:ecurry@sd74.org)  
847-675-8236

## LEGAL REF.:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~Equal Pay Act, 29 U.S.C. §206(d).~~

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

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

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

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

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

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

740 ILCS 175/, Ill. False Claims Act.

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

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

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

~~Employee Credit Privacy Act, 820 ILCS 70/~~ Employee Credit Privacy Act, 70/10(b), and 70/25:

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

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

ADOPTED: October 3, 2006

REVISED: September 3, 2020

REVIEWED: September 3, 2020

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### **PRESSPlus Comments**

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 4 - Operational Services \

### Document Status: Draft Update

#### Operational Services

#### 4:160 Environmental Quality of Buildings and Grounds

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

The Superintendent shall notify all employees who must be offered, according to State or federal law, District-paid hepatitis B vaccine and vaccination.

##### Pesticides

Restricted use pesticides will not be applied on or within 500 feet of school property during normal school hours. [PRESSPlus1](#)

Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, [225 ILCS 235/](#), and the Lawn Care Products Application and Notice Act, [415 ILCS 65/](#).

##### Coal Tar Sealant [PRESSPlus2](#)

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

LEGAL REF.:

105 ILCS 5/10-20.17a; 5/10-20.48.

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

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

20 ILCS 3130/, Green Buildings Act.

~~105 ILCS 5/10-20.17a; 5/10-20.48.~~

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

105 ILCS 140/, Green Cleaning School Act.

225 ILCS 235/, Structural Pest Control Act.

415 ILCS 60/14, Illinois Pesticide Act.

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

410 ILCS 170/, Coal Tar Sealant Disclosure Act.

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

23 Ill.Admin.Code §1.330.

CROSS REF.: 4:150 (Facility Management and Expansion Programs), 4:170 (Safety)

ADOPTED: September 10, 2002

REVISED: April 4, 2019

REVIEWED: May 3, 2018

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**PRESSPlus Comments**

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

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 4 - Operational Services \

### Document Status: Draft Update

#### Operational Services

#### 4:170 Safety

##### Safety and Security

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

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

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

The District may deny any request for public disclosure, inspection, or copying of the District's safety and security plan, where disclosure could reasonably be expected to jeopardize the effectiveness of the measures, the safety of the personnel who implement them, or the public.

##### School Safety Drill Plan

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

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement lockdown drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators, or school support personnel, or a parent/guardian. [PRESSPlus1](#)

##### Emergency Action Plan for Managing Sudden Cardiac Arrest During School Athletics

The Superintendent or designee shall develop and implement a written emergency action plan for managing sudden cardiac arrest during school athletics. The Emergency Action Plan shall:

1. Be developed through discussions with local emergency medical services (EMS) personnel, school safety officials, on-site first responders, and school administrators.
2. Be specific to the sporting venue and include emergency communication, personnel, equipment and transportation to appropriate emergency facilities.
3. Require the Emergency Action Plan and Equipment be reviewed and practiced annually.
4. Require that targeted first responders be trained and certified in cardinal pulmonary resuscitation (CPR) and defibrillation.
5. Require that any time any person on school property faints or otherwise loses consciousness, the appropriate school personnel will immediately contact EMS.
6. Require supplies for lockdown and evacuation procedures.

##### Carbon Monoxide Alarms

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

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

#### Soccer Goal Safety

The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the Illinois Department of Public Health. Implementation of the Act shall be directed toward improving the safety of movable soccer goals by requiring that they be properly anchored.

#### Unsafe School Choice Option

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

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

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

#### Lead Testing in Water

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

#### Emergency Closing

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

#### AED Plan and Procedures

Pursuant to the Physical Fitness Facility Medical Emergency Procedures Act, [210 ILCS 74](#), a comprehensive AED Plan has been developed. Operational procedures are in place for training, responding, and maintenance of the AED devices. AED devices are located in each school building. Staff is notified of the location and procedures for use at the beginning of each school year.

#### Annual Review

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

#### Automated External Defibrillator (AED)

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

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

#### LEGAL REF.:

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

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

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

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

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

ADOPTED: September 10, 2002

REVISED: January 10, 2019

REVIEWED: January 10, 2019

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### **PRESSPlus Comments**

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 4 - Operational Services \

### Document Status: Draft Update

#### Operational Services

#### **4:175 Convicted Child Sex Offender; Screening; Notifications**

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

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

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

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

##### Screening

The Superintendent or designee shall perform fingerprint-based criminal history records information checks and/or screenings required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. The Board President shall ensure that these checks are completed for the Superintendent. [PRESSPlus1](#) He or she shall take appropriate action based on the result of any criminal background check and/or screen. [PRESSPlus2](#)

##### Notification to Parents/Guardians

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

##### LEGAL REF.:

20 U.S.C. §7926, Elementary and Secondary Education Act.

20 ILCS 2635/, Uniform Conviction Information Act.

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

730 ILCS 152/, Sex Offender Community Notification Law.

730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community Notification Law.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: November 6, 2014

REVISED: February 2, 2017

REVIEWED: September 2, 2021

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## **PRESSPlus Comments**

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

### Document Status: Draft Update

#### General Personnel

#### 5:100 Staff Development Program

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

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

1. Staff development for local school site personnel who work with students in grades kindergarten through 8, in the detection, reporting, and prevention of child abuse and neglect.
2. Within three months of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every three years.
3. By January 31, 2023, and every year after, all school personnel must complete evidence-informed training on preventing, reporting, and responding to child sexual abuse, grooming behaviors, and boundary violations.

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

The staff development program shall provide every year, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

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

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

- engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
8. Continuing education and/or training opportunities (*professional standards*) for school nutrition program directors, managers, and staff.
  9. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses, licensed and/or non-licensed healthcare professionals serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team.
  10. Every two years, school personnel who work with students must complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.
  11. Training for school personnel to develop cultural competency, including understanding and reducing implicit racial bias.
  12. For school personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials.
  13. For nurses, administrators, [school guidance](#) [PRESSPlus2](#) counselors, teachers, persons employed by a local health department and assigned to a school, and persons who contract with the District to perform services in connection with a student's seizure action plan, training in the basics of seizure recognition, first aid, and appropriate emergency protocols.
  14. For all District staff, annual sexual harassment prevention training.
  15. Title IX requirements for training as follows (see policy 2:265, *Title IX Sexual Harassment Grievance Procedure*):
    - a. For all District staff, training on the definition of sexual harassment, the scope of the District's education program or activity, all relevant District policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX Coordinator.
    - b. For school personnel designated as Title IX coordinators, investigators, decision-makers, or informal resolution facilitators, training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
    - c. For school personnel designated as Title IX investigators, training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
    - d. For school personnel designated as Title IX decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.

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

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

LEGAL REF.:

[20 U.S.C. §1681](#) *et seq.*, Title IX of the Educational Amendments of 1972; [34 C.F.R. Part 106](#).

[42 U.S.C. §1758b](#), [Pub. L. 111-296](#), Healthy, Hunger-Free Kids Act of 2010; [7 C.F.R. Parts 210](#) and [235](#).

[105 ILCS 5/2-3.62](#), [5/10-20.17a](#), [5/10-20.61](#), [5/10-22.6\(c-5\)](#), [5/10-22.39](#), [5/10-23.12](#), [5/10-23.13](#), [5/22-80\(h\)](#), and [5/24-5](#).

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

[105 ILCS 150/25](#), Seizure Smart School Act.

[105 ILCS 110/3](#), Critical Health Problems and Comprehensive Health Education Act.

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

[745 ILCS 49/](#), Good Samaritan Act.

[775 ILCS 5/2-109](#), III. Human Rights Act.

[23 Ill.Admin.Code §§ 22.20](#), [226.800](#), and [Part 525](#).

[77 Ill.Admin.Code §527.800](#).

CROSS REF.: 2:265 (Title IX Sexual Harassment Grievance Procedure), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), [4:165 \(Awareness and Prevention of](#)

Child Sexual Abuse and Grooming Behaviors, 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

ADOPTED: January 12, 2016

REVISED: October 1, 2020

REVIEWED: October 7, 2021

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## **PRESSPlus Comments**

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

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

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

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

### Document Status: Draft Update

#### General Personnel

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

##### Professional and Appropriate Conduct

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), engages in grooming as defined in 720 ILCS 5/11-25, engages in grooming behaviors, violates boundaries for appropriate school employee-student conduct, [PRESSPlus1](#) or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

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

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

##### Statement of Economic Interests

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

- Superintendent,
- Building Principal,
- Head of any department,
- Any employee who, as the District's agent, is responsible for negotiating one or more contracts, including collective

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- bargaining agreement(s), in the amount of \$1,000 or greater;
5. Hearing officer,
  6. Any employee having supervisory authority for 20 or more employees, and
  7. Any employee in a position that requires an administrative or a chief school business official endorsement.

#### Ethics and Gift Ban

Board policy 2:105, *Ethics and Gift Ban*, applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

#### Prohibited Interests; Conflict of Interest; and Limitation of Authority

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

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

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

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

#### Outside Employment

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

Incorporated

by reference: 5:120-E (~~Exhibit~~ Code of Ethics for Ill.~~inois~~ Educators)

LEGAL REF.:

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

[2 C.F.R. §200.318\(c\)\(1\).](#)

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

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

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

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

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

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

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

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

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

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

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

ADOPTED: September 10, 2002

REVISED: February 6, 2020

REVIEWED: February 6, 2020

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## **PRESSPlus Comments**

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

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

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

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

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

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

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

### Document Status: Draft Update

#### General Personnel

#### 5:125 Personal Technology and Social Media; Usage and Conduct

##### Definitions

**Includes** - Means “includes without limitation” or “includes, but is not limited to.”

**Social media** - Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. This includes, but is not limited to, services such as *Facebook, LinkedIn, Twitter, Instagram, Snapchat, and YouTube.*

**Personal technology** - Any device that is not owned or leased by the District or otherwise authorized for District use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes laptop computers (e.g., laptops, ultrabooks, and chromebooks), tablets (e.g., iPads®, Kindle®, Microsoft Surface®, and other Android® platform or Windows® devices), smartphones (e.g., iPhone®, BlackBerry®, Android® platform phones, and Windows Phone®), and other devices (e.g., iPod®).

##### Usage and Conduct

All District employees who use personal technology and/or social media shall: [PRESSPlus1](#)

1. Adhere to the high standards for **Professional and Appropriate Conduct** ~~appropriate school relationships~~ required by policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Conduct; and Conflict of Interest*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, [23 Ill.Admin.Code §22.20](#).
2. Choose a District-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of personal technology or social media.
5. Report instances of suspected abuse or neglect discovered through the use of social media or personal technology pursuant to a school employee's obligations under policy 5:90, *Abused and Neglected Child Reporting Child Reporting.*
6. Not disclose student record information, including student work, photographs of students, names of students, or any other personally identifiable information about students, in compliance ~~Comply~~ with policy 5:130, *Responsibilities Concerning Internal Information*. ~~This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or District employees without proper approval.~~ For District employees, proper approval may include implied consent under the circumstances.
7. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures.
8. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.
9. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the District employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
10. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy.

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The Superintendent shall:  
5:125

1. Inform District employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*.
2. Direct Building Principals to annually:
  - a. Provide their building staff with a copy of this policy.
  - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
  - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that ~~no one for~~ neither the District, ~~nor anyone~~ on its behalf, ~~commits~~ requests of an act prohibited by the Right to Privacy in the Workplace Act, 820 ILCS 55/10; i.e., the *Facebook Password Law* ~~employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.~~
5. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

LEGAL REF.:

[105 ILCS 5/21B-75](#) and [5/21B-80](#).

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

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

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

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

[Pickering v. High School Dist. 205](#), 391 U.S. 563 (1968).

[Mayer v. Monroe County Community School Corp.](#), 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

ADOPTED: May 1, 2014

REVISED: January 12, 2017

REVIEWED: September 2, 2021

**PRESSPlus Comments**

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

# PRESS PLUS ISSUE #108 NOVEMBER 2021

## POLICY COMMITTEE MEETING DECEMBER 17, 2021

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

### Document Status: Draft Update

#### General Personnel

#### 5:150 Personnel Records

##### Prospective Employer Inquiries Concerning a Current or Former Employee's Job Performance [PRESSPlus1](#)

**Please refer to the current "Agreement between the Board of Education, School District #74, Lincolnwood, Illinois, and the Lincolnwood Teacher's Association, Local 1274 IFT/AFT, AFL-CIO and the Lincolnwood Support Staff Union, Local 1274 IFT/AFT, AFL-CIO for additional information, if applicable."**

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance. The Superintendent shall: [PRESSPlus2](#)

1. Execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to Ill. Dept. of Children and Family Services (DCFS); and
2. Comply with the federal law prohibiting the District from providing a recommendation of employment for an employee, contractor, or agent that District knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law, [PRESSPlus3](#) but the Superintendent or designee may follow routine procedures regarding the transmission of administrative or personnel files for that employee.

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

##### Maintenance and Access to Records [PRESSPlus4](#)

**Please refer to the current "Agreement between the Board of Education, School District #74, Lincolnwood, Illinois, and the Lincolnwood Teacher's Association, Local 1274 IFT/AFT, AFL-CIO and the Lincolnwood Support Staff Union, Local 1274 IFT/AFT, AFL-CIO for additional information, if applicable."**

For employees not covered by this agreement:

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

Access to personnel records is available as follows:

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

LEGAL REF.:

[20 U.S.C. §7926.](#)

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

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

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

[23 Ill.Admin.Code §1.660.](#)

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

ADOPTED: October 3, 2006

REVISED: September 2, 2021

REVIEWED: September 2, 2021

**Comments:** Brian Bare asked us to add the lines in the first section, for additional information, if applicable. 9/2/21

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### **PRESSPlus Comments**

PRESSPlus 1. Updated in response to 105 ILCS 5/10-23.13 (*Erin's Law*), amended by P.A. 102-610. For more information, see the Ethics, Training, and Educator Misconduct bundle in the **PRESS** Issue 108 Update Memo, available at **PRESS** Online by logging in at [www.iasb.com](http://www.iasb.com). **Issue 108, November 2021**

PRESSPlus 2. Required by the Elementary and Secondary Education Act (ESEA) (20 U.S.C. §7926). On 6-27-2018, the U.S. Dept. of Education issued a *Dear Colleague Letter* stating that school policies must explicitly state this requirement. See the resources portion for the letter at: [www2.ed.gov/policy/elsec/leg/essa/index.html](http://www2.ed.gov/policy/elsec/leg/essa/index.html).

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

PRESSPlus 3. Consult the board attorney in these situations for help about what the superintendent may or may not say. Questions exist whether the superintendent says nothing, provides a neutral reference, or whether a *recommendation* could mean positive or negative statements. **Issue 108, November 2021**

PRESSPlus 4. Subheadings are added for clarity. **Issue 108, November 2021**

## Document Status: Draft Update

### General Personnel

#### 5:185 Family and Medical Leave

Please refer to the current “Agreement between the Board of Education, School District #74, Lincolnwood, Illinois, and the Lincolnwood Teacher’s Association, Local 1274 IFT/AFT, AFL-CIO and the Lincolnwood Support Staff Union, Local 1274 IFT/AFT, AFL-CIO for additional information, if applicable.”

**For employees not covered by this agreement:**

#### Leave Description

Eligible employees may use unpaid family and medical leave, guaranteed by the federal Family and Medical Leave Act. The U.S. Department of Labor’s rules (federal rules) implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee shall be granted FMLA leave for up to twelve (12) weeks per rolling 12-month period.

During a single 12-month period, an eligible employee’s FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered servicemember (defined in the federal rules) with a serious injury or illness. The “single 12-month period” is measured forward from the date the employee’s first FMLA leave to care for the covered servicemember begins.

Other available paid vacation, personal, or family leave will be substituted for family and medical leave necessitated by birth, adoption/foster care placement, or a family member’s serious health condition. Other available paid vacation, personal, or sick leave will be substituted for family and medical leave necessitated by a family member’s or employee’s own serious health condition. Any substitution required by this policy will count against the employee’s family and medical leave entitlement. The District will pay family leave or sick leave only under circumstances permitted by the applicable leave plan. Use of family and medical leave shall not preclude the use of other applicable unpaid leave that will extend the employee’s leave beyond 12 weeks, provided that the use of family and medical leave shall not serve to extend such other unpaid leave.

Family and medical leave is available in one or more of the following instances:

1. the birth and first-year care of a son or daughter;
2. the adoption or foster placement of a child;
3. the serious health condition of an employee’s spouse, parent, or child; and
4. the employee’s own serious health condition.

Employees may take an intermittent or reduced-hour family and medical leave when the reason for the leave is 3 or 4, above, with certain limitations provided by law.

Within 15 calendar days after the Superintendent makes a request, an employee must support a request for a family and medical leave when the reason for the leave is 3 or 4, above, with a certificate completed by the employee’s or family member’s health care provider. Failure to provide the certification may result in a denial of the leave request.

If both spouses are employed by the District, they may together take only 12-weeks for family and medical leaves when the reason for the leave is 1 or 2, above, or to care for a sick parent.

#### Eligibility

To be eligible for family and medical leave, an employee must either:

1. Have been employed by the District for at least 12 months (the 12 months need not be consecutive) and have been employed for at least 1,000 ~~250~~ <sup>PRESSPlus1</sup> hours of service during the 12-month period immediately before the beginning of the leave, or
2. Be a full-time classroom teacher.

#### Notice

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If possible, employees must provide at least 30 days’ notice to the District of the date when a leave is to begin. If 30 days’

notice is not practicable, the notice must be given within 2 business days of when the need becomes known to the employee. Employees shall provide at least verbal notice sufficient to make the District aware that he or she needs a family and medical leave, and the anticipated timing and duration of the leave. Failure to give the required notice may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

#### Continuation of Health Benefits

During a family and medical leave, employees are entitled to continuation of health benefits that would have been provided if they were working.

#### Return to Work

An employee returning from a family and medical leave will be given an equivalent position to his or her position before the leave, subject to the District's reassignment policies and practices.

Classroom teachers may be required to wait to return to work until the next semester in certain situations as provided by law.

#### Implementing Procedures

The Superintendent shall develop procedures to implement this policy consistent with the federal Family and Medical Leave Act.

#### LEGAL REF.:

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

#### 105 ILCS 5/24-6.4.

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

ADOPTED: February 5, 2015

REVISED: September 2, 2021

REVIEWED: September 2, 2021

**Comments:** Brian Bare asked us to put in for additional information, if applicable on all such policies 9/2/21

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#### **PRESSPlus Comments**

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