

Moline, Illinois

Notice of Meeting

Members of the Board of Education

Ladies and Gentlemen:

You are hereby notified that there will be a Regular Meeting of the Board of Education, School District No. 40, at 6:00 PM, on Monday, October 12, 2020, at the Coolidge Professional Development Room, 3430 Avenue of the Cities, Moline, Illinois 61265.

Kristin Sanders
Secretary, Board of Education

AGENDA AND RECOMMENDATIONS

Board of Education
Moline, Illinois
Monday, October 12, 2020

The public is invited to join the October 12, 2020 Board of Education meeting virtually via Zoom.

To join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join:

<https://us02web.zoom.us/j/86381527748?pwd=RzVGQIZUNE95S1NrRktaRk5WTXMrdz09>

Passcode: 522249

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 301 715 8592 or

Webinar ID: 863 8152 7748

All public comments need to be emailed to the Board Secretary, Kristin Sanders, at ksanders@molineschools.org no later than 4:30 on Monday, October 12, 2020, with "Public Comment" in the subject line. You also have the option of making a comment in person. Should attendees at the Coolidge Professional Development Room exceed the Illinois Department of Public Health safety guidelines, the Board asks that the public comment be emailed to the Board Secretary. Face masks will be required for all attendees. Doors will open at 5:45 for the public.

1. Opening of Meeting - Roll Call

2. Recitation of Pledge of Allegiance

3. Approval of Minutes

A. Minutes of the Open Session of the Regular Board of Education Meeting of September 28, 2020

4. Communications, Public Comment and Participation

5. Consent Agenda

Recommended Motion: that the Board of Education accept the actions contained in the Consent Agenda as presented.

5. **Consent Agenda**

Recommended Motion: that the Board of Education approve the actions contained in Consent Agenda Items A –H:

A. **Employment – Certified Staff**

the temporary employment of the following named certified substitute teachers for the 2020-2021 school year with wages in accordance with district schedules:

Golczewski, Artur
 Gupta, Ritu
 Sorgenfray, Susan

B. **Employment – Educational Support Personnel**

- 1) the employment of the following named educational support personnel effective for the 2020-2021 school year with wages in accordance with district schedules:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Evans, Sydney	Breakfast Aide	Jane Addams	09/29/20
Mielke, Amber	Health Professional (RN)	Jefferson	10/28/20

- 2) the temporary employment of the following named substitute educational support personnel for the 2020-2021 school year with wages in accordance with district schedules:

<u>Name</u>	<u>Position</u>
Casel, Todd	Classroom Paraprofessional
Lezama, Guadalupe	Breakfast/Lunchroom Aide

C. **Resignation/Termination – Educational Support Personnel**

the resignation/termination from employment of the following named educational support personnel:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Peterson, Mavis	Lunchroom Aide	Jane Addams	09/24/20
Rasche, Jenna	Lunchroom Aide	Jane Addams	10/02/20
Schafer, Deborah	Lunchroom Aide	Hamilton	09/18/20

D. **Resignation for the Purpose of Retirement – Educational Support Personnel**

the resignation from employment for the purpose of retirement of the following named educational support personnel:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Huber, Phyllis	Custodian	Moline High School	06/01/21

Johnson, Randi	Computer Lab Manager	Willard	03/31/21
Mortenson, Pam	Custodian	Moline High School	06/01/21
Radovich, Mitchell	Custodian	Moline High School	05/31/21

E. Payments for Board Approval

approval of payments:

Fund 1 Educational	2,071,107.52
Fund 2 Operations & Maintenance	68,426.83
Fund 3 Debt Service	0.00
Fund 4 Transportation	20,725.95
Fund 5 Retirement	236,308.16
Fund 6 Capital Projects	117,646.86
Fund 7 Working Cash	0.00
Fund 8 Tort Fund	93,984.80
Fund 9 Life Safety Code	0.00
Fund 10 Group Insurance	638,317.50
Fund 11 Student Activity	<u>7,861.55</u>
TOTAL	3,254,379.17

See Attachment No. 1.

F. Freedom of Information Act Requests

A Freedom of Information Act request was received from Alliance for Catholic Accreditation requesting data from the past five school years in reference to special education. The district has responded to this request.

G. Acceptance of Gift

- 1) A donation in the amount of \$10,000 from The Meemic Foundation for the Future of Education to be used at Hamilton Elementary.
- 2) A donation in the amount of \$2,000 from the Ford Driving Dreams Scholarship Program, sponsored by Ford Motor Company Fund and administered by the LULAC National Educational Service Centers (LNESEC). The funds will be used at Lincoln-Irving Elementary to purchase additional hotspots and sanitizing kits for students.

H. Approval to Purchase

that the Board of Education approve the purchase of various PC laptops and desktops from CDWG, Chicago, Illinois, as part of the six-year hardware cycle for a total cost of \$64,873.92.
See Attachment No. 2.


6. Approval of 2019-2020 Annual Financial Report

Recommended Motion: that the Board of Education receive the annual financial report for the 2019-2020 fiscal year.

7. Second Reading of Revised Board of Education Policy 2:260

Recommended Motion: that the Board of Education accept for second reading the revised Board of Education Policy 2:260, *Uniform Grievance Procedure*, as presented. **See Attachment No. 3.**

TO: Members of the Board of Education

FROM: Kristin Sanders, Assistant Superintendent for Pupil/Personnel and Director of Special Services 

DATE: October 8, 2020

SUBJECT: Approve Updated Board Policy 2:260

Reason for Board Consideration: Board of Education approval is required.

Action Necessary: Board of Education approval is requested to accept Board Policy updates.

Facts: Attached are the suggested changes based on PRESS recommendations.

Attached are the suggested changes based on PRESS recommendations for:

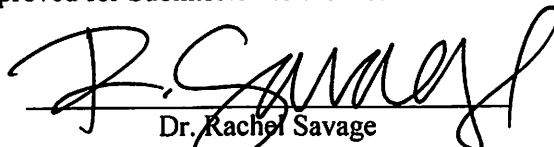
- Policy 2:260, *Uniform Grievance Procedure* – The Policy, Legal References, and Cross References are updated in response to Title IX regulations and to the explicitly direct any sexual harassment complaints involving Title IX to **NEW** policy 2:265, *Title IX Sexual Harassment Grievance Procedure*. Other continuous improvement updates are also made to the policy.

Recall, the underlined text represents suggested new additions; whereas, the ~~strikethrough~~ text represents suggested deletions.

Cost: None.

Recommended Action: That the Board of Education accept for first reading the revised Board of Education Policy 2:260, *Uniform Grievance Procedure*, as presented.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

School Board

Uniform Grievance Procedure

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

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints governed by policy 2:265, Title IX Sexual Harassment Grievance Procedure.
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
4. 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. §20000e et seq. and Title IX of the Education Amendments of 1972)~~ (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 (GIPA), 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 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 gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyber-bullying 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 2:260, ~~*Uniform Grievance Procedure*~~.

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 parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (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 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 of 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 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, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days of 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), with 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 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 the complaint process in 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:

Assistant Superintendent for Administration
and Human Resources

1619 Eleventh Avenue, Moline, IL

309-743-1600

Complaint Managers:

Assistant Superintendent for Administration
and Human Resources

Assistant Superintendent for Pupil/Personnel
and Special Services

1619 Eleventh Avenue, Moline, IL

1619 Eleventh Avenue, Moline, IL

309-743-1600

309-743-1600

LEGAL REF.:

- Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
- Americans With Disabilities Act, 42 U.S.C. §12101 et seq.
- 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).
- Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
- Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
- McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
 Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
 Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.
 State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a).
 105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-20.60, 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.
 Illinois Genetic Information Privacy Act, 410 ILCS 513/.
 Illinois Whistleblower Act, 740 ILCS 174/.
 Illinois Human Rights Act, 775 ILCS 5/.
 Victims' Economic Security and Safety Act, 820 ILCS 180, 56 Ill.Admin.Code Part 280.
 Equal Pay Act of 2003, 820 ILCS 112/.
 Employee Credit Privacy Act, 820 ILCS 70/.
 23 Ill.Admin.Code §§1.240 and 200-40.

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)
 6:140 (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)
 7:315 (Restrictions on Publications; High School)
 8:70 (Accommodating Individuals with Disabilities)
 8:95 (Parental Involvement)
 8:110 (Public Suggestions and Concerns)

ADOPTED: November 9, 1999

PRESS REVISED: December 2007, April 2008, January 2012, August 2015, July 2017, October 2017, January/February 2018, October/November 2018, October 2019, August 2020

BOE REVIEWED: September 2015, December 2017, November 2019, October 2020

8. Second Reading of New Board of Education Policy 2:265

Recommended Motion: that the Board of Education accept for second reading the new Board of Education Policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, as presented. **See Attachment No. 4.**

9. Second Reading of Revised Board of Education Policies 7:10, 7:180, 7:185, 7:190, and 7:340

Recommended Motion: that the Board of Education accept for second reading the revised Board of Education Policies 7:10 *Equal Educational Opportunities*, 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, 7:185, *Teen Dating Violence Prohibited*, 7:190, *Student Behavior*, and 7:340, *Student Records*, as presented. **See Attachment No. 5.**

10. Second Reading of Revised Board of Education Policy 7:20

Recommended Motion: that the Board of Education accept for second reading the revised Board of Education Policy 7:20, *Harassment of Students Prohibited*, as presented. **See Attachment No. 6.**

11. Second Reading of New Board of Education Policy 7:345

Recommended Motion: that the Board of Education accept for second reading the new Board of Education policy 7:345, *Use of Educational Technologies; Student Data Privacy and Security*, as presented. **See Attachment No. 7.**

12. Reports, Requests and Open Discussion

- A. Superintendent's Report
 - 1) Return to Learn Plan
 - 2) Required Physicals & Immunizations Update
- B. Board of Education Discussion

13. Adjournment

NOTICE OF NONDISCRIMINATION PRACTICES

The Moline-Coal Valley School District No. 40 does not discriminate against employees, students or the general public in its programs or practices, including vocational education opportunities, on the basis of race, color, religion, gender, disability, age, marital status, citizenship status, military status, unfavorable discharge from the military service, national origin or ancestry in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, any individual who is in need of assistance or reasonable accommodations to be able to participate in a school district-related activity, including the employment application or interview process, should contact the Superintendent of Schools at the District administrative offices. Any individual who wishes to file a complaint of unlawful discrimination should contact the Superintendent of Schools or the Secretary of the Board of Education at the District administrative offices, 1619 Eleventh Avenue, Moline, IL 61265.