

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, immediately following the Committee of the Whole Meeting, on Monday, December 9, 2024, at the Bartlett Performing Arts Center (Black Box), 3600 Avenue of the Cities, Moline, Illinois 61265.

Dr. Matthew DeBaene
Secretary, Board of Education

AGENDA AND RECOMMENDATIONS

Board of Education
Moline, Illinois
Monday, December 9, 2024

Join from a device:

Please click this URL to
join. <https://us02web.zoom.us/j/82139199349?pwd=BVToh4XQW7uJjsUeFWAJu3XUXCZj0E.1>
Passcode: 956431
Description: School Board meeting to be held on December 9, 2024.

Webinar ID: 821 3919 934

1. Opening of Meeting - Roll Call

A. Approval of any Board of Education Member Participating Remotely

2. Recitation of Pledge of Allegiance

3. Approval of Minutes

A. Minutes of the Regular Meeting of the Board of Education of November 12,
2024

Moline, Illinois, November 12, 2024
Minutes
Board of Education
School District No. 40

The meeting of the Board of Education was called to order by Board President Andrew Waeyaert at 7:03 p.m. at Jefferson Early Childhood Center, 3010 26th Avenue, Moline, IL 61265.

Roll Call

Members Present: Audrey Adamson, Chet DeSmet, Jason Farrell, Lindsey Hines, Andrew Waeyaert

Member Absent: Ramona Dixon, Erin Waldron-Smith

Student Member Present: Abigail Greenlee, Akhil Kumar

Student Member Absent: None

The Board of Education Members led those in attendance in reciting the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes of the Open Session of the Regular Board of Education Meeting of October 28, 2024 were presented for approval as presented.

A motion was made by Jason Farrell, seconded by Audrey Adamson, all in favor, that the minutes of the Open Session of the Regular Board of Education meeting of October 28, 2024 be approved as presented and placed on file.

COMMUNICATION, PUBLIC COMMENT AND PARTICIPATION

There was no public comment or communication.

CONSENT AGENDA

The Board of Education considered Consent Agenda Items **A** through **S** as presented:

A motion was made by Audrey Adamson, seconded by Chet DeSmet, that the Board of Education approve the actions contained in Consent Agenda Items **A** through **S** as presented.

A. Employment – Certified Staff

- 1) the temporary employment of the following named certified substitute teachers for the 2024-2025 school year with wages in accordance with District schedules:

Hernandez, Sergio
Hill, Noah

- 2) the temporary employment of the following named certified administrator as co-principal for Lincoln-Irving, beginning January of 2025 for the remainder of the 2024-2025 school year, at the rate of \$300 per day for up to four days per week:

<u>Name</u>	<u>Location</u>
Williams, Todd	Lincoln-Irving

B. Salary Reclassification – Certified Staff

a change in salary classification for the following certified staff effective second semester of the 2024-2025 school year:

Noble, Stephanie from M.A. to M.A. +30

C. Approval of Family Medical Leave Act – Certified Staff

that the Board of Education grant approval of a family medical leave for the following certified staff members:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Rasche, Lindsey	Social Worker	Jefferson/Logan	Beginning tentatively 03/10/25 and lasting through the end of the 2024-2025 school year
Scholl, Cathryn	Special Education ED	Washington	Beginning tentatively 02/25/25 and not to exceed 60 days

D. Employment – Educational Support Personnel

- 1) the employment of the following named educational support personnel for the 2024-2025 school year with wages in accordance with District schedules:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Carpenter, Antonio	Elementary Building Supervisor	Butterworth/Logan	11/01/24
Cervantes, Anna	Special Ed Paraprofessional	Roosevelt	11/04/24
Davis, Jackson	Peer Mentor/Student Worker	John Deere	11/13/24
Engle, Maddux	Peer Mentor/Student Worker	John Deere	11/13/24
Hannah, Taylor	Custodian	Wilson	11/13/24
Henderson, Garrett	Peer Mentor/Student Worker	John Deere	11/13/24
Hoyt, Grant	Peer Mentor/Student Worker	John Deere	11/13/24
Mueller, Madison	Peer Mentor/Student Worker	John Deere	11/13/24
Peters, Hayden	Peer Mentor/Student Worker	John Deere	11/13/24
Raya-Paredes, Sofia	Peer Mentor/Student Worker	John Deere	11/13/24
Stroup, Jordan	Peer Mentor/Student Worker	John Deere	11/13/24
York, Samantha	Peer Mentor/Student Worker	John Deere	11/13/24

Woods, Cohen Peer Mentor/Student Worker John Deere 11/13/24

- 2) the temporary employment of the following named interpreter for the 2024-2025 school year with wages in accordance with District schedules:

<u>Name</u>	<u>Language</u>	<u>Effective Date</u>
Nzungu, James	French, Kinyamulenge, Kinyarwanda, Kirundi, Swahili	11/13/24
Taha, Shahad	Arabic	11/13/24
Traore, Fatoumata	Soninke	11/13/24

E. Approval of Family Medical Leave Act - Educational Support Personnel

that the Board of Education grant approval of a family medical leave for the following certified staff members:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Conklin, Janice	Administrative Assistant	MEC	Beginning 11/04/24 and lasting approximately six weeks
Kelley, Nathan	Custodian	John Deere	Beginning 11/18/24 and ending approximately 01/06/25
Ojeda, Ismael	Custodian	Willard	Beginning 11/06/24 and ending approximately 11/22/24

F. Resignation of Differential Assignment - Non-Certified Staff

the resignation from differential assignment of the following named non-certified staff member:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Whiteman, Charles	Head Grade 9 Boys Soccer/ Head Grade 10 Girls Soccer	High School	06/07/25

G. Payments for Board Approval

approval of payments:

Fund 1 Educational	1,520,494.03
Fund 2 Operations & Maintenance	50,448.30
Fund 3 Debt Service	0.00
Fund 4 Transportation	3,950.36
Fund 5 Retirement	238,255.65
Fund 6 Capital Projects	25,726.00
Fund 7 Working Cash	0.00
Fund 8 Tort Fund	10,703.19
Fund 9 Life Safety Code	95,607.00
Fund 10 Group Insurance	1,116,124.30
Fund 11 Student Activity	<u>13,067.03</u>

TOTAL 3,074,375.86
See Attachment No. 1.

H. Freedom of Information Act Requests

No FOIA requests at this time.

I. Facility Usage Request Recommended for Approval Subject to Compliance with Board of Education Policy 8:20

Bartlett Performing Arts Center by Turning Pointe Dance Studio for a performance on Saturday, May 17, 2025 from 12:30 p.m. until 6:00 p.m. Building rental fees and custodial fees as stated in the contract.

J. Acceptance of Gifts

A donation in the amount of \$500 from MidAmerican Energy to be used for school supplies for students in the District.

K. Approval of Purchase - Defibrillators and Replacement Batteries

that the Board of Education approves the purchase of ten Automatic Electronic Defibrillators and cabinets from AED Grants, Oceanside, California, and the purchase of 23 AED replacement batteries from Cardio Partners, Inc., Detroit, Michigan, for a total cost not to exceed \$16,500. **See Attachment No. 2.**

L. Approval of Purchase - Interactive SMART Panels for Washington Elementary - Bradfield's Inc.

that the Board of Education approve the purchase of five SMART interactive panels for Washington Elementary from Bradfield's Inc., Peoria, Illinois, for a total cost not to exceed \$13,000. **See Attachment No. 3.**

M. Approval of Purchase - Microsoft Additional Licensing - Heartland Business Systems

that the Board of Education approve the purchase of additional Microsoft licensing and configuration services for our increased fleet of Windows devices from Heartland Business Systems, Chicago, Illinois, for a total cost not to exceed \$47,000. **See Attachment No. 4.**

N. Award of Bid - 2019 District Activity Bus (14 passenger)

that the Board of Education award the bid for a 2019 Activity Bus to the lowest qualified bidder with trade in, Midwest Transit Equipment Inc., Kankakee, Illinois, for the amount of \$68,458. **See Attachment No. 5.**

O. Award of Bid - 2025 District Activity Vans (3 vans)

that the Board of Education award the bid for three Honda Odyssey EX-L minivans to the lowest qualified bidder with no trade, Zimmerman Honda, Moline, Illinois, for the amount of \$136,422. **See Attachment No. 6.**

P. Award of Bid - Wharton Field House Gutter Repairs

that the Board of Education award the bid for the Wharton Field House gutter and standing seam roof repairs to Crawford Company, Rock Island, Illinois, for a total cost not to exceed \$17,000. **See Attachment No. 7.**

Q. Engage Services - Secure Entry Systems - Hughes Telephone

that the Board of Education approve the service agreement for Fanville Secure Entry systems through Hughes Telephone, Moline, Illinois, at a total cost of \$20,000 non-recurring installation and \$3,000 recurring annual cost. **See Attachment No. 8.**

R. Engage Services - Professional Services for the Design of the Roof Replacement at Jefferson Early Learning Center

that the Board of Education engage the services of Legat Architects, Moline, Illinois, for professional services for Jefferson Early Learning Center roof replacement for a total cost not to exceed \$41,500. **See Attachment No. 9.**

S. Engage Services - Professional Services for the Structural Design at John Deere Middle School

that the Board of Education engage the services of IMEG Engineering Consultants Company, Rock Island, Illinois, for professional services for John Deere Middle School structural design for a total cost not to exceed \$15,000. **See Attachment No. 10.**

Ayes: Chet DeSmet, Jason Farrell, Lindsey Hines, Audrey Adamson, Andrew Waeyaert

Nays: None

Absent: Ramona Dixon, Erin Waldron-Smith

REPORTS, REQUESTS, AND OPEN DISCUSSION

Superintendent's Report

Dr. Savage, Superintendent, started by recognizing board of education members and student board of education members for their service and commitment. Dr. Savage thanked the 12 veterans on staff in our

district and we are so grateful that they have chosen to serve their community after serving our country and we are glad they chose Moline.

Dr. Savage thanked Erin Terstrip and Trista Sanders for heading the attendance committee and a campaign to oppress upon the importance of school attendance, a letter was sent to all families in regards to attendance.

If you signed up for the Triple I Conference in November you will find your badge and a packet of information for the conference.

The annual report card data is out and administration is in the process of compiling data for the December board meeting but looking at it the majority of areas are improving. This report card is data from the 2023-2024 school year.

Dr. Savage asked board members if a quorum could be gathered for either November 18th or 19th as a special board meeting will need to be held. After discussion, November 19th will be the date for the special board meeting.

Lastly, Dr. Savage reminded all that the Community Partner Thanksgiving Tea will be held on Wednesday, November 13th from 4:00 p.m. until 5:30 p.m.

Student Board of Education Member Report

Akhil Kumar, Student Board Member, presented on the Share Joys 75th Anniversary. Akhil spoke about the history of Share Joys, which raises money to clothe children in the Moline-Coal Valley School District. The NHS, LO'T, Student Congress, and local businesses are in charge of putting Share Joys. This year Share Joys will take place on December 12th and 13th. Since 1949 Share Joys has raised \$1.5 million.

Board Member Lindsey Hines asked if Share Joys is promoted at the High School. Akhil responded that it is promoted.

Student Board Member Abigail Greenlee shared that the student hunger drive just concluded last week and 19,000 pounds of food was collected.

Audrey Adamson, Board Member, asked if the board was still interested in participating in the Share Joys donut eating contest. The response was yes, the board members will have a team and raise the \$500 entrance fee.

Discussion Regarding Delegate Assembly Proposals to be Presented at the Triple I Conference in November 2024 - Chet DeSmet

Chet DeSmet, Board Member, spoke about the delegate assembly proposals that will be presented at the Triple I Conference in November. Mr. DeSmet briefly introduced the policies and plans to vote as suggested unless someone has an objection.

A motion was made by Audrey Adamson, seconded by Chet DeSmet, all in favor, that the Board of Education meeting be adjourned. Time 7:33 p.m.

President

Secretary

Moline, Illinois, November 19, 2024
Minutes
Board of Education
School District No. 40

The special meeting of the Board of Education was called to order by Board President Andrew Waeyaert at 6:01 p.m. at the Moline Education Center 1900 52nd Avenue, Moline, IL 61265.

Roll Call

Members Present: Audrey Adamson, Lindsey Hines, Andrew Waeyaert, Erin Waldron-Smith

Member Absent: Chet DeSmet, Ramona Dixon, Jason Farrell

Student Member Present: None

Student Member Absent: Abigail Greenlee, Akhil Kumar

The Board of Education Members led those in attendance in reciting the Pledge of Allegiance.

COMMUNICATION, PUBLIC COMMENT AND PARTICIPATION

There was no public comment or communication.

APPROVAL OF 2024 ESTIMATED LEVY RESOLUTION

A motion was made by Audrey Adamson, seconded by Lindsey Hines, that the Board of Education approve the 2024 Estimated Levy Resolution - Estimate of Property Taxes for the 2025-2026 school year. **See Exhibit A in the official minutes.**

Ayes: Lindsey Hines, Erin Waldron-Smith, Audrey Adamson, Andrew Waeyaert

Nays: None

Absent: Chet DeSmet, Ramona Dixon, Jason Farrell

A motion was made by Erin Waldron-Smith, seconded by Audrey Adamson, all in favor, that the Board of Education go into Closed Session. Time: 6:03 p.m.

*****CLOSED SESSION*****

“to consider student disciplinary cases” 5ILCS 120/2(c)(9)

A motion was made by Erin Waldron-Smith, seconded by Lindsey Hines, all in favor, that the Board of Education return to Open Session. Time: 6:53 p.m.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION

Case 1

A motion was made by Lindsey Hines, seconded by Audrey Adamson, that the Board of Education expel Student “A” for the remainder of the 2024-2025 school year, the entirety of the 2025-2026 school year and returned to ASPIRE for the 2026-2027 school year.

Ayes: Lindsey Hines, Erin Waldron-Smith, Audrey Adamson, Andrew Waeyaert

Nays: None

Absent: Chet DeSmet, Ramona Dixon, Jason Farrell

Case 2

A motion was made by Lindsey Hines, seconded by Erin Waldron-Smith, that the Board of Education expel Student “B” for the remainder of the 2024-2025 school year and the Fall 2025 semester and transferred to ASPIRE at the beginning of the Spring 2026 semester.

Ayes: Erin Waldron-Smith, Audrey Adamson, Lindsey Hines, Andrew Waeyaert

Nays: None

Absent: Chet DeSmet, Ramona Dixon, Jason Farrell

A motion was made by Audrey Adamson, seconded by Erin Waldron-Smith, all in favor, that the Board of Education meeting be adjourned. Time: 7:05 p.m.

President

Secretary

C. Minutes of the Closed Session of the Special Meeting of the Board of Education of November 19, 2024

4. Communications, Public Comment and Participation

5. Public Hearing - 2024 Tax Levy

A. Open Public Hearing

B. Public Comment

C. Close Public Hearing

6. Consent Agenda

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

6. **Consent Agenda**

Recommended Motion: that the Board of Education approve the actions contained in Consent Agenda Items A through V as presented:

A. **Employment – Certified Staff**

- 1) the temporary employment of the following named certified staff member for the remainder of the 2024-2025 school year with wages in accordance with District schedules:

Hanley, Sean
Cross Categorical, Washington Elementary
M.A. Degree, Morningside College
To teach on a temporary contract basis
Six years previous teaching experience

- 2) the temporary employment of the following named certified substitute teachers for the 2024-2025 school year with wages according to District schedules:

Loken, Craig

B. **Salary Reclassification – Certified Staff**

a change in salary classification for the following certified staff effective at the beginning of the 2024-2025 school year:

Dembosky, Sarah from M.A. to M.A. +30
Frederick, Jenna from B.A. to B.A. +15

C. **Appointment to Sixth Assignment - Certified Staff**

the appointment of the following named certified staff members to differential assignment, effective for the second semester of the 2024-2025 school year:

<u>Name</u>	<u>Position</u>	<u>Location</u>
Hill, Hailey	ML Math	High School

D. **Resignation/Termination - Certified Staff**

the resignation/termination of the following named certified staff member:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
DeBaene, Matthew	Assistant Superintendent for Secondary Teaching and Learning	Moline Education Center	06/30/25

Kobylski, Paula Cross Categorical Special Ed John Deere 12/31/24

E. Resignation of Differential Assignment - Certified Staff

the resignation from differential assignment of the following named certified staff member:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Allee, Michael	Girls Grade 7/8 Tennis	Wilson	11/22/24

F. Approval of Family Medical Leave Act – Certified Staff

that the Board of Education grant approval of a family medical leave for the following certified staff member:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Mitchell, Nancy	Life Skills	High School	Beginning 12/02/24 and not to exceed 60 days.

G. Employment – Educational Support Personnel

1) the employment of the following named educational support personnel for the 2024-2025 school year with wages in accordance with District schedules:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Fitzel-Etzel, Madalin	Student Worker	High School	12/10/24
Gandara, Yacqueline	Lunchroom Aide	Roosevelt	12/10/24
Messmer, Laurie	Special Ed Paraprofessional	Hamilton	12/02/24

2) the temporary employment of the following named educational support personnel for the remainder of the 2024-2025 school year with wages in accordance with District schedules:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Garcia, Maria	Classroom Paraprofessional	Franklin	12/02/24
Stancliff, Gabrielle	Classroom Paraprofessional	Jane Addams	11/21/24
VanDeVoorde Stoner, Alexa	Campus Attendance Supervisor	John Deere	12/10/24

3) the temporary employment of the following named substitute educational support personnel for the 2024-2025 school year in accordance with District schedules:

<u>Name</u>	<u>Position</u>
Latcham, Michael	Classroom Paraprofessional
Messia, Audrey	Classroom Paraprofessional

- 4) the temporary employment of the following named interpreter for the remainder of the 2024-2025 school year with wages in accordance with District schedules:

<u>Name</u>	<u>Language</u>	<u>Effective Date</u>
Fuentes, Angela	Spanish	12/10/24

H. Approval of Family Medical Leave Act - Educational Support Personnel

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Kuehn, Marcie	Custodian	High School	Beginning November 14, 2024 and ending approximately February 04, 2025

I. Resignation/Termination - Educational Support Staff

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

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Dombeck, Madeline	Parent Liaison	Butterworth	11/22/24
Lofgren, Stephanie	Special Ed Paraprofessional	Washington	12/01/24
Messmer, Laurie	Lunchroom Aide	Hamilton	11/22/24
Neujahr, Alexandria	Lunchroom Aide	Roosevelt	11/08/24
Phelan, Thomasina	Special Ed Paraprofessional	High School	11/19/24

J. Appointment to Differential Assignment - Non-Certified Staff

the temporary appointment of the following named non-certified staff member to differential assignment, effective for the 2024-2025 school year:

<u>Name</u>	<u>Position</u>	<u>Location</u>
Holmes, Tobaris	Assistant Boys Track Grade 8	John Deere

K. Resignation of Differential Assignment - Non-Certified Staff

the resignation from differential assignment of the following named non-certified staff member:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Cin, Suan	Head Grade 9 Girls Soccer (.65)	High School	11/13/24

L. Payments for Board Approval

approval of payments:

Fund 1 Educational	1,124,868.72
Fund 2 Operations & Maintenance	159,472.30
Fund 3 Debt Service	0.00
Fund 4 Transportation	377,449.91
Fund 5 Retirement	233,587.95
Fund 6 Capital Projects	765,901.27
Fund 7 Working Cash	0.00
Fund 8 Tort Fund	63,750.54
Fund 9 Life Safety Code	59,259.65
Fund 10 Group Insurance	710,311.15
Fund 11 Student Activity	<u>59,545.81</u>
TOTAL	3,554,147.30

See Attachment No. 1.**M. Freedom of Information Act Requests**

- 1) A Freedom of Information Act request was received from Brooke Bennett requesting the total number of AP tests that were paid for the high school students and cost of each test. Number of tests that achieved a score of 2 or lower, a score of 3, a score of 4 and a score of 5. The District has responded to this request.
- 2) A Freedom of Information Act request was received from Daniel M. Linnenberg requesting access to the enrollment records for John Good Reilly (b. 1858) and Ellen Josephine Good (b. 1857) for academic years of 1866-67, 1867-68, 1868-69, 1869-70 and 1870-71 and enrollment records for John William Good (b. 1852), Harry Carlton Good (b. 1854), Walter Clifford Good (b. 1863), Charles F. Reilly (b. 1852), Alice J. Reilly (b. 1855) and Frank A Reilly (b.1861) for the same time periods. The District has responded to this request.
- 3) A Freedom of Information Act request was received from SmartProcure requesting all current employee/staff contact information, including first and last name, position title, department, direct phone number, business cell phone (if provided by Moline-Coal Valley School District), email address, and office address (address, city, state, zip). The District has responded to this request.
- 4) A Freedom of Information Act request was received from The Data Branch requesting all purchase orders from January 1, 2020 to the present. The District has responded to this request.

N. Facility Usage Request Recommended for Approval Subject to Compliance with Board of Education Policy 8:20

- 1) Roosevelt Elementary School Cafeteria beginning December 3, 2024 through April 29, 2025, from 6:30 p.m. until 8:00 p.m. on Tuesdays by Boy Scouts Troop 325. Building rental fees are to be waived. Compensation to be received only for custodial services required as a result of their program in the amount of \$54 per hour.

- 2) Bartlett Performing Arts Center by Quad City Symphony Orchestra on Saturday, December 7, 2025 and Saturday, June 7, 2026 from 5:00 p.m. until 10 p.m. Building rental fees and custodial fees as stated in the contract.
- 3) Wharton Field House on Saturday, April 5, 2025 from 8:00 a.m. until 6:00 p.m. for a HORSE Tournament fundraiser by Moline Youth Basketball. Compensation to be received for custodial services. Custodial fees will be billed in the amount of \$54.00 per hour.
- 4) Moline Education Center by the Moline Public Schools Foundation for the use of office space from November 30, 2024 through November 25, 2025 during the hours of 7:00 a.m. until 6:00 p.m.

O. Acceptance of Gifts

A donation in the amount of \$3,012.83 from United Way Quad Cities (2024 Write Start School Supply Drive) to be used to purchase school supplies for students in the District.

P. Approval of Grant Application - State Board of Education School Maintenance Project Grant FY 2025

that the Board of Education approve the School Maintenance Project Grant application for the Wilson Middle School Secure Front Entry Project. **See Attachment No. 2.**

Q. Award of Bid - Replacement Tractor Purchase

that the Board of Education award the state bid pricing for one replacement District Tractor Loader to P & K Midwest Inc., Silvis, Illinois, in the amount of \$50,066.54, according to specifications. **See Attachment No. 3.**

R. Engage Services - Spring Forward Learning Center - Summer Programming

that the Board of Education engage the services of Spring Forward Learning Center, Rock Island, Illinois, to provide elementary student programming during the 2025 summer at a cost of \$70,000. **See Attachment No. 4.**

S. Engage Services - American Institutes for Research (AIR)

that the Board of Education approve the engaged services of the American Institutes for Research of Arlington, Virginia, as required by ISBE for school improvement purposes to be paid for Title I 1003 funds designated for schools in need of improvement at the cost of \$40,090. **See Attachment No. 5.**

T. **Engage Services - Franklin Elementary Cafeteria Sound Panel - Builders Sales and Service Company**


that the Board of Education engage the services of Builders Sales and Service Company, Moline, Illinois, for professional services for Franklin Elementary Gym ceiling sound panel installation roof for a total cost not to exceed \$29,000. **See Attachment No. 6.**

U. **Approval of Purchase - Display Panels and Podiums for Moline-Coal Valley Education Center (MEC) - Bradfield's Inc.**

that the Board of Education approve the purchase of four Viewsonic display panels, four mobile podiums, and a mobile display cart for Moline-Coal Valley Education Center from Bradfield's Inc., Peoria, Illinois, for a total cost not to exceed \$14,000. **See Attachment No. 7.**

V. **Approval to Purchase - Playground Equipment - Washington Elementary**

that the Board of Education approve the purchase of Washington Elementary playground equipment from Play & Park Structures, Chattanooga, Tennessee, for a total cost not to exceed \$125,000, using Title IV funds. **See Attachment No. 8.**

TO: Members of the Board of Education
FROM: Vince Gallo, Chief Financial Officer 
Keith Karstens, Director of Facilities
DATE: December 05, 2024
SUBJECT: Approval of Grant Application - State Board of Education School Maintenance Project Grant FY 2025

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

Action Necessary: Board of Education approval is requested.

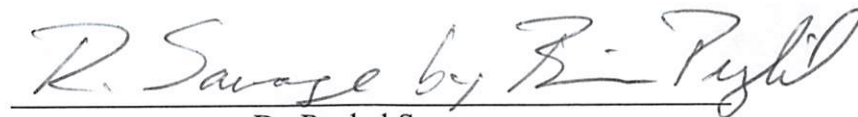
Facts: The Illinois State Board of Education announced a School Maintenance Grant Program available for future maintenance projects. The program allows for a \$50,000 matching dollar-for-dollar grant. Any projects utilizing these grant funds must be completed within two years. The criteria and priority considerations for the grant projects are: a) emergency; b) life health safety; c) state priority; d) permanent improvements; and e) other. The application process requires local Board of Education approval of a project prior to submission of the grant application.

The project recommended is the Wilson Middle School Secure Front Entry project. The estimated project cost is \$500,000 - \$600,000. Applying for and receiving this grant will allow the District to receive \$50,000 of State funds for this work. Board approval is required to assure the State that sufficient local money for the match is available and budgeted to complete the project. The District has the funds budgeted in the Capital Project Fund (Fund 9). Therefore, it is the recommendation of the administration that the Board of Education approve the School Maintenance Project Grant application for the Wilson Middle School Secure Front Entry project.

Cost: There is no cost associated with this application process.


Recommended Motion: That the Board of Education approve the School Maintenance Project Grant application for the Wilson Middle School Secure Front Entry Project.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

TO: Members of the Board of Education

FROM: Vince Gallo, Chief Financial Officer 
Keith Karstens, Director of Facilities

DATE: December 05, 2024

SUBJECT: Award of Bid - Replacement Tractor Purchase

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

Action Necessary: Board of Education approval is requested.

Facts: Currently the District has a 1995 John Deere 955, 4-wheel drive tractor that is no longer operational and parts are no longer available. The tractor has had multiple hour meters and most likely has over 15,00 hours of operational time This tractor has a blown engine and the 4 wheel drive PTO no longer works.

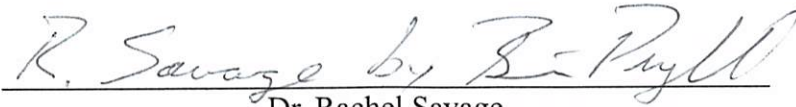
To continue to use the same attachments for snow removal (Snow Blower attachment) as the other tractors . The recommendation is to purchase a replacement tractor, a 2024 John Deere 1585 Terraintcut with factory installed Comfort Cab. Accessories include, 72" mower deck, A 60" snow blade including the lift assembly, Single-Spool auxiliary hydraulic kit with rear weights and a 3rd function mid hydraulic control valve kit. The equipment selections were made by using the Illinois State Bid pricing for John Deere equipment.

Therefore, it is the recommendation of the administration that the Board of Education approve the purchase of the replacement tractor and accessories using the State Bid pricing to P&K Midwest Inc, Silvis, IL (River Valley Turf's replacement John Deere dealer).

Cost: The total cost is \$50,066.54 (This is a \$14,955.03 discount off of list price) which is supported by the Operations and Maintenance Fund (Fund 2) .

Recommended Motion: That the Board of Education award the state bid pricing for one replacement District Tractor Loader to P & K Midwest Inc., Silvis, Illinois, in the amount of \$50,066.54, according to specifications.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

TO: Members of the Board of Education

FROM: Dr. Brian Prybil, Deputy Superintendent ⁽⁶³⁾

DATE: December 05, 2024

SUBJECT: Engage Services – Spring Forward Learning Center Summer Programming

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

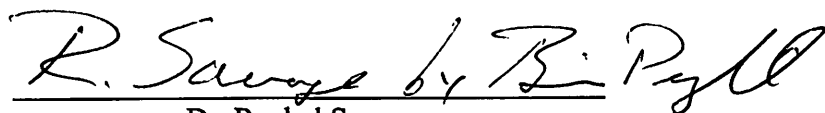
Action Necessary: Approval is requested to engage services with Spring Forward Learning Center for elementary student programming during the 2025 summer learning experiences.

Facts: Spring Forward Learning Center (SFLC) provides programming and staffing support for elementary summer learning experiences for selected students throughout the District, scheduled from June 23, 2025, through July 25, 2025. SFLC, a non-profit based in Rock Island, focuses on providing opportunities for at-risk students in English Language Arts (ELA), math, reading, and social-emotional development. Approximately 195 students will participate in this full-day, five-week program, receiving ELA, reading, and math instruction in the mornings, followed by enrichment activities in the afternoons. Local field trips will enhance the student learning experience, serve as incentives for progress, and strengthen connections within the community. The District's financial contribution to SFLC will support academic learning and curriculum, while SFLC collaborates with community organizations and partners to fund enrichment activities.


Cost: The total cost to the District for the academic portion of services is \$70,000 and will be paid for from Federal Title grants.

Recommended Action: That the Board of Education engage the services of Spring Forward Learning Center, Rock Island, Illinois, to provide elementary student programming during the 2025 summer at the cost of \$70,000.

Approved for Submission to the Board of Education

A handwritten signature in black ink, appearing to read "R. Savage by B. Prybil". The signature is written over a horizontal line.

Dr. Rachel Savage
Superintendent of Schools

TO: Members of the Board of Education
FROM: Dr. Brian Prybil, Deputy Superintendent 
DATE: December 05, 2024
SUBJECT: Engaged Services with American Institutes for Research (AIR)

Reason for Board Consideration: Board of Education approval is required to engage in the services of the American Institutes of Research for school improvement purposes

Action Necessary: Approval to engage the American Institutes for Research for school improvement purposes.

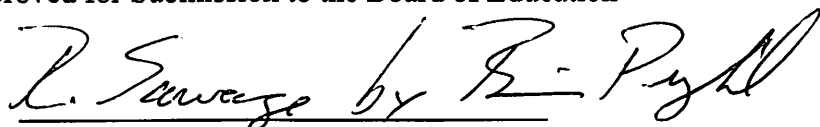
Facts: Logan Elementary School has received the ISBE designation of Comprehensive School Improvement. While occupying this designation, Title 1 1003 School Improvement funds are provided to support the school through their school improvement process. ISBE has part of the money allocated for school improvement to engage with the American Institutes of Research to provide tangible evidence and solutions to help support growth.

AIR's school improvement approach provides a hands-on approach to school improvement based on a framework grounded in research and refined practices. AIR staff visit the schools and provide support that leads to action and implementation as well as a guide for school improvement.

Cost: The cost will be \$40,090 and paid for through Title 1 1003 funds specifically provided and designated for schools in need of improvement.


Recommended Action: That the Board of Education approve the engaged services of the American Institutes for Research of Arlington, Virginia, as required by ISBE for school improvement purposes to be paid for through Title 1 1003 funds designated for schools in need of improvement at the cost of \$40,090.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

TO: Members of the Board of Education

FROM: Vince Gallo, Chief Financial Officer 
Keith Karstens, Director of Facilities

DATE: December 05, 2024

SUBJECT: Engage Services - Franklin Elementary Cafeteria Sound Panel

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

Action Necessary: Board of Education approval is requested.

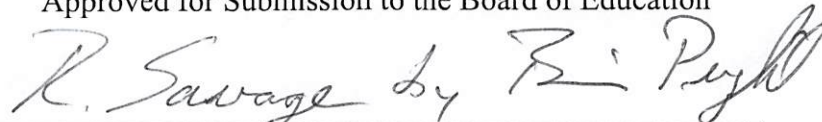
Facts: The Franklin Elementary Gym has a history of being extremely loud. Sound deadening clouds were installed last year but we have found the amount of exposed steel we have was not able to achieve the needed sound level required. After reviewing other options such as wall sound panels or ceiling mounted sound panels. There is not enough exposed wall area to install wall sound panels. The option of installing ceiling mounted Tectum panels were explored and chosen to be installed. The estimated budget for this project is \$29,000.

Therefore it is the recommendation of the administration that the Board of Education approve Builders Sales and Service Company, for the framing and Tectum panel installation in the ceiling between four (4) bays as recommended by the manufacturer. The final ceiling color finish will be painted white . For the sound panel installation at Franklin Elementary. The estimated cost for this project is \$29,000.

Cost: The cost of Builders Sales and Service Company services is \$29,000, which will be supported from the Capital Projects Fund (Fund 6).

Recommended Motion: That the Board of Education engage the services of Builders Sales and Service Company, Moline, Illinois, for professional services for Franklin Elementary Gym ceiling sound panel installation roof for a total cost not to exceed \$29,000.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

TO: Members of the Board of Education

FROM: Dr. Brian Prybil, Deputy Superintendent ^(BP)
Craig Reid, Director for Technology

DATE: December 05, 2024

SUBJECT: Purchase of Display Panels for Moline-Coal Valley Education Center (MEC) -
Bradfield's Inc.

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

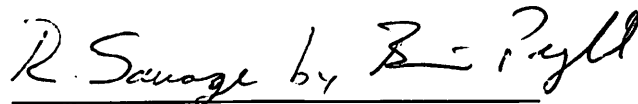
Action Necessary: Approval to purchase panels for the Moline-Coal Valley Education Center is requested.

Facts: The Moline-Coal Valley Education Center meeting rooms have been furnished and require displays to prepare them for professional development and meetings. The selected displays are Viewsonic models and include interactivity in some of the rooms. This purchase also includes four mobile podiums for professional development and a mobile cart for flexible spaces. The Viewsonic display has options for wireless casting and central management.

Cost: The lowest for four Viewsonic displays, a mobile cart, and four mobile podiums came from Bradfield's Inc. in Peoria, Illinois, at a cost not to exceed \$14,000 and includes an extended warranty. The entire cost for these interactive displays is budgeted through funds to purchase and retrofit the MEC.


Recommended Action: That the Board of Education approve the purchase of four Viewsonic display panels, four mobile podiums, and a mobile display cart for Moline-Coal Valley Education Center from Bradfield's Inc., Peoria, Illinois, for a total cost not to exceed \$14,000.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

TO: Members of the Board of Education

FROM: Dr. Brian Prybil, Deputy Superintendent ^(3?)
Vince Gallo, Chief Financial Officer 

DATE: December 05, 2024

SUBJECT: Purchase of Playground Equipment - Washington Elementary

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

Action Necessary: Board of Education approval is required.

Facts: The current playground structure at Washington Elementary has been repaired multiple times over the years and is now beyond repair. The replacement of the playground structure has an estimated total cost of \$125,000, which includes all equipment, materials, and installation. To maintain the project timeline and ensure installation occurs this spring, administration recommends purchasing the playground from Play & Park Structures. As Play & Park Structures is part of the Omnia Partners purchasing cooperative, no bidding process is required.

Cost: The total cost of \$125,000 will be fully supported by the Federal Title IV Grant.

Recommended Action: That the Board of Education approve the purchase of Washington Elementary playground equipment from Play & Park Structures, Chattanooga, Tennessee, for a total cost not to exceed \$125,000 using Title IV funds.

Approved for Submission to the Board of Education




Dr. Rachel Savage
Superintendent of Schools

7. Approval of Resolution for 2024 Tax Levy

27

Recommended Motion: that the Board of Education of Moline - Coal Valley School District No. 40, Rock Island County, Moline, Illinois, adopt the Resolution approving the official Tax Levy as listed. **See Attachment No. 9.**

TO: Members of the Board of Education
FROM: Vince Gallo, Chief Financial Officer 
DATE: December 05, 2024
SUBJECT: Resolution for 2024 Tax Levy

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

Action Necessary: Board of Education approval is requested.

Facts: The Truth in Taxation Levy Law (35 ILCS 200/18-55 *et seq.*) requires the Board to determine the amount of money estimated to be necessary from the property tax levy for the next fiscal year, not less than 20 days prior to adoption of the levy. The 2024 Tax Levy Report was presented at the November 19, 2024 Board Meeting, and thereafter placed on the District website for the public to view.

The law requires a Public Hearing to be held if the proposed levy is more than 105% of the prior year extension. Notice of the Public Hearing must be provided not more than 14 days, nor less than 7 days, prior to the date of the Public Hearing. The proposed 2024 Levy is 108.37% of the 2023 Total Extension and 108.61% of the 2023 Aggregate Levy Extension (less bonds). Therefore, a Public Hearing is required and will be held at the December 9, 2024 Board Meeting to allow for any public comment. By law, the 2024 Levy must be approved by the Board and filed with the County Clerk by the last Tuesday of December.

Cost: None.

Recommended Motion: That the Board of Education of Moline-Coal Valley School District No. 40, Rock Island County, Moline, Illinois, to adopt the Resolution approving the official Tax Levy as listed.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

**RESOLUTION ADOPTING FINAL AGGREGATE TAX
LEVY FOR THE YEAR 2024**

WHEREAS, the Board of Education of Moline-Coal Valley Community Unit School District No. 40, Rock Island County, Illinois (“the Board of Education”), is empowered to levy a tax on the real property within the Moline-Coal Valley Community Unit School District No. 40, Rock Island County, Illinois (“the School District”); and

WHEREAS, the Board of Education previously estimated the property taxes to be levied for 2023, and based on said estimate and the aggregate levy adopted below, notice was published and a public hearing was held according to the *Truth in Taxation Law*, and the Board of Education now wishes to adopt the final aggregate tax levy as published.

NOW, THEREFORE, Be It Resolved by the Board of Education of Moline-Coal Valley Community Unit School District No. 40, Rock Island County, Illinois, as follows:

Section 1: The aggregate property taxes to be levied for 2024, exclusive of debt service levies and levies made for the purpose of paying amounts due under public building commission leases, shall be as set forth in the Certificate of Tax Levy attached hereto and incorporated herein as Exhibit 1.

Section 2: The Secretary of the Board, or designee, is authorized and directed to file with the Clerk of Rock Island County on or before the last Tuesday in December 2024: a copy of this Resolution, including Exhibit 1; a copy of the Truth in Taxation Law Certification of Compliance of Final Tax Levy; and any other additional levies, and resolutions authorizing such additional levies, adopted by the Board of Education for 2024.

Section 3: All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby repealed, and this Resolution shall be in full force and effect immediately and forthwith upon its passage.

ADOPTED this 9th day of December, 2024, by a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Education

ATTEST:

Secretary, Board of Education

EXHIBIT 1

DISTRICT TO ATTACH ISBE FORM CERTIFICATE OF TAX LEVY

Original:
Amended:

ILLINOIS STATE BOARD OF EDUCATION
School Business and Support Services Division
(217) 785-8779

CERTIFICATE OF TAX LEVY

A copy of this Certificate of Tax Levy shall be filed with the County Clerk of each county in which the school district is located on or before the last Tuesday of December.

Table with 3 columns: District Name (Moline-Coal Valley SD 40), District Number (49-081-0400-22), County (Rock Island)

Amount of Levy

Table listing various levy categories and amounts: Educational (\$36,753,634), Operations & Maintenance (\$8,429,733), Transportation (\$1,125,089), Working Cash (\$561,983), Municipal Retirement (\$975,391), Social Security (\$1,212,363), Fire Prevention & Safety (\$561,983), Tort Immunity (\$1,615,000), Special Education (\$449,586), Leasing (\$561,983), Other (\$0), Total Levy (\$52,246,745)

See explanation on reverse side.
Note: Any district proposing to adopt a levy must comply with the provisions set forth in the Truth in Taxation Law.

We hereby certify that we require:

the sum of 36,753,634 dollars to be levied as a special tax for educational purposes; and
the sum of 8,429,733 dollars to be levied as a special tax for operations and maintenance purposes; and
the sum of 1,125,089 dollars to be levied as a special tax for transportation purposes; and
the sum of 561,983 dollars to be levied as a special tax for a working cash fund; and
the sum of 975,391 dollars to be levied as a special tax for municipal retirement purposes; and
the sum of 1,212,363 dollars to be levied as a special tax for social security purposes; and
the sum of 561,983 dollars to be levied as a special tax for fire prevention, safety, energy conservation, disabled accessibility, school security and specified repair purposes; and
the sum of 1,615,000 dollars to be levied as a special tax for tort immunity purposes; and
the sum of 449,586 dollars to be levied as a special tax for special education purposes; and
the sum of 561,983 dollars to be levied as a special tax for leasing of educational facilities or computer technology or both, and temporary relocation expense purposes; and
the sum of 0 dollars to be levied as a special tax for ; and
the sum of 0 dollars to be levied as a special tax for
on the taxable property of our school district for the year 2024

Signed this 9th day of December 2024. (President)

(Clerk or Secretary of the School Board of Said School District)

When any school is authorized to issue bonds, the school board shall file a certified copy of the resolution in the office of the county clerk of each county in which the district is situated to provide for the issuance of the bonds and to levy a tax to pay for them.

Number of bond issues of said school district that have not been paid in full 4

(Detach and Return to School District)

This is to certify that the Certificate of Tax Levy for School District No. 49-081-0400-22, Rock Island County, Illinois, on the equalized assessed value of all taxable property of said school district for the year 2024 was filed in the office of the County Clerk of this County on 2024.

In addition to an extension of taxes authorized by levies made by the Board of Education (Directors), an additional extension(s) will be made, as authorized by resolution(s) on file in this office, to provide funds to retire bonds and pay interest thereon. The total levy, as provided in the original resolution(s), for said purposes for the year 2024, is \$.

(Signature of County Clerk)


(Date)

(County)

8. Approval of Resolution for 2024 Tax Abatement

32

Recommended Motion: that the Board of Education approve the Resolution abating all the property taxes heretofore levied for the year 2024 to pay debt services on the General Obligation School Bonds (Alternate Revenue Source), Series 2018 of Community Unit School District Number 40, Rock Island County, Illinois. **See Attachment No. 10.**

TO: Members of the Board of Education
FROM: Vince Gallo, Chief Financial Officer 
DATE: December 05, 2024
SUBJECT: Resolution for 2024 Tax Abatement

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

Action Necessary: Board of Education approval is requested.

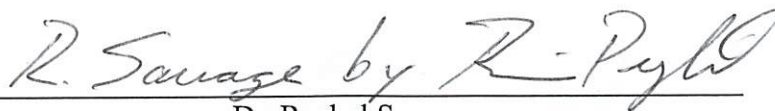
Facts: In February 2018, the District sold approximately \$22 million in Alternate Revenue Bonds to support Moline High School HVAC, Bartlett Performing Arts Center, Franklin Elementary LED light upgrades, and Parking Lot improvement projects. These bonds were supported with the Rock Island County Schools Facilities Sales Tax (i.e. 1%) revenues, and were also supported with a property tax levy in the event the sales tax revenues were insufficient to pay the bonds. The bond covenants require the Board to abate the property tax levy each year in which the pledged sales tax revenues are sufficient to make the bond payments.

This year, the pledged sales tax revenues are sufficient to cover the bond payments next year, which amount to approximately \$2,880,450. Therefore, approval of this Resolution will ensure the Rock Island County Clerk does not extend this amount in an additional, unnecessary debt service property tax.

Cost: No new cost. This is the abatement of the principal and interest of \$2,880,450 associated with the Rock Island County Schools Facilities Sales Tax bonds sold in February 2018.

Recommended Motion: That the Board of Education approve the Resolution abating all the property taxes heretofore levied for the year 2024 to pay debt service on the General Obligation School Bonds (Alternate Revenue Source), Series 2018 of Community Unit School District Number 40, Rock Island County, Illinois.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

A RESOLUTION abating all of the property taxes heretofore levied for the year 2024 to pay debt service on the General Obligation School Bonds (Alternate Revenue Source), Series 2018 of Community Unit School District Number 40, Rock Island County, Illinois.

* * *

WHEREAS, the Board of Education (the "*Board*") of Community Unit School District Number 40, Rock Island County, Illinois (the "*District*"), by a resolution dated February 12, 2018 (the "*Bond Resolution*"), has heretofore issued and has outstanding its General Obligation School Bonds (Alternate Revenue Source), Series 2018 (the "*Bonds*"), and provided for the levy of a direct annual property tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, a duly certified copy of the Bond Resolution was filed in the office of the County Clerk of Rock Island County, Illinois (the "*County Clerk*"); and

WHEREAS, the Board has determined and does hereby determine that the Pledged Revenues (as defined in the Bond Resolution) are or will be available to pay the principal of and interest on the Bonds when due on August 1, 2025 and February 1, 2026, so as to enable the abatement of the Pledged Taxes (as defined in the Bond Resolution) levied for the same; and

WHEREAS, it is necessary and in the best interests of the District that the property tax heretofore levied for the year 2024 pursuant to the Bond Resolution for the purpose of paying principal of and interest on the Bonds be abated:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF COMMUNITY UNIT SCHOOL DISTRICT NUMBER 40, ROCK ISLAND COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference thereto.

Section 2. Transfer of the Pledged Revenues. To the extent required, the School Treasurer of the District is hereby authorized and directed to forthwith transfer the Pledged Revenues to the Bond Fund (as defined in the Bond Resolution) to pay the principal of and interest on the Bonds when due.

Section 3. Abatement of Tax. The property tax heretofore levied for the year 2022 in the Bond Resolution shall be abated as follows:

YEAR OF LEVY	TAX LEVIED IN THE BOND RESOLUTION	TAX TO BE ABATED	TAX TO BE EXTENDED SUFFICIENT TO PRODUCE
2024	\$2,880,450	\$2,880,450	\$0.00

Section 4. Filing of Resolution. Forthwith upon the adoption of this Resolution, the Secretary of the Board shall file a certified copy hereof with the County Clerk, and it shall be the duty of the County Clerk to abate all said taxes for the year 2024 in accordance with the provisions of this Resolution.

Section 5. Repealer. All other resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed, and this Resolution shall be in full force and effect forthwith and immediately upon its adoption.

ADOPTED this 9th day of December, 2024, by a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Education

ATTEST:

Secretary, Board of Education

9. Approval of 2023-2024 Annual Financial Report


Recommended Motion: that the Board of Education receive the annual financial report for the 2023-2024 fiscal year.

10. Approval of Sale of Working Cash Fund Bonds, Series 2024

37

Recommended Motion: that the Board of Education approve the resolution providing for the issue of Working Cash Fund Bonds in the amount of \$517,400 and the purchase of such Working Cash Fund Bonds by the Education Fund. **See Attachment No. 11.**

TO: Members of the Board of Education

FROM: Vince Gallo, Chief Financial Officer 

DATE: December 05, 2024

SUBJECT: Approval of Sale of Working Cash Fund Bonds, Series 2024

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

Action Necessary: That the Board of Education approve the Resolution is requested.

Facts: On September 23, 2024, the Board of Education approved a Resolution and notice of intent for the issuance of Working Cash Fund Bonds in an amount not to exceed \$50,000,000. Pursuant to the published notice of intent, a public hearing was held on October 28, 2024, to explain the purpose of the bond sale.

The attached Resolution provides for the issuance and sale of Working Cash Fund Bonds in the amount of \$517,400 out of the authorized maximum amount of \$50,000,000. These Working Cash Fund Bonds will be self-purchased by the Education Fund, with a one-year maturity date. This strategic decision enables the District to maintain a flat debt service tax rate for the 2024 tax levy. Additionally, it ensures that we are utilizing all necessary funding opportunities to support the District's financial health and operational stability.

Following the issuance and sale of these Working Cash Fund Bonds, the balance of the authorized maximum amount of \$50,000,000 of Working Cash Fund Bonds can be utilized in the future for the Lincoln-Irving construction project and additional facility improvements throughout the District pursuant to another resolution to be approved by the Board of Education at a later date.

Cost: \$517,400.00 to be supported through the Education Fund (Fund 1).

Recommended Action: That the Board of Education approve the Resolution providing for the issue of Working Cash Fund Bonds in the amount of \$517,400 and the purchase of such Working Cash Fund Bonds by the Education Fund.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

MINUTES of a regular public meeting of the Board of Education of Community Unit School District Number 40, Rock Island County, Illinois, held at the Moline High School Bartlett Performing Arts Center, 3600 Avenue of the Cities, Moline, Illinois, in said School District at 6:00 o'clock P.M., on the 9th day of December, 2024.

* * *

The meeting was called to order by the President, and upon the roll being called, Andrew Waeyaert, the President, and the following members were physically present at said location:

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education to attend the meeting by video or audio conference: _____

No member was not permitted to attend the meeting by video or audio conference.

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever:

The President announced that a proposal had been received from the Educational Fund of the District, for the purchase of \$517,400 taxable general obligation bonds to be issued by the District pursuant to Article 20 of the School Code for the purpose of increasing the District's working cash fund, and that the Board of Education would consider the adoption of a resolution

providing for the issue of said bonds and the levy of a direct annual tax sufficient to pay the principal and interest thereon and the sale of such bonds to the Educational Fund of the District. The President also summarized the pertinent terms of said proposal and said bonds, including the length of maturity, rates of interest, purchase price and tax levy for said bonds.

Whereupon Member _____ presented and the Secretary read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION providing for the issue of \$517,400 Taxable General Obligation School Bonds, Series 2024 of Community Unit School District Number 40, Rock Island County, Illinois, for the purpose of increasing the Working Cash Fund of said School District, providing for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds, and authorizing the sale of said bonds to the purchaser thereof.

* * *

WHEREAS, pursuant to the provisions of Article 20 of the School Code of the State of Illinois, and all laws amendatory thereof and supplementary thereto (the “Code”), Community Unit School District Number 40, Rock Island County, Illinois (the “District”) is authorized to create and maintain a Working Cash Fund in and for the District; and

WHEREAS, pursuant to authority of the provisions of Article 20 of the Code, the Board of Education of the District (the “Board”) adopted a resolution on September 23, 2024 declaring its intention to avail of the provisions of said Article 20 and issue bonds of the District in the aggregate amount of not to exceed \$50,000,000 for working cash fund purposes as in and by said Article 20 provided; and

WHEREAS, pursuant to and in accordance with the Code and the provisions of Section 5 of the Local Government Debt Reform Act of the State of Illinois, as amended (the “Debt Reform Act”), notice of intention to issue said bonds pursuant to the provisions of said Article 20 was published in *The Dispatch*, the same being a newspaper of general circulation in the District, and an affidavit evidencing the publication of such notice of intention, together with a newspaper clipping of such notice as published attached thereto, have heretofore been presented to the Board and made a part of the permanent records of the Board; and

WHEREAS, more than thirty (30) days have expired since the date of the publishing of such notice of intention to issue said bonds, and no petition with the requisite number of valid

signatures thereon has been filed with the Secretary of the Board requesting that the proposition to issue said bonds as authorized by the provisions of said Article 20 be submitted to the legal voters of the District; and

WHEREAS, pursuant to and in accordance with the provisions of the Bond Issue Notification Act of the State of Illinois, as amended, the President of the Board, on the 23rd day of September, 2024, executed an Order calling a public hearing (the "*Hearing*") for the 28th day of October, 2024, concerning the intent of the Board to sell said bonds; and

WHEREAS, notice of the Hearing was given (i) by publication at least once not less than seven (7) nor more than thirty (30) days before the date of the Hearing in *The Dispatch*, the same being a newspaper of general circulation in the District, and (ii) by posting at least 72 hours before the Hearing a copy of said notice at the principal office of the Board, which notice was continuously available for public review during the entire 72-hour period preceding the Hearing; and

WHEREAS, the Hearing was held on the 28th day of October, 2024, and at the Hearing the Board explained the reasons for the proposed bond issue and permitted persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits; and

WHEREAS, the Hearing was finally adjourned on the 28th day of October, 2024; and

WHEREAS, the Board is now authorized to issue bonds to the amount of not to exceed \$50,000,000 as authorized by the provisions of said Article 20 for working cash fund purposes and to levy taxes to pay principal of and interest on such bonds; and

WHEREAS, the Board deems it advisable, necessary and for the best interests of the District that \$517,400 of the bonds so authorized be issued at this time:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Community Unit School District Number 40, Rock Island County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Authorization. It is hereby found and determined that the working cash fund of the District be increased and the Board has been authorized by law to borrow the sum of \$517,400 upon the credit of the District and as evidence of such indebtedness to issue bonds of the District in said amount, the proceeds of said bonds to be used for working cash fund purposes, and that it is necessary and for the best interests of the District that there be issued at this time \$517,400 of the bonds so authorized.

Section 3. Bond Details. There be borrowed on the credit of and for and on behalf of the District the sum of \$517,400 for the purpose aforesaid; and that bonds of the District (the “Bond” or the “Bonds”) shall be issued in said amount and shall be designated “Taxable General Obligation School Bonds, Series 2024”. The Bonds shall be dated December 18, 2024, and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$100 each and authorized integral multiples thereof (but no single Bond shall represent installments of principal maturing on more than one date), shall be numbered 1 and upward, and the Bonds shall become due and payable in full (subject to prior redemption as hereinafter set forth) on December 1, 2025 and bearing interest at the rate of five percent (5%) per annum; *provided, however,* that at the Board’s discretion, the Bonds may be issued as one fully-registered Bond in the denomination of \$517,400. The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly

provided for, until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on December 1 of each year, commencing on December 1, 2025. Interest on each Bond shall be paid by check or draft of the School Treasurer who receives the taxes of the District (the "*Bond Registrar*"), payable upon presentation in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the 15th day of the month next preceding the interest payment date. The principal of the Bonds shall be payable in lawful money of the United States of America at the principal office of the Bond Registrar.

The Bonds shall be signed by the manual or facsimile signatures of the President and Secretary of the Board, and shall be registered, numbered and countersigned by the manual or facsimile signature of the School Treasurer who receives the taxes of the District, as they shall determine, and in case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar, as authenticating agent of the District and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The certificate of authentication on any Bond shall be deemed to have been executed by the Bond Registrar if

signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 4. Registration of Bonds; Persons Treated as Owners. The District shall cause books (the “*Bond Register*”) for the registration and for the transfer of the Bonds as provided in this Resolution to be kept at the principal office of the Bond Registrar, which is hereby constituted and appointed the registrar of the District. The District is authorized to prepare, and the Bond Registrar shall keep custody of, multiple Bond blanks executed by the District for use in the transfer and exchange of Bonds.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by, the registered owner or his attorney duly authorized in writing, the District shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity of authorized denominations, for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity of other authorized denominations. The execution by the District of any fully registered Bond shall constitute full and due authorization of such Bond and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, *provided, however*, the principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the 15th day of the month next preceding any interest

payment date on such Bond and ending at the opening of business on such interest payment date, nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or its legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the District or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds, except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

Section 5. Redemption. The Bonds shall be subject to redemption prior to maturity at the option of the District as a whole, or in part in integral multiples of \$100 in any order of their maturity as determined by the District (less than all of the Bonds of a single maturity to be selected by the Bond Registrar), on any date at the redemption price of par plus accrued interest to the redemption date.

The Bonds shall be redeemed only in whole or in the principal amount of \$100 and integral multiples thereof. The District shall, at least forty-five (45) days prior to any redemption date (unless a shorter time period shall be satisfactory to the Bond Registrar) notify the Bond Registrar of such redemption date and of the principal amount and maturity or maturities of

Bonds to be redeemed. For purposes of any redemption of less than all of the outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot by the Bond Registrar from the Bonds of such maturity by such method of lottery as the Bond Registrar shall deem fair and appropriate; *provided* that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that any \$100 Bond or \$100 portion of a Bond shall be as likely to be called for redemption as any other such \$100 Bond or \$100 portion. The Bond Registrar shall make such selection upon the earlier of the irrevocable deposit of funds with an escrow agent sufficient to pay the redemption price of the Bonds to be redeemed or the time of the giving of official notice of redemption.

The Bond Registrar shall promptly notify the District in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Section 6. Redemption Procedure. Unless waived by any holder of Bonds to be redeemed, notice of the call for any such redemption shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

All notices of redemption shall state:

- (1) the redemption date,
- (2) the redemption price,
- (3) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,

- (4) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date,
- (5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Bond Registrar, and
- (6) such other information then required by custom, practice or industry standard.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed at the option of the District shall have been received by the Bond Registrar prior to the giving of such notice of redemption, such notice may, at the option of the District, state that said redemption shall be conditional upon the receipt of such moneys by the Bond Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the District shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the District shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Subject to the provisions for a conditional redemption described above, notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the District shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date

shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered holder a new Bond or Bonds of the same maturity in the amount of the unpaid principal.

If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

Section 7. Form of Bond. The Bonds shall be in substantially the following form:

(Form of Bond)

REGISTERED
No. 1
\$517,400

REGISTERED

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTY OF ROCK ISLAND
COMMUNITY UNIT SCHOOL DISTRICT NUMBER 40
TAXABLE GENERAL OBLIGATION SCHOOL BOND, SERIES 2024

Interest	Maturity	Dated
Rate: 5.00%	Date: December 1, 2025	Date: December 18, 2024

REGISTERED OWNER: THE EDUCATIONAL FUND OF COMMUNITY UNIT SCHOOL DISTRICT
NUMBER 40, ROCK ISLAND COUNTY, ILLINOIS

PRINCIPAL AMOUNT: FIVE HUNDRED SEVENTEEN THOUSAND FOUR HUNDRED DOLLARS
(\$517,400)

KNOW ALL PERSONS BY THESE PRESENTS, that Community Unit School District Number 40, Rock Island County, Illinois (the "*District*"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum set forth above on December 1 of each year, commencing December 1, 2025, until said Principal Amount is paid. Principal of this Bond is payable in lawful money of the United States of America upon presentation and surrender hereof at the principal office of the School Treasurer who receives the taxes of the District, as bond registrar and paying agent (the "*Bond Registrar*"). Payment of the installments of interest shall be made to the Registered Owner hereof as shown on the registration books of the District maintained by the Bond Registrar, at the close of business on the 15th day of the month next preceding any interest payment date and shall be paid by check or draft of the Bond Registrar, payable upon presentation in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Bond Registrar. For the prompt payment of this Bond, both principal and interest at maturity, the full faith, credit and resources of the District are hereby irrevocably pledged.

This Bond is one of a series of bonds issued by the District for working cash fund purposes, in full compliance with the provisions of the School Code of the State of Illinois, and the Local Government Debt Reform Act of the State of Illinois, and all laws amendatory thereof

and supplementary thereto, and is authorized by the Board of Education of the District by resolutions duly and properly adopted for that purpose, in all respects as provided by law.

Bonds of the issue of which this Bond is one are subject to redemption prior to maturity at the option of the District as a whole or in part in integral multiples of \$100 in any order of their maturity as determined by the District (less than all the Bonds of a single maturity to be selected by lot by the Bond Registrar), on any date at the redemption price of par plus accrued interest to the redemption date.

Notice of any such redemption shall be sent by first class mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books of the District maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar. When so called for redemption, this Bond will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding.

This Bond is transferable by the registered holder hereof in person or by its attorney duly authorized in writing at the principal office of the Bond Registrar in Moline, Illinois, but only in the manner, subject to the limitations and upon payment of the charges provided in the authorizing resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Bonds are issued in fully registered form in the denomination of \$100 each and authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the authorizing resolution. The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the 15th day of the month next preceding any interest payment date on such Bond and ending at the opening of business on such interest payment date, nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds.

The District and the Bond Registrar may deem and treat the registered holder hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the District nor the Bond Registrar shall be affected by any notice to the contrary.

It is hereby certified and recited that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this Bond did exist, have happened, been done and performed in regular and due form and time as required by law; that the indebtedness of the District, including the issue of bonds of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the collection of a direct annual tax sufficient to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF, said Community Unit School District Number 40, Rock Island County, Illinois, by its Board of Education, has caused this Bond to be signed by the manual or duly authorized facsimile signature of the President and Secretary of said Board of Education, and to be registered, numbered and countersigned by the manual or duly authorized facsimile signature of the School Treasurer who receives the taxes of the District, all as of the Dated Date identified above.

SPECIMEN
President, Board of Education

SPECIMEN
Secretary, Board of Education

Registered, Numbered and Countersigned:

SPECIMEN
School Treasurer

Date of Authentication: December 18, 2024

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar and Paying Agent:
School Treasurer, Community Unit
School District Number 40, Rock
Island County, Illinois

This Bond is one of the Bonds described in the within mentioned resolution and is one of the Taxable General Obligation School Bonds, Series 2024, of the Community Unit School District Number 40, Rock Island County, Illinois.

By: SPECIMEN
School Treasurer,
As Bond Registrar

(ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

Notice: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(End of Form of Bond)

Section 8. Investment Policy. The District’s investment policy (as amended, the “Policy”) is hereby amended to allow the District to purchase any type of security allowed by the Investment of Municipal Funds Act of the State of Illinois, as amended (the “*Municipal Funds Act*”).

Section 9. Sale of Bonds. Pursuant to the Municipal Funds Act and the Policy, the District is authorized to use the money in its funds to purchase bonds issued by the District. In view of the balance in the District’s Educational Fund, there is no need for current funds in such Fund in the amount of the purchase price of the Bonds, the same being \$517,400.00. The Educational Fund may prudently be invested for the term of the Bonds.

Section 10. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within the District a direct annual tax for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the District, the following direct annual tax, to-wit:

FOR THE YEAR

A TAX SUFFICIENT TO PRODUCE THE SUM OF:

2024

\$542,048.36 for interest and principal up to and including December 1, 2025

Principal or interest maturing at any time when there are not sufficient funds on hand from the foregoing tax levy to pay the same shall be paid from the general funds of the District, and the fund from which such payment was made shall be reimbursed out of the taxes hereby levied when the same shall be collected.

The District covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remain outstanding, the District will take no action or fail to take any

action which in any way would adversely affect the ability of the District to levy and collect the foregoing tax levy and the District and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the fund established to pay the principal of and interest on the Bonds.

Section 11. Filing of Resolution. Forthwith upon the passage of this Resolution, the Secretary of the Board is hereby directed to file a certified copy of this Resolution with the County Clerk of Rock Island County, Illinois (the "*County Clerk*"), and it shall be the duty of the County Clerk to ascertain for year 2024 the rate necessary to produce the tax herein levied, and extend the same for collection on the tax books against all of the taxable property within the District in connection with other taxes levied in each of said years for school purposes, in order to raise the respective amounts aforesaid and in each of said years such annual tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general school purposes of the District, and when collected, the taxes hereby levied shall be placed to the credit of the special fund to be designated "School Bond and Interest Fund of 2024" (the "*Bond Fund*"), which taxes are hereby irrevocably pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds; and a certified copy of this Resolution shall also be filed with the School Treasurer who receives the taxes of the District. Interest earnings on the Bond Fund and the Working Cash Fund of the District have not been earmarked or restricted by the Board for a designated purpose.

Section 12. Use of Bond Proceeds. All moneys derived from the issuance of the Bonds hereby authorized shall be used only for the purpose and in the manner provided by the Code.

Accrued interest received on the delivery of the Bonds is hereby appropriated for the purpose of paying first interest due on the Bonds and is hereby ordered deposited into the Bond Fund. The balance of the principal proceeds of the Bonds and any premium received on the delivery of the Bonds are hereby appropriated to pay the costs of issuance of the Bonds and for working cash fund purposes, and that portion thereof not needed to pay such costs shall be set aside in a separate fund known and designated as the "Working Cash Fund of Community Unit School District Number 40, Rock Island County, Illinois", which said fund shall be held apart and maintained as provided in Article 20 of the Code at least until all the Bonds have been retired or all the Bond proceeds have been fully spent (whichever is earlier), and shall not be used for any other purpose whatsoever.

Section 13. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 14. Duties of Bond Registrar. If requested by the Bond Registrar, the President and Secretary of the Board are authorized to execute the Bond Registrar's standard form of agreement between the District and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

- (a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the District upon request, but otherwise to keep such list confidential;
- (c) to give notice of redemption of Bonds as provided for herein;
- (d) to cancel and/or destroy Bonds which have been paid at maturity or upon redemption prior to maturity or submitted for exchange or transfer;

- (e) to furnish the District at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- (f) to furnish the District at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

Section 15. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 16. Repealer and Effective Date. All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed and that this Resolution be in full force and effect forthwith upon its adoption.

Adopted December 9, 2024.

President, Board of Education

Secretary, Board of Education

Member _____ moved and Member _____
seconded the motion that said resolution as presented and read by title be adopted.

After a full and complete discussion thereof, the President directed the Secretary to call the roll for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: _____

The following members voted NAY: _____

Whereupon the President declared the motion carried and said resolution adopted, and in open meeting approved and signed said resolution and directed the Secretary to record the same in full in the records of the Board of Education of Community Unit School District Number 40, Rock Island County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF ROCK ISLAND)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Community Unit School District Number 40, Rock Island County, Illinois (the “Board”), and that as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 9th day of December, 2024, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION providing for the issue of \$517,400 Taxable General Obligation School Bonds, Series 2024 of Community Unit School District Number 40, Rock Island County, Illinois, for the purpose of increasing the Working Cash Fund of said School District, providing for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds, and authorizing the sale of said bonds to the purchaser thereof,

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 72 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 72-hour period preceding said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board in the conduct of said meeting and in the adoption of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 9th day of December, 2024.

Attachment No. 11


12/09/24 Brd. Mtg.

Secretary, Board of Education

11. Approval of First Reading of Updated Board of Education Policies for Section 4 - Operational Services

61

Recommended Motion: that the Board of Education accepts for first reading the revised Board of Education Policies; 4:10 - Fiscal and Business Management, 4:40 - Incurring Debt, 4:60 - Purchases & Contracts, and 4:160 - Environmental Quality of Building and Grounds, as presented. **See Attachment No. 12.**

TO: Members of the Board of Education
FROM: Vince Gallo, Chief Financial Officer 
DATE: December 05, 2024
SUBJECT: Approve Updated Board Policies for Section 4 – Operational Services

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

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

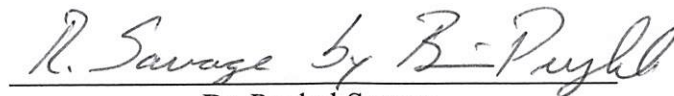
Facts: In the continuing quest to update the District's Board Policies, attached are portions of Section 4 with suggested changes based on PRESS recommendations. The administration is requesting the Board accept updates for Sections 4:10, 4:40, 4:60, and 4:160 as listed.

Attached are the suggested changes based on PRESS recommendations. The administration is requesting the Board accept updates for Sections - 4:10 Fiscal and Business Management, 4:40 Incurring Debt, 4:60 Purchases & Contracts, and 4:160 Environmental Quality of Building and Grounds. Recall, the underlined text represents suggested new additions; whereas, the ~~striketrough~~ text represents suggested deletions.

Cost: None.

Recommended Action: That the Board of Education accepts for first reading the revised Board of Education Policies; 4:10 - Fiscal and Business Management, 4:40 - Incurring Debt, 4:60 - Purchases & Contracts, and 4:160 - Environmental Quality of Building and Grounds, as presented.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

Operational Services

Fiscal and Business Management ¹

The Superintendent is responsible for the School District's fiscal and business management.² This responsibility includes annually preparing and presenting the District's statement of affairs to the School Board and publishing it before December 1 as required by State law.³

The Superintendent shall ensure the efficient and cost-effective operation of the District's business management using computers, computer software, data management, communication systems, and electronic networks, including electronic mail, the Internet, and security systems. Each person using the District's electronic network shall complete an *Authorization for Access to the District's Electronic Network*.⁴

Budget Planning

The District's fiscal year is from July 1 until June 30.⁵ The Superintendent shall present to the Board, no later than the first regular meeting in August, a tentative budget with appropriate explanation.⁶ This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational program. The District's budget shall be entered upon the Ill. State Board of Education's (ISBE) *School District Budget Form*.⁷ To the extent possible, the tentative budget shall be balanced as defined by ISBE guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by ISBE guidelines.⁸

Preliminary Adoption Procedures

After receiving the Superintendent's proposed budget, the Board sets the date, place, and time for:

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

¹ State or federal law controls this policy's content. Article 17 of the School Code controls budgeting, tax levies, and tax warrants.

² Boards are authorized to hire a chief school business official. 105 ILCS 5/10-22.23a. Districts having a chief school business official may want to replace "Superintendent" with "Chief School Business Official" throughout this policy.

³ 105 ILCS 5/10-17.

⁴ See sample exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*. Use of electronic networks in the curriculum is covered in sample policy 6:235, *Access to Electronic Networks*.

⁵ The board sets the fiscal year (105 ILCS 5/17-1) and this sentence should reflect that local decision. If the board sets an alternative fiscal year, State law provides, "If the beginning of the fiscal year of a district is subsequent to the time that the tax levy due to be made in such fiscal year shall be made, then such annual budget shall be adopted prior to the time such tax levy shall be made." *Id.* Consult the board attorney for guidance on the impact of an alternative fiscal year on the deadlines in this policy.

⁶ The board must designate a person(s) to prepare a tentative budget. 105 ILCS 5/17-1. The purpose of this policy's directive for the superintendent to present a tentative budget "no later than the first regular meeting in August" is to ensure that the budget can be adopted by September 30 (see f/n 14). A board may amend this directive to give the superintendent additional flexibility by requiring him or her to present a tentative budget "during a regular Board meeting in August."

⁷ Required by 105 ILCS 5/17-1. See www.isbe.net/Pages/School-District-Joint-Agreement.aspx.

⁸ *Id.* The budget instructions from ISBE detail when a deficit reduction plan must be completed. State law requires the budget to be balanced and, if not, a three-year deficit reduction plan must be developed.

1. A public hearing on the proposed budget,⁹ and
2. The proposed budget to be available to the public for inspection.¹⁰

The Board Secretary shall arrange to publish a notice in a local newspaper stating the date, place, and time of the proposed budget's availability for public inspection and the public hearing.¹¹ The proposed budget shall be available for public inspection at least 30 days before the time of the budget hearing.

At the public hearing, the proposed budget shall be reviewed, including the cash reserve balance of all funds held by the District related to its operational levy and, if applicable, any obligations secured by those funds,¹² and the public shall be invited to comment, question, or advise the Board.¹³

Final Adoption Procedures

The Board adopts a budget before the end of the first quarter of each fiscal year, September 30, or by such alternative procedure as State law may define.¹⁴ To the extent possible, the budget shall be balanced as defined by ISBE; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within three years according to ISBE requirements.¹⁵

The Board adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. Board members' names voting *yea* and *nay* shall be recorded in the minutes.¹⁶

The Superintendent or designee shall perform each of the following:

1. Post the District's final annual budget, itemized by receipts and expenditures, on the District's Internet website; notify parents/guardians that it is posted and provide the website's address.¹⁷
2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by the District's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption.¹⁸

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

⁹ At least one public hearing must be held before final action is taken on the budget. 105 ILCS 5/17-1.

¹⁰ The tentative budget must be conveniently available for public inspection for at least 30 days before final action on the budget. 105 ILCS 5/17-1.

¹¹ 105 ILCS 5/17-1 makes the board secretary responsible for this public notice at least 30 days before the hearing. If there is no newspaper published in the district, notice must be given by posting notices in five of the most public places in the district. 105 ILCS 5/17-1.

¹² 105 ILCS 5/17-1.3, added by P.A. 102-895, requires districts to disclose this cash reserve balance information "at the public hearing at which the district certifies its budget and levy for the taxable year." The statute does not specify the manner in which the disclosure must be made; for ease of administration, this sample policy manages disclosure at the budget hearing by including it in the budget review. To provide evidence of compliance, consider as a best practice recording this disclosure in the board meeting minutes and/or presenting it in writing. The term *operational levy* is not defined in the statute, but the definition of *operational funds* in 105 ILCS 5/17-1.10, added by P.A. 103-394, references 105 ILCS 5/17-1.3 and supports that it includes the educational, transportation, and operation and maintenance funds. Consult the board attorney for guidance.

¹³ State law does not address what transpires during the budget hearing. See f/n 12, above, regarding disclosure of cash reserves at the budget hearing as a means to comply with 105 ILCS 5/17-1.3, added by P.A. 102-895.

¹⁴ Required by 105 ILCS 5/17-1 and 5/17-3.2. See f/n 5.

¹⁵ Required by 105 ILCS 5/17-1. See f/n 8.

¹⁶ Required by 105 ILCS 5/10-7.

¹⁷ Required by 105 ILCS 5/17-1.2, *only if* the district has a website. Delete this sentence unless the district has a website.

¹⁸ Required by 35 ILCS 200/18-50, which refers to "appropriation and budget ordinances or resolutions." School districts adopt budgets by board resolution. The budget serves as the district's appropriation.

3. Ensure disclosure to the public of the cash reserve balance of all funds held by the district related to its operational levy and, if applicable, any obligations secured by those funds, at the public hearing¹⁹ at which the Board certifies its operational levy.
4. Present a written report that includes the annual average expenditures of the District's operational funds for the previous three fiscal years at or before the board meeting at which the Board adopts its levy. In the event the District's combined cash reserve balance of its operational funds is more than 2.5 times the annual average expenditures of those funds for the previous three fiscal years, the Board will adopt and file with ISBE a reserve reduction plan by December 31.²⁰
5. Make all preparations necessary for the Board to timely file its Certificate of Tax Levy, including preparations to comply with the Truth in Taxation Act;²¹ file the Certificate of Tax Levy with the County Clerk on or before the last Tuesday in December. The Certificate lists the amount of property tax money to be provided for the various funds in the budget.
6. Submit the annual budget, a deficit reduction plan if one is required by ISBE guidelines, and other financial information to ISBE according to its requirements.²²

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in the School Code and Truth in Taxation Act.²³

Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption.²⁴

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

¹⁹ Required by 105 ILCS 5/17-1.3, added by P.A. 102-895. Consult the board attorney about the meaning of the *public hearing* for the levy and if the disclosure must always be made at the board meeting at which the board certifies the district's levy, or only in those instances where notice and a *public hearing* are required by the Truth in Taxation Law. 35 ILCS 200/18-70. Similar to the disclosure of cash reserves made at the budget hearing, a district may want to manage compliance for the levy hearing by incorporating the information into the presentation of the levy at the board meeting. See f/n 12, above.

²⁰ Delete this paragraph if a district receives federal impact funding. 105 ILCS 5/17-1.10(a), added by P.A. 103-394. Federal impact aid is designed to assist local school districts that have lost a portion of their local tax base because of federal ownership of property (e.g., military bases, low-rent housing properties, or concentrations of students that have parents/guardians in the uniformed services). For more information about federal impact aid, see www.impactaid.ed.gov/resources/ and www.nafisd.org/impact-aid-resources/impact-aid-payments/. 105 ILCS 5/17-1.10(a), added by P.A. 103-394, requires a board to present "at a board meeting" a written report that includes the annual average expenditures of its *operational funds*, which include the educational, transportation, and operation and maintenance funds. *Id.* The average expenditures are calculated based on the district's most recently audited annual financial report (AFR). *Id.* For ease of administration, this sample policy manages presentation of the report in conjunction with the meeting at which a board adopts its levy, or earlier, if a district's AFR is available. Consult the board attorney if a district's AFR is not available before December 31 (the date by which a reserve reduction plan must be filed, if applicable); the board may need to rely upon estimated numbers in that scenario. If a district's ratio of its combined cash reserves of its operational funds to its average annual expenditures of those funds over the past three fiscal years exceeds 2.5, then the board must adopt and file a plan with ISBE to reduce its cash reserves to expenditures ratio to at or below 2.5 within three years. *Id.* at (b), added by P.A. 103-394.

²¹ 35 ILCS 200/18-55 *et seq.* The Truth in Taxation Law contains several notice, publication, and hearing requirements. A district that fails to strictly comply with the notice and publication requirements of the Truth in Taxation Act risks invalidation of its levy. *In re County Collector*, 229 Ill.App.3d 641 (3rd Dist. 1992). However, failure to post a Truth in Taxation notice on a district's website will not invalidate the notice or action taken on a tax levy. 35 ILCS 200/18-75, amended by P.A. 103-1018. See sample exhibit 2:250, *Immediately Available District Public Records and Web-Posted Reports and Records*.

²² Required by 105 ILCS 5/17-1.

²³ 105 ILCS 5/17-11 and 35 ILCS 200/18-55 *et seq.*

²⁴ 105 ILCS 5/17-1; 23 Ill.Admin.Code Part 100.

Implementation

The Superintendent or designee shall implement the District’s budget and provide the Board with a monthly financial report that includes all deficit fund balances. The amount budgeted as the expenditure in each fund is the maximum amount that may be expended for that category, except when a transfer of funds is authorized by the Board.

The Board shall act on all interfund loans²⁵, interfund transfers²⁶, transfers within funds²⁷, and transfers from the working cash fund or abatements of it, if one exists. ²⁸

- LEGAL REF.: 105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-1.3, 5/17-1.10, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.
35 ILCS 200/18-55 et seq., Truth in Taxation Law.
23 Ill.Admin.Code Part 100.
- CROSS REF.: 4:20 (Fund Balances), 4:40 (Incurring Debt), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks)
- ADMIN. PROC.: 6:235-API, E1 (Student Authorization for Access to the District’s Electronic Networks), 6:235-API, E2 (Staff Authorization for Access to the District’s Electronic Networks)

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²⁵ 105 ILCS 5/10-22.33, 5/20-4, 5/20-5, 5/20-8, and 5/20-10 and 23 Ill.Admin.Code §100.50. If the district loans money from the working cash fund to another fund, Section 5/20-10 requires the district to maintain a credit to the working cash fund (meaning that borrowing fund must repay the working cash fund).

²⁶ 105 ILCS 5/17-2A, amended by P.A.s 102-671, 102-895, and 103-601, contains the requirements for a permanent transfer. P.A.s 102-895 and 103-601 extended the time period during which a district may transfer money from specified funds for any purpose through June 30, 2026.

²⁷ Transfers between the various items in any fund may not exceed in the aggregate ten percent of the total of such fund as set forth in the budget. If the aggregate exceeds 10%, the board must amend the budget. 105 ILCS 5/17-1.

²⁸ The purpose of the working cash fund is to enable the school district “to have in its treasury at all times sufficient money to meet demands for expenses.” 105 ILCS 5/20-1. School officials, including board members, are liable “for any sum that may be unlawfully diverted from the working cash fund” 105 ILCS 5/20-6.

105 ILCS 5/20-10 codified a long-held practice and understanding of Ill. school districts. A district may abate (reduce the funds) money from the working cash fund at any time and transfer it to any district fund or funds most in need of the money, provided that the district maintains an amount to the credit of the working cash fund. This was a legislative overturn of a case concluding that any permanent transfer, including abatements, of the working cash fund should be transferred only to the education fund. See *G.I.S. Venture v. Novak*, 388 Ill.App.3d 184 (2nd Dist. 2009); *G.I.S. Venture v. Novak*, 385 Ill.Dec. 430 (2nd Dist. 2014). Abolishments (deplete all funds) of the working cash fund must still be transferred to the education fund only.

Operational Services

Incurring Debt ¹

The Superintendent shall provide early notice to the School Board of the District's need to borrow money. The Superintendent or designee² shall prepare all documents and notices necessary for the Board, at its discretion, to: (1) issue State Aid Anticipation Certificates,³ tax anticipation warrants,⁴ working cash fund bonds,⁵ bonds,⁶ notes,⁷ and other evidence of indebtedness,⁸ or (2) establish a line of credit with a bank or other financial institution.⁹ The Superintendent shall notify the Ill. State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law. ¹⁰

Bond Issue Obligations ¹¹

In connection with the Board's issuance of bonds, the Superintendent shall be responsible for ensuring the District's compliance with federal securities laws, including the anti-fraud provisions of the

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¹ State law controls this policy's content. School districts are subject to a statutory debt limitation (105 ILCS 5/19-1(a)); other provisions in 5/19-1 contain exceptions. Not all forms of indebtedness are subject to the statutory debt limitations. Before incurring any debt, the board must be certain that the debt will be within the district's debt limitation.

² Boards that employ business managers may want to substitute "Business Manager", "Chief School Business Official", or another locally-equivalent title for "Superintendent or designee" and "Superintendent" as they appear throughout this policy; the business manager most commonly performs the duties described in this policy.

³ 50 ILCS 420/1 et seq. and 105 ILCS 5/18-18.

⁴ 105 ILCS 5/17-16.

⁵ 105 ILCS 5/20-2, 5/20-4, and 5/20-5; 30 ILCS 305/2.

⁶ 105 ILCS 5/19-1 et seq.; 30 ILCS 350/. A district may borrow money and issue bonds for the purposes stated in 105 ILCS 5/19-3 provided the board properly adopted an election referendum and subsequently the voters approved the proposition. 10 ILCS 5/28-2. 105 ILCS 5/19-1(p-225), added by P.A. 103-591, provides that bonds issued under 105 ILCS 5/19-3 that are authorized by an election held on or after 11-5-24 must mature within 30 years from their date. Districts have the authority to issue bonds for certain purposes without a direct referendum, e.g., School Fire Prevention and Safety Bonds, Working Cash Fund Bonds, Funding Bonds, and Insurance Reserve Bonds. However, as is the case with Working Cash Fund Bonds, certain types of bonds still require boards to follow backdoor referendum procedures.

⁷ 50 ILCS 420/0.01 et seq. See also f/n 6, above. A district may borrow money and issue bonds for the purposes stated in 105 ILCS 5/19-3, provided the board properly adopted an election referendum and subsequently the voters approved the proposition. 10 ILCS 5/28-2. Districts have the authority to issue bonds for certain purposes without a direct referendum, e.g., School Fire Prevention and Safety Bonds, Working Cash Fund Bonds, Funding Bonds, and Insurance Reserve Bonds. However, as is the case with Working Cash Fund Bonds, certain types of bonds still require boards to follow backdoor referendum procedures.

⁸ Other types of indebtedness include funding bonds and refunding bonds (105 ILCS 5/19-1 et seq.), as well as debt certificates and alternate bonds authorized by the Local Government Debt Reform Act (30 ILCS 350/).

⁹ 105 ILCS 5/17-17.

¹⁰ 105 ILCS 5/19-1(q).

¹¹ Optional. This subhead is offered for boards that want to: (1) expressly address their obligations to comply with federal securities laws; and (2) authorize the creation of written procedures to protect the status of tax-exempt (or otherwise tax-advantaged) bonds issued by the board. As a matter of best practice and to reduce potential future liabilities, many attorneys recommend that board policy address these obligations. Consult the board attorney and/or bond counsel for guidance.

Securities Act of 1933, as amended¹² and, if applicable, the continuing disclosure obligations under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended. ¹³

Additionally, in connection with the Board's issuance of bonds, the interest on which is excludable from *gross income* for federal income tax purposes, or which enable the District or bond holder to receive other federal tax benefits, the Board authorizes the Superintendent to establish written procedures for post-issuance compliance monitoring for such bonds to protect their tax-exempt (or tax-advantaged) status.

The Board may contract with outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection. ¹⁴

LEGAL REF.: 15 U.S.C. §77a et seq., Securities Act of 1933.
15 U.S.C. §78a et seq., Securities Exchange Act of 1934.
17 C.F.R. §240.15c2-12.
30 ILCS 305/2, Bond Authorization Act.
30 ILCS 352/, Bond Issue Notification Act.
30 ILCS 350/, Local Government Debt Reform Act.
50 ILCS 420/, Tax Anticipation Note Act.
105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 et seq.

CROSS REF.: 4:10 (Fiscal and Business Management)

ADMIN. PROC.: 4:40-AP (Preparing and Updating Disclosures)

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The Internal Revenue Service strongly encourages, but does not currently require, issuers of tax-exempt bonds to establish written post-issuance compliance monitoring procedures. For guidance regarding the recommended content of such procedures, see *IRS Publication 4079, Tax-Exempt Governmental Bonds*, at: www.irs.gov/pub/irs-pdf/p4079.pdf. Such procedures may be included in a written bond resolution for a specific bond issue, and/or they may be established more generally. Consult the board attorney and/or bond counsel regarding the establishment of such procedures for tax-exempt bonds.

If a board does not accept this subhead, delete the Administrative Procedure Reference and the following Legal References: 15 U.S.C. §77a et seq., Securities Act of 1933; 15 U.S.C. §78a et seq., Securities Exchange Act of 1934; and 17 C.F.R. §240.15c2-12.

¹² 15 U.S.C. §77q.

¹³ 17 C.F.R. §240.15c2-12. See sample administrative procedure 4:40-AP, *Preparing and Updating Disclosures*, for a detailed set of sample procedures designed to facilitate a district's compliance with disclosure requirements of federal securities laws.

¹⁴ Delete the last paragraph of this subhead if the board does not want to include a sentence in this policy that addresses the use of outside professionals for assistance with compliance. Boards that regularly utilize outside professionals to assist them in meeting bond disclosure requirements may want to include this language to memorialize their current practice. Contracts for the services of individuals possessing a high degree of professional skill, such as attorneys and financial consultants, are exempt from competitive bidding requirements. 105 ILCS 5/10-20.21(a)(i).

Operational Services

Purchases and Contracts¹

The Superintendent shall manage the District's purchases and contracts in accordance with State law, the standards set forth in this policy, and other applicable School Board policies.

Standards for Purchasing and Contracting

All purchases and contracts shall be entered into in accordance with applicable federal and State law. The Board Attorney shall be consulted as needed regarding the legal requirements for purchases or contracts. All contracts shall be approved or authorized by the Board.

All purchases and contracts should support a recognized District function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law.² No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the Superintendent or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency.³

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 \$35,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.⁴

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¹ State law controls this policy's content. 105 ILCS 5/10-20.21, amended by P.A.s 102-1101 and 103-8, ~~eff. 1-1-24~~, contains bidding plus other requirements. Other laws also govern district contracts. For example, the Prevailing Wage Act requires, among other things, that a district specify in all contracts for public works that the prevailing wage rate must be paid. 820 ILCS 130/. When a district awards work to a contractor without a public bid, contract, or project specification, the district must provide the contractor with written notice on the purchase order or a separate document indicating that not less than the prevailing rate of wages shall be paid to all laborers, workers, and mechanics performing work on the project. In addition, the district must notify all contractors of any rate changes by the Ill. Dept. of Labor (IDOL). 820 ILCS 130/4(f). The law allows a district to discharge this duty by including the following language in all contracts: "Any prevailing rate of wages as they are revised by the Ill. Dept. of Labor (IDOL) shall apply to this contract. You are notified that any rate changes to the prevailing wage rate are available on IDOL's official website." 820 ILCS 130/4(l). See sample exhibit 4:60-E, Notice to Contractors, for sample language.

² This end statement should be amended according to local board discretion.

³ An optional addition follows: "Notwithstanding the above, the Superintendent shall not commit to any single, non-customary purchase or expenditure, excluding personnel, of greater than \$_____ without prior Board approval." This optional provision's intent is to provide an internal control as well as to keep the board involved when the district is making a large purchase or expenditure, e.g., copiers, computers, textbooks, or something that might not happen every year. It is intended to cover purchases/expenditures regardless of whether they were previously budgeted.

⁴ ~~The bidding threshold increases from \$25,000 to \$35,000 on 1-1-24.~~ 105 ILCS 5/10-20.21, amended by P.A. 103-8, ~~eff. 1-1-24~~. See sample administrative procedure 4:60-AP1, *Purchases*, for bidding exemptions and the requirements for electronic bid opening. A board may set a lower bidding threshold by policy but should first seek its attorney's advice because such action may expand a board's vulnerability to a bidding challenge.

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
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
6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).⁷
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
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)⁹ to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibit 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;¹⁰ 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.¹¹
 - b. In accordance with 105 ILCS 5/22-94: (1) prohibit any of its employees from having *direct contact with children or students* if the contractor has not performed a sexual misconduct related employment history review (EHR) of the employee or if the District objects to the employee's assignment based on the employee's involvement in an instance of sexual misconduct as provided in 105 ILCS 5/22-94(j)(3), which the contractor is required to disclose; (2) discipline, up to and including termination or denial of employment, any employee who provides false information or willfully fails

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⁵ Concerning collective bargaining requirements, see *McLean Co. Unit Dist. 5 v. AFSCME & IELRB*, 12 N.E.3d 120 (Ill. App. Ct. 4th Dist. 2014) (good faith bargaining on the decision to subcontract requires notice of the consideration of the subcontract before it is finalized; meeting with the union to provide an opportunity to discuss and explain the decision; providing information to the union; and giving consideration to any counterproposal the union makes).

⁶ 105 ILCS 5/10-20.21(b-5).

⁷ 105 ILCS 5/10-20.21(b-10).

⁸ 105 ILCS 5/10-20.19c.

⁹ 105 ILCS 5/10-21.9(c); 105 ILCS 5/21B-80(c).

¹⁰ *Id.*

¹¹ The implementation process is in sample administrative procedure 4:60-AP3, *Criminal History Records Check of Contractor Employees*. See sample administrative procedure 5:30-AP2, *Investigations*, for a list of offenses which disqualify an individual from having direct, daily contact with one or more students until seven years following the end of the individual's sentence for the criminal offense.

- to disclose information required by the EHR; (3) maintain all records of EHRs and provide the District access to such records upon request; and (4) refrain from entering into any agreements prohibited by 105 ILCS 5/22-94(g).¹²
- c. 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; and (2) require any new or existing employee who provides services to students or in schools 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. Dept. of Public Health rules or order of a local health official.¹³
9. 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 Act.¹⁴

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¹² 105 ILCS 5/22-94, added by P.A. 102-702. See sample administrative procedure 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*. For the definition of *sexual misconduct*, see 105 ILCS 5/22-85.5(c), added by P.A. 102-676, and sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*. *Direct contact with children or students* is defined as “the possibility of care, supervision, guidance, or control of children or students or routine interaction with children or students.” 105 ILCS 5/22-94(b), added by P.A. 102-702. This standard, which triggers the EHR, appears on its face to be broader than the *direct, daily contact* standard that triggers the *complete criminal history records check* in 105 ILCS 5/10-21.9(f). See sample administrative procedures 5:30-AP2, *Investigations*, 4:60-AP3, *Criminal History Records Check of Contractor Employees*, and 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, for more information. For example, a contracted night custodian who may have some passing, routine interaction with students who are on campus for after-school events, but does not have direct, daily contact with students triggers an EHR but not necessarily a *complete criminal history records check*. It is less clear if the reverse scenario could arise where a *complete criminal history records check* under 105 ILCS 5/10-21.9(f) would be required but an EHR would not be required. For ease of administration, a district may wish to require contractors to undergo a *complete criminal history records check* whenever the obligation to conduct an EHR is triggered, and vice versa.

105 ILCS 5/22-94(g), added by P.A. 102-702, prohibits contractors from entering any agreement that: (1) has the effect of suppressing information concerning a pending or completed investigation in which an allegation of sexual misconduct was substantiated, (2) affects the ability of the contractor to report sexual misconduct to the appropriate authorities, or (3) requires the contractor to expunge information about allegations or findings of suspected sexual misconduct, unless an allegation is found to be false, unfounded, or unsubstantiated following an investigation.

¹³ 105 ILCS 5/24-5. P.A. 98-716 expanded the scope of 105 ILCS 5/24-5 by adding a definition of *employee* that includes contractors’ employees for whom a criminal history records check is required. Since Aug. 2014, the Ill. Dept. of Public Health (IDPH) has not required school employees to be screened for tuberculosis other than workers in child day care and preschool settings. 77 Ill.Admin.Code §696.140(a)(3). Before requesting a contractor’s employee for a health examination, contact the board attorney concerning this action’s legality under other personnel laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. §12101 *et seq.*).

¹⁴ 410 ILCS 170/10(b), added by P.A. 102-242.

10. Design-build contracts must comply with 105 ILCS 5/15A-1 et seq. ¹⁵
11. Any new contract for a district-administered assessment must comply with 105 ILCS 5/10-20.865. ¹⁶
12. 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. ¹⁷

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. ¹⁸

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

¹⁵ 105 ILCS 5/15A-1 et seq., added by P.A. 103-491, ~~eff. 1-1-24~~. Under a *design-build* delivery system for a construction project, a board contracts with a *design-build entity* that furnishes architecture, engineering, land surveying, public art or interpretive exhibits, and other construction services, as required for the project. It allows a single contractor to manage both the design and construction of a project, creating the potential for greater efficiency. Contrast this method with the traditional *design-bid-build* delivery method, in which a board contracts with multiple entities and utilizes a competitive bidding process for certain contractors, such as a general contractor. 105 ILCS 5/15A-1 et seq., added by P.A. 103-491, ~~eff. 1-1-24~~, does not impact a district's ability to use a qualification-based selection process under 50 ILCS 510/, Local Government Professional Services Act (LGPSA), to select design professionals or construction managers for design-build projects. 105 ILCS 5/15A-50. See sample policy 2:170, *Procurement of Architectural, Engineering, and Land Surveying Services*. For design-build projects, consult with the board attorney as needed to ensure the district: (1) complies with the specific procedural requirements related to requests for proposals (RFPs) and evaluation of RFP submissions for these contracts, and (2) incorporates additional criteria for requests for proposals and evaluation of proposals based on local conditions and the specific project, as permitted by the statute. Note that under 105 ILCS 5/15A-20, added by P.A. 103-491, ~~eff. 1-1-24~~, a board must employ or contract with an independent design professional or public art designer (as applicable) selected under the LGPSA to assist with developing the scope and criteria for performance for a request for proposal under a design-build delivery system.

¹⁶ 105 ILCS 5/10-20.865, added by P.A. 103-393 and renumbered by P.A. 103-605. See sample administrative procedure 4:60-AP1, *Purchases*, for specific requirements. A *district-administered assessment* is one that requires all student test takers at any grade level to answer the same questions, or a selection of questions from a common bank of questions. It does *not* include the observational assessment tool used to satisfy the annual kindergarten assessment required by 105 ILCS 5/2-3.64a-10 or an assessment developed by district teachers or administrators that is used to measure student progress at an attendance center. *Id.*

¹⁷ 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 the Ill. State Board of Education, see www.isbe.net/gata.

¹⁸ This is an optional provision. The numerous reporting and website posting mandates are in sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. As an alternative to the policy's default language, a board may insert the underscored:

The Superintendent or designee shall: (1) execute the reporting and website posting mandates in State law concerning District contracts and maintain a status report for monthly presentation to the Board, 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, 5/10-20.8~~65~~, 5/10-21.9, 5/10-22.34c, 5/15A-1 et seq., 5/19b-1 et seq., 5/22-94, 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 Building Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting)

DRAFT

Operational Services

Environmental Quality of Buildings and Grounds ¹

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. ²

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

¹ State and/or federal law control this policy's content and require districts to:

1. Have a procedure to comply with the Structural Pest Control Act (225 ILCS 235/) and the Lawn Care Products Application and Notice Act (415 ILCS 65/). See sample administrative procedure 4:160-AP, *Environmental Quality of Buildings and Grounds*.
2. Designate a staff person to be responsible for district compliance with the safety acts listed in #1 above. This policy designates the superintendent or designee.

Many State and federal laws regulate the environmental quality of schools. For example:

1. Several federal laws regulate asbestos as a hazardous substance, the most significant for schools being the Asbestos Hazard Emergency Response Act of 1986. 15 U.S.C. § 2641 *et seq.* The Asbestos Abatement Act, 105 ILCS 105/, requires schools to perform a variety of functions regarding asbestos. Federal and State regulations also require annual notice to parents and employees of the availability of the district's asbestos management plan. 40 C.F.R. §763.93(g)(4); 77 Ill.Admin.Code §855.300(a)(3). This can be inserted in 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/msh/.
2. The Indoor Air Quality Act, 410 ILCS 87/. The Ill. Dept. of Public Health (IDPH) Guidelines for Indoor Air Quality are advisory, i.e., not enforceable. See <https://dph.illinois.gov/topics-services/environmental-health-protection/toxicology/indoor-air-quality-healthy-homes>.
3. The Smoke-Free Illinois Act, 410 ILCS 82/, bans tobacco smoking inside schools.
4. The Structural Pest Control Act, 225 ILCS 235/, requires IDPH to establish guidelines for an integrated pest management program for schools. See <https://dph.illinois.gov/topics-services/environmental-health-protection/structural-pest-control/integrated-pest-management>, or <https://dph.illinois.gov/topics-services/environmental-health-protection/structural-pest-control>.
5. Notices to employees and parents/guardians before pesticide applications are required by the Structural Pest Control Act. 225 ILCS 235/10.3. The Lawn Care Products Application and Notice Act requires similar notices but only to parents/guardians. 415 ILCS 65/3.
6. The Green Cleaning School Act, 105 ILCS 140/, and Green Cleaning for Elementary and Secondary Schools, 23 Ill.Admin.Code Part 2800, contain guidelines for green cleaning. See *sample policy 4:150, Facility Management and Building Programs*.
7. The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements. 20 ILCS 3130/. Waivers may be granted by the Capital Development Board in certain situations. *Id.*
8. The Ill. legislature recommended that each occupied school building be tested every five years for radon and provided a process for the screening in 105 ILCS 5/10-20.48. Employers must provide all employees with an education and training program with respect to all toxic substances to which an employee is routinely exposed while working. 820 ILCS 255/16; 23 Ill.Admin.Code §1.330. However, this section and most of the Toxic Substances Disclosure to Employees Act (820 ILCS 255/) are **inoperative**; its implementing rules (56 Ill.Admin.Code Part 205) were repealed. Instead, the Ill. Dept. of Labor enforces the federal Occupational Safety and Health Administration Hazard Communication Standards at 29 C.F.R. §1910.1200. 820 ILCS 255/1.5, amended by P.A. 102-1071. Thus, school districts must follow the federal disclosure and training requirements.
9. 105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-736, eff. 1-1-25, requires the Ill. State Board of Education (ISBE), in consultation with IDPH and other stakeholders, to compile resources on indoor air quality for schools and post them on ISBE's website.

² A board persuaded by #8 in the above footnote may add the following option:

Pesticides

Pesticides will not be applied on the paved surfaces, playgrounds, or playing fields of any school serving grades K-8 during a school day or partial school day when students are in attendance for instructional purposes.³ Additionally, the application of any restricted use pesticides is prohibited on or within 500 feet of school property during normal school hours.⁴ 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/.⁵

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

If economically feasible, the Superintendent or designee shall manage the testing of each occupied school building for radon pursuant to Section 10-20.48 of the School Code.

A board may want to add the following option if it is concerned that employees who are eligible for district-paid hepatitis B vaccination are unaware of their eligibility:

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

³ Pesticide Application at Schools Act (PASA), 105 ILCS 160/, added by P.A. 103-496, prohibits schools serving students grades K-8 from scheduling pesticide applications on school grounds during the school day when students are in attendance for instructional purposes. Areas prohibited from treatment include paved surfaces, playgrounds and playing fields, where children are typically present. For High School only districts, delete this sentence, ~~Additionally~~, at the start of the next sentence, and 105 ILCS 160/, Pesticide Application at Schools Act from the Legal References.

Pesticides is not specifically defined in PASA; however, the Illinois Pesticide Act (IPA) defines both *pesticides* and the subcategory of *restricted use pesticides*. 415 ILCS 60/4. PASA therefore appears broader than the IPA because it applies to *all* pesticides, including those that are not *restricted use pesticides*. See *f/n* 4, below. However, PASA is narrower than the IPA in two ways. First, PASA's geographic scope is narrower than the IPA because PASA does not apply to "areas of school grounds where children are typically not present, including, but not limited to flower beds and lawns surrounding the school not used as playing fields." *Id.* at 160/15. Second, PASA is narrower in that its prohibition is only in effect when students are in attendance for instruction, compared to the IPA prohibition that applies during *normal school hours* and could extend beyond instructional hours. See *f/n* 4, below. For ease in administering these slightly different standards, an elementary or unit district may want to follow the more restrictive geographic and temporal prohibitions in the IPA but apply them to all types of pesticides. See sample administrative procedure 4:160-AP, *Environmental Quality of Buildings and Grounds*.

⁴ 415 ILCS 60/14 3.F., added by P.A. 102-548. *Normal school hours* means Monday through Friday from 7 a.m. until 4 p.m., excluding days when classes are not in session. *Id.* 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. *Id.* at 60/4 36.

⁵ Different requirements pertain to the notices in the Structural Pest Control Act (225 ILCS 235/10.3) and the Lawn Care Products Application and Notice Act (415 ILCS 65/3(f)). Both require notice to parents/guardians. Notice to employees is only required by the Structural Pest Control Act. For the sake of simplicity, the sample policy requires notice to employees before pesticides are used. Notice at least four business days before application is required by Lawn Care Products Application and Notice Act; notice at least two business days is required by the Structural Pest Control Act; and 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.

If a registry is maintained, replace the last sentence with this alternative:

The Superintendent or designee shall maintain a registry of employees and parents/guardians of students requesting notification before the application of pesticide(s) and notify those people as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

Be sure the notice provisions in the policy and its implementing administrative procedure are consistent.

Coal Tar Sealant⁶

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 135/, Toxic Art Supplies in Schools Act.
105 ILCS 140/, Green Cleaning School Act.
105 ILCS 160/, Pesticide Application at Schools 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 Building Programs), 4:170 (Safety)

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⁶ 410 ILCS 170/10(a)(1)-(4), added by P.A. 102-242, 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 IPA maintains a handbook service that coordinates with PRESS material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/msh/.

12. Approval of First Reading of Updated Board of Education Policy 4:30 - Revenue & Investments

77

Recommended Motion: that the Board of Education accepts for first reading, the revised Board of Education Policy 4:30 - Revenue & Investments, as presented. **See Attachment No. 13.**

TO: Members of the Board of Education
FROM: Vince Gallo, Chief Financial Officer 
DATE: December 05, 2024
SUBJECT: Approve Updated Board Policy 4:30 - Revenue & Investments

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

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

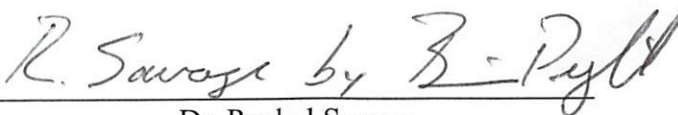
Facts: In the continuing quest to update the District's Board Policies, attached is a portion of Section 4 with suggested changes based on PRESS recommendations. The administration is requesting the Board accept updates for Section 4:30, as listed.

Attached are the suggested changes based on PRESS recommendations. The administration is requesting the Board accept updates for Section - 4:30 Revenue & Investments. This revision requires the District to consider institutions' record and current level of financial commitment to the local community. This is updating requirements for the financial institutions subject to the federal community reinvestment act of 1977. This section is also adding certain authorized investments and requiring investment managers to make certain disclosures about sustainability factors before being awarded a contract.

Cost: None.

Recommended Action: That the Board of Education accept for first reading, the revised Board of Education Policy 4:30 - Revenue & Investments, as presented.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

Operational Services

Revenue and Investments ¹

Revenue

The Superintendent or designee is responsible for making all claims for property tax revenue, State Aid, special State funds for specific programs, federal funds, and categorical grants.

Investments

The Superintendent shall either appoint a Chief Investment Officer or serve as one.² The Chief Investment Officer shall invest money that is not required for current operations, in accordance with this policy and State law.³

The Chief Investment Officer and Superintendent shall use the standard of prudence when making investment decisions. They shall use the judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as its probable income.⁴

Investment Objectives ⁵

The objectives for the School District's investment activities are:

1. **Safety of Principal** - Every investment is made with safety as the primary and over-riding concern. Each investment transaction shall ensure that capital loss, whether from credit or market risk, is avoided.
2. **Liquidity** - The investment portfolio shall provide sufficient liquidity to pay District obligations as they become due. In this regard, the maturity and marketability of investments shall be considered.
3. **Rate of Return** - The highest return on investments is sought, consistent with the preservation of principal and prudent investment principles.
4. **Diversification** - The investment portfolio is diversified as to materials and investments, as appropriate to the nature, purpose, and amount of the funds.

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

¹ Each district must have an investment policy; its detail and complexity must be appropriate to the nature of the funds, the funds' purpose, and the amount of the public funds within the investment portfolio. 30 ILCS 235/2.5(a).

² 30 ILCS 235/2.5(a)(7). Districts having a chief business official may use this alternative: "The Chief Business Official shall serve as the District's Chief Investment Officer." If a Township Treasurer manages the district funds, substitute this sentence:

The Township Treasurer shall serve as the Chief Investment Officer.

³ Township and school treasurers are authorized by 105 ILCS 5/8-7 to enter into agreements regarding the deposit, investment, and withdrawal of district funds.

⁴ The policy must include a standard of care. 30 ILCS 235/2.5(a)(2).

⁵ The policy must address safety, liquidity, return (30 ILCS 235/2.5(a)), as well as diversification (30 ILCS 235/2.5(a)(4)). These objectives also serve as investment guidelines. 30 ILCS 235/2.5(a)(3). How these are addressed is at the board's discretion.

Authorized Investments⁶

The Chief Investment Officer may invest District funds in one or more of the following:

1. Bonds, notes, certificates of indebtedness, treasury bills, or other securities now or hereafter issued, that are guaranteed by the full faith and credit of the United States of America as to principal and interest.
2. Bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities.
The term “agencies of the United States of America” includes: (a) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 and Acts amendatory thereto, (b) the federal home loan banks and the federal home loan mortgage corporation, and (c) any other agency created by Act of Congress.
3. Interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.
4. Short-term obligations of corporations organized in the United States with assets exceeding \$500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and that mature not later than 270 days from the date of purchase, (b) such purchases do not exceed 10% of the corporation’s outstanding obligations, and (c) no more than one-third of the District’s funds may be invested in short-term obligations of corporations under this paragraph.
5. Obligations of corporations organized in the United States with assets exceeding \$500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and which mature more than 270 days but less than 10~~three~~ years from the date of purchase, (b) such purchases do not exceed 10% of the

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⁶ The policy must contain a “listing of authorized investments.” 30 ILCS 235/2.5(a)(1). 30 ILCS 235/2(a-1) allows school districts to invest public funds in interest-bearing bonds of any local government (see paragraph 6). Investments from which a board may choose are listed in this policy. See 30 ILCS 235/2, amended by P.A.s 102-285 and 103-880, eff. 1-1-25. Alternatively, a board may refer to that law by stating:

The Chief Investment Officer may invest any District funds in any investment as authorized in 30 ILCS 235/2, and Acts amendatory thereto.

30 ILCS 235/2(k), added by P.A. 103-880, eff. 1-1-25, permits a board to adopt a resolution to allow for investment of public funds in other instruments not specifically listed in the Public Funds Investment Act provided those investments comply with: (1) any other law that authorizes a board to invest funds, and (2) the investment policy adopted by the Board. There is uncertainty regarding the potential breadth and scope of this provision and procedural requirements for implementation. The board attorney and district financial advisor(s) should be consulted before adding instruments to the list of authorized investments in this policy and the board's investment portfolio in accordance with 30 ILCS 235/2(k). Any additional investments authorized by the Board under 30 ILCS 235/2(k) should be added to this policy beginning with Item #14. If a board has adopted the alternative language above, the additional investments should be included at the end of the sentence as follows: The Chief Investment Officer may invest District funds in any investment as authorized in 30 ILCS 235/2, and Acts amendatory thereto, as well as [insert investment(s)], in accordance with the requirements of 30 ILCS 235/2(k).

Some attorneys are of the opinion that the Investment of Municipal Funds Act (IMFA) (50 ILCS 340/) authorizes school districts to invest funds in certain tax anticipation warrants. The IMFA applies to counties, park districts, sanitary districts, and other *municipal corporations*. *Id.* at 340/1. *Municipal corporation* is not specifically defined in the IMFA. Consult with the board attorney and/or bond counsel regarding the authority for such investments and the inclusion of the IMFA in this policy.

As part of its mission to protect public entities, the Municipal Securities Rulemaking Board (MSRB) has resources available that school officials may find helpful at: www.msrb.org/EdCenter. It provides information about bond issuance, required disclosures, and working with municipal advisors.

corporation's outstanding obligations, and (c) no more than one-third of the District's funds may be invested in obligations of corporations under this paragraph.

6. Money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) and to agreements to repurchase such obligations.
7. Interest-bearing bonds of any county, township, city, village, incorporated town, municipal corporation, school district, the State of Illinois, any other state, or any political subdivision or agency of the State of Illinois or any other state, whether the interest earned is taxable or tax-exempt under federal law. The bonds shall be (a) registered in the name of the municipality, county, or other governmental unit, or held under a custodial agreement at a bank, and (b) rated at the time of purchase within the four highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.
8. Short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations, the shares, or investment certificates that are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of the Chief Investment Officer, the public funds so invested will be required for expenditure by the District or its governing authority.
9. Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.
10. A Public Treasurer's Investment Pool created under Section 17 of the State Treasurer Act. The District may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.
11. The Illinois School District Liquid Asset Fund Plus.⁷
12. Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued there under. The government securities, unless registered or inscribed in the name of the District, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

Except for repurchase agreements of government securities that are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, the District may not purchase or invest in instruments that constitute repurchase agreements, and no financial

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⁷ The Illinois School District Liquid Asset Fund Plus is an Illinois trust organized to permit Illinois school districts, community colleges, and educational service regions to pool their investment funds to obtain the highest possible investment yield consistent with maintaining liquidity and preserving capital, and to engage in cooperative cash management activities resulting in more efficient financial resource utilization. The program was developed in cooperation with the Ill. Association of School Boards, the Ill. Association of School Business Officials, and the Ill. Association of School Administrators. For more information, including regional representative contact information, see www.iasbop2p.org/isdlaf/home.

institution may enter into such an agreement with or on behalf of the District unless the instrument and the transaction meet all of the following requirements:

- a. The securities, unless registered or inscribed in the name of the District, are purchased through banks or trust companies authorized to do business in the State of Illinois.
- b. The Chief Investment Officer, after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to “purchase” specified securities from a designated institution. The “custodial bank” is the bank or trust company, or agency of government, that acts for the District in connection with repurchase agreements involving the investment of funds by the District. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements.
- c. A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank’s computer records through a member bank of the Federal Reserve System. These securities must be credited to the District on the records of the custodial bank and the transaction must be confirmed in writing to the District by the custodial bank.
- d. Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.
- e. The security interest must be perfected.
- f. The District enters into a written master repurchase agreement that outlines the basic responsibilities and liabilities of both buyer and seller.
- g. Agreements shall be for periods of 330 days or less.
- h. The Chief Investment Officer informs the custodial bank in writing of the maturity details of the repurchase agreement.
- i. The custodial bank must take delivery of and maintain the securities in its custody for the account of the District and confirm the transaction in writing to the District. The custodial undertaking shall provide that the custodian takes possession of the securities exclusively for the District; that the securities are free of any claims against the trading partner; and that any claims by the custodian are subordinate to the District’s claims to rights to those securities.
- j. The obligations purchased by the District may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the Chief Investment Officer.
- k. The custodial bank shall be liable to the District for any monetary loss suffered by the District due to the failure of the custodial bank to take and maintain possession of such securities.

13. Any investment as authorized by the Public Funds Investment Act, and Acts amendatory thereto. Paragraph 13 supersedes paragraphs 1-12 and controls in the event of conflict.

Except as provided herein, investments may be made only in banks, savings banks, savings and loan associations, or credit unions that are insured by the Federal Deposit Insurance Corporation or other approved share insurer.⁸

The Chief Investment Officer and Superintendent shall regularly consider material, relevant, and decision-useful sustainability factors in evaluating investment decisions, within the bounds of financial and fiduciary prudence. Such factors include, but are not limited to: (1) corporate governance and leadership factors, (2) environmental factors, (3) social capital factors, (4) human capital factors, and

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⁸ 30 ILCS 235/2, amended by P.A. 102-285.

(5) business model and innovation factors, as provided under the Ill. Sustainable Investing Act, 30 ILCS 238/.⁹

Selection of Depositories, Investment Managers, Dealers, and Brokers¹⁰

The Chief Investment Officer shall establish a list of authorized depositories, investment managers, dealers and brokers based upon the creditworthiness, reputation, minimum capital requirements, qualifications under State law, as well as a long history of dealing with public fund entities. The Board will review and approve the list at least annually.

In order to be an authorized depository, each institution must submit copies of the last two sworn statements of resources and liabilities or reports of examination that the institution is required to furnish to the appropriate State or federal agency.¹¹ Each institution designated as a depository shall, while acting as such depository, furnish the District with a copy of all statements of resources and liabilities or all reports of examination that it is required to furnish to the appropriate State or federal agency.¹²

The above eligibility requirements of a bank to receive or hold public deposits do not apply to investments in an interest-bearing savings account, demand deposit account, interest-bearing certificate of deposit, or interest-bearing time deposit if: (1) the District initiates the investment at or through a bank located in Illinois, and (2) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government.¹³

The District ~~shall~~ may consider a financial institution's record and current level of financial commitment to its local community when deciding whether to deposit funds in that financial institution. The District may consider factors including:¹⁴

1. For financial institutions subject to the federal Community Reinvestment Act of 1977 (CRA), the current and historical ratings that the financial institution has received, to the extent that those ratings are publicly available, under the federal Community Reinvestment Act of 1977 CRA;
2. Any changes in ownership, management, policies, or practices of the financial institution that may affect the level of the financial institution's commitment to its community;
3. The financial impact that the withdrawal or denial of District deposits might have on the financial institution;
4. The financial impact to the District as a result of withdrawing public funds or refusing to deposit additional public funds in the financial institution; and

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⁹ This statement is required by 30 ILCS 235/2.5(a-5). See the Ill. Sustainable Investing Act (SIA)(30 ILCS 238/) for examples of these five *sustainability factors*. *Id.* at 238/20. Under the SIA, school districts, must "prudently integrate sustainability factors into its investment decisions-making, investment analysis, portfolio construction, due diligence, and investment ownership in order to maximize anticipated financial returns, minimize projected risk, and more effectively execute its fiduciary duty." *Id.* See www.illinoistreasurer.gov/Local_Governments/Sustainable_Investing_Act for more information. Before being awarded a contract by a board, an investment manager is required to disclose any process through which the manager integrates sustainability factors into their investment decision-making and other fiduciary duties. *Id.* at 20(c), amended by P.A. 103-324.

¹⁰ The policy must address these topics. 30 ILCS 235/2.5(a)(11).

¹¹ 30 ILCS 235/6.

¹² *Id.*

¹³ 30 ILCS 235/6.5.

¹⁴ This paragraph is optional, but is authorized by 30 ILCS 235/8(a).

5. Any additional burden on the District's resources that might result from ceasing to maintain deposits of public funds at the financial institution under consideration.

The District may not deposit public funds in a financial institution subject to the CRA unless the institution has a current rating of satisfactory or outstanding under the CRA.¹⁵ When investing or depositing public funds, the District may give preference to financial institutions that have a current rating of outstanding under the CRA.¹⁶

Collateral Requirements¹⁷

All amounts deposited or invested with financial institutions in excess of any insurance limit shall be collateralized in accordance with the Public Funds Investment Act, 30 ILCS 235/. The Superintendent or designee shall keep the Board informed of collateral agreements.

Safekeeping and Custody Arrangements¹⁸

The preferred method for safekeeping is to have securities registered in the District's name and held by a third-party custodian. Safekeeping practices should qualify for the Governmental Accounting Standards Board Statement No. 3, Deposits with Financial Institutions, Investments (including Repurchase Agreements), and Reverse Repurchase Agreements, Category I, the highest recognized safekeeping procedures.

Controls and Report¹⁹

The Chief Investment Officer shall establish a system of internal controls and written operational procedures to prevent losses arising from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Chief Investment Officer shall provide a quarterly investment report to the Board. The report will: (1) assess whether the investment portfolio is meeting the District's investment objectives, (2) identify each security by class or type, book value, income earned, and market value, (3) identify those institutions providing investment services to the District, and (4) include any other relevant information. The investment portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type.²⁰

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¹⁵ Id. at (a-5).

¹⁶ Optional. Id. at (a-10).

¹⁷ Collateral requirements are permissive; if used, guidelines regarding their use must be included in the policy. 30 ILCS 235/2.5(a)(5). The requirements for collateral agreements are in 30 ILCS 235/6(d). The sample policy contains one guideline, that is, that the board be kept informed of collateral agreements. An optional guideline follows:

In addition, the financial institution must provide the Board with a copy of its board of directors' meeting minutes evidencing that the board of directors approved the collateral agreement.

¹⁸ The policy must address safekeeping and custody arrangements. 30 ILCS 235/2.5(a)(5). Registration requirements are in 30 ILCS 235/3.

¹⁹ The policy must provide for internal controls, periodic review, and at least quarterly written investment reports. 30 ILCS 235/2.5(a)(6), (9), and (10). The operational procedures to prevent losses are best addressed by each district in consultation with its auditor and legal counsel. See sample policy 4:80, *Accounting and Audits*; and sample administrative procedures 4:80-AP1, *Checklist for Internal Controls*, and 4:80-AP2, *Fraud, Waste, and Abuse Awareness Program*.

²⁰ The policy must include performance measures. 30 ILCS 235/2.5(8).

The Board will determine, after receiving the Superintendent's recommendation, which fund is in most need of interest income and the Superintendent shall execute a transfer. This provision does not apply when the use of interest earned on a particular fund is restricted. ²¹

Ethics and Conflicts of Interest ²²

The Board and District officials will avoid any investment transaction or practice that in appearance or fact might impair public confidence. Board members are bound by the Board policy 2:100, *Board Member Conflict of Interest*. No District employee having influence on the District's investment decisions shall:

1. Have any interest, directly or indirectly, in any investments in which the District is authorized to invest,
2. Have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments, or
3. Receive, in any manner, compensation of any kind from any investments in that the agency is authorized to invest.

LEGAL REF.: 30 ILCS 235/, Public Funds Investment Act.
30 ILCS 238/, Ill. Sustainable Investing Act.
105 ILCS 5/8-7, 5/10-22.44, 5/17-1, and 5/17-11.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:10 (Fiscal and Business Management), 4:80 (Accounting and Audits)

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


²¹ 105 ILCS 5/10-22.44. "Chief Business Official" may replace "Superintendent." Interest income earned on any funds for IMRF, Tort Immunity Act, Fire Prevention, Safety and Environmental Energy, and Capital Improvement Act are restricted to the respective fund. Id.

²² The policy must address these topics. 30 ILCS 235/2.5(a)(12). The conflict of interest prohibition is in 30 ILCS 235/2(d).

13. Approval of First Reading of Updated Board of Education Policy 4:150 - Facility Management & Building Programs

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Recommended Motion: that the Board of Education accept for first reading the revised Board of Education Policy 4:150 - Facility Management & Building Programs, as presented. **See Attachment No. 14.**

TO: Members of the Board of Education
FROM: Vince Gallo, Chief Financial Officer 
DATE: December 05, 2024
SUBJECT: Approve Updated Board Policy 4:150 - Facility Management & Building Programs

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

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

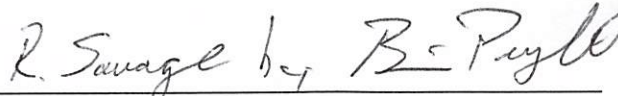
Facts: In the continuing quest to update the District's Board Policies, attached is a portion of Section 4 with suggested changes based on PRESS recommendations. The administration is requesting the Board accept updates for Section 4:150, as listed.

Attached are the suggested changes based on PRESS recommendations. The administration is requesting the Board accept updates for Section - 4:150 Facility Management & Building Programs. This increases the threshold amount for Board approval of renovations or permanent alterations to building or grounds to \$17,500, and no longer requiring a referendum for the purchase, construction, or building of a building for classroom or instructional use if, prior to the building or purchase, the Board adopts a Resolution finding the building or purchase will result in an increase to pre-k or kindergarten space in the District.

Cost: None.

Recommended Action: That the Board of Education accept for first reading the revised Board of Education Policy 4:150 - Facility Management & Building Programs, as presented.

Approved for Submission to the Board of Education



Dr. Rachel Savage
Superintendent of Schools

Operational Services

Facility Management and Building Programs¹

The Superintendent shall manage the District's facilities and grounds as well as facility construction and building programs in accordance with the law, the standards set forth in this policy, and other applicable School Board policies. The Superintendent or designee shall facilitate: (1) inspections of schools by the Regional Superintendent and State Fire Marshal or designee, (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district, and (3) compliance with the 10-year safety survey process required by the School Code.²

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

¹ Each district with a school having 50 or more students must have a green school cleaning policy. Green Cleaning Schools Act, 105 ILCS 140/10. See sample policy 4:160, *Environmental Quality of Buildings and Grounds*, which fulfills the requirement to have a procedure on compliance with the Chemical Safety Acts, 105 ILCS 5/10-20.49. Many other State and federal laws control facility management and building programs. Good subjects for administrative procedures include management of custodial services, security, and green cleaning, among others.

The federal rules implementing the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 et seq.) prohibit discrimination on the basis of disability in services and facilities. 28 C.F.R. Parts 35 and 36. The 2010 ADA Standards for Accessible Design (28 C.F.R. Part 36, Appendix) are available from a link on the ADA home page, www.ada.gov/. Consult the board attorney about how these standards apply to alterations and new construction.

The Prevailing Wage Act (PWA) is generally applicable to all construction projects. 820 ILCS 130/. It requires, among other things, that: (1) all workers on a public works project be paid no less than the prevailing hourly rate (820 ILCS 130/1); (2) the district specify in all public works contracts that the prevailing rate must be paid (820 ILCS 130/4(e)); and (3) all contractors must submit certain employment records, including certified payrolls, to the Ill. Dept. of Labor (IDOL) through its online portal (<https://labor.illinois.gov/laws-rules/conmed/prevailing-wage-portal.html> www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/Prevailing-Wage-Portal.aspx). Since the activation of the IDOL database in April 2020, the PWA no longer requires districts to keep these records for past or future public works projects. 820 ILCS 130/5. However, districts may still need to maintain employment records received from public works contractors prior to the IDOL database activation to comply with the Local Records Act (50 ILCS 205/). Consult the board attorney for guidance in this area.

105 ILCS 5/10-20.63, ~~amended~~ by P.A.s ~~100-163~~ and 102-340, requires school districts to make menstrual hygiene products (defined as tampons and sanitary napkins for use in connection with the menstrual cycle) available, at no cost to students, in the bathrooms of every school building that is open for student use in grades 4 through 12 during the regular school day. **Note:** The statute does not delineate between types of bathrooms (student, staff, girls, boys, unisex, etc.). Consult with the board attorney about implementing this law.

410 ILCS 35/25, ~~added by P.A. 101-165~~, requires schools to identify all single-occupancy restrooms as all-gender and designated for use by no more than one person at a time or for family or assisted use. All single-occupancy restrooms must have an exterior sign that marks it as a restroom and does not indicate any specific gender, e.g., signage which reads *all genders*. Id. at 35/20 and 35/25. It is unclear if this law will apply only to those restrooms made available to members of the public in schools, or if it will also include facilities designated as employee-only. The Ill. Dept. of Public Health enforces this requirement and may issue regulations to address this issue. 410 ILCS 35/30, ~~added by P.A. 103-518~~, also permits schools to identify any multiple-occupancy restroom as all-gender and designated for use by any person of any gender, provided certain specifications are met.

² 105 ILCS 5/2-3.12, ~~105 ILCS 5/3-14.20~~, and 5/3-14.21.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center Executive Director."

Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Superintendent or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed \$172,500, including the cost equivalent of staff time.³ This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

Standards for Green Cleaning ⁴

For each District school with 50 or more students, the Superintendent or designee shall establish and supervise a green cleaning program that complies with the guidelines established by the Illinois Green Government Coordinating Council.

Standards for Facility Construction and Building Programs ⁵

As appropriate, the Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Superintendent or designee shall provide the Board

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105 ILCS 5/2-3.12 and 23 Ill.Admin.Code Part 180 contain the school building code and Health/Life and Safety Code for Public Schools (HLS Code), respectively. The board must hire a licensed architect or engineer to conduct a decennial inspection of its school buildings and produce a ten-year safety survey report, which is submitted to the Regional Superintendent (ROE) or Intermediate Service Center Executive Director (ISC) and the State Superintendent for approval. The board must also report to the ROE or ISC annually on its completion of the report recommendations to comply with the HLS Code. See the Health Life Safety Handbook at www.isbe.net/Pages/Health-and-Life-Safety.aspx for more information about the safety survey process.

³ This provision is optional and the amount may be changed. The \$172,500 spending limit is one-half of the bidding threshold for purchases or contracts. 105 ILCS 5/10-20.21, amended by P.A. 103-8. This provision's intent is to ensure that the board is kept informed about significant renovations and permanent alterations. A board should discuss this provision with its superintendent before including it in the policy.

⁴ Required by the Green Cleaning Schools Act (105 ILCS 140/) and Green Cleaning for Elementary and Secondary Schools (23 Ill.Admin.Code Part 2800). The Ill. Green Government Coordinating Council established *Guidelines and Specifications for the Green Cleaning Schools Act* which state: "While not mandatory, schools should implement the practices set forth in the Recommendations section of these guidelines where applicable and appropriate." See *Guidelines and Specifications for the Green Cleaning Schools Act* at: www.newsystemonline.com/wp-content/uploads/2014/05/Illinois-GreenCleanFinalGuidelines.pdf.

⁵ The inclusion and identification of the facility goals listed in the second paragraph are at the board's discretion.

After 1-1-15, all "new school building construction" must include a storm shelter that meets or exceeds the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC-500) published jointly by the International Code Council and the National Storm Shelter Association. 105 ILCS 5/2-3.12(e-5); 23 Ill.Admin.Code §180.60(b)(3). Any facility project for which the design contract is executed after 7-1-16 must meet standards of the 2015 International Building Code and its subcodes. 23 Ill.Admin.Code §180.60(a).

The Ill. Environmental Barriers Act (IEBA) (410 ILCS 25/) and the Ill. Accessibility Code (IAC) (71 Ill.Admin.Code Part 400) ensure that "the built environment in the State of Illinois is designed, constructed, and altered to be accessible to and usable by all, including individuals with disabilities." 71 Ill.Admin.Code §400.110(a). **Note:** Press boxes constructed on school property do not have to comply with the IAC if the press boxes are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet. 105 ILCS 5/10-20.51; 23 Ill.Admin.Code §180.60(b)(4).

with projected facility needs, enrollment trends, and other data impacting facility use. Board approval is needed for all new facility construction and expansion.

When making decisions pertaining to design and construction of school facilities, the Board will confer with members of the staff and community, the Ill. State Board of Education, and educational and architectural consultants, as it deems appropriate. The Board's facility goals are to:

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school buildings on identifiable student needs.
3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Design buildings for maximum potential for community use.
5. Meet or exceed all safety requirements.
6. Meet requirements on the accessibility of school facilities to disabled persons as specified in State and federal law.
7. Provide for low maintenance costs, energy efficiency, and minimal environmental impact.

Naming Buildings and Facilities ⁶

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. Any request to name or rename an existing facility should be submitted to the Board. When a facility is to be named or renamed, the Board President will appoint a special committee to consider nominations and make a recommendation, along with supporting rationale, to the Board.⁷ The Board will make the final selection. The Superintendent or designee may name a room or designate

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A building intended for classroom or instructional use may be constructed only after voter approval at a referendum unless the building is: (1) leased by the district; or (2) purchased with funds from the sale or disposition of other buildings or structures, or with funds received as a grant under the School Construction Law or as a gift, provided that no funds (other than lease payments) are derived from the district's bonded indebtedness or its tax levy. 105 ILCS 5/10-22.36, amended by P.A. 103-591-401-455. A referendum is also not required if the purchase, construction, or building of such a building is paid for with funds received from the County School Facility and Resources Occupation Tax Law. Id. Beginning 9-1-24, a referendum is not required to build or purchase a building for school classroom or instructional purposes if, prior to the building or purchase, the board adopts a resolution finding the building or purchase will result in an increase in pre-kindergarten or kindergarten classroom space in the district. Id. at (e), added by P.A. 103-591.

A district may levy a tax for "fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes." 105 ILCS 5/17-2.11. An expedited process may be available in emergency situations. 105 ILCS 5/17-2.11(a). A district may levy a tax or issue bonds if it determines: (1) it is necessary for school security purposes and the protection and safety of students and staff to hire a school resource officer, or that personnel costs for school counselors, mental health experts, or school resources officers are necessary; and (2) it does not need funds for any other purpose set forth in 105 ILCS 5/17-2.11(d), amended by P.A. 101-455. The flexibility for a board to, subject to certain notice requirements, transfer surplus life safety taxes and interest earnings on them to the Operations and Maintenance Fund for building repair work expired on 6-30-21 and was not renewed. 105 ILCS 5/17-2.11(j), amended by P.A. 101-643.

The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements. 20 ILCS 3130/. Waivers may be granted by the Capital Development Board in certain situations. 20 ILCS 3130/15(e). For environmental impact laws, see sample policy 4:160, Environmental Quality of Buildings and Grounds.

⁶ This section is optional and its contents are at the board's discretion.

⁷ If the board wants to include criteria for the committee, insert the following:

"The committee will:

1. Encourage input from the community, staff members, and students.
2. Give consideration to names of local communities, neighborhoods, streets, landmarks, history of the area, and individuals who have made a contribution to the District, community, State, or nation.
3. Ensure that the name will not duplicate or cause confusion with the names of existing facilities in the District."

some area on a school's property in honor of an individual or group that has performed outstanding service to the school without using the process in this policy.

LEGAL REF.: 42 U.S.C. §12101 et seq., Americans with Disabilities Act; ~~of 1990, implemented by~~ 28 C.F.R. Parts 35 and 36.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/10-20.63, and 5/17-2.11.
105 ILCS 140/, Green Cleaning Schools Act.
105 ILCS 230/, School Construction Law.
410 ILCS 25/, Environmental Barriers Act.
410 ILCS 35/25, Equitable Restrooms Act.
820 ILCS 130/, Prevailing Wage Act.
23 Ill.Admin.Code Part 151, School Construction Program; Part 180, Health/Life Safety Code for Public Schools; and Part 2800, Green Cleaning for Elementary and Secondary Schools.
71 Ill.Admin.Code Part 400, Ill. Accessibility Code.

CROSS REF.: 2:150 (Committees), 2:170 (Procurement of Architectural, Engineering, and Land Surveying Services), 4:60 (Purchases and Contracts), 8:70 (Accommodating Individuals with Disabilities)

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14. Reports, Requests and Open Discussion

A. Superintendent's Report

B. Financial Report - End of Fiscal Year June 30, 2024

C. Student Board of Education Member Report

15. Adjournment

NOTICE OF NONDISCRIMINATION PRACTICES

The Moline-Coal Valley Unit School District No. 40 does not discriminate against employees, students, or the general public in its programs or practices, including vocational education, on the basis of race, color, religion, sex, gender, gender identity, disability, age, marital status, pregnancy status, citizenship status, military status, unfavorable discharge from the military service, national origin or ancestry in accordance with Title IX, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The Moline-Coal Valley School District prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment. Moline-Coal Valley School District's nondiscrimination policy and grievance procedures can be located on the District website under Board Policy. 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 Assistant Superintendent for Student Services and Special Education 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, 1900 52nd Avenue, Moline, IL 61265.